

**MINUTES OF THE ORGANIZATION/REGULAR MEETING OF THE
CITY OF BROOKLYN CIVIL SERVICE COMMISSION
WEDNESDAY, JANUARY 21, 2015 5:00 PM**

Organizational Meeting called to order at 5:00 p.m.

MEMBERS PRESENT: Chairman Joe Magrey, Commissioner Sonia Brown and Commissioner Kay Hutkay.

MEMBERS ABSENT: None.

NOMINATION by Commission Brown, second by Commissioner Hutkay to re-appoint Commissioner Magrey as Chairperson of the Commission for 2015.

VOTE RESULTED: Yeas – Brown and Hutkay. Abstain – Magrey.

MOTION by Commissioner Brown, second by Commissioner Hutkay to keep the regular meetings of the Commission the third Wednesday of each month at 5:00 pm in the conference room of city hall.

VOTE RESULTED: Yeas – Magrey, Brown and Hutkay. Nays – None.

Regular Meeting:

MOTION by Commissioner Hutkay, second by Chairman Magrey to approve the minutes of the Special Meeting held Tuesday, December 9, 2014.

VOTE RESULTED: Yeas – Magrey, Brown and Hutkay. Nays – None.

MOTION by Chairman Magrey, second by Commissioner Brown to approve the minutes of the Regular Meeting held Wednesday, December 17, 2014.

VOTE RESULTED: Yeas – Magrey, Brown and Hutkay. Nays – None.

Human Resources Consultant, Kevin Shebesta updated the Commission on the status and events of Appeal 2014-01. The Commission's "Special Procedural Order" was mailed to Mr. Patton and the Board of Education by certified mail and to the legal representative of the Board of Education via regular mail. Receipt was received back for the school and it was determined that Mr. Patton had not claimed the certified mail. Hand delivery on Mr. Patton was made on January 6, 2015 along with a letter instructing Mr. Patton to notify the Commission if he needed additional time to file his brief. As of this date the Commission has only received a brief from the Board of Education opposing the Commission's jurisdiction to hear the appeal. In the brief the Board included affidavits and factual background to support their claim.

VOTE RESULTED: Yeas – Magrey, Brown and Hutkay. Nays – None.

When a collective bargaining agreement speaks to an item that would supersede Civil Service, if the collective bargaining agreement does not address the issue the Civil Service Rules would apply. In the case of probationary period, it is specifically addressed in the collective bargaining agreement and affidavit of Union Representative and if it wasn't, the Civil Service Rules allow for a longer probationary period. Based on that Kevin Shebesta, Human Resources Consultant for the City surmised that the appeal should be dismissed due to lack of jurisdiction. Kevin Shebesta drafted for the Commission an Order for Dismissal of Appeal #2014-01.

After further discussion, **MOTION** by Chairman Magrey, second by Commissioner Hutkay to issue the order of dismissal of appeal #2014-01 with service to Mr. Patton by certified and regular mail and to Brooklyn Board of Education and their attorney via regular mail.

MOTION by Commissioner Brown, second by Chairman Magrey to go into executive session to discuss matters of personnel.

VOTE RESULTED: Yeas – Magrey, Brown and Hutkay. Nays – None.

Commission reconvened after executive session.

The Commission directed Secretary Dan Enovitch to contact the Board of Education President to set up a meeting for Wednesday, February 4, 2015 at 5 pm. The meeting will be held in executive session for matters of personnel and will not be open to the public.

There being no other business to come before the Commission, **MOTION** by Chairman Magrey, second by Commissioner Hutkay to adjourn.

VOTE RESULTED: Yeas – Magrey, Brown and Hutkay. Nays – None.

Meeting adjourned.