

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 Auditorium**, 500 Chapin Street, Ludlow, Massachusetts on **Monday, May 10, 2021 at 7:30 p.m.**, if the Auditorium of the LUDLOW HIGH SCHOOL, shall not, in the opinion of the Moderator, be adequate to contain such inhabitants who shall meet, then to meet also in such other locations in the LUDLOW HIGH SCHOOL as the Moderator deems appropriate, at such time and place then and there 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, Chapin Street, voters of Precinct 2 shall vote at Paul R. Baird Middle School, Rooney Road, voters of Precinct 3 shall vote at Ludlow High School, Chapin Street, voters of Precinct 4 shall vote at East Street Elementary School, East Street, voters of Precinct 5 shall vote at First Church of Ludlow, Center/Church Streets, and voters of Precinct 6 shall vote at Veteran's Park Elementary School, Chapin Street, March 22, 2021 at 10:00 o'clock in the forenoon to bring in their votes for **TWO MEMBERS OF THE BOARD OF SELECTMEN** for three year terms; **ONE TOWN TREASURER** 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 LIBRARY TRUSTEE** for a three year term; **ONE MEMBER OF THE HOUSING AUTHORITY** for a five year term; **ONE MEMBER OF THE BOARD OF PUBLIC WORKS** for a three year term; **ONE RECREATION COMMISSIONER** for a three year term; **ONE MEMBER OF THE SCHOOL COMMITTEE** for a three year term; **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:** 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:** One opening for one year unexpired terms; **PRECINCT 3:** Five openings for three year terms; **PRECINCT 4:** Five openings for three year terms; **PRECINCT 5:** Five openings for three year terms; **PRECINCT 5:** One opening for a one year unexpired term; **PRECINCT 6:** Five openings for three year terms; **PRECINCT 6:** One opening for a one year unexpired term;

**QUESTION 1:** Shall the Town vote to have its selectmen act as the board of public works?

YES	
NO	

**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 otherwise provide such sums of money as may be necessary for Town purposes and charges during Fiscal Year 2021 and to fix the salary of all elected officials of the Town for the same Fiscal Year, beginning July 1, 2020; 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 establish the annual expenditure limits for each of the following already established revolving funds for the use by certain Town departments, boards, committees, agencies or officers pursuant to Massachusetts General Laws Chapter 44, § 53E ½ as outlined in the Town of Ludlow General Bylaws, **Chapter 2, Section 42: DEPARTMENTAL REVOLVING FUNDS** and printed below; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

CPR Training	\$5,000
On-site Sewage System	\$0,000
Vaccine	\$20,000
Consultants	\$50,000
Wetlands	\$80,000
Purple Bags	\$26,000
Dog Park	\$5,000

**ARTICLE 5:** 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 6:** To see if the Town will vote to transfer from available funds a sum of money, not to exceed \$25,000.00, to be expended by the 250<sup>th</sup> Semi-Quincentennial Committee, with the approval of the Board of Selectmen, for general expenses related to a Town-wide year-long celebration and to further allow gifts and donations to be deposited in an 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 amend the Town of Ludlow General Bylaws by adding the following chapter, Chapter XX, Single Use Plastic Bag Prohibition; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen

by adding:

## **Chapter XX Single Use Plastic Bag Prohibition**

The production and use of thin-film single-use plastic checkout bags have significant impacts on the environment, including, but not limited to; contributing to the potential death of aquatic animals and other wildlife through ingestion and entanglement; contributing to pollution of the land environment; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil nationally for their production.

**SECTION 1: PURPOSE:** The purpose of this by law is to reduce the use of thin-film single-use plastic checkout bags by all retail and grocery stores in the town of Ludlow.

**SECTION 2: EFFECTIVE DATE:** This bylaw shall be effective on January 1, 2021.

### **SECTION 3: DEFINITIONS**

**3.1 Checkout bag:** A carryout bag provided by a store to a customer at the point of sale. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or checkout area of the store.

**3.2 “Thin-film single-use plastic bags”,** typically with plastic handles, are bags with a thickness of 3 mils (thousandths of an inch) or less and are intended for single-use transport of purchased products.

**3.3 Grocery Store:** A retail establishment where more than fifty percent of the gross floor area is devoted to the sale of food products for the home preparation and consumption, which typically also offers home care and personal care products.

**3.4 Reusable checkout bag:** A bag, with handles, that is specifically designed for multiple use and is made of thick plastic, cloth, fabric or other durable materials.

