Lawyer's complaint may bring referendum

(Continued from page 1)

The charter states that only the board can fire a town manager but it can do so only after having passed a vote of intention.

If a referendum reverses the vote for intention, then it can prevent a vote to fire, LaVoie argued yesterday.

But town officials were left wondering last night what the result of a successful bid for a referendum on the subject would mean.

Until the issue of Dove's firing exploded, it was the board's unquestioned prerogative to fire a town manager at its discretion.

If that authority is subverted by referendum, Mark J. Svonkin, town attorney representing the Board of Selectmen, believes Winsted's selectmen form of government may be in jeopardy. Though he still retains his position as town attorney, on Monday Svonkin said he would resign, effective at the end of the year, due to the "politicizing" of this issue.

The question becomes whom the town manager really works for.

If the answer to that question is "the people," then the board has forfeited all of its leverage over a town manager, creating a situation in which the town manager works for the people and not the board, Svonkin argued.

A chief administrator who works for the people is a mayor, not a town manager, he said.

"There are some very broad and fundamental policy issues that have been raised here," he said. "If there is a referendum on this I'm going to recommend to selectmen that a Charter Revision Commission be immediately formed to look at revising our form of government."

A hearing is scheduled for 9:30 a.m. Monday, Dec. 9, in Litchfield Superior Court.

But until that time, there is nothing in the restraining order that prevents the Board of Selectmen from meeting to reverse its vote of intention to fire Dove.

The complaint is carefully written to allow for a reversal in the time before the court issues a ruling, LaVoie said.

However, Svonkin disagreed and told acting Town Manager William T. Riiska, who also serves as town clerk, to cancel last night's meeting.

Despite its cancellation, 50 residents, LaVoie and the three selectmen who support Dove were at town hall. LaVoie chastised Svonkin and the four board members who were not in attendance for turning their backs on the town in a time of crisis.