

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

To Ms. Laurie Gibbons, Town Clerk of the Town of Ludlow 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, OCTOBER 6, 2014** at 7:30 p.m. for the purpose of electing a temporary Town Moderator to serve until the next election in March 2015 and acting on the following articles in the warrant.

ARTICLE 1: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for **UNPAID BILLS AND/OR OVEREXPENDED ACCOUNTS OF PREVIOUS YEARS;** pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 2: To see if the Town will vote to amend the Compensation Plan of the Personnel Policy Bylaw of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws, to reflect the most current contracts with the International Union of Operating Engineers, Local 98, AFL-CIO by deleting the current minimums and maximums and increment steps for Laborer, Schedule I and Golf Course, Schedule VIII and replacing them with the following minimums and maximums and increment steps; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

by deleting:

Laborer - Schedule I 1, 2011	Effective July					
	MIN.	1	2	3	4	5
PW-1	15.27	15.61	15.93	16.23	16.59	16.90
PW-2	16.48	17.03	17.59	18.16	18.71	19.27
PW-3	17.64	18.83	19.17	19.92	20.67	21.43
PW-4	19.63	20.35	21.11	21.83	22.57	23.30

Laborer - Schedule I						Effective Jan,
	MIN.	1	2	3	4	5
PW-1	15.42	15.76	16.09	16.40	16.75	17.07
PW-2	16.64	17.20	17.77	18.34	18.89	19.46
PW-3	17.81	19.02	19.37	20.12	20.88	21.65
PW-4	19.83	20.56	21.32	22.05	22.80	23.53

Laborer - Schedule I						Effective July
	MIN.	1	2	3	4	5
PW-1	15.57	15.92	16.25	16.56	16.92	17.24
PW-2	16.81	17.37	17.95	18.52	19.08	19.66
PW-3	17.99	19.21	19.56	20.32	21.09	21.87
PW-4	20.03	20.76	21.53	22.27	23.02	23.77

Laborer - Schedule I						Effective Jan.
	MIN.	1	2	3	4	5
PW-1	15.73	16.08	16.41	16.73	17.09	17.42
PW-2	16.98	17.55	18.13	18.71	19.27	19.85
PW-3	18.17	19.41	19.76	20.52	21.30	22.08
PW-4	20.23	20.97	21.74	22.49	23.25	24.01

Laborer - Schedule I						Effective July 1, 2013
	MIN.	1	2	3	4	5
PW-1	15.89	16.24	16.57	16.89	17.26	17.59
PW-2	17.15	17.72	18.31	18.89	19.47	20.05
PW-3	18.35	19.60	19.95	20.73	21.51	22.30
PW-4	20.43	21.18	21.96	22.71	23.49	24.25

Laborer - Schedule I						Effective Jan. 1, 2014
	MIN.	1	2	3	4	5
PW-1	16.05	16.41	16.74	17.06	17.43	17.77
PW-2	17.32	17.90	18.49	19.08	19.66	20.25
PW-3	18.54	19.80	20.15	20.93	21.72	22.53
PW-4	20.63	21.39	22.18	22.94	23.72	24.49

Golf Course - Schedule VIII						Effective July 1, 2011
	MIN.	1	2	3	4	5
G-1	15.27	15.60	15.93	16.24	16.58	16.91
G-2	16.48	17.03	17.59	18.15	18.71	19.26
G-3	17.63	18.84	19.17	19.92	20.66	21.44

Golf Course						Effective Jan, 1, 2012
	MIN.	1	2	3	4	5
G-1	15.42	15.76	16.09	16.40	16.75	17.08
G-2	16.65	17.20	17.77	18.33	18.89	19.45
G-3	17.81	19.02	19.36	20.12	20.87	21.66

Golf Course						Effective July 1, 2012
	MIN.	1	2	3	4	5
G-1	15.58	15.92	16.25	16.57	16.92	17.25
G-2	16.81	17.37	17.95	18.51	19.08	19.65
G-3	17.99	19.22	19.56	20.32	21.08	21.87

Golf Course						Effective Jan. 1, 2013
	MIN.	1	2	3	4	5
G-1	15.73	16.08	16.41	16.73	17.09	17.42
G-2	16.98	17.54	18.13	18.70	19.27	19.84
G-3	18.17	19.41	19.75	20.52	21.29	22.09

Golf Course						Effective July 1, 2013
	MIN.	1	2	3	4	5
G-1	15.89	16.24	16.57	16.90	17.26	17.59
G-2	17.15	17.72	18.31	18.89	19.46	20.04
G-3	18.35	19.60	19.95	20.73	21.50	22.31

