



STOCKTON UNIVERSITY
Office of The Open Public Records Custodian
101 Vera King Farris Drive
Galloway, New Jersey 08205
Phone: 609-652-4874
OPRArequest@stockton.edu
www.stockton.edu

September 22, 2020

Via Email at opra+request-14969-5d27def9@requests.opramachine.com

Patrick Duff

Re: OPRA Request No. 071320-1

Dear Patrick Duff:

Stockton University's Open Public Records Act (OPRA) Custodian received your OPRA Request on July 13, 2020. As such, the seven (7) business day deadline to respond to your request was July 22, 2020.

By letter dated July 22, 2020, the OPRA Custodian extended the response date to August 14, 2020, due to the ongoing State of Emergency implemented in New Jersey related to the COVID-19 global pandemic and the implementation of remote operations, and furloughs of State employees. By letters August 14, 2020, August 28, 2020, September 3, 2020, and September 18, 2020 the OPRA Custodian extended the response time until September 22, 2020, due to the volume of documents requested and the corresponding review.

Your OPRA Request sought access to the following:

All email communications, as well as all attachments, to and from President Harvey Kesselman regarding MLK research study commissioned by the NJ DEP.

Please search the following terms for the period of time from 1-1-2016 through 7-10-2020:

" MLK House"
"753 Walnut"
"Martin Luther King" plus "Camden"
"Martin Luther King" plus "Maple Shade"
"MLK" plus "Camden"
"MLK" plus " Maple Shade"
"Patrick Duff"
"Mr. Duff"
"historic preservation office"

This response is being timely provided. As applicable, the attached index identifies the records produced, redacted and/or denied, in whole or in part, as well as the legal basis for subject action, as required by N.J.S.A. 47:1A-6. A list of OPRA's exemptions also is attached to this response letter. This response is being transmitted to you via email at opra+request-14969-5d27def9@requests.opramachine.com, as per your request.

If your request for access to a government record has been denied, you have a right to challenge the decision to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council ("GRC") by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511; by mail at P.O. Box 819, Trenton, NJ, 08625; by e-mail at grc@dca.state.nj.us; or, at its web site located at www.state.nj.us/grc. The GRC can also answer other questions about OPRA. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Sincerely,

Ellen Bailey

Ellen Bailey, Esq.

On behalf of the OPRA Custodian

Tel. 609.652.4874

OPRArequest@stockton.edu

www.stockton.edu

DUFF OPRA Request # 071320-1
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All email communications, as well as all attachments, to and from President Harvey Kesselman regarding MLK research study commissioned by the NJ DEP. Please search the following terms for the period of time from 1-1-2016 through 7-10-2020: " MLK House" "753 Walnut" "Martin Luther King" plus "Camden" "Martin Luther King" plus "Maple Shade" "MLK" plus "Camden" "MLK" plus " Maple Shade"	Response to your request for email communications, as well as all attachments, to and from President Harvey Kesselman regarding MLK research study commissioned by the NJ DEP, for the period of time from 1-1-2016 through 7-10-2020, with the following term(s): " MLK House" <u>Response:</u> Please see attached documents Bates-stamped pages OPRA Request 071320-1 Duff 073, 077, 089,110, 149-150, 151.	73, 77, 110, 149	REDACTED under <u>N.J.S.A. 47:1A-1.1</u> (2) as draft/deliberative materials; intra-agency advisory, consultative, or deliberative material.
	Response to your request for email communications, as well as all attachments, to and from President Harvey Kesselman regarding MLK research study commissioned by the NJ DEP, for the period of time from 1-1-2016 through 7-10-2020, with the following term(s): "753 Walnut" <u>Response:</u> Please see attached documents Bates-stamped pages OPRA Request 071320-1 Duff 010-11, 029, 049-51, 054-55, 089, 111, 159, 161, 164, 166, 169, 172, 174-77, 180, 182, 184, 191.	169, 172	REDACTED under <u>N.J.S.A. 47:1A-1.1</u> (2) as draft/deliberative materials; intra-agency advisory, consultative, or deliberative material.

