

Social Service PILOT and Comparative Impact Study Committee
Conference Room 2 7:30 PM Memorial Building Framingham, Ma

Minutes

November 1, 2005

Note: If a word or sentence is blue and underlined click for the link.

Attendance: Yaakov Cohn, Dawn Harkness, Cynthia Laurora., Laurie Lee, Jim Palmer, Wes Ritchie, Nick Sanchez: Steve Orr, John Speranza

Meeting called to order at 7:30 PM.by Chair Berman

Bob passed out an updated agenda. Comments from the Chair have been added and some ordering has been adjusted.

Bob listened to the tapes of the entire meeting and wanted to offer a huge thanks to the vice chair.

It was noted that Mr. Sperenza was sworn in as a new member and Bob welcomed him and said that a number of people will help him along. Our collection of minutes and information is incredible and unlike any committee that he has ever been on in his years here.

Mr. Sperenza noted that he read some documents that Ms. Lee gave him and that it must have been a daunting task over the past three months.

Bob noted that he has noticed over the last three or four meetings that there has become more divisiveness than in the past. Part of the reason is in the beginning everybody has been focused no matter what preconceptions we have or what we hope to end up with at the end of this study he has made an effort to keep focused on our specific goal: come up with hard data that everybody who is trying to make a decision on the issue of social services in Framingham and their impacts, that everybody is looking at the same valid set of data. There is no cleansing of it beforehand. We have done a very good job of staying on that track. The last few weeks we have wavered off and some members have had other ideas on where we are headed than others have had.(that is a personal feeling) We need to stay focused and no matter why we are here at this table or what is important to us coming out of this, let's stay focused on the fact that our job is to come up with hard data that everyone can look at and say that is valid data and that is what I am going to base my decisions on.

Minutes from 10/11/05 were approved as corrected:

Vote: 9 in favor 0 opposed 1 abstain

Dawn Harkness said that she didn't want to vote on the minutes from 10/25 because she has been waiting to hear the tapes and wanted to wait until next week.

Minutes from the 10/25/05 meeting were postponed until next week

Some corrections to the 10/25 minutes were discussed. Bob added one last comment. From listening to the tape and from a couple of weeks before, our discussions are getting more heated and some of the comments are becoming more of a personal nature, rather

than the issues at hand. As the chair, when I hear that come up I will stop it. We are not here to have personal arguments back and forth and we have to stay focused on the overall goal.

Social Service Questionnaire update:

The surveys have gone out to the agencies and Bob received a few calls and emails and messages. Some concerns have been raised regarding how much time it would take to plow through the information. SMOC said if they had a full time person it would take 2 months.

Steve Orr didn't think it would take that long. He thought a full time person should be able to do it in a couple of weeks.

Bob said other concerns were that they needed to get feedback from board of directors and legal council on what they can and cannot answer.

An idea to float by the committee to get a better hold on this situation, is to very soon, invite a few selected people from the agencies to speak with us just about the questionnaire to see what the time issues are and when they can get us information, what are the issues about some of the questions and why there are issues. Bob mentioned that he spoke to Jerry Desilets and he said he would attend that meeting.

We asked for clarification: are we going to ask for answers to some of the questions?

Bob said no. We are just going to discuss the questions themselves and get feedback:

- What would take so long and why
- How can we make it so it won't take so long so we can get some good valid data back sooner

Laurie mentioned that she heard the from Wayside and they said the same thing.

Steve didn't see a purpose or direction in this approach.

Jim Palmer takes them at face value: if they have to ask the board of directors and counsel that is how they operate.

Dawn said she has been saying through all these meetings over and over, not having consulted or having feedback from the agencies, that the first thing they will do is run it by their attorneys. There are litigation issues at play. It doesn't surprise her. It is generous that any of them will offer to meet with us and tell them what they can answer and what information they can give us. They are not under any obligation to talk to us and Dawn doesn't understand why they would consider the nature of the debate in town.

She thinks we should take their offer.

Nick Sanchez would argue against it because the arguments they will make will be made by their attorneys. Whenever there is a conflict there is usually two sets of attorneys. Our responsibility is to the town of Framingham so I would suggest that we invite Mr. Petrini, town counsel, to tell us from the point of view of Framingham what types of questions the agencies can and cannot answer.

The representatives from the agencies will take the point of view of the agencies and we are responsible towards the town. We need to know that point of view.

Bob agreed that it is important to have Mr. Petrini come talk to us and the legal group needs to schedule that.

