

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

September 13, 2005

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

Attendance: Bob Berman, , Dawn Harkness, Cynthia Laurora., Laurie Lee, Steve Orr,
Wes Ritchie, Nick Sanchez, Yaakov Cohn, Jim Palmer Absent: Kurt Steinberg

Meeting called to order at 7:30 PM.

Bob Berman announced that town manager George King will not be able to attend our meeting tonight due to a conflict with the Selectman meeting. He will be at our next meeting at 7:30 PM.

Updated Comparative/Impact Study Plan was handed out.

Mr. Berman asked Mr. Petrini for his opinion regarding our work groups need to follow open meeting law. His response was:

[The Middlesex DA's Office has interpreted the Open Meeting Law to apply to meetings of subcommittees and working groups of boards and committees subject to the law, so such working group meetings should be posted in accordance with the Open Meeting Law.](#)

Bob commented that this means we need to restrict the group size to 2 members.

Laurie Lee brought in minutes of a conversation she had with the Middlesex County Assistant D.A. responsible for the open meeting regulations. Her conversation made it clear that as long as the work groups were based on fact finding and information gathering, and did not make decisions, the groups would be able to meet without following the open meeting laws. This would hold true for any number under a quorum (5). The document handed out follows:

September 7, 2005

I spoke with the Middlesex County DA office. I spoke with Assistant D.A. Kerry Kilcoyne
@ 617-679-6500

I asked her how the open meeting laws are interpreted for working groups formed from a public committee which is subject to the open meeting requirements. I described our PILOT/Impact committee and explained that our sub-work groups will be doing the research and fact finding necessary for our groups mission. The work groups will need to meet and discuss the questions, strategies and information gathered, as well as compiling a report for the full committee, and then report back to the whole committee.

Her response was that while our PILOT/Impact group must follow all the procedures of the open meeting laws, including posting meetings and filing minutes, the sub-work groups appear to be more of a fact-finding group that is only gathering information and not making

decisions for the committee. Under these circumstances the actions are considered administrative tasks and do not need to comply with the open meeting requirements. She was very clear that as long as we are not making conclusions from our information and that we will report the information back to the full committee, we will not be considered a full sub committee and do not have to follow all the steps of the open meeting laws.

I asked her what the maximum number of people allowable in such a sub work group is.

Her response was that it must be less than a quorum of the full committee, i.e. 6. So hypothetically, 5 people or less can meet for fact finding and information gathering purposes.

I asked her where we are allowed to hold such meetings.

She said that we are not subject to the open meeting requirements and can meet anywhere. I.e. homes, library, cars...

I asked her what she bases this decision on, since I read the open meeting laws and was not able to come up with this interpretation.

She basically said case law (thanks Dawn!). She said that over the years specific cases have come before the D.A.'s office and these issues have been discussed and decided upon. She further emphasized that this is how the D.A.'s office would interpret our situation if it came before them, and that the crucial point is that we do not make decisions or conclusions from the facts gathered in the work groups. Those conclusions should be made in the full committee and open to the public.

I checked the government study rules and procedures and they have the following for work groups:

15. Research: Designated members may be asked to conduct research on a topic under study. These members may meet to discuss their findings and prepare material for a meeting subject to open meeting law.

This sounds to me what the assistant DA was saying and I interpret it to mean they meet, discuss, work, and prepare for a subsequent meeting to present the findings. That subsequent meeting is subject to the open meeting law.

Laurie

The group agreed.

Minutes of 9/13/05 meeting: Minutes discussed and approved as corrected. Vote to approve minutes: 8 in favor, 0 opposed, and 1 abstain

Comparison of Social Service Agencies and their impact on other communities:

Costs associated with social service agencies, questions asked of all communities including Framingham for a comparison

Public Safety: Fire, Police, Ambulance

a) Police

- Frequency of calls from social service addresses or due to clients of social service providers
- Cost of such calls
- Is there any monetary compensation?