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"Patrick Duff" "Mr. Duff" "historic preservation office"	Response to your request for email communications, as well as all attachments, to and from President Harvey Kesselman regarding MLK research study commissioned by the NJ DEP, for the period of time from 1-1-2016 through 7-10-2020, with the following term(s): "Martin Luther King" plus "Camden" <u>Response:</u> Please see attached documents Bates-stamped pages OPRA Request 071320-1 Duff 001-02, 004-06, 008, 009.	001-02, 004-06, 008	REDACTED under <u>N.J.S.A. 47:1A-1.1</u> (2) as draft/deliberative materials; intra-agency advisory, consultative, or deliberative material
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	Response to your request for email communications, as well as all attachments, to and from President Harvey Kesselman regarding MLK research study commissioned by the NJ DEP, for the period of time from 1-1-2016 through 7-10-2020, with the following term(s): "MLK" plus " Maple Shade" <u>Response:</u> Please see attached documents Bates-stamped pages OPRA Request 071320-1 Duff 090, 111, 159, 161-63, 164-67, 169, 172, 175, 177, 178, 179, 180, 182, 184, 191.	161-63, 169, 172, 178,	REDACTED under <u>N.J.S.A. 47:1A-1.1</u> (2) as draft/deliberative materials; intra-agency advisory, consultative, or deliberative material

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	Response to your request for email communications, as well as all attachments, to and from President Harvey Kesselman regarding MLK research study commissioned by the NJ DEP, for the period of time from 1-1-2016 through 7-10-2020, with the following term(s): "Mr. Duff" <u>Response:</u> Please see attached documents Bates-stamped pages OPRA Request 071320-1 Duff 164, 166.		REDACTED under <u>N.J.S.A. 47:1A-1.1</u> (2) as draft/deliberative materials; intra-agency advisory, consultative, or deliberative material

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	Brian Kowalski, Esq., is General Counsel for Stockton University, and has been employed in this position at all times relevant to the request. Ellen D. Bailey, Esq., is Deputy General Counsel for Stockton University, and has been employed in this position since July 2017. Brittany Medio, Esq., is Associate General Counsel for Stockton University, and has been employed at Stockton University, and in this position since November 25, 2019. Emails to and from identified counsel containing the referenced “queries” were generated related to reasonably anticipated, threatened, and pending litigation by Patrick Duff. E.g., in December 2017, Requestor Duff emailed then Records Custodian Thomas Chester and stated: “Today I filed a denial of access complaint with the GRC. If you would like me to cancel it please provide me with the information requested, if not, see you in court.” In addition, documents that satisfy the OPRA definition of government record are not subject to public access if they fall within the attorney-client privilege, or attorney work-product doctrine. <u>Sussex Commons Assocs., LLC v. Rutgers</u>, 210 N.J. 531, 550–51, 46 A.3d 536, 548 (2012), J. Albin, <i>concurring</i> (“All records relating to the attorney-client and work-product privileges are exempt from disclosure.”). See also N.J.S.A. 47:1A–1.1 (including attorney-client privilege among categorical exemptions to OPRA); N.J.S.A. 47:1A–9 (stating that privileges granted by court rule which “may duly be claimed to restrict public access to a public record or government record” shall remain unaffected by OPRA); see R. 4:10–2(c) (describing attorney work-product privilege).		

From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 1/16/2017 4:41:45 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: MLK project

Dear Susan and Harvey:

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Assistant Provost & Associate Professor of History
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 1/16/2017 6:20:12 PM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: RE: MLK project

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle
Sent: Monday, January 16, 2017 4:42 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: MLK project

Dear Susan and Harvey:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Assistant Provost & Associate Professor of History
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 1/16/2017 6:33:07 PM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: RE: MLK project

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle
Sent: Monday, January 16, 2017 6:28 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: Re: MLK project

[REDACTED]

[REDACTED]

[REDACTED]