Golf Course						Effective Jan. 1, 2014
	MIN.	1	2	3	4	5
G-1	16.05	16.40	16.74	17.07	17.43	17.77
G-2	17.32	17.90	18.49	19.08	19.66	20.24
G-3	18.53	19.80	20.15	20.93	21.72	22.54

and replacing with:

Laborer - Schedule I		Effective July 1, 2014				
	MIN.	1	2	3	4	5
PW-1	16.37	16.74	17.08	17.40	17.78	18.13
PW-2	17.67	18.26	18.86	19.46	20.05	20.66
PW-3	18.91	20.20	20.55	21.35	22.15	22.98
PW-4	21.04	21.82	22.62	23.40	24.19	24.98

Laborer - Schedule I		Effective July 1, 2015				
	MIN.	1	2	3	4	5
PW-1	16.70	17.08	17.42	17.75	18.14	18.49
PW-2	18.02	18.63	19.24	19.85	20.45	21.07
PW-3	19.29	20.60	20.96	21.78	22.59	23.44
PW-4	21.46	22.26	23.07	23.87	24.67	25.48

Laborer - Schedule I		Effective July 1, 2016				
	MIN.	1	2	3	4	5
PW-1	17.03	17.42	17.77	18.11	18.50	18.86
PW-2	18.38	19.00	19.63	20.25	20.86	21.49
PW-3	19.68	21.01	21.38	22.22	23.04	23.91
PW-4	21.89	22.71	23.53	24.35	25.16	25.99

Golf Course		Effective July 1, 2014				
	MIN.	1	2	3	4	5
G-1	16.37	16.74	17.08	17.40	17.78	18.13
G-2	17.67	18.26	18.86	19.46	20.05	20.66
G-3	18.91	20.20	20.55	21.35	22.15	22.98

Golf Course		Effective July 1, 2015				
	MIN.	1	2	3	4	5
G-1	16.70	17.08	17.42	17.75	18.14	18.49
G-2	18.02	18.63	19.24	19.85	20.45	21.07
G-3	19.29	20.60	20.96	21.78	22.59	23.44

Golf Course		Effective July 1, 2016				
	MIN.	1	2	3	4	5
G-1	17.03	17.42	17.77	18.11	18.50	18.86
G-2	18.38	19.00	19.63	20.25	20.86	21.49
G-3	19.68	21.01	21.38	22.22	23.04	23.91

ARTICLE 3: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be added to the Personal Services Accounts for the Ludlow DPW and Westover Golf Course for Fiscal Year 2015 to fund the negotiated retroactive pay increases for Fiscal Year 2015 as set forth in the preceding article including the Town's contribution to employee benefits; 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 amend the Compensation Plan of the Personnel Policy Bylaw of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws, to reflect the most current contract with the Ludlow Association of Town Office Secretaries by deleting the current minimums and maximums and increment steps for Clerical/Council on Aging, Schedule II, and replacing them with the following minimums and maximums and increment steps; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen

by deleting:

Clerical/Council on Aging - Schedule II Effective 7/01/2011

	Step1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Latos I	13.98	14.56	15.15	15.73	16.31	16.90	17.47
Latos II	15.15	15.73	16.31	16.90	17.47	18.06	18.64
Latos III	16.31	17.09	17.88	18.64	19.42	20.20	20.98
Latos IV	19.81	20.57	21.34	22.12	22.89	23.65	24.47

Clerical/Council on Aging - Schedule II Effective 01/01/2012

	Step1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Latos I	14.12	14.71	15.30	15.88	16.47	17.07	17.65
Latos II	15.30	15.88	16.47	17.07	17.65	18.24	18.83
Latos III	16.47	17.26	18.06	18.83	19.62	20.40	21.19
Latos IV	20.00	20.78	21.55	22.34	23.12	23.89	24.72

Clerical/Council on Aging - Schedule II Effective 07/01/2013

	Step1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Latos I	14.26	14.86	15.45	16.04	16.64	17.24	17.82
Latos II	15.45	16.04	16.64	17.24	17.82	18.42	19.02
Latos III	16.64	17.43	18.24	19.02	19.81	20.61	21.40
Latos IV	20.20	20.99	21.77	22.56	23.35	24.13	24.96

