



QUESTION 2

LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 4, 2010?

SUMMARY

This proposed law would repeal an existing state law that allows a qualified organization wishing to build government-subsidized housing that includes low- or moderate-income units to apply for a single comprehensive permit from a city or town's zoning board of appeals (ZBA), instead of separate permits from each local agency or official having jurisdiction over any aspect of the proposed housing. The repeal would take effect on January 1, 2011, but would not stop or otherwise affect any proposed housing that had already received both a comprehensive permit and a building permit for at least one unit.

Under the existing law, the ZBA holds a public hearing on the application and considers the recommendations of local agencies and officials. The ZBA may grant a comprehensive permit that may include conditions or requirements concerning the height, site plan, size, shape, or building materials of the housing. Persons aggrieved by the ZBA's decision to grant a permit may appeal it to a court. If the ZBA denies the permit or grants it with conditions or requirements that make the housing uneconomic to build or to operate, the applicant may appeal to the state Housing Appeals Committee (HAC).

After a hearing, if the HAC rules that the ZBA's denial of a comprehensive permit was unreasonable and not consistent with local needs, the HAC orders the ZBA to issue the permit. If the HAC rules that the ZBA's decision issuing a comprehensive permit with conditions or requirements made the housing uneconomic to build or operate and was not consistent with local needs, the HAC orders the ZBA to modify or remove any such condition or requirement so as to make the proposal no longer uneconomic. The HAC cannot order the ZBA to issue any permit that would allow the housing to fall below minimum safety standards or site plan requirements. If the HAC rules that the

ZBA's action was consistent with local needs, the HAC must uphold it even if it made the housing uneconomic. The HAC's decision is subject to review in the courts.

A condition or requirement makes housing "uneconomic" if it would prevent a public agency or non-profit organization from building or operating the housing except at a financial loss, or it would prevent a limited dividend organization from building or operating the housing without a reasonable return on its investment.

A ZBA's decision is "consistent with local needs" if it applies requirements that are reasonable in view of the regional need for low- and moderate-income housing and the number of low-income persons in the city or town, as well as the need to protect health and safety, promote better site and building design, and preserve open space, if those requirements are applied as equally as possible to both subsidized and unsubsidized housing. Requirements are considered "consistent with local needs" if more than 10% of the city or town's housing units are low- or moderate-income units or if such units are on sites making up at least 1.5% of the total private land zoned for residential, commercial, or industrial use in the city or town. Requirements are also considered "consistent with local needs" if the application would result, in any one calendar year, in beginning construction of low- or moderate-income housing on sites making up more than 0.3% of the total private land zoned for residential, commercial, or industrial use in the city or town, or on ten acres, whichever is larger.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would repeal the state law allowing the issuance of a single comprehensive permit to build housing that includes low- or moderate-income units.

A NO VOTE would make no change in the state law allowing issuance of such a comprehensive permit.

Aggregate of Votes	Yes	%	No	%	Blanks	%	Total Ballots
BARNSTABLE	41,967	39.00%	59,272	55.08%	6,370	5.92%	107,609
BERKSHIRE	11,437	26.56%	28,418	65.99%	3,207	7.45%	43,062
BRISTOL	71,661	40.95%	89,008	50.86%	14,334	8.19%	175,003
DUKES	2,766	32.44%	4,931	57.83%	830	9.73%	8,527
ESSEX	113,759	42.22%	138,028	51.22%	17,635	6.56%	269,472
FRANKLIN	8,051	28.68%	18,230	64.93%	1,795	6.39%	28,076
HAMPDEN	48,798	35.28%	78,177	56.52%	11,351	8.21%	138,326
HAMPSHIRE	16,550	29.00%	36,801	64.49%	3,712	6.51%	57,063
MIDDLESEX	220,402	39.50%	301,505	54.04%	36,067	6.46%	557,974
NANTUCKET	1,978	40.88%	2,385	49.30%	475	9.82%	4,838
NORFOLK	113,151	41.37%	139,998	51.18%	20,389	7.45%	273,538
PLYMOUTH	93,567	48.22%	88,886	45.81%	11,599	5.98%	194,052
SUFFOLK	45,309	24.09%	123,398	65.61%	19,368	10.30%	188,075
WORCESTER	111,009	40.46%	145,722	53.12%	17,617	6.42%	274,348
TOTALS	900,405	38.81%	1,254,759	54.09%	164,799	7.10%	2,319,963

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	Yes	No	Blanks	Total Ballots		Yes	No	Blanks	Total Ballots					
Barnstable County														
Barnstable.....	7,812	11,260	1,167	20,239	Dukes County	63	138	19	220					
Bourne.....	3,534	4,203	401	8,138	Aquinnah.....	205	57	580	580					
Brewster.....	1,798	3,121	437	5,356	Chilmark.....	679	1,069	218	1,966					
Chatham.....	1,393	2,318	186	3,897	Edgartown.....	27	35	6	68					
Dennis.....	2,791	4,435	486	7,712	Gosnold.....	700	1,238	207	2,145					
Eastham.....	1,040	1,936	150	3,126	Tisbury.....	605	1,252	146	2,003					
Falmouth.....	7,527	7,456	971	15,954	West Tisbury.....	487	881	177	1,545					
Harwich.....	2,341	3,892	321	6,554	TOTALS.....	2,766	4,931	830	8,527					
Mashpee.....	2,580	3,529	367	6,476	Essex County									
Orleans.....	1,242	2,378	210	3,830	Amesbury.....	2,982	2,868	384	6,234					
Provincetown.....	572	1,131	110	1,813	Andover.....	6,590	6,838	835	14,263					
Sandwich.....	4,310	5,225	790	10,325	BEVERLY.....	5,686	8,976	1,107	15,769					
Truro.....	392	783	54	1,229	Boxford.....	2,211	1,818	224	4,253					
Wellfleet.....	576	1,136	108	1,820	Danvers.....	4,690	5,530	517	10,737					
Yarmouth.....	4,059	6,469	612	11,140	Essex.....	800	856	104	1,760					
TOTALS.....	41,967	59,272	6,370	107,609	Georgetown.....	1,796	1,666	228	3,690					
Berkshire County														
Adams.....	618	1,623	111	2,352	GLOUCESTER.....	5,551	5,137	778	11,466					
Alford.....	67	142	17	226	Groveland.....	1,667	1,248	132	3,047					
Becket.....	212	364	34	610	Hamilton.....	1,480	1,857	266	3,603					
Cheshire.....	365	706	61	1,132	HAVRHILL.....	8,827	9,828	1,125	19,780					
Clarksburg.....	132	393	24	549	Ipswich.....	3,003	3,067	313	6,383					
Dalton.....	695	1,485	163	2,343	LAWRENCE.....	3,681	7,597	1,967	13,245					
Egremont.....	195	370	42	607	LYNN.....	6,950	13,017	1,344	21,311					
Florida.....	94	138	21	253	Lynnfield.....	2,874	2,476	302	5,652					
Great Barrington.....	608	1,723	213	2,544	Manchester-by-the-Sea.....	1,273	1,302	177	2,752					
Hancock.....	85	182	18	285	Marblehead.....	4,028	5,464	678	10,170					
Hinsdale.....	220	433	61	714	Merrimac.....	1,350	1,220	145	2,715					
Lanesborough.....	293	692	67	1,052	Methuen.....	7,255	7,129	942	15,326					
Lee.....	537	1,276	170	1,983	Middleton.....	1,501	1,773	234	3,508					
Lenox.....	561	1,459	247	2,267	Nahant.....	734	1,038	142	1,914					
Monterey.....	113	262	25	400	Newbury.....	1,660	1,620	259	3,539					
Mount Washington.....	29	45	7	81	NEWBURYPORT.....	3,684	4,425	526	8,635					
New Ashford.....	33	73	6	112	North Andover.....	5,396	5,222	634	11,252					
New Marlborough.....	196	374	21	591	PEABODY.....	8,102	11,093	1,240	20,435					
NORTH ADAMS.....	231	528	234	3,528										
Otis.....	189	351	43	583										

