

**COMMONWEALTH OF MASSACHUSETTS**  
**HAMPDEN, SS**

To Ms. Kim Batista, Town Clerk of the Town of Ludlow, Massachusetts in said County:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote on Town affairs to meet at the **Ludlow High School, 500 Chapin Street, Ludlow, Massachusetts on Monday, May 08, 2017 at 7:30 p.m.** for the purpose of acting on the following articles in the warrant.

You are further directed to notify and warn the inhabitants of Precinct 1, Precinct 2, Precinct 3, Precinct 4, Precinct 5 and Precinct 6 of said Town qualified to vote in the elections to meet at the place designated in each precinct, viz: The voters of Precinct 1 shall vote at Chapin Elementary School on Chapin Street, voters of Precinct 2 shall vote at Christ the King Social Center on 15 Warsaw Avenue, voters of Precinct 3 shall vote at the Ludlow High School on Chapin Street, voters of Precinct 4 shall vote at East Street Elementary School on East Street, voters of Precinct 5 shall vote at First Church of Ludlow on Center/Church Streets, and voters of Precinct 6 shall vote at Veteran's Park Elementary School on Chapin Street, March 27, 2017 at 10:00 o'clock in the forenoon to bring in their votes for **ONE MEMBER OF THE BOARD OF SELECTMEN** for a three year term; **ONE TOWN CLERK** for a three year term; **ONE TAX COLLECTOR** for a three year term; **ONE TOWN MODERATOR** for a three year term; **ONE MEMBER OF THE BOARD OF ASSESSORS** for a three year term; **ONE MEMBER OF THE BOARD OF HEALTH** for a three year term; **ONE MEMBER OF THE BOARD OF HEALTH** for a two year unexpired term; **ONE LIBRARY TRUSTEE** for a three year term; **ONE MEMBER OF THE HOUSING AUTHORITY** for a one year unexpired term; **TWO MEMBERS OF THE BOARD OF PUBLIC WORKS** for three year terms; **ONE MEMBER OF THE RECREATION COMMISSION** for a three year term; **TWO MEMBERS OF THE SCHOOL COMMITTEE** for three year terms; **ONE MEMBER OF THE PLANNING BOARD** for a five year term; **LIMITED TOWN MEETING MEMBERS** each from Precinct 1, Precinct 2, Precinct 3, Precinct 4, Precinct 5, and Precinct 6 as follows: **PRECINCT 1:** Five openings for three year terms; **PRECINCT 1:** Two openings for two year unexpired terms; **PRECINCT 1:** One opening for a one year unexpired term; **PRECINCT 2:** Five openings for three year terms; **PRECINCT 2:** Three openings for two year unexpired terms; **PRECINCT 2:** Three openings for one year unexpired terms; **PRECINCT 3:** Five openings for three year terms; **PRECINCT 3:** One opening for a one year unexpired term; **PRECINCT 3:** One opening for a one year unexpired term; **PRECINCT 4:** Five openings for three year terms; **PRECINCT 4:** One opening for a two year unexpired term; **PRECINCT 5:** Five openings for three year terms; **PRECINCT 5:** One opening for a two year unexpired term; **PRECINCT 5:** One opening for a one year unexpired term; **PRECINCT 6:** Five openings for three year terms;

**ARTICLE 1:** To hear and act on the reports of the Town Officers; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 2:** To hear and act on the reports of the outstanding committees appointed pursuant to prior warrants and continued at each succeeding meeting and to continue said committees further, unless discharged by vote of this body; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 3:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the printing of the **ANNUAL TOWN REPORT** for the calendar year 2016 and **TOWN MEETING WARRANTS** and **RECOMMENDATIONS**; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 4:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the **ANNUAL TOWN AUDIT** for the Fiscal Year ending June 30, 2017; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 5:** To see if the Town will vote to raise and appropriate and/or otherwise provide such sums of money as may be necessary for Town purposes and charges during Fiscal Year 2018 and to fix the salary of all elected officials of the Town for the Fiscal Year beginning July 1, 2017; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 6:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money, not to exceed \$5,000.00, to be expended by the Celebrate Ludlow Committee, with the approval of the Board of Selectmen, for fireworks and general expenses related to the annual Town-wide celebration and to further allow gifts and donations to be deposited in a previously established Special Revenue Fund to cover expenses related to this celebration; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 7:** To see if the Town will vote to re-establish a revolving fund for the Board of Health, pursuant to Massachusetts General Laws Chapter 44, Section 53E ½, said fund to receive on-site sewage disposal system fees, said fund to be deposited with the Town Treasurer and with payments from the fund to be expended by the Board of Health, up to the limit to be established by the Town to pay the sewage system inspectors and to pay other expenses of the inspection program; pass any vote or take any action relative thereto. Submitted by the Board of Health