Clerical/Council on Aging - Schedule II Effective 01/01/2014

	Step1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Latos I	14.40	15.01	15.61	16.20	16.81	17.41	18.00
Latos II	15.61	16.20	16.81	17.41	18.00	18.61	19.21
Latos III	16.81	17.61	18.42	19.21	20.01	20.81	21.61
Latos IV	20.41	21.20	21.99	22.79	23.58	24.37	25.21

and replacing with:

Clerical/Council on Aging - Schedule II Effective 7/01/2014

	Step1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Latos I	14.69	15.31	15.92	16.52	17.15	17.76	18.36
Latos II	15.92	16.52	17.15	17.76	18.36	18.98	19.59
Latos III	17.15	17.96	18.79	19.59	20.41	21.23	22.04
Latos IV	20.82	21.62	22.43	23.25	24.05	24.86	25.71

Clerical/Council on Aging - Schedule II Effective 7/01/2015

	Step1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Latos I	14.98	15.62	16.24	16.85	17.49	18.12	18.73
Latos II	16.24	16.86	17.49	18.12	18.73	19.36	19.98
Latos III	17.49	18.32	19.17	19.98	20.82	21.66	22.48
Latos IV	21.24	22.05	22.88	23.72	24.53	25.36	26.22

Clerical/Council on Aging - Schedule II Effective 7/01/2016

	Step1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Latos I	15.28	15.93	16.56	17.19	17.83	18.48	19.11
Latos II	16.57	17.19	17.84	18.48	19.11	19.75	20.38
Latos III	17.84	18.69	19.55	20.38	21.24	22.09	22.93
Latos IV	21.67	22.49	23.34	24.19	25.02	25.87	26.74

ARTICLE 5: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be added to the Personal Services Accounts for LATOS personnel for Fiscal Year 2015 to fund the negotiated retroactive pay increases for Fiscal Year 2015 as set forth in the preceding article including the Town's contribution to employee benefits; 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 amend the Compensation Plan of the Personnel Policy By-Law of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws to reflect the most current contract with the Ludlow Police Dispatchers, Local 703-International Brotherhood of Police Officers, by deleting the current minimums and maximums and increment steps for Police Department, Schedule IV, and replacing them with the following minimums and maximums and increment steps; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

by deleting:

Police Department - Schedule IV						Effective 07/01/2011
	MIN.	1	2	3	4	5
PD -1	566.84	598.18	629.53	660.86	692.22	723.56
PD-2	14.18	14.96	15.74	16.52	17.30	18.09

Police Department - Schedule IV						Effective 01/01/2012
	MIN.	1	2	3	4	5
PD -1	572.51	604.16	635.82	667.47	699.14	730.80
PD-2	14.32	15.11	15.90	16.69	17.47	18.27

Police Department - Schedule IV						Effective 07/01/2012
	MIN.	1	2	3	4	5
PD -1	578.23	610.21	642.18	674.14	706.13	738.10
PD-2	14.46	15.26	16.06	16.85	17.65	18.45

Police Department - Schedule IV						Effective 01/01/2013
	MIN.	1	2	3	4	5
PD -1	584.01	616.31	648.60	680.89	713.19	745.48
PD-2	14.61	15.41	16.22	17.02	17.82	18.64

Police Department - Schedule IV

Effective 07/01/2013

	MIN.	1	2	3	4	5
PD -1	589.85	622.47	655.09	687.69	720.32	752.94
PD-2	14.76	15.57	16.38	17.19	18.00	18.83

Police Department - Schedule IV

Effective 01/01/2014

	MIN.	1	2	3	4	5
PD -1	595.75	628.70	661.64	694.57	727.53	760.47
PD-2	14.90	15.72	16.54	17.36	18.18	19.01

and replacing with:

Police Department - Schedule IV

Effective 07/01/2014

	MIN.	1	2	3	4	5
PD -1	607.67	641.27	674.87	708.46	742.08	775.68
PD-2	15.20	16.03	16.87	17.71	18.54	19.39

Police Department - Schedule IV

Effective 07/01/2015

	MIN.	1	2	3	4	5
PD -1	619.82	654.10	688.37	722.63	756.92	791.19
PD-2	15.50	16.35	17.21	18.06	18.91	19.78

Police Department - Schedule IV

Effective 07/01/2016

	MIN.	1	2	3	4	5
PD -1	632.22	667.18	702.14	737.08	772.06	807.01
PD-2	15.81	16.68	17.55	18.42	19.29	20.18

ARTICLE 7: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be added to the Personal Services Accounts for the Ludlow Police Dispatchers for Fiscal Year 2015 to fund the negotiated retroactive pay increases for Fiscal Year 2015 as set forth in the preceding article including the Town's contribution to employee benefits; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen

