

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CHOSEN
FREEHOLDERS HELD ON TUESDAY, JULY 9, 2019 AT 7:00 P.M.
IN THE COUNTY ADMINISTRATION BUILDING
4 MOORE ROAD
CAPE MAY COURT HOUSE, NEW JERSEY**

The meeting convened with Director Thornton presiding and the following members answering roll call:

Freeholders Desiderio, Hayes, Morey, Pierson and Thornton (5)

STATEMENT OF DIRECTOR

“This is a notice read pursuant to the requirements of the “Open Public Meetings Act.” At least 48 hours advance notice of this meeting has been provided by posting of the same in writing on the bulletin boards in the County Administration Building, and the County Clerk’s Office and mailing a copy of the notice to the Cape May County Herald and the Atlantic City Press and filing the same with the County Clerk, all being done on Thursday, January 3, 2019.”

MOMENT OF SILENCE

FLAG SALUTE-Led by Freeholder Pierson

MINUTES – MOTION TO APPROVE MINUTES OF 06/25/19 REGULAR MEETING
FH Desiderio moved/ FH Hayes seconded

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes	X					X
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

COMMUNICATIONS: None

REPORTS:

1) COUNTY ENGINEER

Bob Church: Alright. I just have a couple of things. The Upper Thorofare Mill Creek Bridge work has been completed. There are just some odds and ends to finish up. The guiderails have been installed and the deck repairs have been completed. On Sea Isle Boulevard we completed the final paving on that, on the main line. The final striping should be completed this week. The only remaining work is the work at Sunks Creek. The safety improvements on Landis Avenue and Commonwealth have been completed. We also completed the auxiliary parking lot. We just have some minor adjustments to do with some signage and informational signs. The 96th Street Bridge continues to be closed for operations to marine traffic. I stated before it was because of a structural issue with the southwest bascule. That’s going to continue to remain closed for at least a week, that’s what the consultant is saying, it’s going to take them to do a structural analysis. Depending upon the results of that analysis, they’ll let us know whether we can re-operate that bridge as is, or whether we need to do a repair before we can operate that bridge under normal conditions. There is a chance that might remain inoperable for at least three more weeks as a result of it, the analysis. As soon as we get the repair scheduled, we’ll get an emergency contractor out there to do the repair. It can be problematic because some of the attachment might require that the bridge be in open position so they can do the bolting, so we’ll have to work that around the seasonal traffic now, and that will be a night operation. Projects coming up, we started the Main Street Reconstruction Project. That’s the piece of street that runs between Route 47 and County Route 610 by the Wawa in Dennisville. That should be complete in about a month and a half and we’re issuing a Notice to Proceed on Hope Corson Road. They should probably start that at the end of July. And that’s my report.

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- 2) COUNTY COUNSEL: Jeffrey Lindsay had no report.
- 3) COUNTY TREASURER: Brittany Smith had no report.

FREEHOLDER REPORTS:

- 1) FREEHOLDER MOREY: No report.
- 2) FREEHOLDER PIERSON: No report.
- 3) FREEHOLDER HAYES:

Freeholder Hayes: Yes, I do have a report. I have my Director of Fare Free here and I would like him to come forward. I will let him explain a little more, but in the County we have a thing called the Roadeo and our Fare Free bus drivers compete in a local, state and national and we had some really good results. So, Dan, please.

Dan Mulraney: Thank you everyone and good evening. It's always my pleasure to come here and talk about the Roadeo. I think it's funny to say that because there's not a horse or a cow anywhere near us. We do our Roadeo with buses and it's something that we really very much enjoy taking part in. It's a great event. It's a great day. It's a good time to meet and talk to people and share stories and such, but more importantly to us, that's a training day. In our department that's serious business. We talk about training all the time. We train to proficiency. We make a point of maintaining that training and excellence in everyday of our lives because what we do is very important. The great Vince Lombardi said we don't things right once in a while, we do them right all the time, and that's us, we do that right all the time. And we had the great opportunity to take some of our bus drivers from our County Roadeo and bring them to the State of New Jersey Roadeo. I'll tell you, we have ah, very consistent, very talented, very professional drivers in our organization, up and coming new drivers, that they're just making themselves known in the Roadeo competitions and throughout the State. We've won that State Roadeo eleven of the last twelve years, which is a pretty remarkable thing. (Applause). This year was no exception. This year we took three out of the first four places, and it was a great day for us at Fare Free Transportation. Two of our great drivers are here today. Brian Fitzpatrick, who is here, he's won himself, five of the last six State Roadeo and we're very proud to have Brian here. And a new driver we brought with us today, his name is David Bavuso. He is a new driver with us and he made an impression fairly quickly. He came right in and he won second place in our County Roadeo. He went up to the State and won second place in the County Roadeo and he and Brian both represented us very well in Palm Springs, California for the National Roadeo when we were there, so. It's a shame that the County forced me to spend the week in Palm Springs, but we managed. We did a good job and I'd really really like to say, and give my appreciation to Brian for his effort he put forth. There's representation from all fifty states as well as Canada in this National Roadeo. Sixty some drivers from all over the place and Brian Fitzpatrick came in fourth on the national level. So, that's really good. I would just like to show my appreciation for David and Brian; the great work that they do every single day, but they're only two of the 34-35 drivers that we put on the road every single day; do 110,000 trips every year. We drive over a million miles and we are setting the standard for transportation in the State of New Jersey. I'm really proud of our staff, we have our training officer here, Adele Jones. She really sets the standard for how the training should go in our departments. We're really proud of the way the thing goes. We're proud of the organization and we're thankful for the support from Freeholder Hayes, that you've given us. You show up at these Roadeos. You never miss a chance when we go to state or national, to send me a message and say you make sure you tell me how our guys do out there, and we're really appreciative of that. (Applause).

Freeholder Hayes: You know, wait a minute Dan, don't go anywhere. You know, I got to say that I refer to our Fare Free drivers as our ambassadors of the County. They are out there every day, you know, even when the weather is bad, they know that people have to get meals, and they are out there. So, you know, when you see them, just sort of give an wave and let them know that you appreciate them because they are absolutely, they are wonderful, and I am very proud, very proud of what that department has done, and I thank you and I'm proud to be your freeholder. So,

what I'd like you to do is come forward. Okay, everybody come on up. (Applause). Photographs taken.

4) FREEHOLDER DESIDERIO

Freeholder Desiderio: Yes, Mr. Director, two items. On Friday, July 8th our Cape May County Police Academy under the direction of Chief Tom DePaul, we had another graduation for Class II's and you know lately at the shore communities how important Class II's are to all of us. Cape May County is now recognized as the number one police academy in the State of New Jersey. We receive recruits from North Jersey for this great academy. Also, last week on Wednesday, June 26th we had a bit of history that was made here in our County, and I have Chief Tom DePaul to give you an update on what transpired on the 26th. Chief.

Chief Tom DePaul: Thank you Vice Director. First, I would like to thank our Freeholder Board for all your support, but more importantly I would like to thank Director Thornton, Vice Director Desiderio and Clerk/Administrator Bozzelli for their attendance and their support last month for the installation dinner for Chief Chris Leusner in Atlantic City. He was sworn in as the President of the State Chiefs of Police Association. Cape May County was the host county that was responsible for this year's training event. We were also responsible for logistics for the three day conference which included the training sessions and the installation dinner. Excuse me. As you are aware, at the swearing in ceremony, Cape May County has a very strong respect and working relationship throughout the State and Federal law enforcement partners, and that was obvious with who was in attendance at the ceremony that night. Cape May County law enforcement and the training facility is considered one of the finest in the State and quite frankly that wouldn't be possible without the support of the Freeholders. So on behalf of myself, from the Police Academy and as a member of the Cape May County Chiefs of Police Association I would just like to thank everybody for the support. Thank you.

Director Thornton: Thank you Chief.

Freeholder Desiderio: That's all I have Director.

Director Thornton: And Chief DePaul, I was really impressed with the number of people there. I mean you had the United States Chief of the Secret Service there, that was a guest speaker, and I was very impressed. It was very impressive. Fox News was there even. How about that. That was something, huh.

Freeholder Desiderio: That made the Director's day.

Director Thornton: (Laughing). And yours.

5) FREEHOLDER THORNTON:

Director Thornton: Okay, my report is just brief. I had met with the Chinese delegation from China that our Tourism Department set up and worked with. They came over from Southern China from a county that's a tourist county and came here to meet with our tourism people to discuss how we manage our tourism here in Cape May County. So, there we are recognized in Southern China. So, I was very impressed, let me tell you. Well done to Diane and the Tourism Department. I mean, really, when I tell you it was an outstanding function. And then I met...

Freeholder Pierson: Jerry, excuse me, can I tack on to that while you're talking tourism real quick.

Director Thornton: Go ahead.

Freeholder Pierson: I did bring this out and I was going to say something. (Holds up periodical). Might as well do it now. Diane did a great article in this magazine on page 10, it's the Southern New Jersey Development Council publication. It goes out to tourism and it's a wonderful article on tourism here in Cape May County, and it's really good. So, if you have the opportunity and you're out there anywhere and you see it please pick it up and read the article. It's well written and well received in the tourism community.

Director Thornton: And then I had a meeting with the DAV, the Disabled American Veterans down in the southern part of the county, with Vince Kane, who's the executive director of the Veterans Administration out of Wilmington, regarding what's going on with the County Veterans Clinic. And I can tell you we're right on schedule there with the project in Rio Grande with the Veterans Clinic and I'm very proud of what we're doing there, and I mean it sincerely. In fact, just today we

appropriated money for that Veterans Clinic to begin and everybody knows the number one priority is the Veterans Clinic for Cape May County, so I'm very happy about that. (End of report).

Director Thornton: Okay, now, tonight we're going to do procedure a little differently, because I know a lot of people are here regarding the first two resolutions on the Agenda. So, and I understand that some of the people here in the crowd are here because of the first two agenda items that we will be voting on tonight. I know many of you here are friends to Freeholder Hayes and I appreciate and respect that. With respect to the fact that some of you may want to voice your public comment on these two agenda items, I want to assure you that you will have the ability to present and you don't have to wait until the end of the meeting. However, I'm first going to allow each freeholder to speak in regards to these first two agenda items. This way if there is anything that any of the freeholders wish to say on the record they may do so, which may answer some of the potential questions that you may have during the public comment. With respect to the time for those who want to speak we will ask that you keep your public comments to less than five minutes and each person please speak just one time. That is very important and we're deviating from our normal agenda so that, we know these two items are very important resolutions, very important to the public. So therefore, that's the procedure we will use tonight and then you won't have to stay for the business part of the meeting with the rest of the agenda. Okay, so first of all we'll start as we do normally with Freeholder Morey.

