

# Vineyard Gazette Online

[http://www.mvgazette.com/news/2004/07/02/aquinnah\\_memorandum.php?  
&format=print](http://www.mvgazette.com/news/2004/07/02/aquinnah_memorandum.php?&format=print)

## **As Aquinnah Struggles, Pact with Tribe Recalled**

By JULIA WELLS  
*Gazette Senior Writer*

The agreement grew out of formal mediation and was signed in 1994 during one of the most heated debates in the history of the town, but today it is a forgotten document, the details fuzzy and faded, even in the memories of the people who signed it.

The memorandum of understanding was signed by three Aquinnah selectmen and the chairman of the Wampanoag Tribe of Gay Head (Aquinnah), and it was intended to soften any impacts that the town might feel from a tribal housing project that was about to be built.

Aquinnah is the second smallest town in the commonwealth and home to the only federally recognized tribe in the state.

The agreement called for the town and the tribe to work together to find funding - public or private - to pay for "town expenses which may result from the project, including, but not limited to, costs of education, police, fire and other municipal services."

The agreement also called for an advisory committee to be set up that included one member of the Martha's Vineyard Commission, a representative from the superintendent of schools and also the local school committee.

"The town commits to providing the selectmen, and the tribal administration commits to providing the tribal chairperson with full support, either financial or staffing, to carry out their search for and application of such funds," the agreement stated in part.

The committee was apparently never formed.

Today, as leaders in Aquinnah confront a budget that is \$260,000 over the state-mandated tax cap and a local electorate that refuses to approve an override, there is renewed interest in the 1994 memorandum of understanding.

The major budget increase can be tracked to a jump in regional school assessments - the number of high school students from Aquinnah went from nine to 16 this year.

On the town meeting floor last week voters approved a stopgap measure that will allow the town to function - at least in the short term - with no override. Selectmen decided to go back to the well one more time and ask for a smaller, \$130,000 override at a special election on July 22.

On its surface the money issue is somewhat deceptive. What the town selectmen brought in front of voters last week was not really deep budget cuts, but rather some shallow cuts coupled with some tweaking - on paper - of revenue projections.

Revenue projections were increased by \$90,000, although it is not clear that the projections will hold. The lion's share of the cuts came from the town police department, which finds itself in an unusual situation this year with the police chief on extended medical leave. By eliminating the chief's salary along with some more cuts offered by acting police chief Randhi Belain, and then shaving a little here and a little there, the selectmen and their town accountant managed to balance the budget on paper. But with a \$130,000 override request still on the table and increased revenue projections, the actual budget cuts only come to about \$50,000.

More revenues are needed - it is a point of agreement.

But in Aquinnah these days, that is where the discussion begins to trail off.

Selectmen have said repeatedly that they plan to hold public meetings to discuss the revenue problem - Michael Hebert made it a central component of his campaign platform just before he was reelected in a close race this year.

This week Mr. Hebert said any decision about such a meeting now rests with the chairman of the board.

Board chairman Carl Widdiss did not return telephone calls.

Mr. Hebert also said he had no memory of the 1994 memorandum of understanding, even though he was chairman of the town zoning board of appeals at the time. The board of appeals was the local permitting board for the housing project after it was approved by the MVC.

"I've never seen that document and as far as I know that committee does not exist," Mr. Hebert said.

Selectman Jim Newman said he knew about the agreement but not its history.

"I don't know the history of that, but I think it's a very sensitive subject particularly now while it's still in court," he said, referring to the court case on tribal sovereignty now pending in front

of the state supreme court.

"I don't think it's something that should be revisited at this point - I think we have to wait until the court case is settled and then perhaps we can address it, but only in a cooperative way," Mr. Newman said.

He did say the town needs to hold a meeting to discuss revenues.

"That is something we really need to do and I believe it will happen shortly - this was a wakeup call," Mr. Newman said, referring to the failed override. There is also confusion over a second memorandum of understanding, reportedly signed several years ago by the town and tribe. The agreement calls for the tribe to make payments to the town to help defray the cost of emergency services. The payments are about \$8,000 a year. Beverly Widdiss, the town treasurer and executive secretary to the selectmen, said this week that the tribe has not made a payment since 1999 and that about \$40,000 is owed.

Mr. Hebert said he does believe there is a written agreement. "No one has been able to locate that or has seen it," he said.

Beverly Wright, who is chairman of the Wampanoag tribe, confirmed the second agreement, but she said the tribe has not been billed for two years.

"An invoice hasn't come forward and we haven't paid it - if an invoice came forward we would pay," Mrs. Wright said.

Reached by telephone at a conference she was attending on the West Coast, Mrs. Wright said she had no memory of the 1994 agreement, even though she signed it.

She did remember that someone from the tribe looked into the possibility of finding some funding relief for school children, but learned that the town did not qualify because it did not meet the federal threshold. "It's called impact aid and there has to be a certain percentage of Indian children in the school district, and because Aquinnah belongs to the regional school district it did not meet the percentage," Mrs. Wright said.

Numbers from the office of the Vineyard schools superintendent show that as of last October there were 58 students attending high school and elementary school from Aquinnah. The elementary numbers break down as follows: 25 students attend the West Tisbury School, eight students attend the Chilmark School, three attend the charter school, and under the school choice program two attend the Edgartown School and two attend the Oak Bluffs School. As of last October, the date the schools use for school census, two students from Aquinnah were enrolled in the Falmouth Academy, a private school.

Yesterday Tobias Vanderhoop, the acting education director for the tribe, reported that there are 30 children who attend Vineyard schools from the tribal housing project.

Mrs. Wright said she is completely open to talks with the town about impacts from the housing project.

"I can't speak for the tribal council, but as the chairman of the tribe I will say that we have a good working relationship with town and we could try to sit down and work out some kind of solution to the issue at hand here. What that is I don't know, but we could certainly try and work on it," she said, adding:

"On the other hand when low income housing comes in to any town, that low income housing is not responsible for the children who attend school. It is like when the Army or Navy moves into a town. I live in Aquinnah, I pay taxes, and I pay taxes for all the children to go to school, even though I don't have any children in school. We just know that's what is happening."

Pointing for example to the recent gift of an ambulance from the tribe to the town, Mrs. Wright said the tribe is always willing to help the town.

"The tribe is aware that there are issues that have come up and we are trying to be good neighbors. When we see the potential where we can help the residents of the town of Aquinnah or help the residents of Martha's Vineyard, we certainly would look into it and try to come up with a solution that would benefit all residents, whether Indian or non-Indian," she concluded.

---

[Home](#) | [Privacy Policy](#) | [Contact Us](#) | [Site Index](#)

MVGAZETTE.COM - Copyright © 2004 Vineyard Gazette, Inc. - All Rights Reserved  
Site Design and Development by [Metaface](#)