

Statement to the Town of Aquinnah Select Board 7/17/18

The definition of a "law" is as follows: "a rule that a particular country or community recognizes as regulating the actions of its members". I like to believe that laws are in place to provide rules of order so that we proceed on a clear path without obstruction or complication.

But this is not always the case with our laws. Laws are open to interpretation and many times they don't provide us with the most "just" decision or path forward.

An example is the previous presidential election. The president was elected because our country follows the laws that state that presidents are elected by the electoral college, NOT by the popular vote. Fair or unfair, we accept the results because that is the "law" in this country.

The same can be said for my election to the BOA. I was elected to the BOA with 129 votes or 76%, cast in my favor. Although, I ran unopposed, the voters could have launched a strong write-in campaign to elect someone who hadn't bothered to take out papers but had the support of the majority of voters. Voters could have chosen to not vote for an assessor, in turn, registering a vote against me, of which 24% of the voters did just that.

If you really want to look at this more closely we can figure out how many of the electorate, on the ballot question, voted for appointment of Assessors and how many were opposed...and compare my election results to these....which is a little ridiculous.... Fair or unfair.... It's basically not for us to decide because there are laws pertaining to the situation that transpired during this past annual town electionspecifically MGL Chapter 41, Section 1B.

Partial excerpt from G.L. c. 41, s. 1B:

Shall the town vote to have its elected (Title(s) of office or board) become an appointed (Title(s) of office or board) of the town? Yes _____ No _____

If a majority of votes cast in answer to said question is in the affirmative, said office or board shall become appointed in accordance with the provisions of this section.

Any incumbent of such office or board serving at the time of acceptance by the voters shall continue to hold said office and to perform the duties thereof until the expiration of the term for which said individual was elected or until said individual otherwise vacates such office; provided, however, that any individual elected to an office or board which becomes an appointed office or board at the same election, under the provisions of this section, shall hold said office and perform the duties thereof until the appointment to said office is otherwise made under the provisions of this section.

Such appointment shall be made by the board of selectmen for a term not to exceed three years, unless such mode of appointment or term is otherwise provided by law.

I **strongly believe** that the move from election to appointment is a result of festering mistrust and anger, in our community, toward the Board of Assessors. I campaigned against this move from election to appointment because in this democratic country one does **NOT** give up their right to vote for a public official. Democracy rests on the premise that we all have a voice and a right to use that voice to choose our community leaders and officials. The more voices that are heard during an election, the fairer our representation will be.

My hesitation to request appointment, was based on principle alone. When one is elected to a position, you represent the voters, your base, to promote the best interest of the town. One works on their behalf. When one is appointed to a position, there is an expectation from your appointers that you will act on their behalf. If this isn't the case, then there would not have been a need to change from election to appointment.

Regardless, the voters of this town have used their voices and voted in favor of appointment and until I can convince the majority of this town otherwise, I have no choice but to abide by the election results.

I, hereby, request appointment as an Assessor, to the Aquinnah BOA, on behalf of the 129 Aquinnah residents who put their faith in me and voted in my favor on May 9, 2018.

As I do so, I encourage all residents of this town to attend the BOA meetings, send emails, write letters and voice their opinions; I encourage them to present their issues, express their anger, explain their mistrust and help the BOA and the community to move forward.

I encourage the Select Board, BOA, Town Administrator, and Finance Committee to insist that the town financial team meet regularly to air differences and work together on the financial health of this town.

It seems to me that the Board of Assessors needs to win back the trust of the residents of Aquinnah. The BOA needs to win back the confidence of the voters so that they will have confidence in the integrity of our local tax system. There is nothing more damaging to a relationship than a dispute over money or property.

In closing, I want to thank you for giving me the opportunity to make this statement this morning. I respectfully request that the Select board revisit the issue of appointment vs. election of Assessors and within the coming year, provide this town with an opportunity to discuss the issues that brought about this ballot question. I want us all to reflect on the fact that the appointment of Assessors in our small town distorts the balance of power. Please consider working with me to put this back on the ballot next year and let the voters of this town know that you trust their judgement and hear their voices.

Respectfully submitted,
Marsha Shufrin