**ARTICLE 8:** To see if the Town will vote to re-establish a revolving fund for the Board of Health, pursuant to Massachusetts General Laws Chapter 44, §53E ½, said fund to receive vaccine fees, said fund to be deposited with the Town Treasurer and with payments from the fund to be expended by the Board of Health, up to the limit to be established by the Town to pay vaccine providers; pass any vote or take any action relative thereto. Submitted by the Board of Health.

**ARTICLE 9:** To see if the Town will vote to establish a revolving fund for the Board of Health, pursuant to Massachusetts General Laws Chapter 44, Section 53E ½, said funds to receive fees for CPR, Hands-only CPR and First Aid Training, said fund to be deposited with the Town Treasurer and with payments from the fund to be expended by the Board of Health, up to the limit to be established by the Town to purchase supplies for the trainings; pass any vote or take any action relative thereto. Submitted by the Board of Health.

**ARTICLE 10:** To see if the Town will vote to re-establish a revolving fund for the Conservation Commission, pursuant to Massachusetts General Laws Chapter 44, §53E 1/2, said fund to receive Wetland Fees collected by the Ludlow Conservation Commission per Chapter XV, § 6, of the Town of Ludlow Bylaws. Said fees to be submitted to the Town Treasurer for deposit and expended by the Conservation Commission, up to the limit to be established by the Town only for expenses attributable to the administration and enforcement of the Wetlands Protection Act, Ludlow Conservation Commission Bylaws and maintenance and improvements of Ludlow's natural resource areas; pass any vote or take any action relative thereto. Submitted by the Conservation Commission.

**ARTICLE 11:** To see if the Town will vote to re-establish a revolving fund for the Conservation Commission, pursuant to Massachusetts General Laws Chapter 44, §53E 1/2, said fund to receive Consultant Fees collected by the Ludlow Conservation Commission per Chapter XV, § 6, of the Town of Ludlow Bylaws. Said fees to be submitted to the Town Treasurer for deposit and expended by the Conservation Commission, up to the limit to be established by the Town, only to pay independent consultants for services related to the specific project for which they were collected; pass any vote or take any action relative thereto. Submitted by the Conservation Commission.

**ARTICLE 12:** To see if the Town will vote to re-establish a revolving fund for the Board of Public Works, pursuant to Massachusetts General Laws Chapter 44, §53E ½, said fund to receive revenues from the sale of "Purple" Bags under the Sustainable Materials Recovery Program, said fund to be deposited with the Town Treasurer and with payments from the fund to be expended by the Board of Public Works, up to the limit to be established by the Town to pay for the "Purple" Bags, Recycling Bins and Recycling Decals; pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

**ARTICLE 13:** To see if the Town will vote to amend the Town of Ludlow General Bylaws by adding a new **Section 42: DEPARTMENTAL REVOLVING FUNDS**, to Chapter 2, "Regulating the Conduct of Town Business" to establish and authorize revolving funds for the use by certain town departments, boards, committees, agencies or officers under Massachusetts General Laws Chapter 44, § 53E ½ and which shall read as follows; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

## **SECTION 42: DEPARTMENTAL REVOLVING FUNDS**

**1. Purpose.** This by-law/ordinance establishes and authorizes revolving funds for use by town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, §53E ½.

**2. Expenditure Limitations.** A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:

A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund, (except for those employed as school bus drivers).

B. No liability shall be incurred in excess of the available balance of the fund.

C. The total amount spent during a fiscal year shall not exceed the amount authorized by town meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the selectboard and finance committee.

**3. Interest.** Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.

**4. Procedures and Reports.** Except as provided in General Laws Chapter 44, §53E ½ and this by-law, the laws, charter provisions, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this by-law. The town accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the town accountant provides the department, board, committee, agency or officer on appropriations made for its use.

### **5. Authorized Revolving Funds.**

#### **Table Establishing Funds**

The Table establishes:

- A. Each revolving fund authorized for use by a town department, board, committee, agency or office,
- B. The department or agency head, board, committee or officer authorized to spend from each fund,
- C. The fees, charges, and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the town accountant,
- D. The expenses of the program or activity for which each fund may be used,
- E. Any restrictions or conditions on expenditures from each fund,
- F. Any reporting or other requirements that apply to each fund, and
- G. The fiscal years each fund shall operate under this by-law.