Rockport.....	1,881	1,611	186	3,678
Rowley.....	1,402	1,196	125	2,723
SALEM.....	4,687	8,118	854	13,659
Salisbury.....	1,563	1,453	148	3,164
Saugus.....	4,631	5,138	825	10,594
Swampscott.....	2,508	3,890	474	6,872
Topsfield.....	1,428	1,621	177	3,226
Wenham.....	745	983	139	1,867
West Newbury.....	1,143	953	154	2,250
TOTALS.....	113,759	138,028	17,685	269,472

Franklin County

Ashfield.....	212	606	62	880
Barnardston.....	255	556	67	878
Buckland.....	175	544	84	803
Charlmont.....	144	308	24	476
Colrain.....	205	399	42	646
Conway.....	287	628	71	986
Deerfield.....	679	1,400	142	2,221
Erving.....	125	347	36	508
Gill.....	191	394	54	639
Greenfield.....	1,544	4,124	364	6,032
Hawley.....	46	82	7	135
Heath.....	114	196	11	321
Leverett.....	208	730	60	998
Leyden.....	89	233	31	353
Monroe.....	17	23	2	42
Montague.....	825	2,040	169	3,034
New Salem.....	155	285	30	470
Northfield.....	356	810	81	1,247
Orange.....	879	1,526	174	2,579
Rowe.....	61	101	17	179
Shelburne.....	205	599	52	856
Sunderland.....	223	640	53	916
Warwick.....	557	697	66	1,320
Whately.....	120	202	27	349
Wendell.....	119	283	26	428
Whately.....	260	477	43	780
TOTALS.....	8,051	18,230	1,795	28,076

Perru.....	83	297	27	88
PITTSFIELD.....	3,474	12,886	987	17,347
Pittsford.....	203	747	64	954
Sandisfield.....	110	322	34	432
Savoy.....	86	230	9	316
Sheffield.....	316	1,231	75	1,547
Stockbridge.....	196	589	119	904
Tyringham.....	89	217	20	306
Washington.....	78	269	19	347
West Stockbridge.....	171	641	75	887
Williamstown.....	518	2,728	162	3,408
Windsor.....	108	378	31	487
TOTALS.....	11,437	43,062	3,207	57,706

Bristol County

Acrushnet.....	1,546	328	4,072
ATTLEBORO.....	5,094	1,088	13,268
Berkley.....	1,242	144	2,457
Dartmouth.....	4,632	838	12,119
Dighton.....	1,405	140	2,770
Easton.....	5,296	437	9,076
Fairhaven.....	2,249	597	6,368
FALL RIVER.....	7,683	2,806	20,658
Freestown.....	1,561	159	3,568
Mansfield.....	4,178	638	8,931
NEW BEDFORD.....	7,430	1,890	22,612
North Attleborough.....	4,356	564	10,057
Norton.....	3,361	6,768	5,768
Raynham.....	2,543	433	5,492
Rehoboth.....	2,074	289	4,523
Seekonk.....	2,196	367	5,277
Somerset.....	2,826	714	7,480
Swansea.....	2,282	461	5,928
TAUNTON.....	7,025	1,494	16,944
Westport.....	2,682	629	6,635
TOTALS.....	71,661	14,334	175,003