Freeholder Morey: Sure, okay. So, first I want to say that it's been a privilege for me to be involved in county government. I wanted to contribute to my community in a meaningful way and as I've said before, hopefully when I'm done folks will be able to look and say he was a public servant. But, I won't call myself that until...actually I'm not sure I'm ever going to call myself that. I'm going to allow the public to do that, I hope, when I've completed my time here. I've learned a great deal while being here at the County. I'm appreciative of that. Business is conducted differently than in the private sector. Some of that is good, some of that not as good and I've tried to sort of merge the benefits of both together. My goal tonight is to do what I endeavor to do always, contribute my thoughts and perspectives honestly and constructively for the present and future best interests of the County. So, I'd like to say, in my role as a business leader I've spent a substantial portion of my career engaged in developing work environments that value descending opinions, as well as charting positive and productive paths to resolve conflicts when they inevitably emerge between good people, and they do, we all know that. Among other responsibilities, that's what leaders do. I'd be insincere if I tried to tell you that I wasn't extremely disappointed that we as freeholders arrived at a place where an investigation costing tens of thousands of dollars was launched just after October 23rd, 2018 on a vote concerning Ms. Bozzelli's new proposed position, and before, I want to emphasize before any real effort was expended to address potential lingering ill feelings and reestablish trust amongst those with opposing views. Our constituents rightfully expect that we will evaluate the challenging issues before us rationally and put the good of the County first. My focus in saying all this and my focus in how I try to address my responsibilities is to focus on fairness, on truth and on good public policy. With respect to the two censure resolutions on the Agenda tonight, as relates to the County policy regarding conflict of interest, I conclude in fact that Freeholder Hayes did step beyond the lines of the policy. Thus, I will vote in favor of that censure tonight. But, I'll do so with the following comments that I would like to be made on the record. While, it's each of our responsibilities to understand and follow each of the policies, I am extremely disappointed that there appeared to be no tangible effort in any form by those directly and indirectly involved to advise Freeholder Hayes of her misstep, aiding her to steer back on the course. I think that's what teams are about. And at the highest levels of administration I don't see any evidence of that occurred. The other is that the vote of censure in my view really an over the top way of dealing with this matter and it's inconsistent with any prior practice that I'm aware of in the County. I wrote the day after we deliberated on this matter, when I had a chance to take a look at the censure examples that County's independent counsel had provided us, and what became clear was that the censure is really for egregious and typically issued from what I can see from examples, after repetitive offenses after a warning. So, I have three here and they all ring true, not only in a more egregious fashion, but also things like, "the councilperson refused

the repeated request, continues to behave in a matter detrimental to the borough and frustrates the process of council meetings". And then on another, "the mayor previously agreed not to make any reference to the town (name dropped), on his social media posts and yet he has continued to opine on certain matters not relevant". And finally, these all have a fairly impressive list of missteps on them, I guess I would call it, "the Board of Chosen Freeholders on numerous occasions requested that the freeholder refrain from continuing with certain behavior and to work with all the freeholders and the county employees in a professional and respectful manner. Freeholder Hurley repeatedly ignored these requests and continues to behave in a matter detrimental to the county." I don't see in the evidence that I saw that that is the case and my sense is that this should be dealt with whether it be a letter to the file, whether it be additional education, whether it be a warning of some kind, you know some engagement to try to stop the process or to correct the process, not to push it into a forum of what could be considered as public embarrassment. As to the retaliation matter, I will vote no. You know commitments were made that night that we had that vote, and I'd like to share a few of them with you. So, this if off the, I'm not sure if it was actually a transcript or if it was notes but...

Administrator Bozzelli: It's the verbatim.

Freeholder Morey: It's the verbatim? Okay. So, I'll pick up where, Freeholder Morey: Beth, one comment I made, (correction) that you made, I don't think was the full picture, but I want to put all that behind us. I started my comments today, being on the 23rd, saying that this is a democracy and democracy has prevailed today, right? And, Ms. Bozzelli said it has. Freeholder Morey: You will have my full support in every manner that I'm able to give it. Ms. Bozzelli: Will, we have to move forward. We have to move forward as a cohesive group. Maybe you're not aware of what I've been doing and the magnitude of the job I've been doing. I believe if you were to read the exit interviews it will tell a story from some of the employees who have left. I know that I've been approached since they've gone because they've heard about it the next day on the bike trail. Freeholder Morey: I think it's time to leave that all behind us. Ms. Bozzelli: Let's move forward together. Freeholder Morey: You and I, I think we've always had candid conversations. Ms. Bozzelli: And we're having one now, yes. Freeholder Morey: Again, I have seen situations where democratic process resulted in folks after the democratic process went out and created turmoil and made so much noise and all that and I don't intend to be one of those people. I intend to speak up when I think something isn't appropriate and I intend to speak up when I think something should be handled in a different manner, but I also intend to support this Board and support you and every other staff member. I want to make that absolutely clear. Ms. Bozzelli: I appreciate that. Mr. Morey: Any point, if you think I'm not, if that is not occurring. Ms. Bozzelli: I will come to you because I have done this in the past. Freeholder Morey: Okay. Ms. Bozzelli: We have that dialogue. I appreciate your support, I do.

Freeholder Morey: So, you know I was encouraged by that. I thought that we were going to look to work together in a productive way. Two days later Ms. Bozzelli filed a claim for retaliation against Freeholder Hayes. That was pretty inconsistent with the conversation I thought we had that night. As I read earlier, I'm kind of a problem solver, resolve conflict, get people together, let's work this through, there is reasons for folks to be upset, okay, let's work them through. There was no effort to resolve conflict before that investigation started or any time thereafter. There were seventeen interviews that were conducted, including Jerry Thornton. None of the other freeholders were interviewed. And Jerry listen, you have every right to express your view and opinion. I don't challenge that. You see the world how you see it. Much of what you expressed in that report was very negative towards me and I accept that because it's your perspective, but my concern is of course that when I talk about seventeen people and yourself, guess who's the guy who wasn't interviewed. The other person that had that dissenting vote. I voted against combining the positions. I voted against the appointment and I was not even the eighteenth most interesting person to talk to. I don't really understand how that could be, and I think it's unfair because I think my perspective, my conversations which I had in depth with Ms. Bozzelli and with Ms. Hayes would have been of value to the investigator to complete a thorough and proper investigation. So, she had no different perspective really from the Freeholder Board other than Mr. Thornton, Jerry Thornton. So finally, there is nothing persuasive in the report, as I have read it, to connect the employee conflict that I've referenced earlier with the issue of

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Marie's vote, on the ah, negative vote, on terms of combining the positions of the appointment. So, you know, this is America, right? We just had an important holiday. As freeholders we have a fiduciary duty and obligation to vote as we determine most appropriate and in the best interest in the County. It is my strong view that this Board is setting a very dangerous public policy precedent by proposing to censure a freeholder on the weak premise that it appears, it appears, there were other motivations than the reasons Ms. Hayes specifically expressed prior to her vote. Reasons which, I think it's very important to note, were nearly identical to the reasons that I expressed. I talked about the holiday we just had. I was driving and there was discussion on the Declaration of Independence that had come up, and talking about our forefathers, and I sometime don't really remember how much peril, or don't understand how much peril and jeopardy there was to anyone who had the notion of America being independent. And it was interesting because they read the last part of it and it was, "and for the support of this declaration with a firm reliance on the protection of the divine providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor". And the fact of the matter is, thousands and thousands of veterans have done much the same in the decades following. And why did they do it? They did it so that our protections and our freedoms, our way of life, our people, our democracy, and essentially they did it in mind to support our right to vote our conscience. Thank you.

Director Thornton: Freeholder Pierson.

Freeholder Pierson: Good evening everyone. I hope everyone had a great 4th of July holiday. I couldn't figure out which weekend to celebrate, but it was a wonderful event. A large population came down here this weekend. I can't express how proud, that we experienced here in Cape May County, and it's something really great. Will, I thank you for your comments. Upon reading the specifics from the independent investigation into Freeholder Hayes, I was surprised to learn the depth of the report. Coming from my military, federal and state background, any investigation related to allegations in the workplace must be taken very seriously, very seriously. It is with no joy that I support this decision. I'm doing what I feel is the proper corrective action to ensure just working environment. As the newest freeholder on the Board, this is one of the toughest decisions I've had to make. I take my oath of office very seriously to protect all the people of Cape May County, my personal office and this Freeholder Board. The independent investigation stemmed from an allegation made by Ms. Bozzelli regarding her feeling retaliated against when Freeholder Hayes voted against her opponent, excuse me, appointment as both Administrator and Clerk of the Board. The investigation found that the retaliation appears to have been one of the factors that motivated Freeholder Hayes' vote. The investigation also went into detail regarding a conflict of interest which I can't ignore. I appreciate the hard work of the independent investigator, a person not connected with the County. I think the report stands on its own, for this Freeholder Board to examine and make the right decision on. Therefore, I'm going to support both of these resolutions. Thank you.

Director Thornton: Freeholder Hayes.

Freeholder Hayes: Thank you. At a Director's Meeting, I'm sorry, at a Freeholder's Meeting on October 3rd, the Board was to vote on merging the duties and responsibilities of the Clerk of the Board and the Director of Operations into one position. Freeholder Morey suggested the Board postpone the vote to permit more time for a review prior to making this meaningful vote. Thoughtful voting, isn't that why I sit here? I supported this request for a short postponement. Unfortunately, the vote to table was defeated 3 to 2. Thereafter and minutes later the Board voted to merge the two offices. The freeholder director was insistent that the vote would not be tabled and that the vote would take place. Prior to the vote, I suggested that the resolution be tabled for further discussion. Additionally, it was suggested by Freeholder Pierson that I abstain, so as not to cause a disruption on the Board. I do not feel that the voters of Cape May County, who have given me the honor to be a freeholder would want me to avoid tough decisions. I never run away from doing what is right for the right reason. I simply wanted to ask more questions and understand exactly why it was so imperative that these two positions be filled immediately. Out of respect for the director, I have listened to Mr. Thornton on issues, but I do not answer to him. I answer to the voters of Cape May County who elected me. Perhaps I am not a politician, but I am a totally transparent, retired law enforcement woman who has devoted her life to Cape May County. You did not put me in this position to run away from tough decisions. You did not put me in this

