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NEWS

State Focuses on Tribe, Assessors in Review of Aquinnah Finances

By IAN FEIN

Adopting a formal payment structure with the Wampanoag Tribe of Gay Head (Aquinnah) and overhauling the town assessing department are among the recommendations provided to the town of Aquinnah in a state report released last week.

The financial management review, authored by the Massachusetts Department of Revenue's division of local services, aims to improve the town's personnel and financial practices. A state official will present the 30-page report and its 22 specific recommendations to town employees and selectmen on Tuesday.

The Aquinnah selectmen solicited the state review one year ago after an era of financial upheaval and chaos in town hall, and said this week that they were pleased with the final report. "This gives us the guidance that we needed," said selectman Camille Rose. "It has provided us with some extremely valuable recommendations, some of which we've already started to implement."

The report, which is written in clear and unambiguous language, praised the town for steps taken in the last few years to create a more professional environment in town hall. But its authors - who spent time in Aquinnah last November studying the functioning of town hall - quickly add that a lot of work remains.

Other recommendations from the report include:

- * Changing the position of town administrator to town coordinator, and giving him the authority to oversee the operations of other departments and personnel.
- * Scheduling monthly meetings of the different financial departments and developing a master financial calendar and budget process for the town.
- * Initiating foreclosure proceedings on the 76 properties that

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owe the town almost \$1 million in outstanding taxes.

Cooperation was a recurring theme throughout the report, which suggested that Aquinnah would benefit from improved communication and partnerships with other towns on the Island, among different town departments and with its counterparts in the tribal government.

The report also acknowledged that Aquinnah - which is one of the smallest towns in the commonwealth and home to the only federally recognized tribe in the state - faces some uncommon and difficult problems.

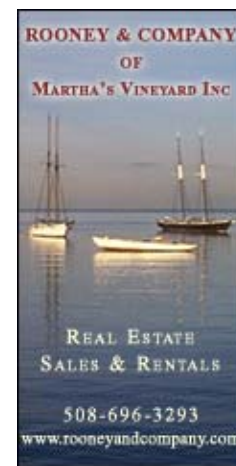
"The following pages depict a small town in a unique situation," the authors wrote in the introduction to the report. "Beyond the recommendations concerning financial management within town hall and the ongoing evolution of various relationships that Aquinnah has outside of town hall, the selectmen and other town leaders must seek to build confidence among all residents that they are working toward the best interests of the citizens, tribal or not, taxpayer or not, of the town of Aquinnah."

The report noted that the pending sovereignty case had strained relations and led to an era of mistrust and contentiousness between the town and tribe. The state praised the two groups for their recent efforts to resolve future land use disputes, but said that discussions about their financial payment structure would prove more important in the long run. "Although we applaud the new levels of communication, we suggest that the focus could be shifted," the report said.

It continued: "As long as [the monetary issues] are ignored, tension and emotion will likely continue to confuse the collaborative process in Aquinnah. As the focus continues to remain on the problems that have made headlines in the last five years and not on finding the solution to the fair allocation of payment for Island and town expenses by those who benefit, the discussion will remain murky."

The two governments have already signed two formal agreements - 1983 Land-Use Settlement Agreement and 1995 Public Safety Agreement - that both refer to tribal payments and stipends to the town, but neither specified methods for calculating those sums, the report said. The state suggested that the town and tribe need to determine a transparent payment structure that is amenable to both governments and understandable to all citizens of the town.

The report acknowledged that tribal payments are a politically charged issue, and specifically recommended that the two governments appoint a joint oversight committee of town and tribal representatives to iron out details on payments. Independent of the report, officials from both governments



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earlier this month agreed to form a similar joint committee.

"I think the tribe makes a much larger contribution to the community than people are aware of - just by doing what we do," tribal council chairman Donald Widdiss said this week in response to the recommendation. "But that does not preclude us from sitting down and formalizing something that would be thought of as fair and equitable."

The report suggested that the joint committee should explore outside revenue sources to offset the cost of educating children who live on tribal lands. Thirty of the 50 Aquinnah students who attend Vineyard public schools live on tax-exempt land, and town taxpayers spent more than one-fifth of their annual town budget last year on educating those children, the report said.

Along with the education issue, the report also noted that the town assessing department has no data on tribal lands, making it difficult to develop a meaningful formula for payments in lieu of taxes.

"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," the authors wrote.

The town assessing department received some of the most critical feedback from the state, which recommended that the town convert its board of assessors from elected to appointed positions. It expressed concern about the accuracy of property records in Aquinnah, where assessors use outdated maps and have not performed a full review of town properties since the mid-1990s.

The report praised Aquinnah selectmen for changing the town treasurer position from elected to appointed after Beverly A. Widdiss abruptly resigned the post in November 2004, and suggested they do the same with the assessors.

"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," the report said. "We suggest that the town learn from the mistakes made in the treasurer's office before it becomes a problem in the assessors' office."

The state recommended that the town explore creating an Islandwide assessing department with other Vineyard towns as a way to pool their financial resources and improve the quality of their work.

"The Department of Revenue has been watching the ongoing West Tisbury case in front of the Appellate Tax Board as well as

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the abatement process on the island of Chappaquiddick in Edgartown," the report said. "These two situations are examples of the high-stakes environment that surrounds valuing properties of unprecedented market value. All six towns would do well to make sure that their assessing operation is the most professional and experienced one available under law."

The report suggested that assessing was the first of a number of municipal functions that the towns could share. The state added together the fiscal year 2005 governmental budgets of the Island and found that Vineyard taxpayers spent roughly \$5,400 per resident - almost double the statewide average of \$2,800 per person.

Originally published in *The Vineyard Gazette*
edition of Friday, March 17, 2006

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