Attempt fails to reinstate town manager

12-7-91

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WINSTED — An effort to reinstate fired Town Manager Wayne Dove and avoid a lawsuit failed by a 4-2 vote of selectmen during a special meeting Friday night.

Democratic Selectman Brian W. Sullivan made a motion to rescind the Nov. 18 vote to fire Dove, hoping the move would end a lawsuit brought by two residents asking for a referendum on Dove's fate.

"If you'd rethink removing Wayne all these problems would go away," Sullivan said before the vote.

But the same four selectmen who voted to dismiss Dove Nov. 18 voted to table Sullivan's motion until the legal matter is settled. Sullivan abstained from the vote.

Then the four — Republicans William H. McCabe and Francis J. O'Neill Jr. and Democrats James A. Pettit and Nancy Peters Habbal — voted 4-3 to authorize the town attorney to defend selectmen against the lawsuit.

Democratic Selectman Walter D. Miller had asked that no more than $3,000 be spent on the defense, but his amendment failed, 4-3. Town Attorney Mark Svonkin, whose fee is $90 an hour, said he had no estimate on how much the court battle would cost.

Svonkin said he told selectmen they should fight the suit because he believes it challenges the right of selectmen to make certain decisions.

"These statements that this suit will tear the town apart are ridiculous," Sullivan said.

The complaint, filed Wednesday on behalf of Audrey Kelsey and Ruth Wheeler, asks that a referendum be held on selectmen's Nov. 18 vote declaring their intention to fire Dove.

In writing the complaint, community lawyer Charlene LaVole, whose position is funded by the Shafeek Nader Trust, argued that the town's charter guarantees residents the right to a referendum on any resolution passed by selectman, except for resolutions firing an employee.

But the two residents are asking for a referendum on selectmen's resolution stating their intent to fire Dove.

Also on Wednesday, Superior Court Judge Anne C. Dranginis issued a temporary injunction against selectmen from firing Dove until the question of a referendum is decided. Dove will not be officially fired until selectmen vote a second time.

A hearing on the complaint is scheduled for Monday in Superior Court in Litchfield.

Also at the meeting Friday, McCabe said that selectmen will be accepting resumes from candidates for the position of acting town manager.

Currently, Town Clerk William Riiska is in that position, but has asked that the selectman find someone else.