**Table: Revolving Funds**

A Revolving Fund	B Department, Board, Committee, Agency Or Officer Authorized to Spend from Fund	C Fees, Charges or Other Receipts Credited to Fund	D Program or Activity Expenses Payable from Fund	E Restrictions or Conditions On Expenses, Payable from Fund	F Other Requirements/ Reports	G Fiscal Years
CPR Training	Board of Health	Fees charged for CPR, Hands-only CPR and First Aid Training	Purchase of certification cards, manuals and supplies that will be needed for each participant.			Fiscal Year 2018 and subsequent years
On-site Sewage System	Board of Health	Fees collected for percolation tests, reviewing of septic plans and final inspection of septic systems	Pay the salary of the sewage system Inspectors and to pay other expenses of the inspection program	Payment to the On-site Sewage Disposal System Inspectors who witnesses percolation tests, reviews septic system plans and performs final inspections of septic systems		Fiscal Year 2018 and subsequent years
Vaccine	Board of Health	Fees collected for vaccines provided to residents	Payment to vaccine providers to purchase vaccines to replenish supply			Fiscal Year 2018 and subsequent years
Consultants	Conservation Commission	Consultant fees collected by Con Com per Chapter XV, § 6, of the Town of Ludlow Bylaws	Commission may require an applicant to pay for the cost of enlisting the services of an independent consultant in an amount estimated to be sufficient to cover the fee for any given project	Only to pay independent consultants for services related to the specific project for which they were collected		Fiscal Year 2018 and subsequent years.
Wetlands	Conservation Commission	Fees collected per Chapter XV, § 6 of the Town of Ludlow Bylaws	For expenses, attributable to the administration and enforcement of the Wetlands Protection Act, Ludlow conservation Commission Bylaws and maintenance and improvements of Ludlow's natural resource areas.	MA Dept of Revenue require that Wetland fees imposed through a Town Bylaw must be kept Separate from wetland fees imposed by the State Regulation		Fiscal Year 2018 and subsequent years.
Purple Bags	Board of Public Works	Receive revenues from the sale of "Purple" Bags under the Sustainable Materials Recovery Program	Purchase purple bags, recycling bins and recycling decals.			Fiscal Year 2018 and subsequent years.

**ARTICLE 14:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money not to exceed \$20,000 to be used for professional services by the Ludlow Senior Center Building Committee; pass any vote or take any action relative thereto. Submitted by the Ludlow Senior Building Committee.

**ARTICLE 15:** To see if the Town will vote to amend Article 5 of the October 4, 2010 Town Meeting regarding the Ambulance Subscription Fund by deleting the underlined section as outlined below:

**by deleting:** “to be used to pay any unpaid balances resulting from insurance payments except in the case of Medicare or Medicaid or **any insurance in which the Town is required to accept assignments of benefits**, shall be in accordance with Section 1834 (I) the Balance Budget Act of 1997 which states Ambulance Providers shall not collect from the beneficiary or any other person or organization for covered services more than the deductible and coinsurance.”

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 16:** To see if the Town will vote to establish “The Town of Ludlow Radio Communications Advisory Committee” consisting of representatives from Police, Fire, Schools and the Department of Public Works, and further to vote to raise and appropriate and/or transfer from available funds a sum not to exceed \$40,000 for engaging the services of a Communications Engineering Consultant to conduct a “Needs Assessment Phase” of the towns multi-frequency voice/radio system serving the Town of Ludlow; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 17:** To see if the Town will vote to raise and appropriate and/or borrow from available funds a sum of money to be used to provide matching funds for a 50/50 State and Town share Historical Preservation Grant, said funds to be used for repairs, construction and accessibility at the First Meetinghouse; pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