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	Yes	No	Blanks	Total Ballots	Yes	No	Blanks	Total Ballots
Hampden County								
Agawam.....	3,981	6,116	739	10,836				
Blandford.....	211	282	31	524				
Brimfield.....	669	839	96	1,604				
Chester.....	211	257	31	499				
CHICOPEE.....	5,895	9,329	1,137	16,361				
East Longmeadow.....	2,417	3,432	413	6,262				
Granville.....	302	358	35	695				
Hampden.....	892	1,235	136	2,263				
Holland.....	405	509	46	960				
HOLYOKE.....	3,148	6,392	926	10,466				
Longmeadow.....	2,430	4,377	565	7,372				
Ludlow.....	2,679	3,821	513	7,013				
Monson.....	1,185	1,752	262	3,199				
Montgomery.....	1,193	1,89	22	3,104				
Palmer.....	1,588	2,359	361	4,308				
Russell.....	243	310	28	581				
Southwick.....	1,425	1,849	232	3,506				
SPRINGFIELD.....	9,964	18,884	3,723	32,571				
Tolland.....	82	117	11	210				
Wales.....	254	419	42	715				
West Springfield.....	3,128	4,977	697	8,802				
WESTFIELD.....	4,956	6,837	880	12,673				
Wilbraham.....	2,540	3,537	425	6,502				
TOTALS.....	48,798	78,177	11,351	138,326				
Hampshire County								
Amherst.....	1,619	5,792	548	7,959				
Belchertown.....	1,916	3,182	321	5,419				
Chesterfield.....	163	341	31	535				
Cummington.....	107	290	23	420				
Easthampton.....	1,922	4,043	323	6,288				
Goshen.....	133	308	27	468				
Granby.....	1,038	1,760	256	3,054				
Hadley.....	658	1,443	163	2,264				
Hatfield.....	470	974	90	1,534				
Huntington.....	320	488	29	837				
Middlefield.....	77	153	6	236				
NORTHAMPTON.....	2,534	8,658	875	12,067				
Middlesex County								
(cont.)								
MELROSE.....	4,475	6,975	961	12,411				
Natick.....	5,280	7,738	992	14,010				
NEWTON.....	9,908	22,655	2,910	35,473				
North Reading.....	3,374	2,935	341	6,650				
Pepperell.....	2,684	1,966	210	4,860				
Reading.....	5,159	5,284	603	11,046				
Sherborn.....	1,096	1,077	119	2,292				
Shirley.....	1,085	1,180	173	2,438				
SOMERVILLE.....	5,341	15,805	1,865	23,011				
Stonham.....	4,506	4,312	567	9,385				
Stow.....	1,605	1,615	165	3,385				
Sudbury.....	4,073	3,853	402	8,328				
Tewksbury.....	6,004	5,102	554	11,660				
Townsend.....	1,879	1,587	136	3,602				
Tyngsborough.....	2,250	2,202	239	4,691				
Wakefield.....	5,194	5,502	667	11,363				
WALTHAM.....	7,276	17,542	1,186	25,994				
Watertown.....	3,613	7,565	841	12,019				
Wayland.....	2,372	3,564	448	6,384				
Westford.....	4,809	4,523	440	9,772				
Weston.....	2,057	2,876	315	5,248				
Wilmington.....	4,617	4,108	586	9,311				
Winchester.....	4,073	5,412	642	10,127				
WOBURN.....	7,486	5,907	968	14,361				
TOTALS.....	220,402	301,505	36,067	557,974				
Nantucket County								
Nantucket.....	1,978	2,385	475	4,838				
TOTALS.....	1,978	2,385	475	4,838				

Pelham.....	163	500	56	719	Norfolk County	789	923	140	1,852
Plainfield.....	79	210	14	303	Avon.....	3,139	2,854	456	6,449
South Hadley.....	2,103	4,005	382	6,490	Bellingham.....	6,689	7,339	1,314	15,342
					Brantham.....	4,312	14,693	1,551	20,556
Southampton.....	1,017	1,453	148	2,618	Brookline.....	5,020	3,900	629	9,549
Ware.....	1,464	1,423	280	3,167	Canton.....	1,940	1,525	358	3,823
Westhampton.....	268	543	81	851	Cohasset.....	4,474	5,096	846	10,416
Williamsburg.....	300	870	19	1,251	Dedham.....	1,582	1,171	153	2,906
Worthington.....	199	365	583	1,179	Dover.....	3,424	3,446	408	7,278
TOTALS.....	16,550	36,801	3,712	57,063	Foxborough.....	5,461	6,487	881	12,829
					Franklin.....	1,721	2,068	287	4,076
					Holbrook.....	2,939	2,596	363	5,898
					Medford.....	2,464	2,819	266	5,549
					Medway.....	1,636	1,929	167	3,732
					Millis.....	4,605	7,123	1,222	12,950
					Milton.....	4,703	8,551	1,000	14,254
					Needham.....	2,005	2,153	345	4,503
					Norfolk.....	5,053	5,477	839	11,369
					Norwood.....	1,518	1,535	182	3,235
					Plainville.....	11,806	16,836	2,985	31,527
					QUINCY.....	3,893	5,653	694	10,240
					Randolph.....	3,326	4,115	500	7,941
					Sharon.....	5,486	4,264	632	10,382
					Stoughton.....	5,877	4,499	547	10,923
					Walpole.....	4,254	6,487	1,227	11,968
					Wellesley.....	3,000	3,603	725	7,328
					Westwood.....	9,768	10,637	1,413	21,818
					Weymouth.....	2,267	2,219	259	4,745
					Wrentham.....	113,151	139,998	20,389	273,538
					TOTALS.....	113,151	139,998	20,389	273,538

Pelham.....	163	500	56	719	Middlesex County	4,247	4,501	9,298
Plainfield.....	79	210	14	303	Acton.....	6,871	12,073	20,431
South Hadley.....	2,103	4,005	382	6,490	Arlington.....	605	752	1,424
					Ashby.....	2,713	3,462	6,554
Southampton.....	1,017	1,453	148	2,618	Ashland.....	1,061	1,386	2,577
Ware.....	1,464	1,423	280	3,167	Ayer.....	2,515	3,073	5,915
Westhampton.....	268	543	81	851	Bedford.....	4,375	6,087	722
Williamsburg.....	300	870	19	1,251	Belmont.....	8,231	6,324	15,074
Worthington.....	199	365	583	1,179	Billerica.....	1,179	1,003	2,307
TOTALS.....	16,550	36,801	3,712	57,063	Boxborough.....	4,468	4,475	9,475
					Burlington.....	6,427	24,970	34,240
					CAMBRIDGE.....	1,503	1,071	2,696
					Carlisle.....	8,705	5,773	15,209
					Chelmsford.....	3,124	5,062	8,765
					Concord.....	5,496	5,174	11,176
					Dracut.....	786	570	1,432
					Dunstable.....	3,323	4,896	9,104
					EVERETT.....	8,253	10,774	1,122
					Frammingham.....	2,542	2,084	20,149
					Groton.....	2,936	3,344	6,642
					Holliston.....	2,855	3,230	6,458
					Hopkinton.....	3,085	4,149	7,669
					Hudson.....	4,245	9,352	14,503
					Lexington.....	934	1,722	2,865
					Lincoln.....	1,899	2,083	4,217
					Littleton.....	9,007	11,710	22,520
					LOWELL.....	5,199	8,467	14,808
					MALDEN.....	5,004	6,680	12,420
					MALDENBOROUGH.....	1,754	2,535	4,541
					Maynard.....	6,844	11,900	20,086
					MEDFORD.....			

