

Board to consider petition procedure

By BRIAN M. TROTTA
Courant Correspondent

WINSTED — The board of selectmen will review an opinion from the town attorney Monday on the procedure for accepting petitions from residents.

Town Manager David Maynard asked for the opinion after Community Lawyer Charlene LaVoie wrote to Mayor John F. Gauger Jr., requesting that the board of selectmen review the handling of a 1991 petition requesting a town meeting. The petition called for a town meeting on a \$10,000 supplemental retirement payment to a former police officer.

When the petition was submitted in 1991, Town Clerk William Riiska refused to certify the signatures on it, making it invalid. LaVoie later filed a lawsuit challenging the payment to Francis J. O'Neill, but the

suit was dismissed last October.

LaVoie, who is paid by a private trust to act as an advocate for voters, said she asked selectmen to review the handling of the petition because previous boards of selectmen have never discussed it.

"I'm optimistic that this board will take steps to make the situation right," LaVoie said. "The charter says [Riiska] has to certify a petition. He has no authority to determine if something is going to referendum or not, that's the selectmen's job."

"That technical default on the part of clerk usurped the authority of the board and disenfranchised the rights of the citizens to challenge the board's actions," LaVoie said.

Maynard said Thursday that the opinion from Town Attorney Kevin Nelligan will be a generic one, designed to lay out a framework for the handling of future petitions.

But, he said, the board may take some action on the 1991 petition after hearing the opinion.

Selectman Brian W. Sullivan said he thinks the board should act on the petition Monday.

"I'm prepared to make a motion that he certify this petition and in the future that he certify all petitions and give them to the selectmen," Sullivan said. "That will keep him out of trouble and put us in it."

Former Selectman Walter D. Miller, who frequently chastised Riiska about the incident during selectmen's meetings, said he will push for a referendum on the payment to O'Neill if the selectmen accept the petition.

But, Miller said, if the selectmen do not accept the petition, he may sue the town for violating the civil rights of the voters who signed the petition, expecting the town to act on it.