- What % of the total public safety costs are spent on these calls compared to the % for Framingham
- What % of their costs for public safety is going toward social service calls?
- What % of Framingham's costs for public safety is going towards social service calls due to addresses and clients?
- What is the cost for these social service calls per capita in each community, including Framingham?
- How much time do police have to spend taking people into "custody" because they are drunk, on drugs or homeless?
- What is this number of people and how many per capita?
- How often do they bring such individuals to a Framingham shelter or shelters in other communities?
- How often do Framingham police bring such people to a shelter?
- What are the costs associated with this?
- How much is spent on domestic violence, mental illness? Per capita?
- Is Framingham considered a Shelter or social service Hub for the region by each community?
- What is the crime index? Breakdowns of crime? Can we normalize to account for the number of SSA's in a community and get a comparison?
- What is the total Police Budget? Per Capita?

b) Fire

- Frequency of calls from social service addresses or due to clients of social service providers
- Cost of such calls
- Is there any monetary compensation?
- What % of the total public safety costs are spent on these calls compared to the % for Framingham
- What % of their costs for fire is going toward social service calls?
- What % of Framingham's costs for fire is going towards social service calls due to addresses and clients?
- What is the cost for these social service calls per capita in each community, including Framingham?
- What is the total Fire budget? Per Capita?

c) Ambulance

- How are ambulance services funded? Free lanced or contracted?
- What is the basis for the contract or free lance?
- What is the number of social service calls? Per capita?
- Are these calls compensated for?

d) Insurance Costs

- Property Insurance costs per community?
- Car Insurance?

- What is the casualty risk for different communities? What factors into these rates? Crime, population?
 - How do neighborhoods affect insurance rates?
- e) Additional Municipal Impacts: What departments are effected by social service agencies and what are the associated costs?
- DPW, building commissioner, board of health: Costs and Impacts
 - Planning department: What are the written or unwritten steps/procedures taken by social service agencies to open or operate a facility in a community?
 - Is there site plan review?
 - Do all facilities/programs get approved?
 - How is the process monitored
 - What oversight is there for the social service agencies operating in the community?
 - What are the costs associated with these?
 - How role does the Planning Dept or Board play in regards to transitional services?
 - Is there a local housing authority?
 - Do social service clients use transition services in the community?
 - Do social service clients return to their host community?
 - What transitional housing is available for social service clients in the community?
 - Do social service agencies provide this transitional housing?
 - What impact on the median income do social service agencies have on the community?
 - What impact on the need for transitional housing do social service agencies have?
 - What is the relationship between these services and low income housing?
 - How are people rotated out of social service facilities/
 - What do SSA's do to move people out of their programs and where do they go?
- f) Education
- What is the cost per pupil?
 - Number and/or % of free and reduced lunches?
 - What are the costs associated with children in social service agencies placed in other towns? Does the town/City fund these children?
 - Do other towns pay for children in SSA's in the host community?
 - How many children from social service agencies are in school system?
 - How many are in special education programs and what are the costs for these?
 - What is the % of kids in special education?
 - What is the State and Federal reimbursement? Chapter 70 Aid?

- What are the SAT and MCAS scores? How have these changed over time?
- How many students go to college? How has this number changed over time?
- Do social service agencies pay for costs associated with full day kindergarten?
- What are the total costs for this and who pays it?

Exportation of Services: Operating in Framingham and serving inside other communities

How do other towns benefit from programs that Framingham runs but they utilize?

- What programs and services are exported to other communities but are housed and run in Framingham?
- What costs are associated with these?
- Should Framingham be reimbursed for these services?
- Who should do the compensation? State, Local?
- What is the impact on Framingham for hosting these services for other communities?

The evolution of Social Service's in Framingham:

- At what point and why was the decision made that Framingham should be the place for these services?
- How did Framingham compare to neighboring communities at this point and over time?
- Why did and do SSA's locate in Framingham?
- Is Framingham the Hub of social services for the Region
- What is that region?
- What are we a Hub of?
- Why are we the hub?
- How have the demographics changed that have brought us to this point?
- What helped facilitate Framingham becoming the Hub.
- What other communities are considered Social Service Hubs?(Worcester, Springfield, Fall River)
- Why are these Hubs?
- How have these communities been impacted by SSAs?

