

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

August 23, 2005

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

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

Meeting called to order at 7:30 PM.

The chair handed out a sheet with the Federal Definitions for SIC codes and an updated agenda.

Minutes of 8/16/05 meeting: Minutes discussed and approved as corrected. Vote to approve minutes 9 in favor 0 opposed, 1 abstain

The group discussed an announcement and update constructed for the Board of Selectman, the Town Moderator, our PILOT/IMPACT page on town website, frambors, the press and other relevant places, describing who we are, what we are doing, where we are heading.

Motion to accept the corrected version of the Update of the PILOT/IMPACT Group.
9 in favor, 1 opposed, 0 abstain

The Chair handed out a Draft Rules and Procedures for the PILOT/IMPACT Committee to review during the week and decide upon next meeting.

The following **motion** was presented by Mr. Orr:

I move we suspend the use of Robert's Rules unless there is a majority vote of a quorum of the committee to resume, for a stated period of time, the use of Robert's Rules. The suspension and/or resumption of the use of these rules may be used as frequently as needed to allow the meetings to be conducted in an orderly fashion.

The main rationale for this motion is efficiency. In addition, we have had little difficulty with disorderly meetings and the need for Robert's Rules is not apparent. As an Ad-Hoc working group a more loosely run meeting will better serve our purpose and time, and if the need for more structure becomes evident, we can resume with a more rigid structure.

Mr. Cohn seconded and commented that this motion will resolve many problems he sees with the committee meetings. It has been much too rigid and formal.

The chair mentioned that Robert's Rules does have provisions for small committees. It has been acknowledged that the standard rules can get in the way when a group is 12 or less. These provisions, of what to do in a small committee, include back and forth discussion.

Mr. Berman also mentioned that other committees he has served on in Framingham do not strictly follow Robert's Rules of Order. They are not necessarily open discussions, but are more based upon Robert's Rules with the discretion of the chair, rather than going strictly according to definitions.

Ms. Harkness spoke against the motion, favoring formality and rules that one can count on.

Mr. Sanchez wondered what rules we would operate under. The legality of the discretion of the chair, or the chair deciding the rules was questioned. If we do not use Robert's Rules we will be legally obligated to use the rules that apply to the larger convention.

Mr. Palmer was concerned we would not have control over committee operations.

Mr. Orr pointed out that we could try this and see if it is more efficient and then go back if it doesn't work. Mr. Sanchez disagreed and said it was inefficient to bring up a motion that wasn't on the agenda.

Ms. Lee offered an amendment to the **Motion**:

I move that we have the Chair run our committee based on Robert's Rules and that we suspend the rigid use of Robert's Rules unless there is a majority vote of a quorum of the committee to resume, for a stated period of time, the use of Robert's Rules. The suspension and/or resumption of the use of these rules may be used as frequently as needed to allow the meetings to be conducted in an orderly fashion.

Ms. Laurora didn't see a problem with the meetings but could support this amended motion.

Ms. Harkness moved to table the motion until the next meeting so we can have time to consider this motion and to consider the possibility of adopting Robert's Rules for small committees.

Second.

Discussion ensued about the correctness of tabling or laying on the table. Robert's Rules were consulted.

Ms. Harkness withdrew her motion to table and made a subsequent motion to lay the motion on the table.

Vote: 6 in favor, 4 opposed, 0 abstain

PILOT Action Plan

Laurie discussed the basic outline and strategy for creating a workable action plan based on some simple questions:

- What do we want to know?
- What questions do we need to ask?
- What strategies can we use to find answers? i.e. direct sources, indirect sources, internet, libraries, guest speakers, on site visits...

The outline will serve as a framework for each member's ideas and questions. Ms. Lee asked if it made sense for her to use the notes taken and the taped minutes to update the outline with the group's questions and bring it back in for review as part of the minutes. Group agreed

Mr. Berman began the discussion defining exactly what we are identifying with the Action Plan:

- What are the areas we need to look at to accomplish our two goals: information for a PILOT plan and doing the comparative study.
- What are the questions we need to look at? From a very high level, what are some of the questions within those areas that we should be exploring?
- Who are the people, organizations, groups, laws that we should look at in order to get information

The questions and ideas from each group member as recorded by tape and by notes were used to update the PILOT Action Plan. This plan is followed by comments of clarification and those that were outside of the scope of the Plan.

