

# Selectman owes \$25K in back property taxes

◆ **Town of Warren:**  
Controversy coincides with suit over tax-collection practices in Windsor.

By NANCY WEST  
New Hampshire Sunday News

The chairman of the Warren Board of Selectmen owes more than \$25,000 in property taxes and interest dating back to 2003, angering some residents who see his delinquency as an obvious conflict

Michael Clark's debt to the town has come under greater scrutiny since the New Hampshire Sunday News last week reported on another small-town tax controversy, in Windsor.

The situation in Windsor has produced a suit against the town and an investigation by the Attorney General's Office, and has led a prominent New Hampshire attorney calling for the state to conduct random audits of municipi-

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pal finances.

Warren's tax flap hasn't reached Windsor's level of litigiousness and state scrutiny, but it has led residents to question Clark's role on the Board of Selectmen.

Since Warren selectmen ultimately decide which properties are to be deeded back to the town in lieu of delinquent taxes, critics say, Clark has no business sitting on the board while failing to adequately address his own tax debt.

Clark, a sergeant with the Plymouth State University police department, said he set up a payment plan last fall but was unable to follow through due to a leg injury that temporarily put him out of work. Warren's tax collector, however, said there was no formal agreement between the town and Clark.

Charlene Kennedy said she had concerns about Clark dealing with tax problems on the board and had discussed the issue with others at town hall.

"I can't see where a public official in that position can sit there if someone else comes in (with a tax problem)," Kennedy, the tax collector, said. "How can that person sit there

and discuss it and not pay their own taxes?"

Since the Sunday News began looking into Clark's tax situation last week, the selectman has paid some of those taxes to the town, located about 20 miles northwest of Plymouth, with a population of about 900.

Returning a call to the Sunday News Friday afternoon, Clark said, "I just made a \$500 payment today."

Clark, who said he was unaware the Sunday News was researching his arrearage when he made the payment, left the money at town hall in an envelope for Kennedy, who doesn't have office hours on Friday. Kennedy, who picked up the payment yesterday morning, said it was the first she'd received from Clark since last year.

## Eligibility for deeding

Last November, Kennedy said, she received a check and note from Clark promising more payments on his Studio Road home, valued at \$179,200. The payments, she said, quickly stopped.

In early May, Kennedy provided the Board of Selectmen

with a list of 15 people who were in arrears for at least three years whose properties were available for deeding to the town because of delinquent taxes. The list included Clark.

Kennedy said one board member privately told her it was up to the tax collector to determine which properties the town would take, but she said, "It's not up to me, I don't feel. I give (the selectmen) a list of ones that could be deeded. I haven't heard back from them."

Clark said he would never vote on deeding property to the town for taxes.

"We've never been in a situation where we had to vote to take someone's property," Clark said, adding that he would abstain if such a vote came up.

Kennedy said that with Friday's \$500 payment, Clark still owes \$25,183.78, including taxes and \$5,670.64 in interest and fees.

Kennedy said after a lien is placed for lack of payment, the debtor has two years and a day before the parcel is eligible for deeding to the town by a vote of the selectmen.

Since she became tax collec-

tor in 2003, Kennedy said, the town hasn't taken any parcels, preferring to work with people to give them every chance to keep their homes.

Kennedy said she doesn't have an exact count of how many people who own the town's 983 taxable properties are in arrears so far this year, but said business has been brisk with people paying.

Selectman Pat Wilson said the town doesn't want to take property when people are trying to pay, especially now, with the economy so bad.

"To the best of my knowledge, Mr. Clark has made arrangements with the tax collector. That was my understanding," Wilson said.

But Warren resident Wayne Morse said he believes Clark's extended period of non-pay-

ment amounts to special treatment, and Planning Board member Paul Vonverde, who previously had to go before the Board of Selectman to ask for an extension on paying his own back taxes, said Clark shouldn't have a say in town tax matters.

Morse, 61, said he's exempt from town taxes as a double-amputee disabled Vietnam veteran.

### **A call for state oversight**

Meanwhile, in Windsor, two couples have filed suit alleging unfair property-tax practices. The suit, filed by Concord attorney Charles G. Douglas III, a former congressman and state Supreme Court justice, claims a former Windsor tax collector let family and friends forgo paying taxes over a seven-year period with no interest or liens.

Douglas, who represents the couples, said he believes the state should resume conducting random municipal audits, as it did until the 1980s.

"The Windsor situation is the poster child for why there needs to be some state oversight on tax collection," Douglas said.

Kevin Clougherty, commissioner of the Department of Revenue Administration, said the DRA has general oversight over local tax collectors.

He plans to talk with Douglas about the random audit idea, he said, and has been looking at ways to make the department more efficient and effective since taking over six months ago.

"One of my priorities is to look at everything we do, and I am open to any suggestion," Clougherty said.