

12/6/93 R/c

Winsted board to examine how clerk handles petitions

By JUNE PETERSON
Register Citizen Staff

WINSTED — Town Attorney Kevin F. Nelligan has outlined the procedure for the town clerk's office to handle petitions.

But what the Board of Selectmen will do with Nelligan's opinion remains to be seen. The board will meet at 7 p.m. tonight in the Mayor P. Francis Hicks room at town hall.

Nelligan's opinion was prompted by a letter from community lawyer Charlene LaVoie questioning Town Clerk William T. Riiska's role in certifying petitions.

LaVoie's letter stems from Riiska's decision not to certify a 360-signature petition in 1991 that called for a town meeting on the issuance of a \$10,000 supplementary retirement benefit to retiring police Capt. Francis J. O'Neill.

In the letter, LaVoie complained Riiska's actions disenfranchised citizens and that his conduct exposes the town and Riiska to legal action.

LaVoie had filed a lawsuit on behalf of resident Patricia Mills over the \$10,000 payment, which was dismissed by the court in October because the petition was not certified.

In Nelligan's opinion letter, he states the town clerk should not decide the legality of a petition, but should leave that to the Board of Selectmen. The clerk's job is to check the signatures and affidavits on petitions, Nelligan wrote.

However, Nelligan notes in the letter, that without a specific law preventing the town clerk from deciding the validity of a petition, an argument could be made Riiska has authority to act.

LaVoie has said she wants Riiska to certify the petition, but Riiska has said he will not. Riiska

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is an elected official.

Selectman Brian W. Sullivan agrees the petition should be certified. "My opinion is you should never ignore the will of the people," he said.

Mayor John F. Gauger Jr. could not be reached for comment.

Also today, selectmen will interview attorneys to act as labor counsel. Some board members have been dissatisfied with town labor counsel Robert M. Bourke, and it seems unlikely he will keep his job. Former interim town manager Paul S. Vayer of New Britain and Catherine M. Thomp-

son, of the Hartford-based firm, Sullivan, Lettick & Schoen will be interviewed.

The board will also decide how to pay for a \$13,000 arbitration bill for work related to the public works department's contract. In addition, the board will also have to decide whether to finance \$15,000 to repair exterior bricks in the rear of the town hall building.

Members are also expected to appoint residents to charter revision commission. Names offered so far include Susan Mahoney, Rosemarie LaGueux, Raymond Pavlak and Timothy Fetzner.