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	Yes	No	Blanks	Total Ballots	Yes	No	Blanks	Total Ballots
Plymouth County								
Abington.....	3,080	2,958	297	6,335	1,108	1,278	137	2,523
Bridgewater.....	4,536	4,126	506	9,168	1,248	2,024	158	3,430
BROCKTON.....	8,336	12,128	2,049	23,513	2,488	3,866	375	6,729
Carver.....	2,066	2,258	272	4,596	743	1,205	99	2,048
Duxbury.....	3,862	3,327	479	7,668	744	647	36	1,426
East Bridgewater.....	2,482	2,576	334	5,392	1,615	1,427	259	3,301
Halifax.....	1,609	1,381	175	3,165	1,320	949	96	2,365
Hanover.....	3,482	2,756	372	6,610	942	1,138	101	2,181
Hanson.....	2,115	2,056	218	4,389	578	669	58	1,305
Hingham.....	5,067	5,459	794	11,320	1,980	2,574	231	4,785
Hull.....	1,847	2,504	349	4,700	1,831	2,660	284	4,771
Kingston.....	2,682	2,511	281	5,474	1,510	1,571	224	3,305
Lakeville.....	2,299	2,110	231	4,640	1,546	2,026	173	3,745
Marion.....	1,487	878	140	2,505	415	468	32	915
Marshfield.....	6,883	4,381	462	11,726	3,653	5,808	646	10,107
Mattapoisett.....	1,420	1,646	204	3,270	2,415	3,440	367	6,222
Middleborough.....	4,574	3,722	714	9,010	2,989	3,358	342	6,689
Norwell.....	3,372	1,637	226	5,235	449	499	66	1,014
Pembroke.....	3,879	3,304	335	7,518	1,570	1,177	131	2,878
Plymouth.....	9,927	11,351	1,114	22,392	3,532	4,681	421	8,634
Plympton.....	738	615	60	1,413	1,148	1,268	156	2,572
Rochester.....	1,246	1,065	150	2,461	928	1,042	87	2,057
Rockland.....	3,076	3,315	301	6,692	1,317	1,486	129	2,932
Sctuate.....	5,453	3,253	466	9,172	1,814	2,244	184	4,242
Wareham.....	3,739	3,760	575	8,074	5,222	7,305	838	13,385
West Bridgewater.....	1,473	1,376	208	3,057	2,245	2,032	246	4,523
Whitman.....	2,837	2,433	287	5,557	1,378	1,036	120	2,534
TOTALS.....	93,567	88,886	11,599	194,052	2,017	2,703	345	5,065
					522	534	98	1,154
					181	229	39	449
Suffolk County								
BOSTON.....	36,831	110,399	17,082	164,312	735	1,056	103	1,894
CHELSEA.....	1,440	3,173	536	5,139	2,576	3,706	349	6,631
REVERE.....	4,487	6,256	1,153	11,896	2,385	2,743	422	5,550
Winthrop.....	2,551	3,570	607	6,728	413	492	34	939
TOTALS.....	45,309	123,398	19,368	188,075				

Worcester County

Ashburnham.....	1,108	1,278	137	2,523
Athol.....	1,248	2,024	158	3,430
Urburn.....	2,488	3,866	375	6,729
Barre.....	743	1,205	99	2,048
Berlin.....	744	647	36	1,426
Blackstone.....	1,615	1,427	259	3,301
Bolton.....	1,320	949	96	2,365
Boyston.....	942	1,138	101	2,181
Brookfield.....	578	669	58	1,305
Charlton.....	1,980	2,574	231	4,785
Clinton.....	1,831	2,660	284	4,771
Douglas.....	1,510	1,571	224	3,305
Dudley.....	1,546	2,026	173	3,745
East Brookfield.....	415	468	32	915
FITCHBURG.....	3,653	5,808	646	10,107
GARDNER.....	2,415	3,440	367	6,222
Grafton.....	2,989	3,358	342	6,689
Hardwick.....	449	499	66	1,014
Harvard.....	1,570	1,177	131	2,878
Holden.....	3,532	4,681	421	8,634
Hopedale.....	1,148	1,268	156	2,572
Hubbardston.....	928	1,042	87	2,057
Lancaster.....	1,317	1,486	129	2,932
Leicester.....	1,814	2,244	184	4,242
LEOMINSTER.....	5,222	7,305	838	13,385
Lunenburg.....	2,245	2,032	246	4,523
Mendon.....	1,378	1,036	120	2,534
Millford.....	4,044	4,239	762	9,045
Millbury.....	2,017	2,703	345	5,065
Millville.....	522	534	98	1,154
New Braintree.....	181	229	39	449
North Brookfield.....	735	1,056	103	1,894
Northborough.....	2,576	3,706	349	6,631
Northbridge.....	2,385	2,743	422	5,550
Oakham.....	413	492	34	939

Oxford	1,920	2,661	273	4,854
Paxton	879	1,036	125	2,040
Petersham	293	363	44	700
Phillipston	310	377	28	715
Princetown	798	978	110	1,886
Royalston	220	278	27	525
Rutland	1,474	1,824	159	3,457
Shrewsbury	5,331	7,686	1,042	14,059
Southborough	2,126	2,194	214	4,534
Southbridge	1,599	2,546	329	4,474
Spencer	1,720	2,216	231	4,167
Sterling	1,738	1,904	189	3,831
Sturbridge	1,546	2,179	189	3,914
Sutton	1,971	2,101	276	4,348
Templeton	1,268	1,498	102	2,868
Upton	1,535	1,546	187	3,268
Uxbridge	2,430	2,563	466	5,459
Warren	613	934	126	1,673
Webster	1,941	2,665	324	4,930
West Boylston	1,575	1,533	146	3,254
West Brookfield	599	858	70	1,527
Westborough	2,631	3,771	427	6,829
Westminster	1,735	1,458	154	3,347
Winchendon	1,243	1,631	146	3,020
WORCESTER	13,913	25,342	4,069	43,324
TOTALS	111,009	145,722	17,617	274,348

QUESTION 3

LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives before May 4, 2010?

SUMMARY

This proposed law would reduce the state sales and use tax rates (which were 6.25% as of September 2009) to 3% as of January 1, 2011. It would make the same reduction in the rate used to determine the amount to be deposited with the state Commissioner of Revenue by non-resident building contractors as security for the payment of sales and use tax on tangible personal property used in carrying out their contracts.

The proposed law provides that if the 3% rates would not produce enough revenues to satisfy any lawful pledge of sales and use tax revenues in connection with any bond, note, or other contractual obligation, then the rates would instead be reduced to the lowest level allowed by law.

The proposed law would not affect the collection of moneys due the Commonwealth for sales, storage, use or other consumption of tangible personal property or services occurring before January 1, 2011.

