

Despite winning suit, Allaire dr

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WINSTED — It took two years for former Winsted Town Attorney Steven O. Allaire to get a 1991 lawsuit brought by resident Patricia Mills and Community Lawyer Charlene LaVoie.

Now, with almost \$15,000 in attorney's fees laying at their feet, the Board of Selectmen are wondering what took so long.

"It's a ripoff," Selectman Walter D. Miller said. "He built a case around the town clerk's failure to certify the petition. We could have gotten this two years ago."

Two weeks ago, Litchfield Superior Court Judge Walter M. Pickett granted the town's request for a summary judgement in the case, which challenged the board's decision to grant retiring policeman and current Selectman Francis J. O'Neill a supplemental retirement payment.

One portion of the suit, asking for a court order restricting selectmen from paying non-contracted bonuses, compensation, benefits or other types of payments to any municipal employee was dismissed by Pickett in 1992.

What remained in litigation until Pickett's latest decision was a request for a court order directing the town to honor a 1991 petition calling for a town meeting on the controversial O'Neill benefit package.

A 360-signature petition calling for the town meeting was filed with the Town Clerk's office. However, that petition was never certified by Town Clerk William T. Riiska. Allaire's motion for summary judgement was built around the fact the petition was never certified.

The granting of a summary judgement means the case is dismissed without ever having gone to trial.

"I'll make a motion that Allaire send a letter and explain his actions in connec-

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tion with his defense," Selectman Brian W. Sullivan said. "Why didn't he go for a summary judgement immediately?"

Allaire had sent a letter to the board explaining the summary judgement, and proposing the town consider filing a vexatious lawsuit claim against Mills for drawing out the case for so long.