



Wednesday, July 28, 2004

## Consentino faces conflict-of-interest injunction

**By Andy Smith**  
*Staff Writer*

ATKINSON -- Frustrated with the Code of Ethics Committee, a Budget Committee member is seeking help from a higher authority.

Mark Acciard has asked for an injunction against Selectman Philip V. Consentino in Rockingham County Superior Court.

His petition, filed July 16, alleges "a blatant conflict of interest in (Consentino) discussing, deliberating, and voting upon police, elderly and employee affairs as selectman." In addition to sitting on the Board of Selectmen, Consentino is police chief and director of elderly affairs.

Acciard said yesterday he hopes a judge will instruct Consentino to recuse himself when police, elderly affairs and town employee matters come before the board.

Consentino said he is growing weary of defending himself against the same allegations, and suggested he may counter with his own legal action.

In June, the town's Code of Ethics Committee cleared Consentino of complaints filed separately by Acciard and former Selectman Barbara Stewart. Those complaints focused on votes Consentino made as a selectman to withdraw money from the police donation account.

During the last few meetings, Consentino has not voted on police matters. On Monday night, he abstained from a vote to approve the hiring of a new full-time police officer. Acciard said recent scrutiny of Consentino's votes may be keeping him in line.

"If he'd acted like this all along, I wouldn't have had to do this," Acciard said. "All of a sudden with all this going on, he's decided it's prudent to abstain from police matters. I'm doing this so when the heat dies down, he can't go back to

Acciard also said that without permission, the Code of Ethics Committee sought legal advice from beyond the Municipal Association and town counsel. Committee member Michael J. Mascola denied that charge yesterday, saying the committee only consulted those two entities.

Consentino accused Acciard of having a "personal vendetta" against him, stemming from November 2002 when Consentino instructed police to arrest Acciard for driving with a suspended license.

"He needs to get a life," Consentino said. "Him being a public official, I'm surprised at his conduct. It's not becoming."

Acciard said that incident was not handled appropriately, and claimed he was unaware of the suspension when he was arrested. However, that has nothing to do with the petition, Acciard said. And he believes much of the town, including the Code of Ethics Committee, is scared of Consentino.

"A lot of people are intimidated about speaking out. Me, I don't care," he said. "I would do this if it was anyone. When you hold a public office, you have to go out of the way to make sure there's no perception of conflict of interest. It's a question of honor."

[Next Story: Man who hit officer sentenced](#) ➔

---

*Copyright© 2003 Eagle-Tribune Publishing. All Rights Reserved. Contact  
[Online editor](#)*