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position to rubberstamp the director. I also question why Ms. Bozzelli would not serve a probationary, acting status, as every other potential director, both male and female have done previously. I wanted fundamental fairness. At the conclusion of the 3 to 2 vote approving the merger, Ms. Bozzelli was allowed to speak publically. During her speech she referred to a family member of mine as the reason I was voting against her. For transparency, my son is a County employee. He has been employed since 2012, before I became a freeholder. He is a laborer and makes just over \$30,000 per year. He is the only member of my family employed by the County. So, referring to him as a family member of mine, made it obvious whom she was referencing. Respectfully, her innuendos that evening could not be further from the truth. In fact, it is obvious by her comments that my son is now placed in a precarious position as a County employee. It is evident that my position has become a detriment to his employment and retaliation against him is a real probability. At no time during her speech, did County Counsel or the Director attempt to stop her, even when she violated my son's rights by referring to him and failing to issue a rice notice. To me it is obvious that others knew of her plan in advance and did nothing to protect my son's rights. As we all know, County Counsel is the stepson of the Director and creates an appearance of impropriety within itself. Now, I am being censured for supposedly retaliating against Ms. Bozzelli. Let's think about this...Would you call a request for more time to discuss an important promotion to Administrator and tens of thousands dollars in a raise retaliation? Thoughtful voting is why you elected me. I treat your tax dollars like mine. I'm being criticized for trying to assist in resolving issues with my son, yet permissible for Director Thornton to use his influence to lobby me for a raise for his stepson, County Counsel Jeff Lindsay on the way to an event, telling me he needed more money to stay on the job. My problems began to escalate when the Director suggested that his stepson occupy both Human Resource Director and County Counsel positions. I objected since I firmly believe they should be two separate positions to avoid a potential conflict. Previous to his stepson's desire for both positions, Mr. Thornton has emphasized the problems during an earlier concern when an employee combining these two positions created autonomous power and problems on the Board. What changed? The public might be interested in knowing how many positions in the county are taken by freeholders' friends and families. Also raises to friends that were not authorized or requested by department directors, given by the now Administrator. I would like to recommend that the Board come together and establish a nepotism policy into finding courses of action related to the employment of family members. Additionally, my actions are totally consistent with prior County policies, if you were part of the favored group. I am a concerned hands on freeholder with all my departments, that's how people know me. Quite frankly, I am disappointed with Vice Desiderios' actions offering these resolutions. A look at the Sea Isle City government would let you know he is not practicing what he is preaching tonight. Perhaps, Mr. Desiderio would like to state on the record tonight his family members who are on the payroll in that municipality. The public should know that as the result of my vote, I became the subject of an investigation. That is the reason for tonight's vote to publically censure me. Based on false information, baseless conclusions and an incomplete investigation. Let me take you through the alleged investigation that has caused the freeholders to spend tens of thousands of taxpayers' dollars for nothing more than a grudge match between those who voted differently than the Director. It is clear to me that what is taking place is a clear signal to discourage me from holding office unless my vote is a certain way and consistent with Mr. Thornton. Most of the county voters know that I was a public servant with the Cape May County Prosecutor's Office for twenty-nine years. I served with distinction, beginning as a detective and retiring as a captain of detectives. As an aside, when someone made an accusation a thorough investigation was conducted. The accused is given due process. The public should know that none of these rights were afforded to me, as they have not been afforded to employees subject to investigations in the past. I have spoken out about this practice before I was even the subject of this witch hunt. The public was not informed that a lawyer was hired by the County to conduct the fact finding investigation. When the results were submitted to the County, I was advised I could not have a copy of the investigation report, nor could my lawyer. I could only review the report, in person, in a monitored room and not permitted to take any notes. I could not confront any witnesses against me. I could not present any witnesses on my behalf to support my position. Lastly, I was only given ten minutes, with no

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notes, to make the presentation to the Freeholder Board, including Mr. Thornton, who was a witness against me. I ask the public, how is that a fair process? Although, prior to my thoughtful vote, at separate times, I spoke to two other freeholders in addition to the Director about my thoughts and objections on combining both of these positions. For this investigation only the Director was interviewed, never any of the other freeholders who could confirm my concern was with combining the two positions, not Ms. Bozzelli. This leaves the report issued by the investigator incomplete and inadmissible. How can Mr. Thornton be a witness against me and then vote to censure me? This is like saying that a witness can then become a juror and decide guilt or innocence. In addition, Mr. Lindsay was also interviewed as a witness in this matter. There was no fundamental fairness afforded to me. I have also been advised there are more investigations to come. This is what happens when you vote against the Director. Certainly I was not protected by the Director's stepson, Mr. Lindsay, as the attorney for all the Board, not just his stepfather. The results of the investigation revealed that I was asked questions regarding open positions which my son had inquired. My conduct was no different than any other freeholder and administrators for friends and family. I did not insist on my son being transferred to any positions. This was confirmed by several department heads. Perhaps the Board should be investigating Ms. Bozzelli for her influence on jobs with her family. Since I am the only woman on the Board, I question their exact motives. Please make no mistake about this, my family and I have been through hell for the past seven months while the Cape May County report is being prepared. I feel taxpayers appreciate the fact that I have and will continue to make every attempt to work with this Board. I will not back down from thoughtfully voting my conscience that is why you voted me into this position. Those who know me, know that I stand for what I believe and I am not afraid to say or vote what I feel is right. Please understand I am not embarrassed by what is taking place tonight. I believe the majority of people know exactly what is happening and why it's being done. It's the good old boys dirty politics playbook, Cape May County politics at its worst. Candidly the freeholders who voted against me tonight should be embarrassed. I am also troubled by Jeff Lindsay, our County Counsel, he is supposed to represent the Board as a whole, not his stepfather. I plan on pursuing concerns regarding his conduct with the disciplinary Board and the attorney general regarding potential official misconduct. The public should know that there have been overtures by some that I should resign or I should withdraw from the November election. I don't answer to the Board of Chosen Freeholders, I answer to the good people of Cape May County, whether they are Republican, Democrat or Independent. I will stand for re-election and permit the public to decide whether I should represent them as a freeholder. Deflection is the art of deception. I am being censured for allegations against Ms. Bozzelli to protect my son. People who live in glass houses shouldn't throw stones. Thank you. (Loud applause and yelling)

Director Thornton: Freeholder Desiderio.

Freeholder Desiderio: Yes, Mr. Director. Good evening. This is certainly not a proud day in Cape May County and I take no pride in sitting up here today. It's been a very long nine months since Ms. Bozzelli accused Freeholder Hayes of retaliation. We could never have anticipated that a six month investigation and a 114 page report would be the end result and we would be here at this point today. No one wants a workplace investigation, but it is imperative that when a credible accusation is made, it be investigated to the fullest extent. An outside, independent investigator was brought in to look into the accusations. The investigation not only found that there was likely retaliation but also found that there was intervention on an employees' behalf several times, and the level of interaction was out of the ordinary, and not done by any other freeholder. This is a violation of the County's Conflict of Interest Policy. This report, which the public has not had a chance to see outlines numerous details which we as a Freeholder Board cannot turn a blind eye to. My hope is that we can come together as a county and remain vigilant and move forward. Thank you Director.

Director Thornton: Okay, alright, now. Let me just make my statement. We are disappointed by the behavior that was described in the investigation that was conducted by an independent law firm regarding Freeholder Hayes' actions. The decision that was made was the result of a six month workplace investigation that interviewed seventeen people and culminated in a 114 page investigation report. As a result, a decision was made by the Freeholder Board to put forward two censure

MINUTES OF A REGULAR MEETING HELD JULY 9, 2019 (CONTINUED)

resolutions to Freeholder Hayes, as a result. No one employee or freeholder in the County should be put above anyone else. We don't make this decision lightly. We feel we had to do what is in the best interest of the county government. The investigation led the Freeholder Board to vote in a closed session for two censures. One based on an allegation of retaliatory conduct and a second based on a violation of the County's Conflict of Interest Policy. I will add that this has been a particularly tough decision for myself, I have been a friend of Freeholder Hayes for many years. However, we are confident with the integrity and the investigation and welcome any further investigation by the state into this matter, I emphasize that. Any further investigation by the state into this matter. We thoroughly believe that further investigation into this matter will only strengthen the decision made by this Board. The investigation was done by the County and follows the policies and procedures for an elected official in a workplace investigation. It is up to the governing body to make the decision based on the findings of an independent firm that did the investigation. If Freeholder Hayes is comfortable with it, in an effort to show full transparency, I am willing to support making the report public with redacted names so they can decide the merits of this investigation. We will make this public, now. The vote to censure Freeholder Hayes in a closed session was in a 4-0 vote as it relates to the conflict. In fact Freeholder Morey was the first one to suggest the word censure for Freeholder Hayes. He used that word. Not us, Freeholder Morey. Freeholder Morey was provided with the same amount of time and the ability to read the report as every other freeholder on this Board. A decision to censure should never be made lightly. If he feels as if there are problems with the investigation he should have voiced his concern at the time. I question, why he would take such a serious step against another freeholder without fully answering all the questions he claims to have with the investigation. In fact, his comment to me was, "why did this go on for so long?" That was his comment to me, "why did this continue for so long?" Now, the conflict of interest between myself and Jeff Lindsay. Let me tell you, I have abstained over and over again in any direct benefit to Jeff Lindsay. On December 11th 2018, his three year term was passed by a 4-0 vote, I abstained. There was no comment provided by any of the freeholders. On January 9th, 2018, Jeff's position and temporary role was voted on and passed by a 4-0 margin. Once again, I abstained. Both resolutions were seconded by Freeholder Hayes. I abstained from Res. 956-16, 673-16 related to Jeff Lindsay for salary resolution on November 22nd, 2016. I abstained from Res. 673-16 related to Jeff Lindsay. I abstained from Res. 117-16 also appointing him as Affirmative Action Officer. I abstained on Res. 63-15, a salary resolution. I abstained from Res. 1006-14 related to a salary resolution. I abstained from Res. 861-13 related to a salary resolution. I abstained from Res. 797-12 on a salary resolution. And I will tell you this right now, understand this. We cannot find any place where Mrs. Hayes, Freeholder Hayes abstained on any resolution that her family member was on. And not only that, to make the issue on the report and we'll see if we can release that report, she was recognized as not being credible, over and over again. Now, you tack on County Counsel overseeing the investigation and Will Morey not being interviewed. Assistant County Counsel identified an experienced investigator through the New Jersey State Bar Association. The investigator had no connection to Cape May County. After reviewing her qualifications, the Board and I emphasize, the Board retained her to investigate. The Board of Freeholders established a scope of investigation and the investigator was provided access to witnesses that she determined were necessary. Freeholder Hayes had the ability to identify witnesses she felt were critical and did in fact identify a handful of witnesses who were subsequently interviewed by the investigator. Hayes argued that the investigation was improper in that the witnesses she identified were interviewed telephonically. However, the investigator did not make any adverse credibility determination against any individual identified by Freeholder Hayes. Freeholder Morey was not one of the individuals identified by Hayes to be a witness and Morey also never requested an interview. The argument about due process. The Cape May County Board of Freeholders has followed the same process that has been prescribed across the State for handling a workplace investigation. The power to censure is one that is held by a governing body. The Freeholder Board has arrived at a censure based on the process of investigations in the State as it relates to an elected official. All proper protocol and procedures were followed related to workplace investigation. Also, saying that it's a biased investigation; the County retained outside counsel, Rich Goldstein of Marshall Dennehey to advise the Board following receipt of the findings.

