

At the 3/23/06 forum held by the PILOT committee to present our findings to date, Bob Berman read a statement signed by a minority of the committee including himself, Dawn Harkness, Wes Ritchie and Jim Palmer. This statement included very serious charges against methods of data collection, the relevance of certain findings, and the motivations of some committee members in presenting these findings. These claims and accusations in that statement were at best based on misperceptions of events and misrepresentations of comments made by other members. It is not our choice to debate these issues in public, and we believe many of the concerns could have been addressed in committee if the minority members allowed such discussion on 3/21/06. On 3/28/06 we asked the minority members to consider retracting their statement and their answer was a resounding no, as recorded in the minutes of 4/6/06.

We will focus on a few points in the minority statement.

- 1. Statement:** “The full committee including each member of this minority group, received this extensively large collection of data titled “draft report” just one week ago tonight. At that time the full committee came to a verbal agreement that we would discuss the draft report and would not take any committee position on it for at least two weeks...”

Response: The draft report was distributed at our 3/14/06 meeting (in fact 9 days before the forum). The minutes of this meeting report that there was no such agreement. While Bob Berman did say that he would need two weeks to read this, Wes Ritchie stated that “he wants to start it next week. He asked if we can have a big portion of our discussion on this next week, on this. He would like to at least start on it. “

A majority of the committee was operating under the assumption that the draft report was directly connected to the 1/17/06 directive to present findings to date to elected and appointed officials on 3/23/06. This was in fact the established timeline and agenda voted by the PILOT committee.

From the 1/17/06 meeting

Hearing 3

Laurie moved that we have a roundtable discussion on our information to committees to date, and if possible a draft report, with Framingham government officials, elected and appointed. The public will be invited; however interactions will be limited to the officials. The date will be 3/23/06.

Vote on Laurie’s Motion for Hearing 3: 8 in favor 0 opposed 2 abstain

- 2. Statement:** “Just this past Tuesday (3/21/06), a member of the majority side of this committee admitted in an open, televised meeting that they went out and specifically found data that backed up their viewpoints and asked why we had not done the same.

Response: The statement makes a broad leap from Mr. Sanchez's comments on exploring questions he thought "relevant", to selecting data to back up a particular viewpoint. The minutes of the 3/21 meeting, as written by our clerk from an audiotape (available upon request) are a matter of public record.

From the 3/21/06 meeting

(Quotes are from the audio tape. The conversation is summarized in the minutes)

Describing inclusions in draft report, Mr. Berman continued: "Financial facts about Framingham. Absolutely no relevance to what we are doing to finding out the impact of social services in the town of Framingham. Framingham police department, yearly arrests. No relevance, because there is no connection made at all with social services in Framingham. None."

Responding to Bob's comments Mr. Sanchez said: "You state categorically that some of the data is irrelevant. Well it is relevant to some members of the committee. What I find really fascinating is that to other members of the committee that find it irrelevant, I have no problem with that. But why are these individuals trying to convince me that the data is not relevant, when I know that it is relevant?"

Nick continued. "We are divided. The only way to come together is to go ahead and present the data that you feel is relevant, at the appropriate time, when you feel it is relevant. You have had all of these months to gather all of the data that you think is relevant. I think some of us have had the time to gather data that we feel is relevant, and so everybody should be given equal time."

Mr. Berman apparently has confused the notion that a committee member finds some data to be "relevant", with the act of going out and finding data to support a specific conclusion. In context, it is clear that Mr. Sanchez' intent was inclusive, not exclusive.

- 3. Statement:** "It should come to the surprise of nobody in this room that values of downtown Framingham properties grow at a smaller rate than those in other sections of town. ... It is only common sense that that by heavily weighting properties from the downtown area, we are bound to see an overall average increase lower than the rest of the community as a whole."

Response: The policy of the committee has been to avoid expectations of the data, even ones based on common sense. We strive to base all our findings on factual data, precisely because common sense and perception may be in disagreement with actual facts.