Michelle Craig McDonald
Assistant Provost & Associate Professor of History
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey
Sent: Monday, January 16, 2017 6:20 PM
To: McDonald, Michelle; Davenport, Susan
Subject: RE: MLK project

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle
Sent: Monday, January 16, 2017 4:42 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: MLK project

Dear Susan and Harvey:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Assistant Provost & Associate Professor of History
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101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 1/16/2017 6:18:54 PM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: RE: MLK project

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle
Sent: Monday, January 16, 2017 4:42 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: MLK project

Dear Susan and Harvey:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Assistant Provost & Associate Professor of History
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 1/16/2017 6:28:04 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: Re: MLK project

[REDACTED]

Michelle Craig McDonald
Assistant Provost & Associate Professor of History
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey
Sent: Monday, January 16, 2017 6:20 PM
To: McDonald, Michelle; Davenport, Susan
Subject: RE: MLK project

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle
Sent: Monday, January 16, 2017 4:42 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: MLK project

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Assistant Provost & Associate Professor of History
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 1/20/2020 5:55:48 AM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Subject: FYI

Attachments: [NJ Officials Insult Dr. Martin Luther King Jr. 1,771 Ways - ThisCan't Be Happening!.pdf](#)

Good morning Michelle,

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University



THIS CAN'T BE HAPPENING!

'...a major destabilizing influence'



The only news organization in the US to be labeled a threat by the Department of Homeland Security

NJ Officials Insult Dr. Martin Luther King Jr. 1,771 Ways

JANUARY 19, 2020 BY LINN WASHINGTON

Ask 100 New Jersey residents who is Dr. Martin Luther King Jr. and more than 90 will quickly reply, a civil rights leader.

Ask 100 New Jersey resident who is Peter McGuire and more than 90 will quickly reply, Peter who?

King and McGuire both made historic accomplishments. Both the Atlanta born King and the New York City born McGuire have connections to New Jersey. However, historic preservation authorities in New Jersey have treated King and McGuire as differently as black and white.

Peter J. McGuire is the late-1800s U.S. labor leader who many cite as the founder of Labor Day.

King, of course, is the iconic activist whose lauded influences extend beyond the United States. One example of King's global impact is the statute of King among the ten 20th-century religious figures whose importance produced their statue placement over the main door of London's majestic Westminster Abbey.

King and McGuire both have connections to the city of Camden, New Jersey.

McGuire spent the last years of his life in Camden. His grave is in Pennsauken, the small town located next to Camden. McGuire's accomplishments include founding the national carpenter's union, advocating for the eight-hour workday and co-founding the American Federation of Labor (AFL).

King plotted his first protest against racism in June 1950 at a house in Camden where he stayed occasionally with his close friend and fellow seminary student who lived at that house owned by his relatives.

A frequently overlooked fact about King is the birthplace of his society-changing activism was not Montgomery, Alabama where King's leadership of the legendary Montgomery Bus Boycott catapulted King to national prominence.

King's first protest took place in the Maple Shade, NJ, a small town located six miles from Camden and adjacent to Pennsauken. That first protest, at a café where the white owner forced King and his three companions from the premises with a gun, produced the first lawsuit King filed against discrimination.

On January 17, 2018 authorities with New Jersey's Historic Preservation Office (HPO) placed Peter McGuire's Memorial and Gravesite in Pennsauken on the state's Historic Register. That 2018 HPO action occurred 194-days after receipt of an application for McGuire's registry placement.

Unlike McGuire's placement on NJ's Historic Register, HPO authorities have failed to approve or reject an application for registry placement of the house in Camden where King plotted his first protest. That application for placement of 753 Walnut Street in Camden, filed in March 2015, has languished in HPO for 1,771-days as of the January 20, 2020 King National Holiday.

HPO's delay-fraught review of the registry application for King has lasted nearly five times longer than the 381-day-long Montgomery Bus Boycott.

In 2016 the HPO – where the decision makers are all white – rebuffed requests to place 753 on its Registry from Camden's Mayor, its Congressman and a Resolution calling for placement approved unanimously by the entire NJ State Legislature.