ARTICLE 8: To see if the Town will vote to amend the Classification Plan of the Personnel Policy Bylaws of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws for the Police Department by correcting the number of hours assigned to part time dispatcher and by adding one (1) additional permanent part time dispatcher to the current number assigned; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen

by deleting:

Police Call-Taker/Dispatcher	26	PD-2	1
	20	PD-2	2

and replacing with:

Police Call-Taker/Dispatcher	21	PD-2	4
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ARTICLE 9: To see if the Town will vote to amend the Compensation Plan of the Personnel Policy Bylaw of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws by deleting the current minimums for Special Police Officers, Police Department, Schedule IV, and replacing them with the following minimums; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

by deleting:

Police Department - Schedule IV
effective 7/1/2014

SP-2	11.87	per hour
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and replacing with:

Police Department - Schedule IV
effective 10/6/2014

SP-2	15.17	per hour
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ARTICLE 10: To see if the Town will vote to transfer from available funds and old articles a sum of money to be used to fund a projected shortfall in the Fire Department's rescue pumper replacement project that was approved at the May 12, 2014 Annual Town Meeting; 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 amend the Personnel Policy Bylaw of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws, Section 15.4 Bereavement by deleting the reference to the leave being taken within seventy-two hours of the death, which will read as follows:

15.4 BEREAVEMENT LEAVE

POLICY. Bereavement leave shall be granted in the case of the death of a member of an employee's family. If the family member was a father, mother, spouse, child, sister, brother, grandparent, grandchild, mother-in-law or father-in-law, the employee shall receive up to three (3) days leave provided that such days are the employee's regular working days. If the death in the employee's family was that of a brother-in-law, sister-in-law, uncle or aunt, niece/nephew, the employee shall receive up to one (1) day leave provided that the day of leave is the employee's regular working day and is taken to attend the funeral of such relative.

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 amend the Personnel Policy Bylaw of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws, by deleting the second paragraph of section 23.3a, ORAL REPRIMAND of Section 23, Disciplinary Policy which currently reads as written and adds the new line as underscored in the revised section:

by deleting:

23.3 PROCEDURES

a) ORAL REPRIMAND

At this point, some specific time period should be established between the supervisor and the employee during which the problem should be corrected before any further action is taken. Whenever possible, sufficient time for improvement should precede formal disciplinary action. No notation in the employee's personnel file is necessary. If no incidents of the behavior which have cause for the original oral reprimand recur in a twelve month period of time, the reprimand will be considered null and void.

and replacing with:

23.3 PROCEDURES

a) ORAL REPRIMAND

At this point, some specific time period should be established between the supervisor and the employee during which the problem should be corrected before any further action is taken. Whenever possible, sufficient time for improvement should precede formal disciplinary action. An informal notation placed in the employee's personnel file is necessary. If no incidents of the behavior which have cause for the original oral reprimand recur in a twelve month period of time, the reprimand will be considered null and void.

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

ARTICLE 13: To see if the Town will vote to amend the Personnel Policy Bylaw of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws, by deleting the present Steps 2 and 3 of Section 24.1 GRIEVANCE PROCEDURE and replacing with new Steps 2 and 3:

by deleting:

GRIEVANCE PROCEDURE

Step 2. If the employee is not satisfied with the response during informal discussions, that employee may present the case to the department head. The department head will meet with the employee to discuss the case and provide the employee with a response on a timely basis.

Step 3. If the employee is still not satisfied, the employee may submit a written grievance to the Board of Selectmen within a timely basis.

Based on the written grievance and any other information, the Board of Selectmen, with Labor Counsel, will make a final determination concerning the case. The determination by the Board of Selectmen will be final and binding.

Employees may request to bring a fellow employee to meetings during the grievance review and may, with the agreement of the other party, extend the time limits.

and replacing with:

GRIEVANCE PROCEDURE

Step 2. If the employee is not satisfied with the response under Step 1, the employee may present the case to the Department Head within thirty (30) days of conclusion of the informal discussion. The Department Head will meet with the employee to discuss the case and provide the employee with a response within thirty (30) days.

Step 3. If the employee is not satisfied with the response resulting from the discussion with the Department Head, that employee may submit a written grievance to their respective Board, Committee or Commission within thirty (30) days. If no Board, Committee or Commission exists, the employee may submit the written grievance to the Board of Selectmen.

Based on the written grievance and any other information, the Board of Selectmen or, if applicable, the respective Board, Committee or Commission in consultation with the Human Resources Manager, will make a final determination concerning the case within thirty (30) days.