Further analysis of the data presented to the PILOT committee on January 10, 2006, reveals the following facts:

- The distribution of social service properties throughout Framingham is itself heavily weighted in the “downtown” area. Approximately 86% of the 180 known addresses are south of Route 9, 14% are north of Route 9.
- A review of the 36 social service properties used in this particular study shows that 70% of the properties studied are south of Route 9, 30% are north of Route 9.
- Analysis of the average growth rate of the 36 sets of three abutting properties (108 total) used in this analysis shows that 68% of the properties south of Route 9 had a growth rate less than the town’s average, 64% of the properties north of Route 9 had a growth rate less than the town’s average.

In short, although there are significantly more social service properties in the downtown area, the lower than average growth reported is effectively identical, for both down town and north-side properties. This data has been available to all committee members since January 6th.

- 4. Statement:** “The Property and Income working group created a thirty-some odd page report, sent it to the entire committee on a Friday, and voted on the next Tuesday, just a few days later, to adopt it with little to no discussion”

Response: The Property and Income group began their work, in September 2005, to answer the questions in the unanimously approved “Action Plan”. The following questions come directly from this action plan:

- 1) How are property values effected by Social Service Agencies?
 - Properties adjacent to SSA’s
 - Properties neighboring SSA’s
 - Properties Town wide
 - What is the effect on immediate abutters to SSA’s?
- 2) What are the changes in real estate values in Framingham compared to other towns in our region?
- 3) How have property values changed in Framingham over time (10 years or more) relative to growth of Social Service Agencies? Is there a relationship?

The efforts of this committee to answer these questions began on September 13, 2005 and can be followed in the extensive minutes found at <http://www.framinghamma.gov/web/Minutes/PILOT/pilotmin.htm> The following dates are most relevant: November 8, 2005; November 29, 2005; December 6, 2005; January 3, 2006 and Jan 10, 2006

What you will find is the Property and Income group bringing in the data and methodologies used in every aspect of their report, to be discussed and vetted by the entire committee. The final report on Jan 10 was considered to be the last step in a very long, arduous, and oftentimes painful process in which all committee members participated. However, the policy of the committee has always been to consider all

accepted documents “living” documents, subject to change or correction as dictated by new information or understanding.

The methodology of this study was reviewed in the 1/3/06 meeting. All committee members encouraged and supported the precise study the property group undertook, and throughout the minutes above, asked for this specific study to be done. For example, at the 1/3/06 meeting, Ms. Harkness said that she thought this would be good information to have and it would help us a lot. She stated that there have been some arguments that when a social service agency buys a building, values of the neighbors around it are going to decline, and that this will be one good base way of measuring that.

After the data was presented on January 10th, some members vehemently fought to exclude these findings from the report.

- 5. Statement:** “A major section of the majorities “draft report” focuses on singling out the three largest social service agencies in Framingham (SMOC, Advocates and Wayside). Not only is the data in this section flawed , but the PILOT Study Committee was explicitly warned by Town Counsel not to take the approach of treating any agency differently from any other”

Response: This statement refers to data that was not included in the presentation at the forum, but was part of the 83 page Draft Report. Page 44-45 of the report has a comparison of 10 communities that have been studied by our committee. This data set compares the top three agencies headquartered and operating in each of these communities in terms of income and assets, as reported by Guidestar.

A member of the committee assembled this information for two reasons: First, as a way to “test” for consistency in the comparison of the number of sites in the communities studied. Second, to see if anything could be revealed about the economic impact, positive or negative, of social service agencies in the communities we are studying. The identity of these 30 agencies was not part of the draft report. In fact, it was Mr. Berman who made this public identification, in his statement at the forum.

However, all of the information in this comparison was derived from public sources and available to anyone. Town Counsel advised the committee in his December report (see pages 9 and 11 of the 2005 Town Council Report link on <http://www.laurielee.org/information.htm>), to avoid “unfair or discriminatory treatment of social service agencies”, but to make use of internet sources, including the 990 tax forms for the organizations as a way of deriving useful information. It was his opinion “that reviewing, analyzing and cataloguing this information in a report would not constitute an invasion of privacy”.