**3.5: Retail store:** An establishment that offers the sale and display of merchandise within a building which includes but is not limited to grocery stores, pharmacies, liquor stores, “mini marts”, and retail vendors selling clothing, food, and household or personal items.

**3.6: Compostable bag;** A bag that 1) Meets the ASTM D6400 standard for compostable plastic and 2) is able to be municipally or industrially composted.

**3.7: ASTM D6400 standard: A testing standard developed by the American Society for Testing and Materials used to determine the ability of a material to be composted.**

**3.8: Recyclable Paper Bag means a bag that: 1) is 100% recyclable overall 2) contains a minimum of 30\$ post-consumer recycled content and 3) displays the words “Recyclable” or “Please Recycle” on the outside of the bag.**

#### **SECTION 4: USE REGULATIONS**

**4.1: “Thin-film single-use plastic bags shall not be distributed, used, or sold for checkout or other purposes at any retail within the Town of Ludlow.**

**4.2: Customers are encouraged to bring their own useable or biodegradable shopping bags to stores. Retail establishments may provide biodegradable bags, reusable bags, compostable bags, or recyclable paper bags for free or for a fee, as they so desire. Retail establishments are strongly encouraged to make reusable bags available for sale to customers at a reasonable price.**

**4.3: Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, cheese, bulk foods, wet items and other similar merchandise, typically without handles, are permissible.**

#### **SECTION 5: ENFORCEMENT**

**5.1: Enforcement of this bylaw shall be the responsibility of Enforcing Persons as outlined in Chapter XIII, Non-Criminal Disposition and Enforcement.**

**5.2: Any retail establishment distributing plastic grocery bags in violation of this bylaw shall be subject to a non-criminal disposition fine as specified in Section 2 (c) of Chapter XIII, Non-Criminal Disposition and Enforcement of the Town of Ludlow Bylaws and pursuant to the provisions of M.G.L. c.40, §21D.**

<b>First Violation</b>	<b>Warning</b>
<b>Second Violation</b>	<b>\$100.00</b>
<b>Third Violation</b>	<b>\$200.00</b>
<b>Fourth and subsequent violations</b>	<b>\$300.00</b>
<b>Each day such violation continues shall be deemed as a separate offense.</b>	

**5.2: Residents of Ludlow who may observe potential violations of this bylaw shall be able to file a complaint with Enforcement Departments who shall investigate whether there is a violation of this bylaw.**

**ARTICLE 8:** To see if the Town will vote to rewrite the Senior Citizen Property Abatement Program as initially approved in Article 15 of the October 2, 2000 Town Meeting (and subsequently amended in 2002 and 2003) by changing Section B, replacing it with the following which increases the dollar amount to \$750.00 (seven hundred fifty dollars) and allows the division to be divided by the Massachusetts Minimum Wage:

## **SENIOR CITIZEN PROPERTY ABATEMENT PROGRAM**

### **B. Scope of Program**

The Town will set up to no more than **(75)** slots as volunteer services in various Town departments for this program. The program will have a Board of Advisors composed of five (5) Town department managers and/or designees and the Town Administrator as an ex-officio member to assist in the counsel and advice to the Board of Selectmen for definition of the program, monitoring of its effectiveness and selection process. The Advisors will consist of the following: School Business Manager, Council on Aging Director, Town Collector, Assistant Assessor and Librarian. The Advisory Board shall meet annually to re- determine the allocation of the seventy-five slots

1. Applications will be accepted from November 1<sup>st</sup> through December 31<sup>st</sup> of each year for the following fiscal year selection. The attached application must be utilized for all prospective volunteers.
2. Volunteers may begin the work on February 1<sup>st</sup> or later whichever is more convenient for the assigned department and all work must be completed no later than November 30<sup>th</sup>.
3. Volunteers must complete the number of hours equivalent to **\$750.00** divided by the **Massachusetts Minimum** wage. To qualify for the abatement, individuals must complete the assigned number of hours (no partial abatements will be recognized)
4. Only one abatement per household (volunteer hours must be completed by one individual not shared)
5. The abatement will be applied to the domicile address at the time of the hours worked.
6. If the number of applicants exceeds the number of slots, selection of perspective volunteers will be made on a lottery basis. Each applicant not selected will be assigned a number. In the event that an applicant cannot fulfill the requirements, then the slot will be filled by the next numerical applicant. If that applicant refuses then the next numerical applicant available will be chosen.
7. The allocation of slots will be assigned to the departments where volunteers will be most valuable.
8. Department heads must certify participation of the volunteer program by completing the bottom portion of the original application.
9. In lieu of wages received, volunteers will receive from the Board of Assessors Office, a certificate prior to the issuance of the actual real estate tax bill for the current fiscal year.