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

ARTICLE 14: To see if the Town will vote to amend the Bylaws of the Town of Ludlow CHAPTER IV, REGULATING THE CONDUCT OF CITIZENS, by deleting in its entirety Section 21 and replacing a new Section 21 which changes the timeframes for seeking permission to hold a procession or parade from the Board of Selectmen.

by deleting:

SECTION 21: No procession or parade shall be allowed on public streets or sidewalks of the Town without written permission of the Board of Selectmen. The Board of Selectmen are not required to give their written permission unless notice of said procession or parade showing the time, place, route, and duration of same is filed with the Board of Selectmen at least 48 hours prior to the starting time and date. The decision of the Board of Selectmen will be known at least 24 hours prior to the starting time and date of said procession or parade. Nothing in this section will prohibit at any time the movement of troops or armed forces of either the Commonwealth of Massachusetts or the Government of the United States.

The purpose of this section is to prevent disorder and to allow the public streets and sidewalks of the Town to be open for the convenience of its citizens and to prevent interruption and interference with the known existing traffic conditions in the streets and sidewalks of the Town for which any permit is sought.

and replacing with:

SECTION 21: No procession or parade shall be allowed on public streets or sidewalks of the Town without written permission of the Board of Selectmen. The Board of Selectmen are not required to give their written permission unless notice of said procession or parade showing the time, place, route, and duration of same is filed with the Board of Selectmen at least thirty (30) days prior to the starting time and date to allow enough time for proper review as each request will be forwarded to the Police Department for review and comment. The Board of Selectmen shall issue its decision within thirty (30) days of its receipt of the notice of the procession or parade. Nothing in this section will prohibit at any time the movement of troops or armed forces of either the Commonwealth of Massachusetts or the Government of the United States.

The purpose of this section is to prevent disorder and to allow the public streets and sidewalks of the Town to be open for the convenience of its citizens and to prevent interruption and interference with the known existing traffic conditions in the streets and sidewalks of the Town for which any permit is sought.

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

ARTICLE 15: To see if the Town will vote to amend the Bylaws of the Town of Ludlow by adding a new section to CHAPTER IV, REGULATING THE CONDUCT OF CITIZENS, Section 35, VACANT AND UNKEMPT PROPERTIES which will require property owners to maintain vacant and abandoned property, which will read as follows:

Sec. 1 Regulations of Inadequately Maintained Vacant or Unkempt Properties

(a) *Purpose:* The purpose of this ordinance is to help protect the health, safety and welfare of the citizens by preventing blight, protecting property values and neighborhood integrity, protecting the Town's resources, avoiding the creation and maintenance of nuisances and ensuring the safe and sanitary maintenance of dwellings. Inadequately maintained vacant buildings or unkempt properties are at an increased risk for fire, unlawful entry, and other public health and safety hazards. This ordinance will help secure the welfare of the Town's residents and neighborhoods by requiring all residential property owners, including lenders, trustees, and service companies and alike, to properly maintain vacant and/or unkempt residential and commercial properties.

(b) *Definitions:*

Enforcement persons: Building Commissioner, Fire Chief or his designee, Police Chief or his designee, Representative of the Board of Health.

Owner: every person, entity, service company, property manager or real estate broker, who alone or severally with others:

- (1) Has legal or equitable title to any dwelling, dwelling unit, or parcel of land, vacant or otherwise; or
- (2) Has care, charge or control of any dwelling, dwelling unit, parcel of land, vacant or otherwise, in any capacity including but not limited to agent, executor, executrix, administrator, trustee or guardian of the estate of the holder of legal title; or
- (3) Is a mortgagee in possession of any such property; or
- (4) Is an agent, trustee or other person appointed by the courts and vested with possession or control; or
- (5) Is an officer or trustee of the association of unit owners of a condominium; or
- (6) Is a trustee who holds, owns or controls mortgage loans for mortgage backed securities transactions and has initiated a foreclosure process.

Each such person is bound to comply with the provisions of these minimum standards as if he or she were the owner.

Property: any real, residential or commercial property, or portion thereof, located in the Town of Ludlow, including buildings or structures situated on the property. For purposes of this section, property does not include property owned or subject to the control of the Town or any of its governmental bodies.

Residential Property: any property that contains one or more dwelling units used, intended, or designed to be occupied for living purposes.

Commercial Property: any property that contains one or more structures or units used, intended, or designed to be occupied for any business type activity that is owned or leased by a corporation, LLC, partnership or any other legal holding entity.

