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## State seeks change in Aquinnah

### DOR urges government to revamp failed practices

Posted March 16, 2006

By Nelson Sigelman

A state report due to be officially presented to Aquinnah selectmen Tuesday describes the path the town must follow to emerge from years of poor financial management and oversight and begin operating according to sound business practices.

The report titled, "Town of Aquinnah Financial Management Review," was written by the Department of Revenue's Division of Local Services (DLS). The 30-page report, a copy of which was made available to The Times, includes 22 specific recommendations that go to the heart of town operations.

They include measures designed to: increase the supervisory authority of the current town administrator; put mechanisms in place to ensure financial accountability in all departments; comply with past agreements and policies; increase payments in lieu of taxes from the Wampanoag Tribe to pay for a share of education costs; and improve communication with the tribe.

The report also takes the opportunity to recommend more cooperation and collaboration among all six Island towns in areas of government - such as collections, treasury, public works, health inspections, and harbormaster - that are not policy related and instead require skilled professionals. The report noted, "Consolidation of the assessing function might be the logical place to start."



According to the report, Island taxpayers pay \$5,400 budgeted per person for municipal services compared to the statewide average of \$2,800 per person. Only Nantucket, at \$7,916, is higher.

[[The entire report can be seen here.](#)]

According to the report, the office of the Aquinnah assessors does not maintain accurate up-to-date records, and the assessors, two of who are often absent from town in the off-season, "continue to do the absolute minimum in order to generate a tax commitment year after year."



The review includes a recommendation that Aquinnah convert the town's elected board of assessors to an appointed board responsible to the selectmen. It is the first time the division has made such a recommendation to a town, according to the head of the technical team.



DLS conducted the review of the town's structure, management, personnel, and general financial practices at the request of the Aquinnah board of selectmen who asked that the team take an unfettered look at all town operations. For years, many residents have tolerated the informal, intimate and sometimes sloppy way Gay Head, later renamed Aquinnah, conducted town affairs as part of the price to be paid for the Island town's unique character. Town employees and officials were often given wide latitude to conduct business as they pleased.

The consequences have been costly for taxpayers who footed the bills. At times taxes went uncollected, checks were not deposited in a timely manner, bills were unsent, town offices and employees were unsupervised, and uncertainty regarding the amount of free cash available leading up to the annual town meeting was a regular occurrence.

The invitation to the state financial team was precipitated in part by the sudden resignation of the elected town treasurer in November 2004. Selectmen who were then still trying to fund the 2005 operating budget half way into the fiscal year discovered that the treasurer had allowed more than \$177,000 in cash and checks, some received during the summer months, to accumulate in the town safe.



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The Martha's Vineyard **TIMES**

Town leaders expect that the report will help the town proceed in a new direction. "I think it is terrific," said Camille Rose, selectman. "I think the report is going to give us some guidance to do some of the things we have found need to be done."

Ms. Rose acknowledged the challenges of effecting change in a small town where everything is personal. "That part will be difficult," she said, "and I think it is going to be a question of the leadership having the strength to do what needs to be done regardless of the political consequences."

Jim Newman, chairman of the three-member board of selectmen, said that nothing in the report was a surprise. He said the board members worked closely with the state team and had already begun implementing some of the recommendations contained in the report.

Mr. Newman said the treasurer and accountant have been asked to reconcile the books on a monthly basis. Although a free cash figure was available last month he said the expectation is that it will be available next September, and not in February.

The town meeting warrant will include a ballot measure to change the board of assessors from elected to appointed, Mr. Newman said. "We are going to follow what they said."

Lydia Hill, DLS manager of policy development and communication and the author of the report, had the advantage of familiarity with the Island and its culture. A seasonal visitor, she is the granddaughter of noted gardener Polly Hill of West Tisbury.

Ms. Hill said that a recent crisis in the treasurer's office had a positive effect in that people realized that the casual way of doing business was not going to work anymore and the town needs to have qualified people managing town affairs. She said the town has taken big steps in the past eight months to provide financial oversight, starting with a move to appoint the tax collector and treasurer. She said there is still a lot of work to be done to improve general management and communication but the most immediate focus has to be brought to bear on the assessor's office.