2/3<sup>rd</sup>'s Vote Required

**ARTICLE 18:** To see if the Town will vote to amend the Town of Ludlow General Bylaws by deleting Section 4 of *Chapter II, Regulating the Conduct of Town Business*, as this section regarding physicals for new town employees is governed in the Town of Ludlow Personnel Policy Manual; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 19:** To see if the Town will vote to amend the Town of Ludlow General Bylaws by deleting Section 22; Regulations for Reimbursement to Officials and Employees for Expenses incurred for meetings, meals and travel on Town business, of *Chapter II, Regulating the Conduct of Town Business*, as this section is governed in the Town of Ludlow Personnel Policy Manual; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 20:** To see if the Town will vote to accept the provision of Massachusetts General Laws Chapter 60 section 3F, the law would allow the Town to designate a place on its property or motor vehicle excise tax bills or mail with such bills a separate form whereby taxpayers may voluntarily check off, donate and pledge an amount of money which shall increase the amount already due, for the purposes of providing support for veterans and their dependents in need of immediate assistance; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen

**ARTICLE 21:** To see if the Town will vote to rescind the amount authorized to be borrowed under Article 5 of the warrant for the May 12, 2008 Special Town Meeting, but which was not required to be borrowed to complete the project for which it was approved; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 22:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be used for professional services by the Board of Selectmen for the purposes of legal consultation; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 23:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow by adding the following new section: XI. TEMPORARY MORATORIUM ON THE SALE AND DISTRIBUTION OF RECREATIONAL MARIJUANA and further to amend the Table of Contents to add Section XI. TEMPORARY MORATORIUM ON THE SALE AND DISTRIBUTION OF RECREATIONAL MARIJUANA with the ensuing parts as proposed herein.

**XI. Temporary Moratorium on the Sale and Distribution of Recreational Marijuana**

**11.0 Temporary Moratorium on the Sale and Distribution of Recreational Marijuana**

**11.0.1 Purpose**

By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for recreational purposes. The law provides that it is effective on December 15, 2016 and the State Cannabis Control Commission is required to issue regulations regarding implementation by September 15, 2017.

Currently under the Zoning Bylaw, Recreational Marijuana Establishments and Marijuana Retailers are not a permitted use in the Town and any regulations promulgated by the State Cannabis Control Commission are expected to provide guidance to the Town in regulating Recreational Marijuana Establishments and Marijuana Retailers

The regulation of Recreational Marijuana Establishments and Marijuana Retailers raise novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and Marijuana Retailers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana Establishments and Marijuana Retailers and other uses related to the regulation of recreational marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments and Marijuana Retailers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to adopt provisions of the Zoning Bylaw in a manner consistent with sound land use planning goals and objectives.

### **11.0.2 Definitions**

Manufacture: to compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

Marijuana accessories: equipment, products, devices or materials of any kind that are intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling or otherwise introducing marijuana into the human body.

Marijuana cultivator: an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers.

Marijuana establishment: a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.

Marijuana product manufacturer: an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.



Marijuana products: products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

Marijuana testing facility: an entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants.

Marijuana retailer: an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

### **11.0.3 Temporary Moratorium**

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Recreational Marijuana Establishments and Marijuana Retailers. The moratorium shall be in effect through June 30, 2018. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, consider the State Cannabis Control Commission regulations regarding Recreational Marijuana Establishments and Marijuana Retailers and related uses, determine whether the town shall restrict any, or all, licenses for Recreational Marijuana Establishments and Marijuana Retailers, determine whether the town will prohibit on-site consumption at Recreational Marijuana Establishments and Marijuana Retailers and shall consider adopting new provisions of the Zoning Bylaw to address the impact and operation of Recreational Marijuana Establishments and Marijuana Retailers and related uses. The planning process shall include a study of the appropriateness of a town-wide Ballot measure prohibiting marijuana establishments in the Town of Ludlow, if such Ballot measure is contemplated or permitted by applicable Massachusetts law and/or regulation.

### **11.0.4. Severability**

The provisions of this by-law are severable. If any provision, paragraph, sentence, or clause of this By-law or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

Pass any vote or take any action relative thereto. Submitted by the Planning Board.

2/3<sup>rd</sup>'s Vote Required

**ARTICLE 24:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow by changing from **Agriculture** to **Industrial A**, a parcel of land owned by Dominic and Deborah Torretti, located at 252 West Street (Assessors Map # 2C, Parcel 4) and described as follows:

Beginning at a stone bound in the Southeasterly line of said West Street at the Northwesterly corner of land of one Bousquet as conveyed by deed of Henry E. Robinson recorded in Hampden County Registry of Deeds in Book 1755, Page 83 and running thence North 42° 32' East by the Easterly line of said West Street one hundred fifty-nine and 40/100 (159.40) feet to an iron pipe at the land of one Vermette as conveyed by deed of Henry E. Robinson recorded in Hampden County Registry of Deeds in Book 1760, Page 197; running thence South 84° 55' 30" East by land of said Vermette and owner or owners unknown fifteen hundred sixty-three and 50/100 (1563.50) feet to an iron pipe at land supposed to be now or formerly of one Hubbard; thence South 5° 11' West one hundred twenty-nine and 70/100 (129.70) feet to an iron pipe at the Northwesterly corner of said Bousquet's land; thence North 84° 49' West along the northerly line of said Bousquet's land sixteen hundred sixty and 20/100 (1660.20) feet to the stone bound at the point of beginning. Containing 5.4 acres of land.