The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would reduce the state sales and use tax rates to 3%.

A NO VOTE would make no change in the state sales and use tax rates.

	Yes	%	No	%	Blanks	%	Total Ballots
Aggregate of Votes							
BARNSTABLE	48,982	45.52%	55,269	51.36%	3,358	3.12%	107,609
BERKSHIRE	12,339	28.65%	29,496	68.50%	1,227	4.91%	43,062
BRISTOL	77,895	44.51%	88,515	50.58%	8,593	4.91%	175,003
DUKES	3,409	39.98%	4,608	53.98%	515	6.04%	8,527
ESSEX	123,798	45.94%	138,346	51.34%	7,328	2.72%	269,472
FRANKLIN	6,876	24.49%	19,804	70.54%	1,396	4.97%	28,076
HAMPDEN	58,085	41.99%	74,428	53.81%	5,813	4.20%	138,326
HAMPSHIRE	16,902	29.62%	38,960	68.28%	1,201	2.10%	57,063
MIDDLESEX	221,715	39.74%	322,051	57.72%	14,208	2.55%	557,974
NANTUCKET	2,313	47.81%	2,344	48.45%	181	3.74%	4,838
NORFOLK	116,279	42.51%	146,743	53.65%	10,516	3.84%	273,538
PLYMOUTH	95,451	47.19%	92,555	47.70%	6,046	3.12%	194,052
SUFFOLK	53,263	28.32%	121,518	64.61%	13,294	7.07%	188,075
WORCESTER	129,666	47.26%	136,900	49.90%	7,782	2.84%	274,348
TOTALS	966,973	41.68%	1,271,532	54.81%	81,458	3.51%	2,319,963

	Yes	No	Blanks	Total Ballots
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Berkshire County (cont.)

Peru.....	109	180	8	297
PITTSFIELD.....	3,828	8,728	330	12,886
Richmond.....	187	536	24	747
Sandisfield.....	132	169	21	322
Savoy.....	120	107	3	230
Sheffield.....	401	805	25	1,231
Stockbridge.....	207	627	70	904
Tyringham.....	66	149	2	217
Washington.....	84	178	7	269
West Stockbridge.....	176	420	45	641
Williamstown.....	500	2,175	53	2,728
Windsor.....	137	228	13	378
Totals	12,339	29,496	1,227	43,062

Bristol County

Acushnet.....	1,802	2,065	205	4,072
ATTLEBORO.....	6,331	6,350	587	13,268
Berkley.....	1,324	1,056	77	2,457
Dartmouth.....	4,899	6,818	402	12,119
Dighton.....	1,379	1,327	64	2,770
Easton.....	4,509	4,314	253	9,076
Fairhaven.....	2,701	3,313	354	6,368
FALL RIVER.....	7,864	10,689	2,105	20,658
Freetown.....	1,772	1,734	62	3,568
Mansfield.....	4,206	4,419	306	8,931
NEW BEDFORD.....	8,989	12,487	1,136	22,612
North Attleborough.....	5,140	4,738	179	10,057
Norton.....	3,330	3,299	139	6,768
Raynham.....	2,726	2,510	256	5,492
Rehoboth.....	2,261	2,126	136	4,523
Seekonk.....	2,444	2,596	237	5,277
Somerset.....	3,117	3,756	607	7,480
Swansea.....	2,670	3,007	251	5,928
TAUNTON.....	7,709	8,375	860	16,944
Westport.....	2,760	3,498	377	6,635
Totals	77,895	88,515	8,593	175,003

	Yes	No	Blanks	Total Ballots
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Barnstable County

Barnstable.....	9,961	9,802	476	20,239
Bourne.....	4,258	3,731	149	8,138
Brewster.....	2,167	2,887	302	5,356
Chatham.....	1,800	1,981	116	3,897
Dennis.....	3,487	3,938	287	7,712
Eastham.....	1,203	1,864	59	3,126
Falmouth.....	6,661	8,677	616	16,954
Harwich.....	2,894	3,516	144	6,554
Mashpee.....	3,156	3,104	216	6,476
Orleans.....	1,551	2,161	118	3,830
Provincetown.....	458	1,303	52	1,813
Sandwich.....	5,269	4,651	405	10,325
Truro.....	420	783	26	1,229
Wellfleet.....	671	1,099	50	1,820
Yarmouth.....	5,026	5,772	342	11,140
Totals	48,982	55,269	3,358	107,609

Berkshire County

Adams.....	663	1,657	32	2,352
Alford.....	36	181	9	226
Becket.....	221	377	12	610
Cheshire.....	389	720	23	1,132
Clarksburg.....	160	385	4	549
Dalton.....	700	1,570	73	2,343
Egremont.....	184	409	14	607
Florida.....	120	127	6	253
Great Barrington.....	623	1,819	102	2,544
Hancock.....	116	166	3	285
Hinsdale.....	268	417	29	714
Lanesborough.....	334	688	30	1,052
Lee.....	556	1,381	46	1,983
Lenox.....	523	1,641	103	2,267
Monterey.....	113	276	11	400
Mount Washington.....	24	53	4	81
New Ashford.....	40	69	3	112
New Marlborough.....	202	376	13	591
NORTH ADAMS.....	872	2,561	95	3,528
Otis.....	248	321	14	583