One of the last recommendations in the report addresses the Island's duplication of services. Ms. Hill said Island taxpayers in Aquinnah and across the Island could benefit from more cooperation among towns.

"There are six police chiefs and six treasurers and six boards of assessors and there are six this and six that and there are a lot of areas where the towns could not only enhance service but save a ton of money if they just worked together," said Ms. Hill. "I am not unfamiliar with the mentality of the Island but there is a point where Yankee pride gets in the way of good governing."

### **Specific recommendations**

The overview that precedes the recommendations notes that Aquinnah, the eighth smallest municipality in the state, is a small town in a unique situation. Selectmen and other town leaders, the report said, "Must seek to build confidence among all residents that they are working towards the best interests of the citizens, tribal or not, taxpayer or not, of the town of Aquinnah. This can be achieved faster when there is mutual trust that agreements made in good faith are adhered to; when partnerships are persistently pursued where none currently exist; and when decisions are made to elevate staff performance in town hall to a consistently high level."

The review's recommendations are contained in six chapters: Overall financial management; Assessors; Accountant; Town treasurer/tax collector; Relationship between the town and the tribe; and Island-wide cooperation and collaboration.

The report notes that town hall staff is used to autonomy and "that most department heads run their offices with the knowledge that no one is demanding accountability or monitoring performance on a daily basis."

The report recommends that selectmen propose a bylaw that creates the position of a town coordinator and gives that person supervisory authority over town employees.

Under the topic of town hall and personnel issues the report notes that town hall staff feel comfortable to be away from their offices for extended blocks of time, which affects the level of town service taxpayers receive. DLS recommends, "that all offices be occupied during regular town hall hours."

Regarding the board of assessors - made up of chairman Michael Stutz, Hugh Taylor, and Carl Widdiss, the report said that despite repeated correspondence the chairman of the board of assessors has not completed a required course and is not recognized by state Department of Revenue (DOR). The report notes that each board member is paid a yearly stipend of \$800 and takes advantage of the town's health insurance program at a total cost this year to the town of \$14,832.

The report states, "To effectively maintain accurate records in order to equitably distribute the tax burden, an assessors' office must re-collect all property information at least once every nine years in a cyclical measure and list program; perform interim year adjustments; send out sales questionnaires and forms of list; perform sales and building permit inspections; and routinely update tax maps. The Aquinnah assessors perform none of these tasks regularly, and few of them sporadically."

The report also notes, "Aquinnah has recently discovered the financial maelstrom that can be caused by an elected officer's failure to demonstrate the professional skills necessary to do the job ... we suggest that the town learn from the mistakes made

in the treasurer's office before it becomes a problem in the assessors' office."

Most of the recommendations pertaining to the treasurer/tax collector and accountant call for more up-to-date record keeping and accounting and better communication between the two offices.

The report also takes on the politically charged subject of town-tribe relations. Saying DOR arrived in November 2005 as outside observers of the town financial management structure and practices, the report said two aspects of the relationship with the tribe that have affected town finances were immediately noted: 1. The assessors' office has no data on the tribal lands; therefore it is difficult to develop a meaningful PILOT (payment in lieu of taxes) program for the non-housing structures built on tribal land, as agreed in the 1983 Settlement Agreement; 2. Thirty out of the fifty Aquinnah children currently enrolled in the Martha's Vineyard Regional School system live on land

that is tax-exempt, thereby creating a situation where Aquinnah taxpayers (whether they are tribal members or not) are paying higher taxes to cover those education costs.

The report said, " These two issues raise questions concerning equitable taxation, responsible government leadership, and the ability or desire for the parties involved to abide by the terms of agreements originally made in good faith.... Although the tribal lands belong to a sovereign nation, those who live on those lands are still citizens of the town of Aquinnah and have entered into two binding agreements with the town."

The report recommends a committee be created to facilitate communication between the town and the tribe and explore outside revenue sources to offset the cost of educating tribal children.



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