The above described parcel of land is all and the same premises conveyed to Roland W. Tetreault and Claire H. Tetreault, as tenants by the entirety, by deed of Henry E. Robinson dated August 5, 1954 and recorded August 6, 1954 in the Hampden County Registry of Deeds in Book 2328, Page 22. The said Roland W. Tetreault died October 16, 1965. The said Claire H. Tetreault died March 16, 1995 leaving as her next of kin and only heirs at law, Omer Brisson and Sylvia E. Brisson (see Hampden County Probate Docket No. 95P1140-AD). The said Sylvia E. Brisson died August 28, 1995 leaving as her next of kin and only heir at law, Omer Brisson, the Grantor herein (see Worcester County Probate Docket No. 95PR2857-EN).

Real estate taxes assessed by the Town of Ludlow for the current tax period have been apportioned between the parties hereto and the grantees hereby assume and agree to pay the same.

Pass any vote or take any action relative thereto. Submitted by the Planning Board.

2/3<sup>rd</sup>'s Vote Required

**ARTICLE 25:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow by changing from **Residence A** to **Business A**, a parcel of land owned by Ludlow Center, LLC., located at 485 Center Street (Assessors Map #16A Parcel 52) and described as follows:

The land in Ludlow bounded and described as follows: Beginning at a stake and nail in the westerly line of North Street, said point being an angle point in said North Street westerly line, said point also being distant southwesterly, two hundred eighty-four and 86/100 (284.86) feet from a stone bound at the corner of land of the Town of Ludlow known as "Island Pond Cemetery," Thence running SOUTHWESTERLY along said North Street westerly line, one hundred sixteen and 06/100 (116.06) feet to an iron pipe at land of one Lavoie; Thence turning an internal angle of 64° 51' 30" and running NORTHERLY along land of said Lavoie, three hundred seventy-four and 45/100 (374.45) feet to an iron pipe in the southerly line of said Cemetery land; Thence turning an internal angle of 76° 03' and running EASTERLY along said Cemetery southerly line, fifty (50) feet to an iron pipe at land of

grantors; Thence turning an internal angle of 114° 11' and running SOUTHERLY along land of the grantors, three hundred eighteen and 3/10 (318.3) feet to the point of beginning; The first and last described courses forming an internal angle 104° 54' 30". Containing about 26,930 feet of land more or less. Subject to restrictions of record if in force and applicable. Being the same premises conveyed to the Grantors herein by deed of Carol A. Romaniak and Sylvia Smolinski dated April 2, 2014 and recorded in Hampden County Registry of Deeds in Book 20242, Page 80 and by deed of John J. Smolinski, Jr. dated May 31, 2016 and recorded as aforesaid in Book 21211 Page 366.

Pass any vote or take any action relative thereto. Submitted by the Planning Board.

2/3<sup>rd</sup>'s Vote Required

**ARTICLE 26:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow by changing from **Agriculture** to **Residence A**, a parcel of land owned by Stephen M. Ecrement and Mariamar Gutierrez Ramirez, located at 603 Alden Street (Assessors Map #40, Parcel 81) and described as follows:

The land in said Ludlow, with the buildings thereon, bounded and described as follows: Beginning at a point where a stone wall intersects the West side of Alden Street, and running North 86° West 1,284 feet to a stake and stones; thence running South 50 feet to a stake; thence running East on a line parallel with the first mentioned line and 50 feet distant therefrom to the West side of said Alden Street; and thence running North 50 feet to the place of beginning. Being the same premises conveyed to the Grantors herein by Deed dated January 24, 1987 and recorded in the Hampden County Registry of Deeds in Book 6468, Page 376.

Pass any vote or take any action relative thereto. Submitted by the Planning Board.