Goldstein has substantial experience representing public entities in public matters. His opinion was that this was a thorough investigation, he advised the Board during the closed session that he thinks the investigator did a good job and would not present an obstacle for the County in defending any legal claims. He was also supportive of bringing her back to conduct another supplemental investigation on this matter. When the Board discussed this matter during the special meeting, Morey not once raised the idea of rejecting the report because it was inadequate. It was all witnessed, all witnessed. Goldstein further advised the Board of its options as far as a corrective action as ability to defend a lawsuit depending on what corrective action was taken. Based on the findings in the report and with guidance he decided censure was the most appropriate corrective action. The investigation was done in consultation with an independent law firm. We provided only a scope on the investigation to the outside firm based on the allegation it was made initially by Ms. Bozzelli. It is not the place for the Freeholder Board or County Counsel to interfere in any way with an outside investigator in workplace related matters such as this. We followed the process of investigating an elected official and made the determination on corrective action based on the information that was provided. The goal of the investigation was never specifically to go after Freeholder Hayes, never. An accusation was made and due diligence had to be performed, which we would do with any County employee that makes a formal complaint against any senior official in the County. Once the report came back, the hope was that corrective action would be taken and she would realize some of the errors that she made. Once it was clear that she would not, the decision was made to go forward with the censures. Yes, she was allowed to speak with us in a private meeting. Not one time did she ever recognize the fact that she did anything wrong. In fact, it was just an arrogant presentation. Further, Freeholder Hayes' lawyer has since reached out looking to mediate procedures, in fact, just did it yesterday, I believe. The good old boys club, I love that. This was not a decision... (Audience yelling out, yeah it is...) Let me tell you, because the allegations that were made and the investigations says that Freeholder Hayes did these things against women. Let's talk about the good old boys club. This decision was not easy for us to make. It was made after an independent investigator presented the facts. We could not let the allegation presented by Ms. Bozzelli go without further investigation. The entire Freeholder Board made the decision unanimously once the facts of the full report were made available to us. If Freeholder Hayes does not believe the investigation was in good faith and if she would like to release the report to the public with the names redacted I would support that. We want to be fully transparent to the public as possible. This was an investigation started when Ms. Bozzelli said she felt retaliated against by Freeholder Hayes. We cannot ignore an allegation for the benefit of an elected official and before this night is over I will ask this Freeholder Board to redact the names and release this report to the public. So there is no nonsense and so everyone, everyone can read exactly what's in that report without the names of the witnesses. And let me tell you, I was a witness, and you want to use my name, they can publically use my name. And the firm that we hired, I want you to understand that, it's a firm we had no idea who they were, they were selected, and it's a completely woman owned law firm. A woman's owned law firm. She an experienced employment lawyer and investigator having exclusively practiced employment law for 20 plus years. Now, you think we were trying to cover anything up. Do you think we're trying to hide anything? Let me tell you this, everybody here and these Freeholders including myself were more concerned about the integrity of the County of Cape May and protecting the employees in the County of Cape May and protecting our good name than any political nonsense. Thank you.

Freeholder Hayes: Can I make one comment, or not permitted?

Director Thornton: Well, we're not finished yet. We're not finished that thing... Go ahead, go ahead comment. Go ahead.

Freeholder Hayes: I did give Freeholder Morey's name and Freeholder Pierson's name when I spoke to that investigator, and she chose not to speak to them.

Director Thornton: Okay. Alright.

Administrator Bozzelli: Okay, I would like to say something as well.

Director Thornton: Okay, Clerk of the Board, go ahead.

Administrator Bozzelli: First, I would like to address Will and clarify you did read part of the verbatim. But, you did not read the part that said that evening that I had made the claim. You said that two days later after that meeting I made the claim. It was made that evening and it's in the verbatim report.

Freeholder Morey: Yeah, but in the early part of the report you said that I think Freeholder Hayes voted against me because of retaliation and then after that when we had our exchange and I said hey democracy, it's over, let's go, forward we go. You said yep, let's go forward, we all have to work together, etc. etc. So you're saying to me that because you said it before and after you told me we were going to work together suddenly we should pay attention to what happened first, and not what happened second.

Administrator Bozzelli: That to me was moving forward because I did feel that corrective action had to be taken.

Freeholder Morey: So, moving forward was continuing with the retaliation claim?

Administrator Bozzelli: Yes.

Freeholder Morey: That's very interesting language right there, Ms. Bozzelli.

Administrator Bozzelli: The second part was we were not combining Director of Operations and Clerk of the Board. The Director of Operations is a totally different job. That's something that Michael Laffey had been doing. Michael Laffey came before the Board and explained the difference. It's something that you just cannot seem to grasp Marie. The Administrator...

Freeholder Morey: I also don't grasp that, just to be clear.

Administrator Bozzelli: Okay.

Freeholder Morey: Because it was very clear to me, okay. (Applause). Beth, I'm hoping that we can work together tomorrow, okay. But, let's be... We'll be direct and candid with each other, as we try to be, okay. It was absolutely stated by Director Thornton that those positions should not be one, years ago. It's okay to change your mind. If he changed his mind and he feels that the Clerk of the Board and the Administrator should be one position, fine, he's changed his mind. But, that's not what his opinion was before, when we had the Clerk of the Board position and then we purposely had a Director of Operations. There were separate positions and the notion or the recommendation was to combine them into the position that you now hold. Correct?

Director Thornton: Let me respond to that because I've explained it to both of you now, I don't know how many times, six, seven, eight, ten times. And the reason why we separated the Clerk of the Board from Administrator was because on a previous administration they had the Administrator with one term and the Clerk of the Board with another term, so that they expired at different times, and that's exactly why we couldn't do it. And at that time the Director of Personnel recommended that we not have that because it was not good business. And that's why we stopped and didn't do that previously for that very reason, I explained this over and over again because you had an Administrator and a Clerk of the Board with the same titles with two different expiration dates. Now, if that doesn't make sense to you, I don't why because I've tried to explain it so many times now over and over again. We created the Director of Operations because we needed somebody, not administratively, but somebody to manage some of the operations of the County, not the Administration entity of the County and furthermore I will say this, Freeholder Morey, you worked under that system for about five years and then all of sudden decided that you were going to question it because you were going to go after Beth Bozzelli. (Gasps and groaning, yelling from the audience.)

Administrator Bozzelli: Let me just read. Let me just read this.

Freeholder Morey: No, no let me respond before you read. Just, Jerry, Jerry you had many bites at the apple, Jerry, of of.... Again, I don't, if you feel that the position should be combined it's your absolute right to put that to the Board and to vote as we did. I didn't agree, but you know it was time to move forward. It was not only because... You had many bites at the apple years ago to combine these positions if it was just an issue of not aligning terms. So, I just don't think, that's not my recollection of the facts anyway.

Freeholder Hayes: And let me just comment. For several years I traveled with the Director to Trenton, to the New Jersey Association of Counties and we talked a lot, and I listened to him because he was my mentor. And the one thing that he hammered on me because of the previous Administrator having autonomous power was never to combine those two positions because it gives someone autonomous power. So, when this came up, I was shocked. Just table it, just table it for two weeks, that's it. For three years, this went on and then all off the sudden this changed, so I wanted to ask questions, that's what I wanted to do.

Director Thornton: It was, again it was the reason because both positions ended on different dates. And I said that all along. (Sounds of disbelief from audience)

Administrator Bozzelli: Just let me read my statement. This is off topic from tonight.

Voice from the audience: Are we allowed to make a comment?

Director Thornton: No, you will be able to make comment very shortly. Go ahead.

Administrator Bozzelli: Okay, I'd like to make my comment. I feel the Cape May County Board of Chosen Freeholders acted responsibly by authorizing an independent investigation following my complaint on October 23rd, 2018 of retaliatory conduct by Ms. Hayes. What follows have been a comprehensive and unbiased investigation conducted over the course of six months with seventeen county employees being investigated and interviewed, some multiple times. The Freeholder Board found it necessary to hire an independent investigator and to consult with outside counsel for guidance, upon receipt of the report, due to the seriousness of the findings. I continue to have faith that the Board of Chosen Freeholders is acting responsibly to protect me along with the other employees who were interviewed, but this continued public defamation affects me personally, my job, my family and my livelihood. Moving forward, I continue to keep my options open, as I have since these actions against me began over one year ago. I have been an employee for well over three decades, first coming to County employment in 1981 after graduating with a Master's Degree from the University of Pennsylvania. I have worked extremely hard to obtain this position and this is heartbreaking to me, to see this. It is heartbreaking.

Freeholder Hayes: Right, right.

Administrator Bozzelli: If this can be done to me. If this can be done to me it can be done to any employee and any woman. The release of the finding is what is needed and I'm asking that they be provided to the State Ethics Committee. What is sadly happening here is an attempted diversion, trying to take the focus away from the serious findings in the report. This minimizes my allegations and what I have been through in the workplace for over a year. It's not about Freeholder Director Thornton, any political agenda or any gender based action and I am extremely troubled with this diversion of the real issue at hand. It is about my claim of retaliation in the workplace which has been found to have occurred and that is what is at the issue. This investigation has given rise to an additional workplace investigation regarding both Freeholder E. Marie Hayes and Freeholder Will Morey and continues to make for an extremely difficult work environment for many County employees not only those that were interviewed. My concern remains for all of us on many levels. On June 14th with the guidance provided by outside counsel, a decision to censure Ms. Hayes was made by all four of her fellow freeholders after review of the finding of this initial investigation which I still have not seen. This action, this decision to censure is again not about me, politics or who is on the ballot. It is about good government, integrity and the responsibility of our Board of Chosen Freeholders of Cape May County to provide a safe, fair and healthy work environment for all employees which is free from abuse of power by any elected official.

Freeholder Hayes: I have one more comment that I'd like to make. I was given an agreement and told if I signed that agreement that it would be dropped to a reprimand. I would not be permitted to say anything, actually I would be permitted to say what Mr. Lindsay told me to say.

Jeffrey Lindsay, Esquire: Point of correction, Freeholder Hayes. That was at the initiation of Freeholder Morey, that I approached you and in consultation with Freeholder Morey.

Freeholder Hayes: It doesn't matter to me Jeff. That is what you put. That is what you put for me to say.

Jeffrey Lindsay, Esquire: Right, in consultation with the Freeholder. Following the direction of the Freeholder.

Freeholder Hayes: Okay, fine. With the threat that if I don't it's going to the ethics board. I could have signed that agreement, okay. I didn't because I'm not, okay. So, send it where you want to send it.

Director Thornton: Okay. Okay, it's been recommended to go the ethics board. So, I think, number one we should address that. Could I have a motion that we send this report, as Freeholder Hayes said, to the Attorney General and the Ethics Commission of the State of New Jersey? Can I get a motion on that?

Moved by Freeholder Desiderio, seconded by Freeholder Pierson to send the investigation report to New Jersey Ethics Board.

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Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes		X				
Mr. Morey			X			
Mr. Pierson	X					X
Mr. Thornton	X					

Freeholder Morey: I'm going to abstain until I'm able... I've hired counsel to review these proceedings and provide guidance and advice to me and I'm going to abstain until I can get his guidance. I'm not really familiar with the process of referring things to the, what was it again, ethics board, so I want to understand that before I'm prepared to say yes or no. So, I'm happy to review that and take a position at the next meeting.

Administrator Bozzelli: So, is that an abstain?

Freeholder Morey: I'm abstaining. I'm happy to review it and participate in that question at the next meeting.

Director Thornton: And, I'm a yes vote. Now the other issue...

Administrator Bozzelli: And Freeholder Pierson.

Freeholder Pierson: Yes.

Director Thornton: And the other issue is does the Board want to approve releasing the redacted under the circumstances so that the public can be accessed to the full redacted report, with the names redacted of the investigation report.

Freeholder Morey: Mr. Director, I'd like a quick recess to talk with County Counsel.

Director Thornton: Fine, we'll have a recess to talk to County Counsel. You got five minutes.

-Following 5 Minute Recess-

(Gavel Sounds)

Freeholder Hayes: Excuse me, I'd like to change my vote to abstain, because I also will be reviewing this with legal counsel.

Freeholder Morey: So, thank you for the brief recess. On the matter of releasing the report I'd like recommend to the Board that we take this under advisement. I don't think there is any reason to do this tonight. I think it's kind of a hurried decision. I'd like to review myself with my private counsel, this decision before I take a position on it and I'm just concerned that it's, well we can talk with County Counsel about it, but it's not consistent with what our policy is. I think we should use some care before jumping into that. Jeff, would you mind advising us.