QUESTION 3

	Yes	No	Blanks	Total Ballots
Dukes County				
Aquinnah.....	94	117	9	220
Chilmark.....	209	338	33	580
Edgartown.....	854	967	145	1,966
Gosnold.....	28	38	2	68
Oak Bluffs.....	914	1,111	120	2,145
Tisbury.....	785	1,137	81	2,003
West Tisbury.....	525	895	125	1,545
Totals	3,409	4,603	515	8,527
Essex County				
Amesbury.....	2,831	3,290	113	6,234
Andover.....	6,763	7,316	184	14,263
BEVERLY.....	6,668	8,794	307	15,769
Boxford.....	2,349	1,836	68	4,253
Danvers.....	5,164	5,448	125	10,737
Essex.....	858	880	22	1,760
Georgetown.....	1,955	1,663	72	3,690
GLOUCESTER.....	5,017	6,161	288	11,466
Groveland.....	1,657	1,350	40	3,047
Hamilton.....	1,523	2,030	50	3,603
HAVERHILL.....	10,115	9,249	416	19,780
Ipswich.....	2,906	3,372	105	6,383
LAWRENCE.....	4,194	7,291	1,760	13,245
LYNN.....	8,360	12,231	720	21,311
Lynnfield.....	3,071	2,492	89	5,652
Manchester-by-the-Sea.....	1,212	1,486	54	2,752
Marblehead.....	4,382	5,582	206	10,170
Merrimack.....	1,334	1,334	47	2,715
Methuen.....	8,114	6,809	403	15,326
Middleton.....	1,980	1,463	65	3,508
Nahant.....	861	1,000	53	1,914
Newbury.....	1,675	1,793	71	3,539
NEWBURYPORT.....	3,556	4,921	158	8,635
North Andover.....	5,878	5,162	212	11,252
PEABODY.....	9,714	10,181	540	20,435
Hampden County				
Agawam.....	4,988	5,628	220	10,836
Blandford.....	256	261	7	524
Brimfield.....	789	793	22	1,604
Chester.....	231	261	7	499
CHICOPEE.....	7,047	8,640	674	16,361
East Longmeadow.....	2,874	3,244	144	6,262
Granville.....	353	331	11	695
Hampden.....	1,138	1,098	27	2,263
Holland.....	519	420	21	960
HOLYOKE.....	3,417	6,511	538	10,466
Longmeadow.....	2,748	4,460	164	7,372
Ludlow.....	3,279	3,533	201	7,013
Monson.....	1,426	1,649	124	3,199
Montgomery.....	212	191	1	404
Palmer.....	1,906	2,246	156	4,308
Russell.....	310	269	2	581
Southwick.....	1,814	1,622	70	3,506
SPRINGFIELD.....	11,532	18,415	2,624	32,571
Tolland.....	112	94	4	210
Wales.....	384	318	13	715
West Springfield.....	3,796	4,698	308	8,802
WESTFIELD.....	5,862	6,472	339	12,673
Wilbraham.....	3,092	3,274	136	6,502
Totals	58,085	74,428	5,813	138,326
Hampshire County				
Amherst.....	989	6,808	162	7,959
Belchertown.....	2,064	3,297	58	5,419
Chesterfield.....	205	319	11	535
Cummington.....	109	307	4	420
Easthampton.....	2,088	4,093	107	6,288
Goshen.....	158	306	4	468
Granby.....	1,307	1,659	88	3,054
Hadley.....	619	1,601	44	2,264
Hatfield.....	516	997	21	1,534
Huntington.....	383	450	4	837

Middlefield.....	77	159	-	236
NORTHAMPTON.....	2,356	9,378	333	12,067
Palham.....	94	610	15	719
Plainfield.....	87	212	4	303
South Hadley.....	2,410	3,984	96	6,490
Southampton.....	1,146	1,430	42	2,618
Ware.....	1,484	1,503	180	3,167
Westhampton.....	307	543	1	851
Williamsburg.....	307	922	22	1,251
Worthington.....	196	382	5	583
Totals	16,902	38,960	1,201	57,063

Middlesex County				
Acton.....	3,191	5,995	112	9,298
Arlington.....	5,980	14,020	431	20,431
Ashby.....	733	682	9	1,424
Ashland.....	2,851	3,618	85	6,554
Ayer.....	1,275	1,256	46	2,577
Bedford.....	2,353	3,462	100	5,915
Belmont.....	3,767	7,209	208	11,184
Billerica.....	8,401	6,521	152	15,074
Boxborough.....	946	1,322	39	2,307
Burlington.....	4,800	4,510	165	9,475
CAMBRIDGE.....	6,221	26,701	1,318	34,240
Carlisle.....	1,062	1,581	53	2,696
Chelmsford.....	7,137	7,809	263	15,209
Concord.....	2,760	5,811	194	8,765
Dracut.....	5,951	4,995	230	11,176
Dunstable.....	732	682	18	1,432
EVERETT.....	4,092	4,455	557	9,104
Frammingham.....	7,812	11,907	430	20,149
Groton.....	2,145	2,646	85	4,876
Holliston.....	2,890	3,676	76	6,642
Hopkinton.....	3,134	3,255	69	6,458
Hudson.....	3,627	3,864	168	7,659
Lexington.....	4,213	10,047	243	14,503
Lincoln.....	815	1,994	56	2,865
Littleton.....	1,867	2,298	52	4,217
LOWELL.....	9,997	11,397	1,126	22,520
MALDEN.....	5,957	8,228	623	14,808
MARLBOROUGH.....	5,742	6,401	277	12,420
Maynard.....	1,859	2,609	73	4,541
MEDFORD.....	8,012	11,460	614	20,086

Rockport.....	77	3,678		
Rowley.....	33	1,244		
SALEM.....	326	13,659		
Salisbury.....	66	3,164		
Saugus.....	385	10,594		
Swampscott.....	149	6,872		
Topsfield.....	50	3,226		
Wenham.....	38	1,867		
West Newbury.....	36	2,250		
Totals	7,328	269,472		

Franklin County				
Ashfield.....	17	880		
Barnardston.....	38	878		
Buckland.....	56	803		
Charlmont.....	3	476		
Cohran.....	17	646		
Conway.....	11	986		
Deerfield.....	40	2,221		
Erving.....	19	508		
Gill.....	20	639		
Greenfield.....	168	6,032		
Hawley.....	1	135		
Heath.....	2	321		
Leverett.....	12	998		
Leyden.....	7	353		
Monroe.....	1	42		
Montague.....	44	3,034		
New Salem.....	9	470		
Northfield.....	45	1,247		
Orange.....	792	2,579		
Rowe.....	4	179		
Shelburne.....	32	856		
Shutesbury.....	14	916		
Sunderland.....	13	1,320		
Warwick.....	11	349		
Wendell.....	7	428		
Whately.....	13	780		
Totals	1,396	28,076		

