

COMMONWEALTH OF MASSACHUSETTS

CIVIL SERVICE COMMISSION

One Ashburton Place: Room 503
Boston, MA 02108
(617) 727-2293

ZACHARY TURGEON,
Appellant

v.

CITY OF CHICOPEE,
Respondent

G1-17-055

Appearance for Appellant:

Pro Se
Zachary Turgeon

Appearance for Respondent:

Thomas J. Rooke, Esq.
Chicopee Law Department
City of Chicopee
17 Springfield Street
Chicopee, MA 01013

Commissioner:

Christopher C. Bowman

ORDER OF DISMISSAL

On March 15, 2017, the Appellant, Zachary Turgeon (Mr. Turgeon), filed an appeal with the Civil Service Commission (Commission), contesting the decision of the City of Chicopee (City) to bypass him for original appointment as a firefighter.

On April 12, 2017, I held a pre-hearing conference at the Springfield State Building in Springfield, MA, which was attended by Mr. Turgeon and counsel for the City. At the pre-hearing conference, the parties stated that Mr. Turgeon was under consideration as part of a new, ongoing hiring cycle which could make this appeal moot.

On June 7, 2017, I was informed by counsel for the City that Mr. Turgeon has received a conditional offer of employment for original appointment as a firefighter in the City's Fire Department. As a result of this conditional offer of employment, and because I do not believe that any further relief would be warranted in this case, Mr. Turgeon's appeal under Docket No. G1-17-055 is hereby *dismissed*.

The full hearing previously scheduled for June 14, 2017 is canceled.

Civil Service Commission

/s/ Christopher Bowman
Christopher C. Bowman
Chairman

By vote of the Civil Service Commission (Bowman, Chairman; Camuso, Ittleman, Stein and Tivnan, Commissioners) on June 8, 2017.

Either party may file a motion for reconsideration within ten days of the receipt of this Commission order or decision. Under the pertinent provisions of the Code of Mass. Regulations, 801 CMR 1.01(7)(1), the motion must identify a clerical or mechanical error in this order or decision or a significant factor the Agency or the Presiding Officer may have overlooked in deciding the case. A motion for reconsideration does not toll the statutorily prescribed thirty-day time limit for seeking judicial review of this Commission order or decision.

Under the provisions of G.L. c. 31, § 44, any party aggrieved by this Commission order or decision may initiate proceedings for judicial review under G.L. c. 30A, § 14 in the superior court within thirty (30) days after receipt of this order or decision. Commencement of such proceeding shall not, unless specifically ordered by the court, operate as a stay of this Commission order or decision. After initiating proceedings for judicial review in Superior Court, the plaintiff, or his / her attorney, is required to serve a copy of the summons and complaint upon the Boston office of the Attorney General of the Commonwealth, with a copy to the Civil Service Commission, in the time and in the manner prescribed by Mass. R. Civ. P. 4(d).

Notice to:
Zachary Turgeon (Appellant)
Thomas J. Rooke, Esq. (for Respondent)