

MHLS Search Committee Meeting – Wednesday, February 21, 2018 | 9:00 a.m. EST

For GoToMeeting participants:

1. Roll Call – Mr. Wilson

Mark Wilson

Richard Swierat

Barry Ramage

Michele Ment

Lisa Baker Brill

Staff Liaison – Linda Vittone

2. Meeting called to order & meeting agenda adopted – Mr. Wilson

- A. Motion to approve meeting agenda made by Mr. Ramage and seconded by Ms. Brill. The motion carried.

3. Notice of Mr. Sloan's recusal from the Search Committee process – Mr. Wilson

- A. Mr. Wilson noted for the record Mr. Sloan's notice to the Search Committee via email on Friday, February 16 to recuse himself from any future activities regarding the review and selection of the search firm, as one of the potential firms has contacted Mr. Sloan for a preliminary interview regarding a client search. Mr. Sloan will continue to provide support for all other aspects of the search as requested by the Committee, and Linda will continue as staff liaison. No further discussion ensued.

4. Review, discussion and subsequent action steps regarding search-firm proposals submitted by February 16, 2018 deadline in response to RFP outreach

- A. Committee members discussed their general impressions regarding the two executive search firms that submitted proposals for their services out of the five RFPs sent to interested firms, namely:
- 1) John Keister & Associates | Vernon Hills, IL
 - 2) Bradbury Miller Associates | Kansas City, MO
- B. Mr. Wilson volunteered to interview both firms and requested a second volunteer. Mr. Swierat volunteered and will contact the firms for best dates / times. When confirmed, the appointments will be sent to all Search Committee members. Mr. Wilson invited the members to join in the call if desired.

5. Response from Ms. Ellen Bach, Esq. regarding inquiry on Open Meetings Law – Mr. Sloan

- A. Based on a request from the Committee, Mr. Sloan wrote to Ellen Bach, Whiteman Osterman & Hanna LLP, with the following questions:
- 1) Does the MHLS Board Executive Committee/Search Committee fall under the NY Open Meetings Law? OML advisory opinions appear to state that a committee or

- subcommittee consisting solely of members of a governing body is itself a public body and would fall under OML. If no, that ends our questions. If yes, see questions 2-5.
- 2) Does the requirement of the MHLS Board Executive Committee/Search Committee to act under the OML change if the Search Committee is composed of both MHLS Board members and persons who are not MHLS Board members?
 - 3) Does the requirement of the MHLS Board Executive Committee/Search Committee to act under the OML change if the Search Committee is only advisory on the hiring of the Executive Director, as in making a recommendation to the Board to hire and the Board, in an open meeting, officially hires the new Executive Directors?
 - 4) If the MHLS Board Executive Committee, acting as the MHLS Search Committee, does fall under OML, must the names of persons who have applied for the position and are selected to be interviewed be posted in Committee meeting documents?
 - 5) If the MHLS Board Executive Committee, acting as the MHLS Search Committee, does fall under OML, may interviews of candidates for the position be conducted under Executive Session since “employment history of a particular person” and “matters leading to the appointment, employment... of a particular person” are being discussed?
- B. Mr. Sloan informed the committee that Ms. Bach advised that the Committee on Open Government would find the Executive Committee / Search Committee is subject to the Open Meetings Law. However, the courts have not been so clear on this issue. The Search Committee can appropriately go into executive session to discuss any matter leading to the appointment of a particular person and with regard to discussion of particular candidates. The actual interview of candidates can be held in executive session, since the interviews will involve matters leading to the employment of a particular person.
- C. Mr. Sloan advised that the meetings be placed as public notices on the calendar and that the Committee then proceed through the agendas that identify when the meeting goes into executive session. The Committee may wish include an executive sessions on future agendas regarding discussion of hiring a search firm and the interview of candidates.
- D. Mr. Sloan will look into how to ascertain that attendees using GoToMeeting sign off during executive sessions that only Search Committee members may attend.
- E. Mr. Sloan informed the committee that Ms. Bach had not yet answered the question regarding posting names of persons selected for interviews.

6. Official communications update from the Search Committee to all three major stakeholders (full board, MHLS staff, library directors) – Mr. Wilson
 - A. Stakeholder Outreach
 - 1) Directors Association Meetings
 - a. February 6 10 a.m. DA Business Meeting, Poughkeepsie
 - b. February 16 8:30 a.m. Columbia County Directors, Valatie
 - 2) Outreach via email to chairs of all County Directors Associations requesting attendance at one of their upcoming meetings.
 - 3) MHLS Staff
 - a. March 14, 1:30 – 2:30 p.m. General Staff Meeting, MHLS 2nd Floor
 - 4) MHLS Bulletin
7. Review timeline for significant events in the search process – Mr. Wilson
 - [MHLS Executive Committee Report – January 8, 2018](#)
 - [Executive Director Search Committee Report-February 5, 2018](#)
 - February 19-21 – Search Committee Reviews Responses to RFP
 - February 21 - Search Committee Meeting
 - February 26-March 7 - Search Committee Interviews Search Firms
 - March 8 - Search Committee Meeting Scheduled & Committee Selects Search Firm
 - March 9-13 – MHLS Board President & Selected Search Firm Sign Contract
 - March 17 – Search Committee & Search Firm Report to the MHLS Board on Search Plans and Timeline
8. Discussion on timeline and logistics to recognize Mr. Sloan – Ms. Brill
 - A. Ms. Brill agreed to develop plan for the recognition of Mr. Sloan.
9. Agenda items for March 8 and March 12 Search Committee Meetings – Mr. Wilson
 - A. Mr. Wilson agreed inquired and noted agenda items for future meetings.
10. Call to adjourn the meeting – Mr. Wilson
 - A. Motion to adjourn the meeting agenda made by Mr. Ramage, seconded by Ms. Brill. The motion carried.