

## **COMMUNITY PRESERVATION ACT BALLOT QUESTION**

Shall the City of Marlborough accept sections 3 to 7, inclusive, of Chapter 44B of the General Laws as proposed by at least five percent of the registered voters of Marlborough, a summary of which appears below?

Sections 3 through 7 of Chapter 44B of the General Laws, also known as the Community Preservation Act (the "Act"), establish a dedicated funding source to enable cities and towns to (1) acquire open space which includes land for park and recreational uses and the protection of public drinking water sources and supplies, watershed land, marshes and wetlands, farm land, fields, forests, beaches, river, stream, lake and pond frontage, scenic areas, wildlife preserves and other conservation areas, (2) acquire and restore historic buildings and sites, and (3) create affordable housing.

In Marlborough, the funding source for these community preservation purposes will be a surcharge of 2% on the annual property tax assessed on all real property commencing in fiscal year 2011. Remedies provided by law for the collection of real estate taxes shall apply to said surcharge. The amount collected through the surcharge will be augmented by annual matching distributions, ranging from 5% to 100%, made by the state to the City of Marlborough from a trust fund created by the Act.

In addition, if approved, the following will be exempt from the surcharge: (1) property owned and occupied as a domicile by any person who would qualify for low income housing or low or moderate income senior housing in Marlborough, as defined in Section 2 of the Act, and (2) one hundred thousand dollars (\$100,000.00) of the value of each taxable parcel of residential real property in Marlborough. A taxpayer receiving a regular property tax abatement or exemption will also receive a pro rata reduction in the surcharge.

A Community Preservation Committee will be established by ordinance to study community preservation resources, possibilities, and needs, and to make annual recommendations to the city council on spending the funds. In every fiscal year, at least 30% of the annual funds will be spent, or reserved for later spending, on each of the Act's three preservation purposes as follows: (1) at least 10% for open space (excluding land for recreational purposes), (2) at least 10% for historic resources, and (3) at least 10% for affordable housing. The remaining 70% of the funds may be allocated to any of the three purposes without a percentage restriction, but not more than 5% may be allocated to administrative and operating expenses of the Community Preservation Committee.