

Lawsuit hearing postponed

By WILL TACY
Register Citizen Staff

WINSTED - A hearing on a 1991 lawsuit filed against the town was postponed Monday when the attorneys involved could not agree on a stipulation of facts, court officials said earlier this week.

The hearing has been rescheduled for Sept. 13 at Litchfield Superior Court. The attorneys will at that time again be asked to sign a stipulation of facts, a document stating what both sides believe to be the facts in a case.

The lawsuit, challenging a \$10,000 retirement payment to former police captain and current Selectman Francis J. O'Neill was filed against selectmen by Community Lawyer Charlene LaVoie in October 1991.

LaVoie filed the case on behalf of resident Patricia Mills. She objected to the selectmen's decision to grant O'Neill \$10,000 to retire on June 3, 1991. The payment was in addition to O'Neill's regular retirement benefit.

One portion of the suit, asking that the court restrict selectmen from paying non-contracted bonuses, compensation, benefits or other types of payments to municipal employees was thrown out by Superior Court Judge Walter M. Pickett in 1992.

Monday's hearing was to have focused on the remainder of the case, a request that the court issue an order requiring the selectmen to honor a 300-signature petition circulated in 1991 that called for a town meeting.

Former town attorney Stephen O. Allaire is representing the town in the matter. Allaire earlier this week confirmed that the hearing has been postponed but declined to comment extensively on the matter, saying he did not want to discuss the merits of the case. LaVoie was not available for comment.