2/3<sup>rd</sup>'s Vote Required

**ARTICLE 27:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow by changing from **Residence A and Agriculture** to **Business B**, a parcel of land owned by John and Melissa Garcia, located at 720 Chapin Street (Assessors Map #11D, Parcel 102A) and described as follows:

Beginning at a point on the Northerly side of said highway at a stake and stones at the Southeasterly corner of land formerly of Truman Hubbard and running thence Northerly on land of said Hubbard about thirty rods to a stake and stone at land now or formerly of Martha Galligan; thence Easterly on land of said Galligan about twenty-six rods to a stake and stones at land now or formerly of Henry A. Munsing; thence Southerly in a straight line about thirty-two rods to a stake and stones on the Northerly side of said highway and thence Westerly on said highway about twenty-six rods to the place of beginning. Excepting from the above described, a parcel of land; the premises conveyed by the following deeds: Deed to John Barna and Mitchell Barna dated October 31, 1952 and recorded in Book 2207, Page 126; deed to John Barna Mitchell Barna dated December 10, 1952, and recorded in said Registry of Deeds, Book 2215, Page 246; deed to John Barna and Mitchell Barna dated December 18,

1952 and recorded in said Registry of Deeds, Book 2216, Page 279. Excepting also the premises conveyed in a deed to Alorio N. Vermette and Velma Vermette dated January 13, 1953 and recorded in said Registry of Deeds, Book 2220, Page 333. Subject to easement rights granted to Western Massachusetts Electric Company and New England Telephone and Telegraph Company as more particularly set forth in instrument dated October 16, 1952 and recorded in Hampden County Registry of Deeds, Book 2204, Page 107.

Subject to restrictions and easements of record, if in force and if applicable.

Being the same premises conveyed to John Garcia and Melissa A. Garcia, dated May 17, 2007 and recorded with the Hampden County Registry of Deeds in Book 16688, Page 241.

Pass any vote or take any action relative thereto. Submitted by the Planning Board.

2/3<sup>rd</sup>'s Vote Required

**ARTICLE 28:** To see if the Town will vote to appropriate State Chapter 90 Highway Aid Funds for engineering, construction, reconstruction and/or repairs to Town roads and bridges; pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

**ARTICLE 29:** To see if the Town will vote to authorize the Board of Public Works to enter into a contract with the Massachusetts Department of Transportation for the construction and maintenance of public roads for the ensuing years; pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

**ARTICLE 30:** To see if the Town will vote to appropriate or transfer a sum of money to establish a Fiscal Year 2017 budget for the Department of Public Works Enterprise Fund for the Closure of the Landfill; pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

**ARTICLE 31:** To see if the Town will vote to raise and appropriate and/or transfer from available funds and/or borrow by the issuance of bonds or notes such sums of money as may be necessary for Town Capital Improvements during the fiscal year beginning July 1, 2017 and further to vote to close out surplus old special articles, accounts and capital projects from Fiscal Years 2009 to 2016 to be used to fund some of the Capital projects; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

2/3<sup>rd</sup>'s Vote Required

**ARTICLE 32:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the Building Infrastructure Article which was established at the October 1, 2012 Special Town Meeting, Article 17 and authorize the Board of Selectmen to expend such funds for the purpose of assessing and addressing the repairs, maintenance and construction of municipal buildings; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 33:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the Fiscal Year 2018 Reserve Fund; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 34:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for deposit into the Stabilization Fund; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 35:** To see if the Town will vote to transfer a sum of money from the Unreserved Fund Balance to be used by the Board of Assessors in determining the Fiscal 2018 tax levy; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 36:** To see if the Town will vote to transfer a sum of money from the Stabilization Fund to be used by the Board of Assessors in determining the Fiscal Year 2018 tax levy; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

And you are directed to serve this warrant by posting attested copies of the same in seven (7) public places in the Town seven (7) days at least before the time of holding said meeting.

**A true copy,**

**ATTEST:**

**WILLIAM E. ROONEY**

\_\_\_\_\_  
**CHAIRMAN**

**MANUEL D. SILVA**

\_\_\_\_\_

**BRIAN M. MANNIX**

\_\_\_\_\_

**CARMINA D. FERNANDES**

\_\_\_\_\_

**DEREK G. DEBARGE**

\_\_\_\_\_

**BOARD OF SELECTMEN**

**LUDLOW, MASSACHUSETTS**

**April 11, 2017**

I hereby certify that I have posted the above warrant in seven (7) places in the Town of Ludlow.

\_\_\_\_\_ **TOWN CLERK**

\_\_\_\_\_ **2017**