QUESTION 3

	Yes	No	Blanks	Total Ballots	Yes	No	Blanks	Total Ballots
Middlesex County (cont.)								
MELROSE.....	4,990	7,015	406	12,411	4,066	3,319	133	7,518
Natick.....	5,575	8,136	299	14,010	11,076	11,000	316	22,392
NEWTON.....	10,416	23,616	1,441	35,473	755	632	26	1,413
North Reading.....	3,034	3,541	75	6,650	1,261	1,120	80	2,461
Pepperell.....	2,573	2,234	53	4,860	3,441	3,115	136	6,692
Reading.....	4,841	6,066	139	11,046	4,288	4,582	302	9,172
Sherborn.....	988	1,276	28	2,292	4,012	3,771	291	8,074
Shirley.....	1,239	1,138	61	2,438	1,667	1,257	133	3,057
SOMERVILLE.....	5,670	16,465	876	23,011	2,719	2,683	155	5,557
Stoneham.....	4,603	4,568	214	9,385	95,451	92,555	6,046	194,052
Stow.....	1,482	1,871	32	3,385				
Sudbury.....	3,199	5,029	100	8,328				
Tewksbury.....	6,353	5,118	189	11,660				
Townsend.....	1,991	1,568	43	3,602				
Tyngsborough.....	2,398	2,214	79	4,691				
Wakefield.....	5,523	5,621	219	11,363	42,996	109,472	11,844	164,312
WALTHAM.....	7,098	9,922	522	17,542	1,625	3,097	417	5,139
Watertown.....	4,077	7,617	325	12,019	5,597	5,596	703	11,896
Wayland.....	2,288	3,995	101	6,384	3,045	3,353	330	6,728
Westford.....	4,544	5,122	106	9,772	53,263	121,518	13,294	188,075
Weston.....	2,246	2,915	87	5,248				
Wilmington.....	4,828	4,273	210	9,311	1,210	1,289	24	2,523
Winchester.....	4,188	5,738	201	10,127	1,502	1,894	34	3,430
WOBURN.....	7,249	6,582	530	14,361	3,253	3,363	113	6,729
Totals.....	221,715	322,051	14,208	557,974	965	1,049	34	2,048
Nantucket County								
Nantucket.....	2,313	2,344	181	4,838	714	693	19	1,426
Totals.....	2,313	2,344	181	4,838				
Norfolk County								
Avon.....	889	879	84	1,852	2,341	2,312	118	4,771
Bellingham.....	3,240	2,965	244	6,449	1,933	1,278	94	3,305
Braintree.....	6,938	7,657	747	15,342	2,020	1,679	46	3,745
Brookline.....	4,464	15,367	725	20,556	508	399	8	915
Canton.....	4,316	4,851	382	9,549	4,493	5,356	258	10,107
Dorchester.....	2,792	3,298	132	6,222	2,792	3,298	132	6,222
FITCHBURG.....	3,412	3,147	130	6,689	3,412	3,147	130	6,689
Plymouth County (cont.)								
Pembroke.....	4,066	3,319	133	7,518				
Plymouth.....	11,076	11,000	316	22,392				
Plympton.....	755	632	26	1,413				
Rochester.....	1,261	1,120	80	2,461				
Rockland.....	3,441	3,115	136	6,692				
Scutuate.....	4,288	4,582	302	9,172				
Wareham.....	4,012	3,771	291	8,074				
West Bridgewater.....	1,667	1,257	133	3,057				
Whitman.....	2,719	2,683	155	5,557				
Totals.....	95,451	92,555	6,046	194,052				
Suffolk County								
BOSTON.....	42,996	109,472	11,844	164,312				
CHELSEA.....	1,625	3,097	417	5,139				
REVERE.....	5,597	5,596	703	11,896				
Winthrop.....	3,045	3,353	330	6,728				
Totals.....	53,263	121,518	13,294	188,075				
Worcester County								
Ashburnham.....	1,210	1,289	24	2,523				
Athol.....	1,502	1,894	34	3,430				
Auburn.....	3,253	3,363	113	6,729				
Barre.....	965	1,049	34	2,048				
Berlin.....	714	693	19	1,426				
Blackstone.....	1,620	1,514	167	3,301				
Bolton.....	1,145	1,186	34	2,365				
Boylston.....	942	1,138	101	2,181				
Brookfield.....	703	583	19	1,305				
Charlton.....	2,546	2,176	63	4,785				
Clinton.....	2,341	2,312	118	4,771				
Douglas.....	1,933	1,278	94	3,305				
Dudley.....	2,020	1,679	46	3,745				
East Brookfield.....	508	399	8	915				
FITCHBURG.....	4,493	5,356	258	10,107				
GARDNER.....	2,792	3,298	132	6,222				
Greatton.....	3,412	3,147	130	6,689				

Cohasset	1,798	1,815	210	3,823	Hardwick	474	518	22	1,014
Dedham	4,676	5,309	431	10,416	Harvard	1,186	1,641	51	2,878
Dover	1,441	1,402	63	2,906	Holden	3,914	4,621	99	8,634
Foxborough	3,783	3,339	156	7,278	Hopevale	1,239	1,268	65	2,572
Franklin	6,112	6,507	210	12,829	Hubbardston	1,080	950	27	2,057
Holbrook	1,979	1,933	164	4,076	Lancaster	1,474	1,424	34	2,932
Medford	2,568	3,156	174	5,898	Leverett	2,237	1,949	56	4,242
Medway	2,695	2,777	77	5,549	LEOMINSTER	6,393	6,672	320	13,385
Millis	1,806	1,874	52	3,732	Lunenburg	2,235	2,211	77	4,523
Milton	4,833	7,382	735	12,950	Mendon	1,268	1,236	30	2,534
Needham	4,775	9,075	404	14,254	Milford	4,441	4,161	443	9,045
Norfolk	2,281	2,064	158	4,503	Millbury	2,424	2,465	176	5,065
Norwood	5,343	5,615	411	11,369	Millville	617	504	33	1,154
Plainville	1,671	1,468	96	3,235	New Braintree	224	212	13	449
QUINCY	13,126	16,491	2,010	31,627	North Brookfield	1,009	858	27	1,894
Randolph	4,068	5,718	454	10,240	Northborough	3,078	3,448	105	6,681
Sharon	2,906	4,889	146	7,941	Northbridge	2,926	2,374	250	5,560
Stoughton	4,817	5,156	409	10,382	Oakham	485	443	11	939
Walpole	5,459	5,270	194	10,923	Oxford	2,584	2,179	91	4,854
Wellesley	4,226	7,184	558	11,968	Paxton	1,027	973	40	2,040
Westwood	3,276	3,680	372	7,328	Petersham	298	389	13	700
Weymouth	10,343	10,705	770	21,818	Phillipston	344	344	4	715
Wrentham	2,450	2,215	80	4,745	Princeton	894	964	28	1,886
Totals	116,279	146,743	10,516	273,538	Royalston	239	280	6	525
Plymouth County					Rutland	1,744	1,671	42	3,457
Abington	3,142	3,049	144	6,335	Shrewsbury	6,441	7,242	376	14,059
Bridgewater	4,404	4,468	296	9,168	Southborough	2,168	2,310	56	4,534
BROCKTON	9,714	11,201	1,598	22,513	Southbridge	1,948	2,347	179	4,474
Carver	2,472	2,006	118	4,596	Spencer	2,212	1,882	73	4,167
Duxbury	3,851	3,619	198	7,668	Sterling	2,010	1,769	52	3,831
East Bridgewater	2,773	2,439	180	5,392	Sturbridge	1,952	1,914	48	3,914
Halifax	1,716	1,352	97	3,165	Sutton	2,418	1,813	117	4,348
Hanover	3,349	3,081	180	6,610	Templeton	1,406	1,430	32	2,868
Hanson	2,277	2,055	57	4,389	Upton	1,693	1,525	50	3,268
Hingham	5,041	5,947	332	11,320	Uxbridge	2,911	2,996	252	5,459
Hull	2,048	2,505	147	4,700	Warren	791	826	56	1,673
Kingston	2,815	2,554	105	5,474	Webster	2,597	2,213	120	4,930
Lakeville	2,473	2,020	147	4,640	West Boylston	1,579	1,625	50	3,254
Marion	1,209	1,226	70	2,505	West Brookfield	717	795	15	1,527
Marshfield	6,093	5,455	178	11,726	Westborough	2,940	3,735	154	6,829
Mattapoisett	1,440	1,712	118	3,270	Westminster	1,707	1,591	49	3,347
Middleborough	4,699	3,913	398	9,010	Winchendon	1,554	1,421	45	3,020
Norwell	2,650	2,474	111	5,235	WORCESTER	16,666	24,057	2,601	43,324
Totals	129,666	136,900	7,782	274,348					

