

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL & HIGHER EDUCATION

DATE: OCTOBER 17, 2017

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SEEBER
FRASIER
BRAYMER
GERAGHTY
SIMPSON
HYDE

COMMITTEE MEMBER ABSENT:

SUPERVISOR MCDEVITT
BROCK
VANSELOW
MONTESI
LEGGETT

OTHERS PRESENT:

REPRESENTING JAEGER & FLYNN ASSOCIATES, INC.:
MATT SCHUETTE, AGENCY PARTNER
DAVE SHANTZ, ACCOUNT EXECUTIVE & SENIOR HEALTHCARE SERVICES
RONALD CONOVER, CHAIRMAN OF THE BOARD
MARY ELIZABETH KISSANE, ACTING COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD
FRANK THOMAS, BUDGET OFFICER
SUPERVISORS MACDONALD
SOKOL
JACKIE FIGUEROA, COUNTY HUMAN RESOURCES DIRECTOR
DON LEHMAN, *THE POST STAR*
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the October 17, 2017 meeting of the Personnel & Higher Education Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <http://warrencountyny.gov/gov/comm/Archive/2017/personnel/>

Supervisor Seeber called the meeting of the Personnel & Higher Education Committee to order at 11:16 a.m.; she noted due to the lack of attendance, Chairman Conover served to make a quorum of the Committee.

Motion was made by Mrs. Frasier, seconded by Mr. Simpson and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Copies of the meeting Agenda were distributed to the Committee members and a copy of same is on file with the meeting minutes.

Ms. Braymer entered the meeting at 11:06 a.m.

Commencing with the Agenda review, Ms. Seeber offered privilege of the floor to Matt Schuette, *Agency Partner, Jaeger & Flynn Associates, Inc.*, to review Medicare Advantage Plan renewal. Mr. Schuette apprised prior to discussing the Medicare Advantage Renewal he wanted to briefly touch on the electronic enrollment of benefits. He informed he was pleased to report 40% of the County employees had already completed their open enrollment online which he attributed to the efforts put forth by the County Human Resources Department.

Mr. Schultz provided an overview of the renewal proposal during which the Committee members posed a number of questions that were answered by Mr. Schuette and Dave Shantz, *Account Executive & Senior Health Insurance Services*.

A discussion ensued following which a motion was made by Mr. Simpson, seconded by Ms. Braymer and carried unanimously to approve the renewal of Medicare Advantage as presented by Jaeger & Flynn Associates, Inc. to include Option 1 with Empire Blue Cross Plan and the necessary resolution was authorized for the October 20th Board Meeting.

During the discussion the Committee requested that the representatives of Jaeger & Flynn Associates, Inc. prepare an analysis on possible incentives the County could offer to encourage retirees to change their plans from Empire Blue Cross to CDPHP to discuss at a future meeting.

Continuing with the Agenda review, Ms. Seeber stated Agenda Item 2 pertained to a review of applications received for the County Administrator and County Attorney positions.

Mr. Geraghty suggested they enter into executive session to discuss the appointment of a particular individual.

A motion was made by Mr. Geraghty and seconded by Mrs. Frasier to enter into executive session pursuant to Section 105 (f) of the Public Officer's Law.

Mr. Simpson inquired how many applications were received for each position and Mr. Geraghty replied twenty-one were received for the County Administrator position and nine for the County Attorney position.

Ms. Braymer voiced her opposition to entering into executive session for the purpose of reviewing the applications. She said she felt it would be more appropriate to hold an executive session when the interviews were being conducted. Mrs. Frasier stated she felt it would be appropriate for the Committee to enter an executive session while they reviewed the resumes. Mr. Geraghty added some of the applicants would prefer for their applications not to be discussed in public. Ms. Braymer interjected she was not referring to discussing the details of the applications. She questioned whether the applications were currently subject to FOIL (*Freedom of Information Law*) and Ms. Seeber asked Mary Elizabeth Kissane, *Acting County Attorney*, to explain whether this was an appropriate item to discuss in an executive session, as well as whether there were any FOILable issues present.

Ms. Kissane apprised prior to answering the questions she felt it was necessary to disclose she had applied for the position of County Attorney to ensure no one felt she was doing this to serve her own interest. She stated entering into an executive session would be appropriate; however, she noted, it was within the Committees discretion to determine whether they wanted to do so. She reminded them New York State was an at-will State which meant if the names of the applicants were made public it was well within the rights of employers to terminate an employee for any reason. She continued, her opinion was that it would be an invasion of the personal privacy if the applicants names were made public which was why she felt an executive session was appropriate for this purpose. She restated the determination as to whether to enter into an executive session was solely a decision to be made by the Committee.

Mr. Simpson questioned whether the applications were currently subject to FOIL and Ms. Kissane responded she would advise the Country Human Resources Department to withhold the applications based upon an invasion of personal privacy. She added a portion of the information included on the applications would be redacted such as their residential address and phone number when they were subject to FOIL because this information was never considered appropriate to release to the public. Ms. Seeber advised her understanding of the purpose for entering to the executive session was not only to review who had applied, but also whether any of these individuals would be a good fit for a particular position and discuss their performance history. She said although the applications were subject to FOIL

since they would be reviewing the applications extensively, it would be more appropriate to do so in an executive session.

Amanda Allen, *Clerk of the Board*, explained that in order to enter into an executive session, affirmative votes from a majority of the eleven-member Committee must be achieved, which in this case would require all six members present to vote in favor. She pointed out the quorum was exclusive of Chairman Conover since his presence was no longer required to make a quorum of the Committee because Ms. Braymer had joined the meeting earlier.

Ms. Seeber called the question and the aforementioned motion to enter into executive session was carried unanimously.

Executive session was held from 11:25 a.m. until 12:45 p.m.

Upon reconvening, Ms. Seeber announced no action was taken during the executive session.

Ms. Seeber mentioned moving forward the Committee would commence a pre-screening process with five applicants for the County Attorney position. She added applications would continue to be accepted for the position of County Administrator until November 10, 2017.

There being no further business to come before the Personnel & Higher Education Committee, on motion made by Mr. Geraghty and seconded by Ms. Braymer, Ms. Seeber adjourned the meeting at 12:46 p.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board