

Editorial showed misunderstanding 5-24-71

Although the May 13 Register Citizen editorial is flawed in its understanding of Winchester town government, it provides an opportunity for us to understand better how the process works in accordance with the Charter. Let me explain by reference to two recent town issues. First, the annual budget.

On May 4, the town meeting voted to reject the Board of Selectmen's proposed budget. Charter section 1100 states that if the budget is not adopted the selectmen "shall resubmit an annual budget . . ." Agree or disagree, the Charter does not require selectmen to consider the input of the town meeting. On May 11, the selectmen voted 4-3 to resubmit essentially the same budget. There was no charter violation.

Citizens may vote on the budget at another town meeting or, under state law, petition to bring the town meeting to a referendum. Either way, the people have the final authority. This procedure

gives citizens the opportunity to challenge decisions and express their will, a process which has been repeatedly employed in Winchester.

The lesson offered students in the budget process is not as the editorial states, "one calculated to feed the kind of cynicism and helplessness that now threaten American democracy." Rather, the lesson demonstrates the importance of procedure in strengthening the power of the citizenry. The budget process should encourage students and others to flex their democratic muscles and persuasively argue to build support for their position.

Second, confusion was created by the editorial's indirect reference to citizen reaction to the dismissal of former town manager Wayne Dove.

The Dove issue was created by the Board of Selectmen when they dismissed the town manager without reason. This violated Section 501 of the Charter which

requires the selectmen to state the reasons for removal of the town manager. It was, therefore, the duty of citizens and community lawyer to object to the charter violation.

In the Dove matter there was no mechanism in the Charter for citizens to challenge the violation of procedure. The will of the people was ignored and citizens had no procedural recourse.

In both examples, the proper focus of the community lawyer is on procedure. Adherence to procedure maintains accountability and reduces citizen distrust and cynicism. The public dialogue benefits when the focus of discussion remains on procedure rather than on baseless accusations such as the editorial allusion to the community lawyer's alignment with a political faction.

If anyone has questions about the procedure in either of these two issues, please contact me.

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