But they don't have to answer anything, so whatever they are willing to answer we need to accept. We might find we can get all the answers but have to accommodate for time to finish.

Nick said that the opinion that they don't have to answer, requires a legal opinion from our lawyer.

He said that Community Action Agencies, such as SMOC, have to file thorough reports with the government. So one alternative will be to request the reports filed with the Federal and State governments. Then we can get the answers that way.

Bob said: that EOHSS sent a message clearly stating that their guidelines is to not give out that information.

He also said that he asked some agencies if the information wasn't readily available because they file reports with the government. Their response was that every single State department asks for different information.

Laurie said that she doesn't see a problem with anything that has been said. We should get town counsel opinion on the questions raised by Nick. We should also speak to the agencies and find out what information they can provide us. But we should also try to answer the questions for ourselves through other sources. So we essentially should be looking at many different resources to answer any particular question and see how the answers line up.

Jim Palmer suggested sending the survey to Chris Petrini and asking his opinion: is there anything wrong, can anything not be answered or is there anything that must be answered. What has to be answered and what doesn't have to be answered.

Cynthia thought a lot of the information was pretty straightforward and she was having a hard time understanding why they are having trouble coming up with the answers.

Is it the legal aspect or is it the gathering of information. Cynthia said she has been in touch with the State and has gotten back detailed information and doesn't think it is as complicated as people are making it out to be. It is public information and the programs are being funded with public funds.

Bob said there are some issues with some locations such as safe houses. Who is going to draw the line of what is a security issue and what is not.

Cynthia commented that many agencies list most of the information on the internet, on their websites.

Steve Orr pointed out that contacting town counsel has to be done judiciously: it is very expensive. He also said that Dawn asked an important question: Why should the agencies cooperate with us in the first place? We have been chartered by the town to answer the questions and they can only hurt themselves by not answering. Up until now smoc in particular has demonstrated arrogance and lack of cooperation. He thought we should try to convince them that it is for the benefit of them and the town if there is more cooperation.

Bob disagreed. We are not here to be ambassadors of good will and to show them the way. We are here for a specific reason: get the best data that we possibly can. If we don't everything we are doing here is wasted. No one will take our report seriously if we do not include the numbers we need to get from them. If we need to have them at a meeting to tell us their concerns, what could be the problem with opening that dialogue?

Jim Palmer moved that we send a copy of the survey to town counsel and ask him his opinion as to items on there that the social service agencies should be able to answer or would not be able to answer.

Dawn said that she liked how it was worded before when he asked what they would be legally required to answer.

I move that we ask What would the social service agencies be required to answer.

Laurie commented that she would like to add a part: it would be good for us to know if there is a reason why they can't answer a question or not. SO if they tell us they can't answer something , we could understand why.

Dawn said that as an attorney 9 times out of 10 the answer is "don't talk don't answer that" If there is an issue of litigation, there are many compelling reasons not to answer. Most attorneys would say , if you are not required to answer, do not answer.

It is not legally smart to provide answers.

Mr. Robert O'Neill from the audience said we should do all the things we mentioned and start soon because the agencies are stonewalling and negotiating.

Yaakov thought we were phrasing the question incorrectly. This should not be confrontational. He also did not agree with the wording of the motion because he thought we were a long way from legal questions.

Laurie pointed out that everything Dawn said should be coming as an opinion from town counsel.

Nick emphasized that decisions of what can legally be answered are determined in the courts.

John Speranza asked why the agencies have been muted. What purpose and who silenced them. Why can't they answer?

Cynthia didn't understand why they are hesitating because there is nothing incriminating in the questions.

Laurie amendment: add: or if there is a legal reason they could or should not answer the questions.

We wanted that question to be asked of the agencies not town counsel.

Steve pointed out that we have already approved the questions and it is a waste of town counsel time and money to be asking anything at all.

Nick asked for the vote to pass the survey. Laurie commented that we voted in sections and it was unanimous

Nick saw validity in Steve's assertion: he suggested then that since we already approved the questions and these objections of the questions weren't raised then. So there is not reason that we should retrace our steps

Dawn said that she in particular said from the beginning that what we were doing is illegal. She has said continuously that if we are putting through a questionnaire the information had to be data driven, objective and verifiable. But she is concerned that we are discriminating. And she posed that question to legal counsel. She has not found a case where a town investigates social service agencies or approaches them for PILOT payments. So her vote was based on hard data and information the town could use.