Jeffrey Lindsay, Esquire: No. Freeholder Morey accurately shared my advice to him that releasing the report even redacted would be contrary to County Policy. Our policy is to maintain the confidentiality of those reports to the fullest extent possible, as I've communicated to the Board throughout this process. So, although the Board is able to set policy, revise policy, change policy, releasing the report to the public would be contrary to the existing policy to the Board so I would caution the Board before making an abrupt decision that you think thoroughly through making it.

Administrator Bozzelli: This motion was to release it to the Ethics Board. Is that...

Jeffrey Lindsay, Esquire: I thought it was to release it to the public.

Freeholder Morey: I was going past that. It was the second, and I don't think we got to the motion yet but it was the discussion of releasing it to the public, that's what I was referring to.

Administrator Bozzelli: The first one releasing it to the Ethics Board, I'd like to call the role on that, okay, because I think we're getting confused. Freeholder Desiderio.

Freeholder Desiderio: Yes.

Administrator Bozzelli: Freeholder Hayes.

Freeholder Hayes: Yes.

Administrator Bozzelli: Freeholder Morey.

Freeholder Hayes: I abstain, no. I'm sorry, I abstain. No. Wait a minute. You got me totally confused.

Administrator Bozzelli: Okay, there are two motions that will be coming forward but one we're not going to do, which is the release to the public.

Freeholder Morey: On the motion, you're just going back to confirm the motion relative to the Ethics Board.

Administrator Bozzelli: Yes.

Freeholder Morey: Got it.

Administrator Bozzelli: Releasing it to the Ethics Board...It was made by Freeholder Desiderio, seconded by Freeholder Pierson. I would like to call the role for that. Releasing it to the Ethics Board. Freeholder Desiderio.

Freeholder Desiderio: Yes.

Administrator Bozzelli: Freeholder Hayes.

Freeholder Hayes: I would like to abstain because I need to, my counsel needs to review more, okay. We just got this report on Sunday, okay. Excuse me, we just got this report on Sunday.

Director Thornton: The investigation report?

Freeholder Hayes: Yes. Yes. Yes.

Director Thornton: We've had this for... you read it.

Freeholder Hayes: I am not allowed to have it. I couldn't even have it to...

Director Thornton: None of us were allowed to have it.

Freeholder Hayes: Jerry, I'm the one who had to defend myself. I had to defend myself. I couldn't have it. I couldn't take notes from it. I could sit in a room being watched and read the report. This is totally unfair!

Freeholder Desiderio: Do, you need any more votes sir?

Freeholder Morey: You want us to... We'll make a decision, go ahead.

Administrator Bozzelli: Freeholder Morey abstain.

Freeholder Morey: Yes. The same reasons I gave you before.

Administrator Bozzelli: Freeholder Pierson was yes, Freeholder Thornton was yes.

Director Thornton: Yes.

Administrator Bozzelli: So, the motion passes.

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes			X			
Mr. Morey			X			
Mr. Pierson	X					X
Mr. Thornton	X					

Director Thornton: That's motion to send it to the Ethics.

Freeholder Pierson: Send it to the Ethics. (Repeating what was said) They'll be no motion to redact.

Administrator Bozzelli: Right.

Director Thornton: We're trying to just be fair.

Freeholder Hayes: Right, yeah.

Freeholder Morey: Their not.

Administrator Bozzelli: That's the only motion. Yeah, that's the only motion. Now public comment.

Freeholder Hayes: Public comment?

Administrator Bozzelli: Yes.

Director Thornton: Okay, now we'll have public comment. Again, I'm going to emphasize please five minutes and speak once.

Administrator Bozzelli: And your name and the town in which you live.

Director Thornton: Go to the podium there with the microphone and state your name and the town in which you reside.

Public Comment-

Daniel David Jones: My name is Daniel David Jones. I'm a disabled vet, Vietnam Era. I got a short story I want to tell you. I was building a house. I used to be a construction, I built a lot of houses. And while I was building that house we just finished the foundation and I came to work the next morning and the police were out front. I went over and I talked to the police officer and I said what's up. And he said that a man raped a woman last night and apparently he raped her on your property, the house that I was building. And I said well what can I do to help you, and he said he had tar on his pants and if we could I would like get a sample of the tar that you have all over the foundation. I said sure. I brought the bucket to city hall and I started to fill out the paperwork as a witness or whatever, and when they found out that my last name was Jones and that Marie Hayes was my sister they said oh, we can't use that. My sister persisted and she got that man put in jail for

what he did. My sister doesn't give up and I'll tell you another short little story about her. My father had seven kids, never went on welfare, never had food stamps, never did anything at all but work. One day, he spent two days on the couch. That girl right there sat on the couch with him for two days until they finally convinced him to go to the hospital. When they got there it turned out he had a major heart attack. She's got the same blood as my father, and I'm telling you right now she doesn't give up, and you guys are going to be revealed because I think you're holding the bucket of tar. (Applause).

Mary Ann Nespoli: First of all I know every one of you up there. I've known you for years. I voted for every one of you and I love every one of you. But, I went through the Von Savage days...

Administrator Bozzelli: Mary Ann, can you just state your name for the recording.

Mary Ann Nespoli: I'm sorry. Mary Ann Nespoli, past president of the Ocean City Republican Club, okay. I went through the Von Savage days which a couple of you did, Jerry I know did and I went through Michael Donahue days and I'm going through these days. It was, I'm not saying it is now but it was, an all-boys club. Jerry, you remember they wanted you out. I remember that and boy we fought like hell for you. Beth, I've know you for years. I always say how beautiful you are. The General, what a gentlemen. Will, says it as he means it. Lenny, we've had jokes in the past, and Marie, who I absolutely adore, and I feel is being prosecuted...we make mistakes. Thee up there without sin, then cast the first stone. Don't tell me that none of you have something in the past that you like to hide and we'll never know about it. Maybe she did something wrong, but is it worth a censorship? Is it worth... you people don't even look like you like each other. You argue, you tell this person off, you don't like this person, you're doing this wrong. You guys should all be together up there, not tearing each other apart.

Freeholder Hayes: We used to be...

Mary Ann Nespoli: I just don't understand what is going on. If she did something wrong, reprimand her. You don't have to censure her. You've got the right to do what you want to do. You're the Board. I'm sorry, but I get carried away sometimes and I just want you guys to know, you're all smart, you're all good, but you don't work together.

Joe Ravitz: My name is Joe Ravitz. I really don't understand the genesis of this thing. How can any elected official be considered retaliatory by the result of a vote? The only person that any of you, no matter how you vote, is responsible for, is the elector. You have to defend your vote at election time, not anywhere else. You just vote the way you see it. You don't have to have a reason why you vote and this whole thing, this whole genesis is ridiculous. And Mr. Morey said earlier in his comments that there wasn't somebody to guide or to bring Marie back if she strayed off the track, and that should have been done. You don't come out with a censure. As a matter of fact, from what I listened to tonight you're censuring the wrong person. (Gasps from audience). God bless you Marie. Thank you for your independence. You're an outstanding freeholder and a wonderful lady. Thank you.

Deb Poillon: Hi. Deb Poillon, Cape May Court House. I'm a retired County Department Head and Marie Hayes was my freeholder liaison for many years. A couple of years ago my department had an IT opening. Knowing that Marie's son Lloyd worked in IT and also had an interest in libraries, I mentioned this to her. She sent me his resume. I took a look at it and unfortunately he did not have the necessary qualifications. I told this to Freeholder Hayes and that was the end of the discussion. There was no retaliation. I was never made to feel uncomfortable for the fact that I didn't even interview her son. I just wanted to pass that story on.

Freeholder Hayes: Thank you.

Suzann Callinan: Good Evening, my name is Suzanne Callinan. I'm a past employee of the County. I worked in the Surrogate's Office for about 18 years. I'm happily retired. I have known Marie Hayes for about forty years. We met when I was a foster parent and Marie was a detective and she'd come to the home and pick up the sixteen year old girl who had been abused and was involved in a court case, and so we have a lot of mileage, a lot of difficult times that we shared together. I just wanted to comment that there are five freeholders. There are five smart, independent thinking people on this board and we as citizens are counting on each one of you to be independent, think through every decision you have to make, so that five voices are heard. You are independent and you each have a vote, so I just wanted to stress that. Your business is providing good government for the County. A lot of this is becoming ego and personality and it really is taking away from

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governing. We elected you to govern. This can't be a personality contest and unfortunately, I think we see more of this with issues with women and there's a push for more women to become involved in government but we have to help and embrace each other and encourage each other. Mistakes will be made along the way, some of us are novices, and some of us just don't understand the process. Um, I want to use the phrase, help me understand, how I understand is like, \$30,000.00 for an investigation helps the citizens of this County in any way to just find that one person made serious errors, I don't know, haven't seen the report. But, I think the money could have been better spent perhaps for management training, working on teamwork and developing management skills and leadership skills. To me, that would be money well spent. We have a board now that is a little fractious and we need to have some cohesiveness, not one voice, but that you all would be able to work together. I was just wondering if any other freeholder in the history has had personal investigations like this. Has that happened before?

Director Thornton: Yes.

Suzann Callinan: And, what came to the public's view, what happened? I don't need to know against whom, but...

Director Thornton: Well, in one case, in one case, that freeholder resigned, many years ago. And in the other case there were no findings.

Suzann Callinan: So, the process is in place for good reason, but I do think we have to encourage each other, guide each other, nurture each other so that we have a cohesive Board and I appreciate all of the time that you all give to this Board. Thank you.

Director Thornton: Suzann, the process is in place to protect the County employees. That's what the process is about. That's exactly why it's in place.

Freeholder Morey: Suzann, your recommendation on, look I think the Freeholder Board needs help. I've thought that for, you know, quite some time in terms of facilitating better decision making, better sort of problem analysis and things like that. So, I'm on board, I'm with you, I'd like to see us, actually we just discussed it, or a couple of us just discussed it a week or so ago, about having a facilitator help us to act at a higher level, I think, would be helpful, so.

Suzann Callinan: You have to pull yourselves up out of the muck and mire and I don't know after a meeting like this how you all sit down and have donuts and coffee. It's going to have to happen and we can't waste month after month for all of you to get on board to work together for the County good.

Freeholder Morey: Yeah, I appreciate the comments. Thank you.

Melanie Becker: Good evening. My name is Melanie Becker. I live in Palermo, in Upper Township. Thank you for allowing me this chance to speak. I'm not involved in politics in any shape or form. I don't even work in Cape May County. I'm an elementary school teacher who works in Atlantic County and have been doing so going into my twenty ninth year teaching with a Master's Degree in Special Education. However, I do read about what's happening in my County, what's happening in my township and when I read about what the Freeholders are doing in Cape May County, for the most part it seems like a very collective unit, you vote together yes, on most of the things that come up. I also read a lot of articles about Marie Hayes in the newspaper. She was recently honored by the United Way. She was the commencement speaker at A.C.C.C., she has even rappelled down the side of buildings to raise money, okay. She is a wonderful person. So, when I saw this article in the New Jersey Globe about what was happening here, I was shocked, and it caused me to do some research. As a teacher who's off for the summer, I have a little bit of time to do that and I did look back at the minutes in October. And I guess the first thing that I was kind of shocked at, was that even after Ms. Bozzelli did get the job, she was voted 3-2, she chose to speak up and talk about this retaliation. To me as an elementary school teacher it kind of smacked mean girl stuff that you see in elementary school. It really did. (Applause). I'm concerned also about some of the comments I've heard here tonight about the amount of people who have family members working for the County who are up on that board. About the fact that Mr. Lindsay is Mr. Thornton's stepson. I understand that Mr. Thornton, you abstained from all the votes concerning your stepson, however, I'm sure, maybe I'm wrong, but I'm sure that there were conversations that took place concerning his employment before any votes took place. So that concerns me. I understand that Ms. Bozzelli has a family member who is also working for the Surrogate's Office.