Vacant property: any residential or commercial property that is unoccupied for a period greater than one hundred eighty (180) consecutive days by a person or persons with legal right to reside therein.

Unkempt property: any residential or commercial property that has any type of overgrown vegetation or plantings that have overgrown to a point that rodents, animals, or vermin can dwell within. Any property on which debris, trash, junk, or garbage has accumulated on the ground, driveway, sidewalks etc. for longer than sixty (60) days shall be determined as unkempt.

(exception): Any vegetation used as a buffer between abutting neighbors or any wooded/wetlands areas.

(c) *Requirements for adequate maintenance:* owners of vacant or unkempt properties as defined in section (b), must fulfill the following minimum adequate maintenance requirements for any such property they own:

(1) Maintain vacant or unkempt properties subject to this section in accordance with the relevant sanitary, building and fire codes.

(2) Secure vacant properties subject to this section to prevent unauthorized entry and exposure to the elements.

(3) Maintain vacant or unkempt properties subject to this section in accordance with regulations promulgated by the Enforcement Persons pertaining to the external/visible maintenance of the property, including but not limited to the maintenance of major systems, the removal of trash and debris, and the upkeep of lawns, shrubbery, and other landscape features.

(4) Repair or replace broken windows or doors within thirty (30) days. Boarding up any doors or windows is prohibited except as a temporary measure for no longer than thirty (30) days.

(5) For properties vacant for one hundred eighty (180) days or more, whose utilities have been shut off, remove or cut and cap such utilities to prevent accidents within ten (10) days after the 180th day of vacancy.

(6) Compliance with this subsection shall not relieve the owner of any applicable obligations set forth in any other codes, regulations, covenant conditions or restrictions, and/or homeowner or condominium association rules and regulations.

(d) *Notice of failure to adequately maintain vacant or unkempt property:* Upon identifying a vacant or unkempt property as failing to meet the minimum maintenance requirements set out in section (c), any Enforcement Person shall notify the Zoning Enforcement Officer who will then notify the owner in writing of maintenance deficiencies at the owner's last known address. If any maintenance deficiency is not corrected within 30 days of said notice, or if a maintenance plan is not approved by the Zoning Enforcement Officer within 30 days of said notice, the Zoning Enforcement Officer may take action pursuant to subsection (f) below.

(e) *Inspections:* Any Enforcement Person shall have the authority to periodically inspect any property subject to this section for compliance. Any Enforcement Person shall have the discretion to determine when and how such inspections are to be made, provided that the time and manner of such inspections are reasonably calculated to ensure that this section is enforced.

(f) *Penalties:* This Bylaw may be enforced through any lawful means, including, but not limited to, by non-criminal disposition pursuant to MGL Chapter 40, Section 21D. For the purpose of noncriminal enforcement, the Enforcing Persons shall be the enforcement persons as defined in subsection (b) of this bylaw. If enforced pursuant to noncriminal disposition, the civil penalty for each such violation shall be as set forth in Chapter 13, section 2 of the Town of Ludlow Bylaws.

(g) Enforcement: Any Enforcement Person shall enforce all provisions of this section; including any regulation promulgated hereunder, and shall institute all necessary administrative or legal action to assure compliance.

(h) Regulatory Authority: The Board of Selectman has the authority to promulgate rules and regulations necessary to implement and enforce this section.

(i) Severability: If any provision of this section is held to be invalid by a court of competent jurisdiction then such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

Appeal Process

Any owner, as outlined in definitions, issued a non-criminal penalty may appeal by requesting a hearing before the Town of Ludlow Municipal Hearing Officer within thirty (30) days from the date of offense.

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 amend the Zoning Bylaws of the Town of Ludlow **SECTION VI: Special Land Use Regulations. Section 6.5 Sign Regulations, Section 6.5.7 Non-Conforming and Temporary Signs** by deleting (d.) “Temporary signs require a permit from the Building Inspector for up to three months,” and adding in its place (d.) **The maximum size for temporary signs is eighteen (18) inches by twenty-four (24) inches. Temporary signs cannot be placed on town property or interfere with the line-of-sight for traffic.**

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

ARTICLE 17: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow **SECTION VI: Special Land Use Regulations. Section 6.5 Sign Regulations, Section 6.5.8 Permits** by adding to (a.) “Excludes temporary signs.” **New paragraph to read (a.) Any sign over eighteen (18) inches by twenty-four (24) inches shall require a permit from the Building Commissioner. Excludes temporary signs.**

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

ARTICLE 18: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow **SECTION XI: TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS/REGISTERED MARIJUANA DISPENSARIES** by deleting **SECTION XI in its entirety.**

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

ARTICLE 19: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow **SECTION X: DEFINITIONS** by deleting the following definition, **Special Permit Granting Authority** and replacing it with the new definition:

Existing Definition:

SPECIAL PERMIT GRANTING AUTHORITY: The Planning Board shall act as the special permit granting authority and shall have the power to issue special permits in accordance with the General Laws, Chapter 40A unless another Board is authorized to issue a special permit for a specific type of use.