Jim asked at what point we said these could be mailed out?

Laurie said we did: the last page of the 10/11 minutes has the discussion:

Laurie asked if the background group could now use the survey and send them out to the agencies. Bob suggested the group read the final version on email or online and if no objections we could.

Laurie asked the group if she can add a paragraph to the cover letter indicating where to mail the answered survey's to. She expects confirmation from George King that we can have a mail slot at the Memorial Building.

The group agreed

Bob said that we can do nothing and wait to see what we get back. Or we can be proactive and see what the agencies are thinking.

Nick Sanchez asked if Bob could ask the agencies to state in writing that they are having problems with the survey and have concerns or issues. This is not about the chair but for our records. Last week Mr. Palmer made a very good point about the anonymity of the real estate survey. After thinking about it the point is a good one and should apply here as well. It has to be applied across the board and to all agencies and information.

Dawn still supported the idea of hearing from the agencies.

Cynthia also wanted to see the requests in writing.

Bob mentioned that he heard from smoc, programs for people, Bethany school, wayside.

Jim also wanted them to write to us.

Bob is going to call them and ask for a letter.

Jims Motion: I move that we send a copy of the social service survey to town counsel and ask him what questions the social service agencies are legally required to answer

Laurie amendment: Add on: and is there a legal reason that they could or should not answer any of the questions.

Cynthia wanted to ask if it is legal for us to try to get answers ourselves to any questions the agencies won't answer.

Dawn asked if the fee for town counsel was coming out of our \$1000 or from general funds. Bob said general funds. So we don't care how much it costs the town if we ask an either or questions? If you do care about it this is a terrible question.

Laurie said the intent was that the way the other question is worded is not exactly what we were trying to ask. The answer could simply be, we can't make anyone answer anything, but the question is: is there any legal reason why they should not answer these.

Vote on amendment:

4 favor 6 opposed 0 abstain

Vote on Motion:

6 favor 4 opposed 0 abstain

Discussion ensued about the timing to contact the agencies.

Motion to invite the social service agencies to visit us to discuss the questionnaire.

Discussion about what we would want discussed. The questionnaire only should be discussed. No answers will be given just general questions as to what is answerable and when. We should have a round table discussion. We need to have rules about what can and cannot be asked. No confrontations.

Vote

6 in favor 4 opposed 0 abstain

Motion to request that the chair ask any agency who contacts him regarding the survey to state that they have objections, in writing, for the entire committee.

Vote

7 in favor 2 opposed 1 abstain

Follow up confirmation of vote on documents to be voted on, being sent to the committee 24 hours in advance.

Real Estate Survey

Motion to take off the table

Vote: 7 in favor 3 opposed 0 abstain

Nick spoke to the survey. He put a great deal of thought into the arguments presented by Mr. Palmer regarding the issues of anonymity. He is conflicted because he agrees with the need to know the sources of answers, but an anonymous survey allows people to speak their point of view. Of course the survey has to be asked of everybody. Every realtor. So we need more time to figure out if there is a way to compromise. Nick could not support some of the other criticisms, such as the questions were out of bounds. Mr. Palmer's thoughts should be discussed in the agenda item regarding methods for data collection. This issue has to be addressed.

Nick moves that the survey be tabled once again.

Bob said he has a lot of research background and experience with surveys and he would like to share some ideas if we decide to consider the survey. The anonymity piece in general does not have an impact on how people respond to a survey. Bob asked how many realtors we had. Cynthia said about 300. Bob said there are a couple of ways to do it. One is to ask everybody and get very viable data. The other possibility is to alphabetize the list and pick every third entry and you will get extremely valuable data.

Nick said that the work group is willing to do the work to ask everybody. But the group also wants to consider the financial repercussions and the implication that the realtors might not speak their minds.

Dawn said that her objection to the study is based on the Action Plan. The title is tangible costs associated with social service agencies to Framingham. The important part is tangible costs. That is what we were trying to measure. One of the resources used was real estate agents. But this survey is so far beyond the bounds of measuring tangible costs: it doesn't even remotely try to measure tangible costs. There is no where in the Study outline that we should get the feelings, or perceptions or biases of real estate agents. I don't think you need to waste any more time. If everybody puts their name on it this is beyond the bounds of what we were going to do. Real estate agents as a resource meant to Dawn, access to MLS data, trends in cost, what property is assessed for, what they are asked for, what they refuse. This needs to be thrown out. Tabling to discuss at a later time is a waste of time, just throw it out.

