# Lawyer worried about firing fallout

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By JEDD GOULD
Register Citizen Staff

WINSTED — Throughout the long process of firing the town manager, whether at selectmen's meetings or at the public hearing, there was often talk about whether the issue would ultimately be settled in court.

Former Town Manager Wayne W. Dove would not comment yesterday on whether he plans to bring suit over his firing. But if he does decide to file suit against the town, Community Lawyer Charlene LaVoie said he could win.

"The Office of the Community Lawyer warns that the proposed removal of the town manager exposes the town to an expensive lawsuit for wrongful termination," she wrote in a statement released last week. LaVoie has opposed the firing of Dove since it was introduced.

LaVoie estimates that the town may spend between $20,000 and $50,000 defending against the suit, which may not be resolved for two to four years. And if Dove is successful the damages he would be awarded would be in addition to the legal fees.

If a lawsuit were to come, it would probably focus on the reasons selectmen gave for firing Dove, LaVoie wrote.

The four selectmen who voted to terminate his employment said they had lost confidence in his ability to communicate with the board and in his ability to administer the business of the town and for that reason they thought it was in the best interest of the town that he no longer remain an employee.

Although a suit would test whether those reasons are good enough for a court, they were not good enough for many of the residents who protested.

At two selectmen's meetings and a public hearing citizens pushed the four in favor of his firing for more specific reasons.

"The charter of the town of Winchester requires that the Board of Selectmen provide the town manager with reasons for a proposed dismissal. This takes the town manager position out of the 'at will' employment status and makes it necessary to demonstrate 'cause' for dismissal," LaVoie wrote.

In addition, a 1,600-signature petition against the firing was submitted and a group that called itself the Citizens Coalition for Open Government formed to fight the action for the reasons stated.