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

**ARTICLE 9:** To see if the Town will vote to amend the Town of Ludlow General Bylaws Chapter III, Section 4, by rewriting subsection (d) Registration Fee to read as follows; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen

**“Each door-to-door solicitor applicant for registration or re-registration shall pay a fee pf \$25.00 paid to the police department upon application for a three-month period.”**

**ARTICLE 10:** To see if the Town will vote to appropriate a sum of money from free cash, not to exceed Fifteen Thousand dollars, to be transferred into Article 17 of the June 22, 2020 STM Warrant to to perform the Classification Study, review and evaluate union positions within the LATOSS Unit in addition to the Non- Union positions previously passed; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 11:** To see if the Town will vote to change amend the Town of Ludlow Bylaws, Chapter IX, section 5 and section 6 by increasing the fines dollar amounts.

Sec. 5 - Running at Large	\$50.00 – First Offense
	\$100.00 – Second Offense
	\$250.00 – Third Offense

Sec. 6 – First Offense fine (1-6) - \$50.00  
Second Offense fine \$100.00

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

**ARTICLE 12:** To see if the Town will vote to transfer all remaining balances from Article 41 of the 5-11-2015 ATM, Article 22 of the 5-9-2016 ATM, Article 2 of the 11-6-2017 STM, and Article 9 of the 5-13-2019 ATM into Article 27 of the 6-22-2020 STM. ; 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 raise and appropriate and/or transfer from Sewer Enterprise Account Retained Earnings and/or borrow by the issuance of bonds or notes such sums of money as may be necessary for the Sewer Division Capital Improvements during the fiscal year beginning July 1, 2021 and place into Article 27 of the 6-22-2020 STM; pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

**ARTICLE 14:** 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 and authorize the Board of Selectmen, if necessary, to borrow in anticipation of the receipt of such State Aid; pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

2/3rds vote required

**ARTICLE 15:** 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 16:** To see if the Town will vote to appropriate or transfer a sum of money to establish a Fiscal Year 2022 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 17:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow by changing from **Residence B** to **Business B**, a parcel of land owned by Jamie & Richard Jacobs, located at 193 Center Street (Assessors Map # 12D, Parcel 53) and described as follows:

The land in Ludlow, Hampden County, Massachusetts, with buildings hereon, bounded and described as follows: Beginning at a stone bound at the intersection of the Westerly line of North Street (Now Center Street) and the Northerly line of Chmura Street, an undeveloped Street, said stone bound being distant southerly one hundred eight-one and 17/100 (181.17) feet from a stone bound at the point of intersection of said westerly line of North Street (now Center Street) with the Westerly line Holyoke, Street, thence running NORTHERLY along said western line of North Street (now Center Street) seventy and 4/100 (70.4) feet to an iron pipe at land now or formerly of one Monette; thence turning an internal angle of 87° 40' and running WESTERLY along said land now or formerly of Monette, one hundred (100) feet to a stake at land now or formerly of Stanley Chmura; thence turning an angle of 109° and running SOUTHERLY along said land now or formerly of Stanley Chmura, sixty nine and 24/100 (69.24) feet to an iron pipe in said northerly line of Chmura Street, thence turning an internal angle of 73° 20' and running EASTERLY along said northerly line of Chmura Street, one hundred Nineteen and 78/100 (119.78) feet to the point of beginning, the first and last described lines forming angle of 90°. Containing about 7,480 square feet of land. Being lot no one (1) as shown on a plan of Chmura Circle, recorded with Hampden County Registry of Deeds in Book 32, page 126. Subject to easements, rights and restrictions of record if in force and applicable.

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

**ARTICLE 18:** 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, 2020 (Fiscal Year 2021); pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

2/3rds vote required.

**ARTICLE 19:** 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 2022 Reserve Fund; 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 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 21:** 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 22:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the purpose of responding to Covid-19 expenses; 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 P. ROSENBLUM**

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**ANTONIO GONCALVES**

\_\_\_\_\_

**DEREK G. DEBARGE**

\_\_\_\_\_

**MANUEL D. SILVA**

\_\_\_\_\_

**JAMES T. GENNETTE**

\_\_\_\_\_

**BOARD OF SELECTMEN**

**LUDLOW, MASSACHUSETTS**

**April 6, 2021**

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

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

\_\_\_\_\_ **2021**