Mr. Berman suggested that we go back to the PILOT Study and include in our general research Why do Social Service agencies locate to Framingham? Are we a Hub? What are we a Hub of and Why are we that Hub?

Mr. Orr recalled Karen Spilka's editorial in which she discussed this issue.

Cynthia Laurora commented that in various State departments and organizations, it is acknowledged that we are the Hub for the region. Other hubs are Worcester, Springfield, and Fall River. The people we are servicing in Framingham go well beyond the confines of Framingham. And over the years, the linkages in the continuum of care have made Framingham a long term social service center. Our services fill many needs.

Mr. Berman wants us to investigate at what point and why was the decision made that Framingham should be the place for these services?

Mr. Orr mentioned that TCANN in Natick and the Selectman are negotiating a PILOT payment and this underlies the payment of PILOT's that are undergoing in other communities.

Mr. Palmer questioned when school children from social services become residents of Framingham. What is the cost associated with that? Who pays for that? A social service agency which brings a student in and temporarily houses them, where do they go when they get out of the program? Who maintains the cost for that student?

There was a discussion about how we can ask the big questions related to transitional services and housing and whether these services are included in our definitions. If a social service agency owns and operates a housing business does this fit in? How can we examine such a big issue and is this part of our task? Is there a tangible impact that we need to consider or is this an after program that is not related to our work? Is this just about housing? Or is this a question of the services that are being provided by agencies that include transitioning into subsidized housing, and are there subsequent costs and impacts to the community due to this? Is there a distinction between something that is provided by a social service agency and the services provided by a social service agency? Is there an impact on the community due to the actions of the social service agency that can be included in our study? The opinions of the group varied and no conclusion was fully reached, however it was determined that some questions could be asked to see if the issue is relevant.

Work Groups: PILOT Action Plan and what is going on in Framingham

Legal: Dawn, Bob (organizer)

Background: Laurie, Wes, Cynthia (organizer)

Property values and Income: Laurie, Cynthia, Nick (organizer)

Schools: Bob, Steve, Wes (organizer), Kurt, Jim

Safety: Cynthia, Dawn, Steve (organizer), Nick, Wes, Kurt

Misc. Town Dept: Laurie (organizer), Steve, Cynthia, Jim

Benefits: Bob, Dawn (organizer), Nick

Nick recommended that for the record we should vote on the document Laurie presented regarding the open meeting law and her discussion with Kerry Kilcoyne from the DA's office.

Mr. Berman made a motion to accept the advice of the assistant D.A. Kerry Kilcoyne with regard to the open meeting law as conveyed by Laurie Lee

9 in favor, 0 opposed, 0 abstain

Meeting times were discussed, including town meeting on October 26, 2005.

Meeting times were discussed and changes approved.

It was asked if we were beginning with the PILOT study and whether we needed to vote on that. No vote was considered needed.

A brief discussion ensued about whether the need exists to follow up the PILOT study with a more in depth examination of the non-monetary impacts to Framingham by hosting social service agencies. Several people felt the PILOT study has been purposely focused on the tangible impacts because that is the goal of a PILOT and thus there were many non monetary issues not fully included. Others felt that the PILOT study was the study of the measurable impacts on the town of Framingham. Mr. Berman suggested that perhaps using the term PILOT for the full study of Framingham was not giving the correct picture of what we were doing and that when we begin other issues will come up and all the questions will come out.

The first step we will do is gather data about the town of Framingham and the impact of social services on the town. The naming of this research should not be limited to the PILOT Plan, but a total study of Framingham. Down the road we will do a PILOT program and do the comparative study.

Motion to adjourn

8 in favor, 1 opposed, 0 abstain