QUESTION 4

Shall the Town of Belmont accept sections 3 to 7, inclusive, of chapter 44B of the General Laws as proposed by a petition signed by at least five percent of the registered voters of this town, a summary of which appears below?

SUMMARY

Sections 3 to 7 of Chapter 44B of the General Laws of Massachusetts, also known as the Community Preservation Act ("Act"), establish a dedicated funding source to: acquire, create and preserve open space and land for recreational use; acquire, preserve, rehabilitate and restore historic resources; create, preserve and support community housing; and rehabilitate and restore open space, land for recreational use and community housing that is acquired or created in accordance with the Act. In Belmont, the Act will be funded, beginning in Fiscal Year 2012, by an additional surcharge of one and one-half percent (1½ %) on the annual tax levy on real property and by matching funds provided by the state. The following exemptions from such surcharge, permitted under Section 3(e) of said Act, will apply: (1) \$100,000 of the value of each taxable parcel of residential real property; and (2) property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the Town. A taxpayer receiving a regular property tax abatement or exemption will also receive a pro rata reduction in surcharge. A Community Preservation Committee must be created pursuant to bylaw and will make recommendations on the use of the funds. Town Meeting must approve any such recommendation before funds can be expended. All expenditures pursuant to the Act will be subject to an annual audit.

In the Town of Belmont

	Yes	No	Blanks	Total Ballots
Middlesex County				
Belmont	5,394	5,175	615	11,184
TOTALS	5,394	5,175	615	11,184

QUESTION 5

Shall the Town of Middleborough accept sections 3 to 7, inclusive, of Chapter 44B of the General Laws, as proposed by its legislative body, a summary of which appears below?

SUMMARY

Sections 3 to 7 of Chapter 44B of the General Laws of Massachusetts, also known as the Community Preservation Act, establish a dedicated funding source to acquire, create and preserve open space, acquire, preserve, rehabilitate and restore historic resources, acquire, create and preserve land for recreational use, acquire create, preserve and support community housing, and rehabilitate or restore open space, land for recreational use and community housing acquired or created as provided in Section 5 of the Act. In Middleborough, the Community Preservation Act will be funded by an additional surcharge of 1% on the annual tax levy on the real property to be assessed beginning in fiscal year 2011, and any person who qualifies for low income housing or low or moderate income senior housing in the Town, and \$100,000 of the value of each taxable parcel of residential real property will be exempt from the surcharge. A Community Preservation Committee will be established by-law following acceptance of the Act and will make recommendations to Town Meeting on the use of the funds.

In the Town of Middleborough

	Yes	No	Blanks	Total Ballots
Plymouth County				
Middleborough	4,371	3,795	844	9,010
TOTALS	4,371	3,795	844	9,010

QUESTION 4

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?

QUESTION 4

Shall the Town of Sunderland accept sections 3 to 7, inclusive, of Chapter 44B of the General Laws, as proposed by a petition signed by at least five percent of the registered voters of this town, a summary of which appears below?

SUMMARY

Sections 3 to 7 of Chapter 44B of the General Laws of Massachusetts, also known as the Community Preservation Act ("Act"), establish a dedicated funding source to: acquire, create and preserve open space and land for recreational use; acquire, preserve, rehabilitate and restore historic resources; create, preserve and support community housing; and rehabilitate and restore open space, land for recreational use and community housing that is acquired or created in accordance with the Act. In Sunderland, the Act will be funded, beginning in Fiscal Year 2012, by an additional surcharge of three percent (3%) on the annual tax levy on real property and by matching funds provided by the state. The following exemptions from such surcharge, permitted under Section 3 (e) of said Act, will apply: (1) \$100,000 of the value of each taxable parcel of residential real property; and (2) property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the Town. A taxpayer receiving a regular property tax abatement or exemption will also receive a pro rata reduction in surcharge. A Community Preservation Committee must be created pursuant to bylaw and will make recommendations on the use of the funds. Town Meeting must approve any such recommendation before funds can be expended, and at least 10% of the funds for each fiscal year will be spent or reserved for later spending on each of the Act's three community preservation purposes: (1) open space (excluding land for recreational use), (2) historic resources and (3) community housing. All expenditures pursuant to the Act will be subject to an annual audit.

In the Town of Sunderland

	Yes	No	Blanks	Total Ballots
Franklin County				
Sunderland.....	782	489	49	1,320
TOTALS.....	782	489	49	1,320

SUMMARY

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.

In the City of Marlborough

	Yes	No	Blanks	Total Ballots
Middlesex County				
MARLBOROUGH.....	5,331	5,777	1,312	12,420
TOTALS.....	5,331	5,777	1,312	12,420