PILOT Action Plan

I: Legal Issues:

- a) Are PILOT's legal in MA:
 - Research State Bylaws/Federal Laws/Municipal Laws
 - Precedents of other communities: Worcester, Newton, Cambridge, Boston...
 - What is the opinion of Town Counsel regarding PILOT's
 - What is the opinion of the Attorney General regarding PILOT's
- b) Is it legal to target only Social Service Agencies for a PILOT program? Can just one non-profit type, especially those dealing with social services, be singled out?
 - Research State Bylaws/Federal Laws/Municipal Laws
 - Precedents: What PILOT programs exist in other communities? What is the Worcester experience, Newton, Boston, Cambridge...?
 - Research case law.

- What is the opinion of Town Counsel
- What is the opinion of the Attorney General
- c) What is the dollar value of PILOT programs?
 - On a monetary basis, how much do PILOT programs contribute?
 - Is there a maximum we can ask for?
 - Is the actual property tax a max?
 - Consult Town Counsel, Attorney General, *Assessor, CFO of Framingham*
 - Note that PILOT payments are historically below true tax payments.
 - Will a PILOT program be worth it for our community?
 - See Worcester PILOT document
 - Are there alternatives?
 - Can hosting communities be compensated by the State?
- d) Can we encourage leasing instead of ownership? Can we encourage establishment of for-profit holding company for real estate used for non-profits?
- e) What are the incentives for Social Service Agencies to cooperate?
- f) What is the attitude of State and Federal agencies that fund Social Service Agencies?
 - Are they willing to fund PILOT payments?
 - Is it legal to use Federal/State grant monies for PILOT payments?
 - Do Social Service Agencies have other resources to use to pay PILOT payments?
 - Will “overhead rate” cover PILOT payments? Will they include PILOT payments into “Overhead Rates”?

Resources:

- [MA bylaws online](#)
- Speak to AG office,
- Individual communities such as, Boston, Cambridge, Newton, Worcester, etc.
- Speak to Town Counsel, Chris Petrini report to selectman: ask for elaboration and case law information
- Check Precedents and Case law, which are written judicial decisions as opposed to legislative laws
- State Reps and Senators
- Consider other States. For example Connecticut.
- State Departments: human services, DPH, [MA Municipal Organization](#), other granting organizations

II: Background information about Social Service Agencies:

- a) Create a comprehensive list of social service organizations/contractors in Framingham, based on our definition. How many total Social Service Agencies, programs and facilities are there in Framingham?
 - Who are the Social Service Agencies in Framingham?
 - What individual programs do these organizations run?
 - What are the actual facilities being used for these programs?
 - What buildings are owned by Social Service Agencies? What is the tax status?
 - What buildings are being rented by Social Service Agencies?
 - What are the programs/facilities planned for Framingham?
- b) Can the Assessors office, the Town Manager, the Planning Department create a list of agencies, facilities and programs in Framingham?
- c) Do Social Service Agencies file DBA forms in Clerk’s office?
- d) Create a questionnaire for the Social Service Agencies:
 - Ask for a full listing of all facilities and programs
 - Ask other relevant information from this section
 - Include a request that our committee be kept informed of any subsequent purchases or rental of property, changes in buildings being used, additional facilities or programs.
 - All information could be cross checked.

- e) What transitional housing do we have in Framingham? Is it counted as a 40B subsidized unit?
- f) What is our 40B stock?

Resources:

- Assessors office, [Tax exempt property list](#), [FY03 property list](#), State 40B list
- Town Manager, Town Clerk, Assessor, Planning Department
- Ask the SS's for their complete listings and to complete questionnaire
- websites of social service agencies
- Research Internet/Google
- DSS/DPH/DYS/DMR other grant giving organizations
- [Research 2000 census](#)
- www.laurielee.org
- Census bureau reports by SIC
- [Commerce guidestar.org](#) : list of SSA's
- [MA municipal Organization](#), [State Secretary office](#)

III. Tangible costs associated with Social Services to Framingham:

- a) Property Values
 - 1) Important: Use normalized data. The only complete data set is the FY03 Property evaluations and the 2000 census(discuss research standards)
 - 2) 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?
 - 3) What are the changes in real estate values in Framingham compared to other towns in our region?
 - 4) How have property values changed in Framingham over time (10 years or more) relative to growth of Social Service Agencies? Is there a relationship?