Administrator Bozzelli: Yes, I do.

Melanie Becker: What conversations took place there? How much does she make? How did she get her job? How is she doing in her job? To me, if you're going to put one freeholder under the microscope like that, I think that you have put all of yourselves under the microscope like that. (Applause). So, if you're going to spend tens of thousands of my tax dollars to investigate one person, spend it on all of you, you all need to be investigated because I think this has really opened up a can of worms. My recommendation, if I was able to make a recommendation Freeholder Board, is just to table this whole censure thing, which comes down to nothing more than a modern day flogging or a modern day placing someone in the stocks and I think you all need to go under the microscope at this point. (Applause).

Bill Crowther: My name is Bill Crowther, Middle Township. I know and respect everyone on the Board. It's good seeing everyone. I just wanted to share about Marie. I met Marie, I'm a county committee member, she was coming in to take over a vacant position and ever since she's been on she's really worked her butt off, like all of you have. And it really hurts me to see you guys fighting like this, you know, you guys are better than this, you know, you really are...And I think you guys need to get back together and go in the back room, go to the Bellevue, wherever you got to go and just nail it out, you know. I hope this doesn't go any further. It's up to you guys, but it just seems a little harsh in my opinion. Thank you. (Applause).

Debbie MacLarnon: Hello, my name is Debbie MacLarnon and I know Marie, Mr. Thornton, and Mr. Morey. I was a teacher for 35 years at Wildwood High. I served as president of the union. I had to negotiate many a settlement that I didn't always agree with but I had to do it for the best of both parties. I also was in business. Mr. Morey knows me because I used to be at the Port Royal, but, there were times when I would go huh...he should be fired, or she should be fired, I mean, meaning my peers that I worked with. But I knew that wasn't right, but in business they probably would have been fired. There's times when you just have to step back and look at the good, try to figure out how we're going to produce for our citizens of this county and not worry about petty, whatever, because I've seen it too many times, and too many places and it always ends ugly. So please, like they said, go to the Bellevue, get your coffee, get your donuts, do whatever you possibly can to resolve this without making it ugly for Cape May County. Thank you. (Applause).

Freeholder Morey: So, here's a way to me that we can resolve it, and I think it's been good input. You know. I would suggest, make a motion that we go to a retired judge, somebody with the caliber of Michael Donahue and we ask him to review the matter, to sit with us and remediate with him. So, the trust is gone. I want to return to...You know, ironically we've actually gotten some things done and that's really good. But, look at the number of things Jerry and I have disagreed on and we sat down and looked at it the other day, and it was five or six. It's not that bad, you know. And I wasn't right on every one of them either, so I don't think I've ever admitted that to him. But, I think that if we want to set a course, to me, that is a path forward, do you know how long this is going to go on after tonight. And it's not \$30,000 it's at least \$60,000 from what I understand, I think it might be more than that. And as Ms. Bozzelli said, and there is more to come. So, you know what, let it come, that's okay with me, but is that our duty to the taxpayer. So, I would say a responsible act by this Board, let's get a retired judge mediator. Let's put it in front of him. Let's have him help us make sure we understand the law, we understand all the aspects of this and we try to come to a decision that's at least can be verified as just by someone who comes off the bench, because it's not going to happen through this process tonight.

Director Thornton: We would like to take a five minute recess and discuss with County Counsel.

Freeholder Hayes: All of you?

Director Thornton: I don't care. We all can.

Freeholder Hayes: Am I invited?

Freeholder Morey: Sure.

-Following Recess-

Director Thornton: Okay, ready. Ready for the resolutions.

Freeholder Morey: So, I'd like to make a motion...You know, I don't think there is any one really good answer here tonight. Um, there's peril no matter what direction we take but at the end of the day, I'd like to see us all come out in as short of a period of time in a process that moves us forward. Voting on these censure

resolutions tonight will not do that. They will bring us into more friction, more contest, more money and I don't think that's what our taxpayers and residents signed up for. So, I believe and I'm going to make the motion that we table these censures, that we seek a complete mediated process that includes Beth and all those involved and at least give hope a chance. Let's give it a chance. Let's try to deal with these issues of concern, for certain aspects of the report and let's go to someone who has the credentials and the trust to be able to guide us perhaps back to a more productive and appropriate way. So I will make the motion that we table the censures and that we immediately seek remediation from a retired judge of the caliber of Michael Donahue, I'm sure there's others...

Freeholder Hayes: I'll second that motion, but I'd like to say a few things too. I've listened to everything that you guys have said out there. This used to be a really good board. We all worked together. We moved things forward in Cape May County. As a matter of fact, we are a shining star in the State from what we do. We are a shining star. We're on the map now, ladies and gentlemen. Trenton hears us. And they're responding to us. It's time to move forward and I'll second that because I think that if we go to a mediator we at least all try to sit back and talk together again and air it out and get it all together, I think it will work. I think it will work. We've all been friends at one point in time and then things changed drastically, and it shouldn't change because of votes. It shouldn't do that.

Freeholder Morey: The other thing I just want to add is, I'm reminded. I don't think anyone out here in this audience knows what this is doing to the staff members in this County. I underestimated it, I will tell you that right now. This is torture, this is torture to these staff members, and to me if we care about the staff members we will take this process because if we don't take this process we will be fighting this process for the next six months or a year. You can just bank on it. (Applause). So, let's support our staff. Let's show them that we can come together and work things out and not do this ridiculous fighting. Let's all do it. We can do it.

Director Thornton: Go ahead Beth. What do you want to say?

Administrator Bozzelli: I want to say something and I spoke with Maryann during the break here, and I feel that there is so much fogginess as to what actually has happened. And I feel that I am being demonized tonight, for attempting, and I know that it's unpopular in this room, because I know that this was posted all over Facebook, to please come and support Freeholder Hayes and I know, and I credit people that come to support friends. I would do the same. I honestly would do the same. But, no one has been through the work environment that we are trying to make right and I exercise the right that I had and I know it's unpopular in this room, to express what has gone on in the workplace and Freeholder Morey when you say that it's been very difficult for the employees, no one knows that more than I do, believe me.

Freeholder Morey: I don't buy that. Sorry. I don't buy it.

Administrator Bozzelli: That's fine.

Freeholder Hayes: My employees and department heads have come to me and told me what it's like. And that's what I'm trying to change.

Freeholder Morey: Beth, are you concerned about a mediation process, because let's do it together, let's get through this, and let's come out the other end of the pipe in a way that's productive.

Administrator Bozzelli: I'm not discussing the mediation process. I'm trying to discuss again what brought us here tonight and the diversion...

Freeholder Morey: It's your view though Beth. It's your view of what went on here tonight. No, seriously. There are five elected officials up here, are here to do job and you know, I respect you and your position but this is elected official call to make, okay. (Applause).

Administrator Bozzelli: I respect that. Again, a claim was made, it was investigated and the Board...

Freeholder Morey: We'll get there, we'll get there. We'll get there, I understand we're dealing with it. I'm just trying to get there, like right away and in a positive way, not six months and \$100,000 or a year later. So, I don't understand where the lack, I mean, it's an act of good faith, to me, to try to work together to resolve this. Why can't we muster that? Why can't we muster that? We could come back and say, you know what, Donahue is full of crap and whatever it might be and we're just going to do what we want to do, but come on, let's step up, let's do something higher.

Director Thornton: All right, there's a motion to table, roll call.

Administrator Bozzelli: Motion made by Freeholder Morey, seconded by Freeholder Hayes. Freeholder Desiderio.

Freeholder Desiderio: No.

Administrator Bozzelli: Freeholder Hayes.

Freeholder Hayes: The motion is to table. Am I right?

Administrator Bozzelli: Correct?

Freeholder Hayes: Yes.

Administrator Bozzelli: Freeholder Morey.

Freeholder Morey: Yes.

Administrator Bozzelli: Freeholder Pierson.

Freeholder Pierson: No.

Freeholder Thornton: No.

(Audience yelling, the good old boys, the good old boys)

Motion to Table resolutions of Censure.

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio		X				
Ms. Hayes	X					X
Mr. Morey	X				X	
Mr. Pierson		X				
Mr. Thornton		X				

Freeholder Pierson: Could I just have a moment here with you people. It's ah...this is a difficult decision, as I said. We don't even allow our employees, our employees, the lower ranking employees to go through the process that is being suggested. We don't. It's not done in the state, it's not done in the federal government. It's not done, so in all fairness to our employees, that already been through processes and already been disciplined etc. we got to move on. We already said that we're going to send this to the Ethics Board. We'll get it to the Ethics Board. Let the Ethics Board review it, and if they say we're screwed up as Freeholders, I'll accept that.

Freeholder Morey: Okay, let's table it and send it to the Ethics Board then. Here's what I'll tell you about the staff members Jeff. If you got the ballot box out tonight and said hey, would you guys like to see the Freeholders actually try to work this out, or would you like to see this fight continue for the next year? I'll guarantee you there will be a majority vote that will knock your socks right off, okay. You'll say you know what, I'll deal with it. I'll deal with the way it was before.

Freeholder Pierson: Are you doing this for the politics?

Freeholder Morey: Oh yeah. That's why I got into this Jeff. That's why I got into this.

Freeholder Pierson: Are you doing it for the vote?

Freeholder Hayes: Okay, wait a minute, can I just...but I, I would like...

(Some unintelligible back and forth).

Freeholder Morey: Table it and send it to the Ethics Board.

Freeholder Pierson: You're telling me because I got my opinion, like you say you have your opinion that I would be voted out of office today.

Freeholder Hayes: That's not what he said.

Freeholder Morey: No Jeff. What I said was, if we gave this to the staff members, if we gave this to the County employees they would vote in favor of us trying to work together.

Freeholder Hayes: I have something to say.

Director Thornton: (Bangs gavel). That's enough.

Freeholder Hayes: I have something to say. The process that has been followed does not give anybody due process. And that's the employees who have been prosecuted under this system, and I spoke out about it, and now I've become a victim of it. And now it should be changed. It should be changed. The employees had a right to attorneys, the employees had a right to see investigation reports, to talk to witnesses. Everything that is wrong is being done, now change it. Change it. And if the change has to happen here, let it happen here. You want it to go to the Ethics Board well let's try mediation...

Director Thornton: Release this investigation.

Administrator Bozzelli: A motion was already made to release it to the Ethics Board.

Director Thornton: Yeah but, I mean to release it to the public, I'm telling you right now.

Administrator Bozzelli: Well, let's go with the resolutions. Let's move on.

