

Response to the Final Minority Report

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The PILOT Committee Minority Report contains factual errors, misrepresents statements by town officials, and implies certain claims which are not made in the Final Report of the committee. We wish to address some of these errors, incorrect attributions and false claims contained in the Minority Report.

Plausible Data: The Minority Report cites inclusion of “plausible data” in the Final Report as a primary factor for creating a separate report. The PILOT committee used *committee approved* data from federal, state or municipal governments, and from the agencies, as described on page 12 of the Final Report. The Final Report makes an appropriate distinction between direct *impact*, and plausible *impact* where the linkage is not conclusive. ***The data is real, traceable, and stands up to scrutiny.***

Cooperation of Agencies and Town Departments: One of the signatories to the Minority Report has stated publicly that agency participation was limited, and that “we got not a single totally complete answer from any town department” to our questionnaires. For the record, the 9 of 40 responding agencies represent over 80% of the social service sites in Framingham. A number of departments provided significant information along with hours of advice on how to find answers to our questions. Advice was also given on where the questions we had asked were off target and how to redirect our efforts. We find the disrespect shown to some town department heads by certain members of the committee absolutely unwarranted given the efforts made and the quality of the information provided by various town departments to support this study.

Police Department: Our request to the Police Department included five pages of detailed questions. On March 14th, the Chief of Police explained that he did not have the resources, human and technological, to answer many of the questions. However, he did provide details of calls to the agency sites, statistics from his department, reports he compiled and hours of professional assistance and knowledge. Implications of any lack of cooperation by the Police Department are unfounded.

The minority also includes quotes and statements from Chief Carl, taken out of context and omitting his conclusions. The minutes of March 14th include his full statements. These are available in the Framingham public library and on the town web site.

The map of the downtown square mile belongs to the Police Department and is used by them to tabulate crime statistics, and in our report for reference. The department reports that 40% of town-wide arrests are within this square mile. We include Chief Carl’s statements linking arrests to residents of the Common Ground wet shelter, confirmed by our independent analysis. ***The Final Report of the committee makes no other inference between Chief Carl’s definition of downtown Framingham and any agency sites.***

Fire Department: The Final Report tabulates call data for 144 agency sites as provided by Chef Gadson. His report included all emergency calls, sorted by address, and identified the top 200 call origins. We report the fraction of calls from agency sites, and that agency sites make up 16% or 23 of these top 200 addresses. ***We make no conclusions, skewed or otherwise, on the magnitude of this impact.***

School Department: All information used in this section of the Final Report came directly from Dr. Martes' office, and the Framingham School Benchmarking Study. However, the Minority Report makes several inaccurate statements.

- Dr. Martes and Anna Cross visited the PILOT Committee on March 22, 2006. We asked Dr. Martes, "*What exactly do we pay? What is considered the cost for a student?*" School expenditure figures from the Benchmarking Study were discussed in detail. In answering, Dr. Martes confirmed these expenditures. In addition, the Citizens Action Committee on housing used a similar analysis to determine costs and thus the per pupil impact on the town, as recorded in their 9/28/05 minutes (see research information - Index of Materials). ***Neither Dr. Martes, nor Ms. Cross made any indication that these figures were not applicable to the McKinney-Vento students at this meeting or any time before or after.***
- ***Dr. Martes and Anna Cross recommended we use the full 2004 figure of 155 students qualifying under McKinney-Vento in our analysis.***
- The claim, on page 10 of the Minority Report, of a unanimous vote to exclude information from the Framingham Public Schools, is false. The actual motion, as recorded in the April 24th meeting minutes, was to have the Clerk include in the final report a statement that the committee did not have enough information from the school department to determine *SPED* costs. This statement appears on page 31 of the Final Report.
On April 18, 2006 the committee passed a motion to include all school information the committee received. This passed 8-2-0
- The quote from Dr. Martes used in the minority report is out of context and misleading:

‘When asked his opinion of the “data” presented in this section, Superintendent Martes stated in an email that “*It seems like the interpretations [in the final report] don’t match up with the information that we provided.*”

The quote came from an email exchange between Mr. Berman and Dr. Martes on the morning of April 27. The information in this email was not shared with the entire committee, and was only obtained later through a direct request.

In this message, Dr. Martes went on to say:

“I am going to forward this to Anna Cross for her analysis. I will try to get back to you later today with some comments.”

In fact, the section Dr. Martes reviewed came from the *Review Draft* of the Final Report. The final revision of the Final PILOT Committee Report was not complete until a few days later, and included clarifications and a significant correction to the school section. The committee voted 6 in favor, 1 opposed, 2 abstain to make those corrections. In addition to withholding Dr. Martes' comments, neither Mr. Berman nor any other of the signatories to the minority statement supported correcting the draft report. ***On May 8, 2006 Anna Cross, Dr. Martes and Pam Kaufman of the school department confirmed the accuracy of the data and analysis used in the Final Report of the committee***

Property Study: The Property Study resulted from a committee effort to answer questions in the unanimously approved “Action Plan” regarding the impact of social service sites on abutting property values. The methodology of this study was discussed for months and reviewed in the January 3rd meeting. All committee members encouraged and supported the precise study the property group undertook and specifically asked for this study to be done. This is corroborated in the minutes of: November 8th, November 29th, December 6th, and January 3rd. ***Only after the committee was presented with the data on January 10th, did some members begin making concerted efforts to exclude these findings from the report.***

Taxed vs. Non-taxed: Our charge from Town Meeting makes no distinction in the handling of taxed or non-taxed agency properties. However, the Final Report clearly separates these two categories on page 26, as this is a relevant consideration when asking for PILOT. ***All members of the committee were free to pursue further analysis of taxed and non-taxed properties, and to include this in our report. None chose to do so.***

HSC Coordinator: The committee recommendation for a Human Service Coordinator bears little resemblance to the "resource to members of the community in need of services" proposed in the Minority Report. There are private, state and town employees currently fulfilling this role. Adding another town employee with this charge is superfluous. We instead propose adding a focused advocate for Framingham, representing our interests in the siting of services, and the oversight of existing programs. ***Framingham has never had an employee charged with addressing growth of services.***

ILOT: An ILOT is a tool of compromise used during the PILOT negotiation process, not the starting point. ***Payment, the ‘P’ in PILOT, is an important distinction.*** It provides the teeth, and reflects the attitude and approach that is so needed in our community of including ‘what is best for the Town of Framingham’ as an important consideration in our relationship with the agencies and with the Commonwealth.

While we respect the right of the minority to reach very different conclusions from those presented in the Final Report, we regret the misrepresentations of the data, findings and conclusions in the Final Report, and the carelessness in the Minority Report quotes of department heads.

The Final Report of the PILOT / Impact Study committee examines a complex set of issues affecting Framingham. This was done with care, detail, and to the best of our abilities, with objective points of view, based on verifiable facts. As has been noted, the committee is diverse. Finding broad agreement has not been possible in many areas we studied.

Every effort was made to include the contributions and views of all members of the committee. The out-of-hand rejection of findings which some members found significant and relevant to our charge went against our understanding of our obligations to the Board of Selectmen and to Town Meeting. These findings are therefore included in the Final Report. The signatories of the Minority Report clearly found tolerance of this diversity of views to be unacceptable, and are willing to distort the facts to prove their point.