Laurie added that a piece is missing from the reasons for the survey. In order to determine the impact on property values by social services, one needs to subtract out as many other known impacts as one can. Basically we were trying to determine how the opinions of the realtors affect the values of the properties that they sell. Laurie personally voted not to take it off the table because she has similar concerns with using professional opinions and would like to have the property group continue with the data analysis and see if there is a hole in the information that might be filled by the information obtainable through the survey. If so we could bring this back.

Steve Orr wanted to find out what the people who sell real estate know about why the property values in Framingham seem lower than other communities. If we get answers from all realtors it is good statistical data.

Jim thought that for every seller is a buyer and that Steve's argument makes no sense.

Motion to table

Vote 8 in favor 0 against 2 abstain

Dawn wanted to reiterate that she wanted to be included on any discussion or correspondence of the real estate issue as well. She wants to be considered a part of the group.

Comparative Communities

Nick summarized the argument for the communities chosen. Laurie had chosen a group of communities to choose from that was based on federal guidelines and were connected economically and socially. The issue that Mr. Palmer addressed was already dealt with by choosing these economically connected region.

Laurie explained the methodology. There were two points: Income connection and population. For the economic selection we took the HUD median income district which includes Framingham. For population we decided upon populations approximately 40,000-100,000. We devised this simple methodology instead of hand selecting communities. The two outside communities were thrown in outside of the methodology to include hubs outside our zone.

So there was a clear methodology used and if we are going to make changes we need to adjust the methodology. We can't just hand pick a few to remove, it wouldn't be consistent.

Nick said that we were convinced that since the federal government considered these communities economically connected it should have been enough.

John Sperenza mentioned that the populations are not really correct. Framingham has about 8,000 unaccounted for.

Laurie mentioned that Framingham isn't the only community with unaccounted population and the others should have the same issue.

Bob agreed that should balance out.

Jim Palmer wanted to understand why the population was from realtor.com and not from the census.

Nick mentioned that he had the census data and they were not that different. Laurie explained that the realtor.com numbers were more convenient to us .those were more recent population figures.

Jim didn't understand why the income figures were from a different source than the population figures.

Laurie explained that the income numbers were not used to determine the communities. They were an added on because of Jim's request to see them. They were not part of the methodology. We didn't know the incomes when we were figuring out the towns.

Nick said the census figures corresponded but we will provide that information.

Bob said we should have the population from the census for the record and Laurie agreed to make those changes.

Jim was confused what the HUD communities did not include population information. Nick explained that the group carried out a two step procedure. The first step was to see if there was a comparison by some official agency that said these communities were comparable or linked in terms of economy.

The second step was to pick communities that were about 40,000 to 100,000. We then agreed that there should be some hubs that were not inside the group defined.

There was a definite method to choose the communities. Except the last two. That was a response to Bob's concern that we include hubs.

Jim said that he often hears people ask what cities and towns Framingham is compared to. He wants to be able to answer why we selected these.

The answer for the first section is because when people talk about comparisons they talk about income and population.

We wanted to reconsider the vote for the communities.

Nick said that if you voted against a motion, you cannot make a motion for reconsideration.

The group then recalled the actual original vote on the acceptance of the communities.

The original (previous) vote to accept the communities was: 5 in favor 3 opposed and 1 abstain. Wes, Dawn and Jim were against the list. Thus Wes cannot move to reconsider.

Bob moved to reconsider the communities for part 2.

Wes said that he was glad Bob brought this up. He would like to accept the list except for Lawrence and Brockton.

Dawn said that now that we have the financial data it seems there are only really five communities that match Framingham in any reasonable way with population and income. Plymouth, Weymouth, Medford, Waltham and Framingham.

Plymouth is included because it has 54,000. We could narrow it down even more to those populations and incomes.

One reason to reconsider is that we could narrow down our work and the list substantially by just including these communities that are within the HUD region but closer in income to Framingham.

Nick asked the chair to explain his reasons for reconsideration.

Bob said that when he considered the list he appreciates the fact that the two not in the HUD region were added on but he prefers that everything stay within one identifiable region.

Vote on reconsideration:

5 Favor 4 opposed 1 abstain

Bob said that he thinks the list of communities is more statistically valid and explainable if we stick within the region and he would like to remove the communities outside the region.