Freeholder Morey: Guys, this is my last attempt. I understand, everybody gets there dander up on things, we're going to make it worse. We need to give this a rest, we're going to make it worse. If we take action that is deliberate to work together, we all accept the consequences of the input that we get, the public in my view will say, there are five responsible people who are trying to do the right thing; who had a disagreement and are working to avoid needless spending of taxpayer's money, hurting people, keeping staff members in this terrible, torturous sort of environment they're working in. We've got that opportunity. I guess that's my last time I guess I'm going to say it.

Director Thornton: Again, my position is that we should release the redacted report and investigation and let the public decide.

Freeholder Morey: So, wait a second Jerry. We're going to follow County policy relative to not changing this process, but we're going to validate County policy when it comes to releasing the report. That's what we're saying, right?

Director Thornton: I can tell you as far as County policy we have never had this situation before, ever.

Freeholder Morey: Oh, so we have an opportunity to do what we think is best. But, releasing the report is against County policy and you want to go against County policy tonight, but you won't give this mediation process because it's not consistent with County policy.

Director Thornton: All I'm saying, I want the public to read it and decide.

Freeholder Hayes: It's a biased, totally biased report.

Director Thornton: Motion on the two resolutions of censure.

Administrator Bozzelli: Okay, Resolution of Censure and Resolution of Censure.

Carole Mattessich: I'm sorry is the public comment closed?

Freeholder Morey: No, go ahead.

Carole Mattessich: Okay, I appreciate it. Carole Mattessich. I live in Middle Township. I hope that this comment does not cost me my job. I think that, um because there have been so many serious allegations tonight about various conflicts and various potential or appearances of conflicts that everything, if you're going to refer it to higher authorities, everything should go and that personally, I do believe it should be the federal government, not the state government. Nothing against the state government, but I think that if you go to the feds you'll get it financed by the feds and we'll stop using our tax dollars for it. Put everything in the hands of a third party, if you're going to do it, because picking and choosing means taking a selective product which may be infirm, there has been a suggestion that the report has difficulties, I don't know whether it does or not. But I know that when you hear charges like this you have to have them listened to. So, this should not be a selective referral, this should be a consideration of every concern that's been raised by anybody tonight. So, if there is this motion and this momentum towards referring it, refer everything. You guys are great, in your own personal weigh-ins. Refer everything; let the feds or the state make the investigation of all these claims and then you guys get to work together in hopefully a collegial fashion. Thank you.

Director Thornton: That's it, enough discussion here.

Freeholder Hayes: No, I want one more note. During this whole process I had to hire an attorney that would not be paid for by the County. This is now going to the Ethics Board and I'm paying for the attorney. I want my attorney paid for. I should not have to pay for that out of my own pocket. (Applause).

Director Thornton: And let me respond to that. It's been the history of the County that when any Freeholder gets in this situation that the County pays for the attorney. So, I've said that before and I'm saying it again. So, because we protect the Board of Freeholders from legal liability, yes.

Freeholder Hayes: Are you saying that my attorney is paid for?

Director Thornton: It will be.

Freeholder Hayes: I was told absolutely not.

Director Thornton: Once it goes to the Ethics Board, when it's going up there, that's a different situation. It has to protect your interests or any of us, so that's correct.

Administrator Bozzelli: Okay, resolutions.

Freeholder Hayes: You have somebody at the podium.

Director Thornton: Go ahead Norm. One more time.

Norm Mallon: Mr. Thornton and members of the Board. I'm sitting here listening to you guys. I voted for you and most of the people in this room voted for you. So far, I've heard innuendos that it appears like something happened, it might have happened, we haven't done this. I was an investigator for almost twenty years on a police department, and I was a homicide investigator. I couldn't suppose anything or it appeared like the person was dead or it appeared like he was the person that did the murder. Now, you want to vote on a censorship. You've been talking about censoring Ms. Hayes and then sending it to the Ethics Board. Now, what kind of sense does that make, if you're already finding her guilty and censoring her and then going to the Ethics Board? That would be like me locking somebody up for life and then twenty years from now a judge hears the case and goes what do you have, well, we censored him so I guess now you're going to find him guilty. And that's what they're going to look at up in Trenton. You've already made your decision. What in the hell are you sending it up there for. Thank you.

Director Thornton: Anyway, two resolutions, go.

Administrator Bozzelli: Resolution of Censure and Resolution of Censure.

Freeholder Desidero: Mr. Director, I offer these resolutions and move for their adoption.

Freeholder Pierson: Mr. Director, I second these resolutions.

Freeholder Morey: I'm confused which one is which.

Director Thornton: Roll call.

Freeholder Morey: Which one is which?

Administrator Bozzelli: They're on your Agenda.

Freeholder Pierson: They're both on your Agenda.

Freeholder Morey: I got it right here, I understand that, but I don't...

Jeffrey Lindsay, Esquire: 497-19 is on the Retaliation. 498-19 is on the Conflict of Interest.

Freeholder Morey: Thank you.

Director Thornton: Roll call.

Freeholder Morey: 498-19 is Conflict, Jeff?

Jeffrey Lindsay, Esquire: 498-19 is the Conflict.

Administrator Bozzelli: It's right in the statement.

Freeholder Pierson: Second paragraph, right there.

Freeholder Morey: Okay, got it.

Administrator Bozzelli: Freeholder Desiderio.

Freeholder Desiderio: Yes.

Administrator Bozzelli: Freeholder Hayes.

Freeholder Hayes: No.

Administrator Bozzelli: Freeholder Morey.

Freeholder Morey: With respect to 497-19 which is the retaliation claim, correct, no. With respect to 498-19, yes, and as I had mentioned my comments as on the record with respect to that.

Administrator Bozzelli: Freeholder Pierson.

Freeholder Pierson: Yes.

Administrator Bozzelli: Freeholder Thornton.

Director Thornton: Yes, and again I think the whole entire investigation report should be released to the public, yes. (Grumbling from the audience).

Director Thornton: But that's my statement.

Freeholder Hayes: Of course it is.

INTRODUCED BY MR. DESIDERIO, SECONDED BY MR. PIERSON

497-19 Resolution of Censure

(This Resolution takes appropriate corrective action against Freeholder E. Marie Hayes based upon findings of a workplace investigation.)

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes		X				
Mr. Morey		X				
Mr. Pierson	X					X
Mr. Thornton	X					

498-19 Resolution of Censure.

(This Resolution takes appropriate corrective action against Freeholder E. Marie Hayes for violating the County's Conflict of Interest Policy.)

MINUTES OF A REGULAR MEETING HELD JULY 9, 2019 (CONTINUED)

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes		X				
Mr. Morey	X					
Mr. Pierson	X					X
Mr. Thornton	X					

INTRODUCED BY MR. DESIDERIO, SECONDED BY MS. HAYES

- 499-19 Resolution awarding Contract No. C9-112 to USA Environmental Management, Inc. for Non-Friable floor tile abatement of 3801 Rt. 9 S. Rio Grande, NJ in the amount of \$249,200.000.
 (This Resolution awards Contract No. C9-112 to USA Environmental Management, Inc. for Non-Friable floor tile abatement of 3801 Rt. 9 S. Rio Grande, NJ commencing July 10, 2019 and expiring upon completion and acceptance of project, pursuant to N.J.S.A. 40A:11-15(9) in the amount of \$249,200.00.)
- 500-19 Resolution awarding various Contracts for Mechanical, Electrical & Plumbing (MEP) Engineering Services.
 (This Resolution awards Contracts to various vendors for Mechanical, Electrical & Plumbing (MEP) Engineering Services to Becht Engineering, M & E Engineering, and Remington & Vernick Engineers for a term of one year, commencing July 10, 2019 with one (1) one-year option.)
- 501-19 Resolution authorizing Court-Approved Settlement of Claim Petition #2012-8447 pursuant to N.J.S.A. 34:15-20.
 (This Resolution authorizes a court-approved settlement of CP#2012-8447 for total payments of \$75,000.00.)
- 502-19 Resolution amending Resolution No. 9-19 appointing certifying officers for 2019.
 (This Resolution changes/clarifies certifying officers for departments for auditing purposes.)
- 503-19 Resolution authorizing execution of a Ground Lease with the Cape May County Chamber of Commerce.
 (This Resolution authorizes execution of a ground lease with the Cape May County Chamber of Commerce at 13 Crest Haven Road, Cape May Court House.)
- 504-19 Resolution authorizing signatories for the Prosecutor’s Special Investigative Unit and regular petty cash accounts.
 (This Resolution authorizes changes to the signatories for Special Investigative Unit and regular petty cash accounts managed by the Prosecutor’s office due to a retirement of a staff member.)
- 505-19 Resolution appointing certain County employees to their permanent position in their respective offices. (Prosecutor)
 (This Resolution is appointing County employees to a permanent title from the New Jersey Civil Service Commission based upon a qualifying action.)
- 506-19 Resolution authorizing execution of an Intercounty Mutual Aid and Assistance Agreement between Participating Units.
 (This Resolution authorizes membership in a Mutual Aid and Assistance Agreement with other counties for emergency situations.)

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes	X					X
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

INTRODUCED BY MR. PIERSON, SECONDED BY MR. MOREY

- 507-19 Resolution granting and amending various Leaves of Absence to County Employees.

MINUTES OF A REGULAR MEETING HELD JULY 9, 2019 (CONTINUED)

(This Resolution authorizes County Employees to be placed on a Leave of Absence in accordance with the County Leave of Absence Policy and the Family Medical Leave Act (FMLA).)

- 508-19 Resolution authorizing consent to assign various Behavioral Health and Juvenile Court Services Contracts with Cape Counseling Services, Inc. to Acenda, Inc.

(This Resolution authorizes consent to assign various Behavioral Health and Juvenile Court Services Contracts with Cape Counseling Services, Inc. to Acenda, Inc., commencing on or about July 1, 2019.)

- 509-19 Resolution awarding Contract No. C9-113 to CHP Acquisition, LLC D/B/A Omnicare of Southern New Jersey to furnish and deliver Pharmaceutical Services to Crest Haven Nursing and Rehabilitation Center.

(This Resolution awards Contract No. C9-113 to CHP Acquisition, LLC D/B/A Omnicare of Southern New Jersey to furnish and deliver Pharmaceutical Services for Crest Haven Nursing and Rehabilitation Center for a term of two years, commencing July 10, 2019 with three one-year options.)

- 510-19 Resolution authorizing a Letter of Agreement with the Governor’s Council on Alcoholism and Drug Abuse for participation in the FY20 Municipal Alliance Grant Program for the period of July 1, 2019 to June 30, 2020 in the amount of \$175,591.00.

(This Resolution authorizes a Letter of Agreement with the State of New Jersey for the Alliance to Prevent Alcoholism and Drug Abuse Grant from 7/1/19 through 6/30/20 in an amount not to exceed \$175,591.00.)

- 511-19 Resolution amending the 2019 Budget for the FY20 Municipal Alliance Grant in the amount of \$175,591.00.

(This Resolution amends the 2019 Budget in the amount of \$175,591.00, providing additional funding for participation in the Alliance to Prevent Alcoholism and Drug Abuse.)

- 512-19 Resolution consenting to the proposed Cape May County Water Quality Management (WQM) Plan Amendment.

(This Resolution consents to the proposed Cape May County Water Quality Management (WQM) Plan Amendment.)

