

The Board of Selectmen did that, informing Dove on Nov. 18 that they intended to fire him by the end of the year.

On Dec. 4 before the board could turn its vote of intention into a vote to fire, a complaint was filed by Charlene LaVoie, community lawyer, on behalf of residents Audrey Kelsey and Ruth Wheeler. Town Attorney Mark J. Svonkin represents the selectmen.

LaVoie argued that distinction was made to give residents an opportunity to stop the process and challenge the vote of intention.

LaVoie told the court she believes a vote of intention can be overturned by referendum in the same way a budget can be turned down by referendum.

Dranginis pressed LaVoie on this point.

She asked, "If that is what the charter means, then why doesn't it say that?"

LaVoie responded by saying, "It does."

But the judge pushed her further. "If we reduce the point to its most absurd, we would have a situation in which the Board of Selectmen and the town manager were working totally at odds with each other," the judge said.

That would be a point that Svonkin would focus on in his statement to the court. Svonkin said that inherent in the right of selectmen to hire a town manager