Resources:

- Real-Estate agents
- Bank/mortgage appraisers
- [Warren Group in Lexington](#)
- University of Wisconsin Study (N. Sanchez)
- Steve Krueger Study
- [FTP](#)
- Assessor
- [FY03 property valuations](#)
- [2000 census](#)

- b) Income
 - 1) Important: Use normalized data. The only complete data set is the 2000 census(discuss research standards)
 - 2) What is the distribution of income levels in Framingham?
 - What is the width of income spread?
 - Is this spread related to SSA's?
 - Is this spread related to property values?
 - How has this distribution changed over time?
 - Do SSA's contribute to the widening of the width of the income distribution and cause disparity among communities that host them and those that don't?
 - 3) Is there any relationship between social services in a community and income?
 - 4)

Resources:

- [2000 census](#)
- [HUD data](#)
- Steve Krueger Income Study
- [FTPA](#)

c) School costs

1) What is the cost of educating students from Social Service Programs?

- How many children from Social Service programs or facilities are in the Framingham public school system?
- How many of the above students come from other communities to take part in a SSA's program?
- Who pays for the out of town students in SSA facilities or programs and for how long?
- When does a child become a resident of Framingham?
- What % of social service students are in Special Education?
- What % of social service students are in special schools funded by Framingham?
- What is the average cost of educating a child in Framingham?
- What are the costs of SPED programs?
- What is the cost of special schools?
- How have these numbers changed over time, for example 5- 10 years

2) What special programs are run for social service students?

- What are the costs for these programs?
- What are the costs for bus, meals, sports, school fee?
- What other fees are incurred?

3) What do chapter 70 funds cover?

4) What is the reverse effect/mitigating factor? How many students from Framingham leave our system and go to other communities for SS's and use their schools? Who pays for their schooling?

5) Statistical Analysis of data pertaining to children in Social Service Facilities or Programs

- What is the impact of Fetal Alcohol Syndrome and other drug-abuse related impairments on school costs?

Resources:

- School Committee
- School superintendent and school department
- Keefe Tech Vocational School
- Framingham Alternative High
- Special private schools such as School for the Deaf
- State Contacts, Reps, Senators or Agencies: [DOE](#)
- Social Service Agencies

Note: Aggregate data which protects privacy should be available to us

d) Fire Costs

e) Police Costs

f) DPW

g) Misc. Town Services

IV. Tangible benefits associated with Social Services to Framingham:

V: What is the goal of a PILOT?

Note: What is the goal of a PILOT? This was postponed until the end. It was considered more of a definition and consideration of what other communities are doing.

A brief discussion as to why we are beginning with the PILOT program and not the total study took place. It was agreed that there will be many places that overlap will occur and much of the work that we are doing here will be used for the larger study.

Ms. Esty brought up the issue of the resolution passed by Town Meeting on 6/9/05 calling for a moratorium on new social services in Framingham until our studies are finished. She thought that part of the reasoning for this resolution is to enable us to do a through job without changing data. If goalposts are constantly changing the work is much harder.

Mr. Robert O'Neill brought up the point that Worcester has such a moratorium

A discussion ensued about the committee supporting or not supporting this resolution. It was decided that it was not our place and we had a large task before us already. In order to keep up to date with information, we will ask the social service organizations to please inform us of new properties or programs.

When discussing the section of the Plan related to the costs of SSA's to Framingham a distinction was made between tangible and non-tangible costs. It was decided that for the purposes of the PILOT Plan, tangible, monetary costs would be considered. However, when creating a plan for the Comparative Impact Study, non-tangible costs would be included. This would hold true for benefits as well

Mr. Ritchie suggested we delay completing the plan and start working on the research needed to answer the questions we have already outlined.

The group decided to continue with the Plan.

Ms. Lee brought up the issue of the minutes to re-state her intentions to take the notes, recordings and information from the meeting and fit it into the Action Plan and thus make a working plan. The chair suggested that the plan can be approved with any needed changes as part of the minutes. All agreed.

Motion to adjourn:

9 in favor, 1 opposed, 0 abstain

Laurie Lee
TMM pct1
Clerk