- 513-19 Resolution authorizing the execution of a Medicaid Facility Services Agreement with Aetna, Better Health Inc.

(This Resolution authorizes the execution of an agreement with Aetna, Better Health, Inc. for residents of Crest Haven Nursing and Rehabilitation Center.)

- 514-19 Resolution authorizing execution of a Memorandum of Agreement between the Cape May County Department of Mosquito Control and the NJ State Mosquito Control.

(This Resolution will provide for the collection and testing of mosquito specimens for identification of various arboviruses.)

- 515-19 Resolution authorizing execution of a Sub-recipient Agreement with Ducks Unlimited, Inc.

(This Resolution authorizes the execution of a Sub-recipient Agreement with Ducks Unlimited, Inc.)

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X					
Ms. Hayes	X					
Mr. Morey	X					X
Mr. Pierson	X				X	
Mr. Thornton	X					

INTRODUCED BY MS. HAYES, SECONDED BY MR. DESIDERIO

- 516-19 Resolution supplementing the 2019 Salary Resolution and approving appointments and salaries.

(This Resolution authorizes the hiring of new County employees, temporary assignment pay, salary changes or corrections, title changes and promotions of County employees when applicable.)

MINUTES OF A REGULAR MEETING HELD JULY 9, 2019 (CONTINUED)

517-19 Resolution authorizing the Board to hold a meeting excluding the public on July 9, 2019 at 6:00 p.m. or as soon thereafter as possible or as practicable.

Matters falling within attorney-client privilege, pursuant to N.J.S.A. 10:4-12(b)(7);

(This Resolution authorizes the Board of Chosen Freeholders to conduct a meeting excluding the public at the stated time in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-1, et seq.)

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X					X
Ms. Hayes	X				X	
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

INTRODUCED BY MR. MOREY, SECONDED BY MR. PIERSON

518-19 Resolution authorizing extension of Contract No. 163-16 with Eddie’s Auto Body Shop, Inc. through December 31, 2019.

(This Resolution extends Contract No. 163-16 with Eddie’s Auto Body Shop, Inc. to perform vehicle maintenance, repairs and inspections for County owned vehicles through December 31, 2019.)

519-19 Resolution authorizing use of Competitive Contracting for Work Order Software for Department of Public Works.

(This Resolution authorizes use of Competitive Contracting for Work Order Software for Department of Public Works.)

520-19 Resolution authorizing Subregional Transportation Planning Program FY20 Subcontract Agreement with South Jersey Transportation Authority for a total amount of \$43,000.00.

(This Resolution authorizes a subcontract for an amount of \$34,400.00 (Federal funding) and \$8,600.00 (In-Kind match) for the period of 7/1/19 through 6/30/20 to improve the efficiency of the region’s transportation network and system by participating in sub-regional transportation planning efforts.)

521-19 Resolution amending the 2019 Budget for the Subregional Transportation Planning FY20 Grant for the period of July 1, 2019 to June 30, 2020 in the amount of \$34,400.00.

(This Resolution amends the 2019 Budget in the amount of \$34,400.00 (Federal funding) and \$8,600.00 (In-Kind match) providing funding to improve the efficiency of the region’s transportation network and system by participating in sub-regional transportation planning efforts.)

522-19 Resolution celebrating the 50th Anniversary of the Cape May County 4-H Foundation and the 4-H Fairgrounds.

(This Resolution celebrates the 50th anniversary of the Cape May County 4-H Foundation and the 4-H Fairgrounds.)

523-19 Resolution authorizing the execution of Membership Agreements for use of the Cape May County Incubator.

(This Resolution authorizes the County to enter into membership agreements with Cellular Tracking Technologies and D-Tech for use of the incubator space.)

524-19 Resolution approving contract documents for Reconstruction of 55th Street and Bay Avenue (CR619/CR619Spur), City of Ocean City and authorizing the Clerk of the Board to advertise for bids for same.

(This Resolution approves contract documents and authorizes advertisement.)

525-19 Resolution authorizing Change Order No. 3-Final in the amount of \$215,141.51 to Arawak Paving Co., Inc. for Corsons Tavern Road (CR628) Resurfacing Improvements from North of Gracetown Road to South of Woodbine-Ocean View Road, Township of Dennis.

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(This Resolution authorizes a change order to adjust quantities to reflect the as-built conditions and for additional items of work to complete the project in a satisfactory manner.)

- 526-19 Resolution authorizing the use of Competitive Contracting for Professional General Engineering Services on an As-Needed Basis.
(This Resolution authorizes the use of competitive contracting process pursuant to N.J.S.A. 40A:11-4.1(3)i for selecting consultants.)
- 527-19 Resolution awarding contract to H4 Enterprises, LLC in the amount of \$134,655.00 for Supplementary Parking Lot and Drainage Improvements at the Police Cadet Training Academy.
(This Resolution awards the contract for Supplementary Parking Lot and Drainage Improvements at the Police Cadet Training Academy.)
- 528-19 Resolution accepting the work and closing the contract to Siteone Landscape Supply, LLC for purchase of landscaping materials for Cape May County Park/Zoo Pond I Landscape Restoration.
(This Resolution accepts the work and closes the contract.)
- 529-19 Resolution declaring an emergency to the 96th Street Bridge in the Borough of Stone Harbor due to deterioration and distortion of the outer web support and authorizing the County to engage a bridge consultant for the repair.
(This Resolution allows the County to proceed with the design of the remedial repair to the 96th Street Bridge, Borough of Stone Harbor.)
- 530-19 Resolution accepting proposal of Gibson Associates, P.A. in the amount of \$23,038.98 to provide construction testing inspection services for Main Street (CR610) Improvements from US Route 47 to Dennisville-Petersburg Road, Township of Dennis.
(This Resolution accepts the proposal of Gibson Associates, P.A. in the amount of \$23,038.98 for construction testing inspection services associated with the Main Street (CR610) Improvements project. Gibson Associates, P.A. is one of the consultants in the professional construction engineering pool of consultants established by the Fair and Open Process.)
- 531-19 Resolution authorizing an Indemnification Agreement with Good Day for a Run for their event Run the Vineyards – Down the Shore 5K on September 22, 2019.
(This Resolution gives permission to Good Day for a Run to utilize County roads for a triathlon.)
- 532-19 Resolution approving contract documents for Avalon Boulevard (CR601) over Ingrams Thorofare Deck Reconstruction, Township of Middle and authorizing the Clerk of the Board to advertise for bids for same.
(This Resolution approves contract documents and authorizes advertisement.)
- 533-19 Resolution approving contract documents for Woodbine-Oceanview Road (CR550) and Dennisville-Petersburg Road (CR610) Roundabout, Borough of Woodbine and authorizing the Clerk of the Board to advertise for bids for same.
(This Resolution approves contract documents and authorizes advertisement.)
- 534-19 Resolution authorizing the use of competitive contracting to provide Professional Construction Engineering Services for Woodbine-Oceanview Road (CR550) and Dennisville-Petersburg Road (CR610) Roundabout, Borough of Woodbine.
(This Resolution authorizes the use of competitive contracting process pursuant to N.J.S.A. 40A:11-4.1(3)i for selecting consultants for professional construction engineering services.)
- 535-19 Resolution approving contract documents for Woodbine-Oceanview Road (CR550) Phase II Resurfacing Improvements from Washington Avenue to

MINUTES OF A REGULAR MEETING HELD JULY 9, 2019 (CONTINUED)

Madison Avenue, Borough of Woodbine and authorizing the Clerk of the Board to advertise for bids for same.

(This Resolution approves contract documents and authorizes advertisement.)

536-19 Resolution granting permission to the Lower Township Department of Parks & Recreation to close a portion of Townbank Road (CR648) on August 4, 2019 for their Annual Coombs/Douglass Memorial Bay Run.

(This Resolution gives permission to the Lower Township Department of Parks & Recreation to temporarily close a portion of Townbank Road (CR648) for their annual Coombs/Douglass Memorial Bay Run.)

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X					
Ms. Hayes	X					
Mr. Morey	X				X	
Mr. Pierson	X					X
Mr. Thornton	X					

Addition:

537-19 Resolution authorizing execution of an Affiliation Agreement with Drexel University for participation in the Student Internship Program.

(This Resolution authorizes the execution of an affiliation agreement with Drexel University, which allows students to fulfill the requirements of the Student Internship Program through clinical experience at the Cape May County Department of Health.)

Freeholders	Ayes	Nays	Abstain	Absent	Moved	Second
Mr. Desiderio	X					X
Ms. Hayes	X					
Mr. Morey	X					
Mr. Pierson	X				X	
Mr. Thornton	X					

MOTION TO PAY BILLS: FH Desiderio moved/FH Hayes seconded

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes	X					X
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

PUBLIC COMMENTS:

Vicki Clarke: Good Evening, Vicki Clarke representing the Cape May County Chamber of Commerce. Freeholder Director and to the entire Board on behalf of the Chamber we would like to thank you for the extension of the ground lease for the Chamber of Commerce and we look forward to another 25 years or more being tenants across at 13 Crest Haven Road. So, thank you very much.

Director Thornton: You're very welcome.

Freeholder Pierson: Thank you. Thank you Vicki for all that you do out there in the field.

Director Thornton: Yeah, she does a great job. The Chamber is a great, great outfit.

Holly Crane: This is what I've been waiting for. My name is Holly Crane and I want to thank you very much for giving the 4-H Foundation the 50 year celebration and renewing our lease. I was there, 50 years ago and Cliff Lockwood is here with me, his father was our 4-H leader and I'm really proud that we're going to keep going.

Director Thornton: That's really nice.

Freeholder Pierson: We have a certificate.

Director Thornton: Hold on, don't go away, we're getting it.

Greg Speed: Hello Freeholder Board, Greg Speed, formally Cape Counseling, now Acenda Integrated Health. I just wanted to thank you for transferring the contracts

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and the funding from Cape Counseling to Acenda Integrated Health. The merger did go through with success on July 1 and right now we're really taking a breath because of the work that went into the merger. But again, I wanted to thank all of you for your support for the merger, as well as for transferring the contracts and the funding. Thank you so much.

Director Thornton: Thank you. Thanks Greg.

Mary Tighe: Mary Tighe, Sea Isle City. I just want to put forth a suggestion that actually came to me. I'm a city council person in Sea Isle, and the lot that the City has paved down in Strathmere on 5th Street, down there. Someone had brought it up, which I thought was a great idea, is, to put a fence around it in the back and offer advertising spots all along that fence, so it can generate some revenue. So, since we had our mayor sitting up there too, and our Freeholders that were part of the project and it was a joint, that this would be a good spot to mention that. So, I thought that was a good idea.

Freeholder Pierson: Good idea.

Director Thornton: Thank you Mary.

Freeholder Pierson: Thank you Mary.

Freeholder Desiderio: We've got something else.

Director Thornton: Yeah, let's do that. Alright.

Administrator Bozzelli: Why don't you guys come up for a picture?

Photograph taken of the Board with the 4-H Foundation members in attendance.

ADJOURN: 9:25 P.M. FH Desiderio moved/FH Hayes seconded

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X				X	
Ms. Hayes	X					X
Mr. Morey	X					
Mr. Pierson	X					
Mr. Thornton	X					

APPROVED

DIRECTOR

ATTEST:

COUNTY ADMINISTRATOR