New Definition:

SPECIAL PERMIT GRANTING AUTHORITY: The Planning Board shall act as the special permit granting authority and shall have the power to issue special permits in accordance with the General Laws, Chapter 40A unless another Board is authorized to issue a special permit for a specific type of use. For the purpose of Section 3.4 NON-CONFORMING USE AND BUILDING REGULATIONS, the Zoning Board of Appeals shall act as the Special Permit Granting Authority.

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

ARTICLE 20: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow, **SECTION VI: SPECIAL LAND USE REGULATIONS:** by adding 6.12 **SINGLE-FAMILY DWELLINGS ON ESTATE LOTS**. New Section to read:

SINGLE FAMILY DWELLINGS ON ESTATE LOTS

The purpose of this regulation is to allow for the creation of lots for single-family dwelling units only, with less than the required frontage, in exchange for increased square footage, for the purpose of preservation of open space and decreasing density in given areas.

Single-family dwellings on estate lots shall be permitted in the Agriculture and Residential A districts only upon the issuance of a Special Permit from the Planning Board as specified in Section 7.0 of this bylaw, and in accordance with the additional requirement specified herein, unless waived by the Planning Board.

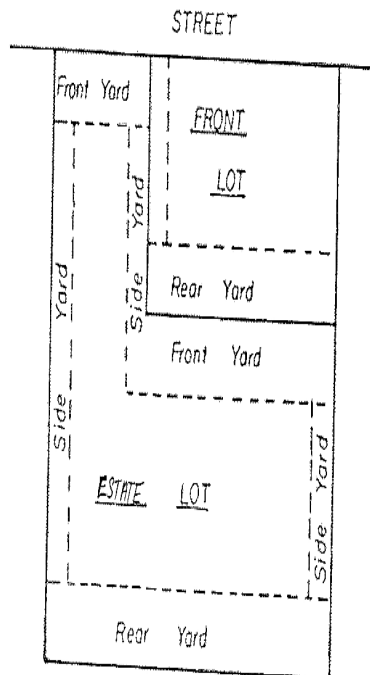
- 1. No more than two consecutive estate lots shall be located on a public way.**
- 2. The estate lot(s) shall have a minimum street frontage of not less than 50 feet and access width of not less than 50 feet from the front lot line to the principal structure. The front lot shall meet all the zoning dimensional requirements normally required in the district.**
- 3. An estate lot(s) shall be double the minimum lot area normally required for that district inclusive of the access strip.**

4. An access strip that is accessible having a maximum length not exceeding four hundred (400) feet.
5. The width of the lot where the principal building is to be constructed shall be equal to or exceed the distance normally required for street frontage in the district.
6. Front, rear and side yards must equal or exceed those normally required in the district.
7. The Planning Board may require that there be maintained or kept a naturally occurring or a planted vegetated buffer strip between estate lot(s) and adjacent lots to provide effective visual screening between the buildings at grade level.
8. The estate lot entrance/driveway shall be clearly designated with a house number sign. Mailboxes shall not suffice.
9. The driveway is to be located, constructed, and maintained a distance of no closer than ten (10) feet to any abutting property line.
10. Plan submitted shall include the statement, “ Lot (fill in the Lot #) is an Estate Lot;

building is permitted only in accordance with the Special Permit Estate Lot provisions of Ludlow Zoning Bylaw.”

the

Diagram



11. Estate Lot Example:

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

ARTICLE 21: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow by changing from **Residential B** and **Residential A** to **Business A**, a parcel of land owned by Antonio Sebastiao, located at 18 Canterbury Street (Assessors Map # 15A Parcel 250) and described as follows:

A certain parcel of land on an undeveloped street called Canterbury Street, in Ludlow, Hampden County, Massachusetts, being more particularly bounded and described as follows: Beginning at an iron bar in the Westerly line of an undeveloped street, Canterbury Street, so-called, said iron bar being distant southerly Ninety (90.0) feet from a point at the intersection of the southerly line of East Street and the Westerly line of Canterbury Street; thence running Westerly along the property now or formerly of one Wadas and Tebaldi One Hundred (100.0) feet to an iron bar; thence turning an angle of 90° and running southerly Four Hundred Forty-nine and one-tenth (449.1) feet to an iron bar at the Northerly side line of the Athol Branch of Boston and Albany Railroad; thence turning an internal angle of 108° 01' and running easterly along the Northerly side line of aforesaid Railroad One Hundred Five and Fifteen One-hundredths (105.15) feet to an iron bar on the westerly side of Canterbury Street; thence turning an internal angle of 71° 59' and running northerly along the westerly side of Canterbury Street Four Hundred Eighty-one and Sixty-two One-hundredths (481.62) feet to an iron bar at the point of beginning. The last named line forming angle of 90° with the line first described. Containing Forty-six Thousand Five Hundred Thirty-six (46,536) square feet, be any or all of said measurements more or less or however otherwise said premises may be measured, bounded or described. Subject to pole and line rights to American Telephone and Telegraph Company dated June 10, 1907, recorded in the Hampden County Registry of Deeds in Book 721, Page 204, insofar as applicable. Subject to taking of sewer easement in Canterbury Street by the Town of Ludlow, recorded as foresaid June 16, 1950 in Book 2053, Page 398. Being the same premises conveyed to the Grantor and Grantee by deed dated June 14, 1984 and recorded in the Hampden County Registry of Deeds on June 19, 1984 as Document No. 24644 in Book 5635, Page 206.

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

ARTICLE 22: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow by changing from **Agriculture** to **Residential A**, a parcel of land owned by Marco M. Vieira and Jessica R. Fernandes, located at 18 Chapin Street (Assessors Map # 29 Parcel 30) and described as follows:

The land in Ludlow, Hampden County, Massachusetts designated as Lot 1, on a plan known as “Plan of Division of Land, owned by Albino and Bernice Batista” recorded in the Hampden County Registry of Deeds in Book of Plans 347, at page 68. Said Lot being more particularly bounded and described as follows:

Beginning at an iron pipe on the northerly side of Chapin Street, said pipe being located one hundred eighty one and 46/100 (181.46) from the westerly line of Batista Circle, as shown on said plan, thence running: N 83 30' 00"E three hundred forty and 32/100 (340.32) feet, as shown on said plan to a point, thence running; S 85 04' 00" one hundred two and 19/100 (102.19) feet, as shown on said plan to a point, thence running; Along five courses, in an arc, with a total length of two hundred forty and 72/100 (240.72) feet, as shown on said plan to a point, thence running; S 11 00' 30" W thirty (30.0) feet, as shown on said plan to a point, thence running; S 0 25' 55" W one hundred ninety two and 84/100 (192.84) feet, as shown on said plan to a point, thence running; N 83 30' 00" W three hundred (300.00) feet, along the northerly side of Chapin Street, as shown on said plan, to the point of beginning. For Grantor's title to property refer to Hampden County Probate and Family Court Case number 13P1197EA and deed to Albino F. Batista and Bernice Batista recorded in the Hampden County Registry of Deeds in Book 2206 at page 56. Albino F. Batista having passed away on February 8, 2001.

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

ARTICLE 23: 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 Joseph V. Chaves, Suzie G. Ice, Antonio Goncalves, and John Bettencourt, located at Lot B Lawton Street (Assessors Map # 3 Parcel 42A) and described as follows:

Certain real estate situated in Ludlow, Hampden County, Massachusetts, being known and designated as Lot B Lawton Street as shown on a plan of lots entitled "Plan of Division of Land, Ludlow, MA owned by Stanley Kokosa," dated September 13, 2006, drawn by R.A. Foresi Associates and recorded in the Hampden County Registry of Deeds in Book of Plans 344, Page 130.

Being the same premises conveyed to the grantor herein by deed of Christopher J. Kokosa and Bonnie A. Kokosa dated November 14, 2008 and recorded in the Hampden County Registry of Deeds in Book 17545, Page 574.

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

And you are directed to serve this warrant by posting attested copies of the same in seven (7) public places in the Town fourteen (14) days at least before the time of holding said meeting.

A true copy,

ATTEST:

MANUEL D SILVA

CHAIRMAN

CARMINA D FERNANDES

AARON L SAUNDERS

WILLIAM E ROONEY

BRIAN M MANNIX

BOARD OF SELECTMEN

LUDLOW, MASSACHUSETTS
September 2, 2014

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

2014

Town Clerk