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CAPE MAY COUNTY

Censure of Cape May freeholder exposes rift in Republican Party

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Cape May County Freeholder E. Marie Hayes at Tuesday's caucus meeting before the regular freeholder meeting, where she is due to be censured by her Republican colleagues.

MICHELLE BRUNETTI POST/Staff Writer

CAPE MAY COURT HOUSE — An investigation and censure of a Republican freeholder by her peers has exposed divisions within the Cape May County board, which usually decides issues on 5-0 votes.

The all-Republican Board of Chosen Freeholders voted Tuesday night to approve two censures of Freeholder E. Marie Hayes, for allegedly engaging in behavior involving conflicts of interest and retaliation against County Clerk of the Board and Administrator Elizabeth Bozzelli.

Hayes defended herself, calling the investigation that led to the censure biased and the work of an old-boys' network. She said Freeholder Director Gerald "Jerry" Thornton was angry because she didn't vote the way he wanted her to on changing Bozzelli's title from clerk of the board to clerk and county administrator.

The county hired a law firm to look into allegations of improper behavior, and its report found the accusations to be credible, said Thornton. But no one would talk about details of the report, calling it a personnel matter subject to confidentiality.

The board also voted 3-2 to send the investigation to the state Department of Community Affairs' Local Finance Board for an ethics investigation. There is a second investigation underway involving Freeholder Will Morey, officials said.

Public censure is really a form of public shaming, said John Froomjian, interim executive director of the William J. Hughes Center for Public Policy at Stockton University.

“The purpose of censuring publicly is to say, ‘We disapprove of this behavior,’” Froomjian said.

The censured person is not stripped of powers, expelled or required to resign, he said.

Hayes is running for re-election this year on the same ticket with Thornton, who voted for both censures in a long, raucous meeting in a packed room of mostly Hayes supporters.

The meeting confused and angered audience members, who asked the Republicans to find a different way to deal with friction between Bozzelli and Hayes.

“You people don’t even look like you like each other. You guys should all be together, not tearing each other apart,” said Mary Ann Nespoli, former chairwoman of the Ocean City Republican Party. “Marie I absolutely adore and feel she is being prosecuted. Maybe she did something wrong, but is it worth a censure? If she did something wrong, reprimand her.”

“The goal was never specifically to go after Freeholder Hayes,” said Thornton, which caused Hayes to guffaw.

“This used to be a really good board. We worked together and moved things forward. Trenton hears us and is responding,” Hayes said in support of a motion made by Morey, which failed, to table the censure vote and instead seek the help of a mediator such as a

retired judge. “We’ve all been friends at one point in time, then things changed. They shouldn’t change because of a vote.”

But Thornton denied the investigation and censure were based solely on her voting against Bozzelli’s new title.

Bozzelli brought a claim of retaliation against Hayes over behavior that culminated in an Oct. 23 vote to change her title to both clerk of the board and administrator, a job she had been doing for six years, Bozzelli said.

Morey and Hayes voted against changing her title, but the other three freeholders supported it, and the change was made.

Bozzelli said her responsibilities didn’t change, as she had been doing the administrator’s job since becoming clerk in 2012. Only her title changed, she said, and she subsequently received about a \$10,000 to \$15,000 raise on a base pay of about \$120,000.

“The only reason I feel Ms. Hayes is using this opportunity to vote against me in a job I have been doing for six years,” Bozzelli said after the Oct. 23 vote, “is that in conjunction with the freeholder director, and the director of human resources, I have been directly involved in decisions to document, discipline and not move a family member ... to a fourth position at Ms. Hayes’ request.”

She said then she was “perceiving (Hayes’ vote) as retaliation for doing my job.”

The vote Tuesday night was 3-2 on the question of retaliation, with Thornton and Freeholders Len Desiderio and Jeffrey Pierson voting for the censure. Hayes and Morey voted against it.

On the conflict-of-interest censure, the vote was 4-1, with only Hayes voting no.

Morey said he believed Hayes had stepped over the line in regard to conflict of interest, but that the matter should have been handled by giving her a chance to change her behavior instead of moving to censure.

Few details were made public about what Hayes is alleged to have done that involved conflict of interest, other than to say it involved her son, who is a county employee.

The public doesn't know what to think when they hear an official has done something worth censuring but can't get enough details to make a determination for themselves, Froomjian said.

Hayes said her son works as a laborer and makes about \$30,000 a year, and "now my son is in a precarious position as a county employee."

She suggested the county adopt a nepotism policy, and "the public might be interested in knowing how many positions in the county are filled by friends and family members (of freeholders)."

For example, she said, County Counsel and Human Resources Director Jeffrey R. Lindsay is Thornton's stepson, and Bozzelli's daughter works in the Surrogate's Office.

Thornton suggested releasing the report by an independent law firm that found Hayes had engaged in wrongdoing, but Lindsay recommended against it, saying it would go against county policy as the report is a personnel matter and the confidentiality of other employees would be compromised.

Two Democrats are challenging Hayes and Thornton in November: attorneys Stephen W. Barry, of Middle Township, and Elizabeth F. Casey, of Upper Township.

Thornton said after the meeting he and Hayes have not talked about how they will handle their campaign after the change in their relationship due to the investigation and censure vote.

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