

Town, tribe meet, but press excluded
Arrearage on safety service fees is subject
July 7, 2005

By Nelson Sigelman

Donald Widdiss, chairman of the Wampanoag tribe, walked in 30 minutes late for a scheduled 2 pm meeting Tuesday with Aquinnah town officials. The purpose of the meeting was to shape an agreement intended to resolve differences over the terms of a public safety agreement signed years ago under which the tribe agreed to compensate the town for police, fire and ambulance services provided on tribal lands.

Already seated around a table in the meeting room of the tribal administration building were Jim Newman, chairman of the Aquinnah selectmen, Rhandi Belain, Aquinnah police chief, Walter Delaney, Aquinnah fire chief and town moderator, and Brett Stearns, Wampanoag natural resource director.

Without explanation or apology, Mr. Widdiss got down to business.

He told a Times reporter, the only member of the public present, that he must leave the meeting. Asked why, Mr. Widdiss said, "It's negotiations."

Mr. Newman said nothing. Asked for his position by The Times, Mr. Newman said only, "It's his house."

The meeting — concerning to what degree the tribe would compensate the town for public safety services received on tribal lands, the cost of which are now borne entirely by taxpayers — went forward in private.

A notice announcing that a meeting of the public safety committee would take place was posted on the town hall bulletin board. The notice made no mention of an executive session.

On Tuesday afternoon, The Times sent a public records request to the Aquinnah board of selectmen seeking copies of minutes of any public safety committee meetings, including Tuesday's, and the dates on which meetings took place.

According to Carolyn Feltz, town clerk, Mr. Newman took over as the town's representative in place of former selectman and chairman Carl Widdiss. She said she is not aware of any public safety meeting minutes.

Following the regular Aquinnah selectmen's meeting at 5 pm, Tuesday, a Times reporter asked Mr. Newman to comment on the earlier public safety meeting. Echoing Mr. Widdiss, Mr. Newman said he would not speak about the meeting. "It's negotiations and negotiations are held in executive session," he said.

Asked about the presence of public officials, Mr. Newman said it depended on how one defined public officials. At that point he ended the conversation. "I'm going to have nothing to say to The Times," he said.

However, according to Camille Rose, Aquinnah's newly elected selectman, at her urging Mr. Newman agreed that future meetings of the committee will take place in a public place.

Ms. Rose said the selectmen would discuss an agreement in principle reached at Tuesday's public safety meeting at a selectmen's meeting on July 19. While she would not reveal the details, she said both sides agreed on a dollar figure.

The tribe has been pressing the town to accept payment in the form of in-kind contributions, for example an ambulance acquired through a federal program and donated to the town last year. That would allow the tribe to use its ability as a federally recognized tribe to take advantage of state and federal programs and grants.

Prior to Tuesday's meeting, Brett Stearns provided an outline of recent tribal contributions while waiting for Mr. Widdiss to arrive. According to a glossy color tribal pamphlet titled "Aquinnah Wampanoag Contributions to the Community 2005," distributed at the annual town meeting in May and provided by Mr. Stearns, recent and future projects and contributions include an ambulance and all associated equipment given to the town, an estimated donation of \$110,000; a \$143,826 federal grant for roadway improvements designed to mitigate road runoff from Old South Road and Church Street onto tribal land; \$4,000 to support the purchase and installation of a generator at the fire station; and \$7,000 to support the town's contribution to Tri-town ambulance service.

The public safety agreement was signed on June 5, 1995, between town and tribe officials with much fanfare as the first government-to-government agreement between the tribe and town. It stipulated that the town was to provide police, fire, and medical services on tribe property in return for an annual payment, to be set each year.

For the first several years, the tribe made payments of \$8,000 annually. But in the years that followed tribe and town leaders largely ignored certain terms of the agreement, including meeting on an annual basis.

As a result, no payments were received for five separate years. The tribe said it had not received a bill. Former town treasurer Beverly Widdiss said she sent bills annually, but received no payment.

The nonpayment did not become an issue until the days leading up to the start of the 2005 fiscal year on July 1 of last year when Aquinnah selectmen were scrambling to create a balanced budget through a combination of cuts and revised revenue projections. A cornerstone of the budget was the expectation that the Wampanoag tribe would pay a total of \$48,000 to the town for providing past and present public safety services.

The town's 2005 fiscal year began with the receipt of \$8,000 from the tribe, leaving an outstanding balance of \$40,000. The issue received little public attention from town or tribal officials.

But at a meeting in December, Carl Widdiss, former Aquinnah selectman and the brother of Donald Widdiss, suggested that a new ambulance received by the tribe under a federal program and given to the town far exceeded \$40,000 and as a result the tribe had met its obligation.

In February, revenue projections were revised for the fiscal year to show a payment of \$8,000 in 2005 and an estimated payment of \$8,000 in FY 2006, which began Friday. At the annual town meeting in May there was no mention of the outstanding \$32,000 by voters or town officials.

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