Wes moved that we table the approval of the communities until next week so that Jim can get the numbers he wants and that Wes can get the numbers he wants, maybe see '99 income or '99 population as well as Dawn's suggestion to narrow it, and looking at the HUD region maybe we will decide we want to add other towns.

Dawn agreed and said that there is no rush. We don't have the data from Framingham and we don't know what we will be looking for from the other towns, so there is no need to rush on this.

Laurie disagreed because the property and income group wants to start working and needs the list.

Jim Palmer is having a lot of problems with the figures. He said he was born in Newton and it had 110,000 people when he was living there. That was in the '40's and 50's. This number of 83,000 is wrong. He wanted to find out from the towns what their population and income is.

Laurie was wondering if people are now looking for identical communities or looking for some diversity.

Dawn thought we were looking for communities that Framingham compares themselves to. And that are like us. It is good to start in the HUD district but we should narrow it down more to communities that are like Framingham in population and income. When

presenting to town meeting they will ask why are we comparing ourselves to Newton and Cambridge. We are nothing like Cambridge.

Cynthia didn't think we were so far off. It is good to include the like communities in the middle of the list and then have also the few that are a little bit on each side. It is a better sampling.

Wes reiterated his **motion** and said that he just wants to have more time to go over the numbers. He likes the list but wants a week to think about it.

John Sperenza said that on a smaller scale Framingham is comparable to Boston, Worcester, Springfield, New Bedford and Fall River.

Dawn asked what he based that on.

John said on the demographics, the low income, the diversity of people, the ethnic groups. We are a small Boston. Very much like Springfield and Chicopee.

Nick said that the census information from 1990 that he jotted down was 59,000 people. This may have been a mistake. But the 2000 census 82,585 people which fits in very well with the information Laurie has.

Jim commented that a growth of 30,000 people was high. Nick said he might have made a mistake with the earlier number or it was defined differently.

But Laurie got the number from an independent source and it matches the 2000 number.

Nick made a point that when you are doing a study, you want to know as little as possible about the communities. Because otherwise you are influencing what the outcome is. The reason we introduced Lawrence and Brocton is because we knew little about them

The question here is: what methodology are we using. To some extent we explained the methodology that we used in the property committee and if you don't find it acceptable that is fine. But at the same time, we can't have people imposing their methods on top of the one we have devised.

He strongly opposed the motion and thinks we should move on.

Jim said that he accepts the methodology, but that the method was based on population and income.

Laurie disagreed.

Bob said it was population and district.

It was then requested at the last meeting that you wanted to see incomes but that never went into the decision making

Jim said that the methodology was based on population and income, but we only had the population information. If the figures are not correct then how can you say you are doing a comparative study based on this?

Laurie explained that if you take the median incomes away you have the only data that was used for determining the communities: the 2005 population numbers and the HUD district. Laurie said that what she liked about the HUD district is that she didn't have to know the median incomes and worry about biasing choices.

John said that HUD and census bureau do not just base on income and property. They base on resource. Most communities like Framingham cannot be a CMS because

Framingham does not have most of its people working and living in Framingham. So you have to include the resources that are available to the towns.

Bob reviewed: We have a HUD region that is based on a number of factors including income. From that sample we took population as the deciding factor within that sample that had already put things together and this is what we wound up with.

The median income was not directly included in the selection because it was covered under the HUD district definition.

The question that we have is that population data accurate. Are we picking the right start and finish for the population.

Laurie said that the population variable could be changed. It is fine if someone wants to make it 50,000 instead of 40,000.

Motion to table the list

Vote: 3 in favor 6 opposed 1 abstain

Motion to accept the list with the exclusion of Lawrence and Brocton

Vote: 7 in favor 2 opposed 1 abstain

Communities group 3: random sample

How many communities do we want to use?

Nick said in statistical analysis we need 30.

Laurie asked: Do we need this group?

We voted to have this group.

Dawn thought that one reason she voted for it was that she was unsure what the other group would look like. Now having the list she is not tied to it.

Bob likes the idea of a random sample.

We thought the other lists that we have are thorough.

Nick moved to table the motion.

At some other point if we think it is valid we can go back to it.

Motion to table the random study

Vote: 9 in favor 1 opposed 0 abstain

The group discussed the schedule for November. They also discussed the scheduling of meeting with the SSA's regarding the surveys. All the working groups should have updates.

Laurie asked to put the issue of addresses of agencies on the agenda. She will provide information to the group ahead of time.

Motion to adjourn

9 in favor 1 opposed 0 abstain