That is precisely the process that was followed by the member who compiled this information. That the three agencies Bob names are the largest in Framingham is a fact. It is in no way a consequence of any bias by the committee member.

In addition, analyzing the income contribution from the major social service agencies in Framingham was an idea that originated with several of the agencies themselves. The Metrowest Human Service Advocacy Coalition, a coalition of non-profits in Framingham, created and distributed a document entitled: *The Framingham Campaign for Respect, Compassion and Dignity*. This paper explores some of the very questions our committee has been researching and highlights the economic input of the three largest agencies in Framingham.

The minority statement also claims that this “ in not the first time, by the way, that the majority of this committee has ignored the advice of Town Counsel, a practice that we are concerned about for obvious reasons”

However, it was precisely the majority of this committee, who voted to accept and adopt town counsel’s evaluation of legal issues and recommendations to the PILOT committee:

From the 12/13/05 meeting

Motion: The PILOT committee accepts Town Counsel Chris Petrini’s report, with the recommendations to us, with the understanding of the correction regarding the issue of addresses and that the committee has not decided yet on the publication of those addresses.

Vote: 6 in favor 1 opposed 3 abstain pass

Note: Those in favor of this motion subsequently requested that their vote be recorded in the minutes. In favor were: Laurie Lee, Cynthia Laurora, Nick Sanchez, Yaakov Cohn, John Speranza and Steve Orr

6. Statement: “While it may be interesting to note that Lynn and Malden get much higher CDBG funds per capita than Framingham, we do not see any relevance to the [PILOT committee study of] impact of Social Services in Framingham”.

Response: Among other actions, this committee may conclude that the town pursue additional state or federal funds to offset the impact of social services. Many members of the committee felt that making such recognition without any understanding of current funding levels would be irresponsible. Although the study of existing state and federal grants to the town was not explicitly stated in the Action Plan, questions related to grants and spending were in the section devoted to the Planning and Economic Development Department.

4) Planning and Economic Development

- Is there a relationship between the PED and Social Service Agencies or programs in Framingham?
- What are the interests of the PED with social services in Framingham?
- What social service programs has the PED initiated and what programs are lined up for Framingham?

- How much of the PED resources, employees and funds, are spent working with or facilitating social service agencies or programs?
- Does the PED have grant monies that it distributes to social service agencies or programs?
- Does the PED help social service agencies with their own grants?
- Does the PED help or coordinate low income or affordable housing for clients of social service agencies or the agencies directly?

In addition, questions about grant funding rose out of the natural course of doing our research, such as in discussions of comparative information between communities.

Conversations with the MA representative for HUD's CDBG funds' revealed the potential for a change in the way entitlement funds are distributed, and the possible inclusion of other factors not already taken into account. This too supports the relevance of this data, should the committee recommend pursuing additional federal funds.

In Auburndale neighbors fret about proposed group home by Bernie Smith Wednesday, November 2, 2005 Mr. Taylor of Advocates, Inc 's discusses the inclusion of CDBG funding in his plans to open a group home in Newton "Advocates ...applied for the remaining \$342,000 from a combination of the city's Community Development Block Grant funds and the Community Preservation Fund." Information obtained from Sam Swisher of Framingham's Department of Planning and Economic Development, after the draft report was assembled and thus excluded from the presentation, shows that 6% or \$36,000 of the 2005 CDBG allotment went directly to local social service agencies.

In addition, several communities have commented to us during our research that the distribution of their CDBG funds assists them in their efforts to stay connected and informed of nonprofit social service activity in their municipality.

In Conclusion

The Minority Statement presented at the forum on March 23 includes a number of factually incorrect statements. It makes a number of baseless challenges to the relevance of data collected by this committee. And it directly impugns the integrity of respected members of this committee. This statement appears to serve no purpose other than to further divide this committee and we still hope for a retraction or apology from the authors.

Laurie Lee, Clerk PILOT/Impact Committee
Yaakov Cohn, Vice Chair PILOT/Impact Committee