Ignoring these requests, the HPO embarked on a truly unprecedented action when it commissioned a \$20,000 study to determine the historic validity of King's presence at the 753 house. The HPO never required a formal study for any of the other 51,000-plus items then on NJ's Historic Registry inclusive of nearly 100 Registry listings in the city of Camden.

That study conducted by an all-white research team from Stockton University concluded that King did not officially 'live' at 753 Walnut Street – a point not in dispute. King, the persons who lived in 753 who confirmed King's plotting of that protest there plus award-winning biographers of King all stated King only 'stayed' at 753. King listed 753 as his address on a police report about the Maple Shade protest.

The professed expert on African American history in Camden County retained by the Stockton U. team had declared in a 2012 newspaper article that King "never set foot in Camden." That historically inaccurate declaration should have disqualified that person from the Stockton study team.

That Stockton study reached a truly startling conclusion.

The study declared that King's Maple Shade protest and his subsequent lawsuit were not pivotal in the development of King's activism. That conclusion contradicts King's own statements that cited the Maple Shade incident as an impetus for his activism.

That conclusion whites-out the historical significance of King's first protest and his first lawsuit.

Incredibly, both HPO and the Stockton team discount support King obtain in 1950 from two noted NJ civil rights luminaries: then state NAACP president Dr. Ulysses Wiggins and NAACP attorney Robert Burke Johnson. Wiggins went to King's aid the night of the Maple Shade protest. Johnson filed the lawsuit for King. (Wiggins and Johnson both lived in Camden in 1950.)

In another incredibly stance, HPO did not commission a study on the McGuire placement application despite vigorous dispute over whether Peter McGuire or New Jersey native Matthew McGuire actually founded Labor Day. The U.S. Department of Labor and the New Jersey Historical Society cite Matthew McGuire as the founder of Labor Day.

An HPO spokesman recently stated that the "significance of the Peter J. McGuire Memorial and Gravesite is not based upon the founding of Labor Day but rather on McGuire's contributions to the labor movement."

That rationale for approving registry placement for McGuire yet thus far denying placement for King seemingly indicates HPO does not consider King's 'contributions' to the civil rights movement worthwhile – a posture that is both inaccurate and insulting.

That HPO spokesman said the office is still "preparing a response" to the King registry application and HPO will provide "a response once it has been issued." That spokesman said there is no "timeline" on when the application for 753 will be approved or rejected.

New Jersey researcher Patrick Duff, who filed that 2015 application for recognition of 753 Walnut Street, said, "African-American history doesn't seem important to certain people."

The unusual HPO registry recognition process for 753 that began under New Jersey Governor Chris Christie, a Republican, has continued under current NJ Governor Phil Murphy, a Democrat.

Gov. Murphy and NJ Lt. Gov. Sheila Oliver (an African American) refer requests for comment about HPO actions/inactions to HPO. The Stockton study team refers requests for comment to their university's spokespersons who refer inquiries to HPO.

Officials in the city of Birmingham, Alabama recently approved a resolution to preserve the jail cell where Dr. King spent his last period of incarceration, five months prior to his assassination in April 1968.

New Jersey state government authorities have yet to provide any official historic recognition to the site of King's first protest and subsequent first lawsuit.

 **UNCATEGORIZED**

From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 2/26/2018 7:56:37 PM
To: D'Amico, Diane <Diane.D'Amico@stockton.edu>
Cc: Davenport, Susan <Susan.Davenport@stockton.edu>; Angulo, Michael <Michael.Angulo@stockton.edu>; Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Philadelphia Inquirer

http://www.philly.com/philly/news/new_jersey/martin-luther-king-camden-historical-landmark-researchers-dispute-20180226.html



Researchers dispute historical significance of Camden house tied to Martin Luther King - Philly

www.philly.com

A newly released study by Stockton University researchers is raising questions about a claim that the Rev. Dr. Martin Luther King Jr. stayed in a Camden house that local activists are seeking to have declared a state historical landmark.

Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Angulo, Michael <Michael.Angulo@stockton.edu>
Sent: 2/26/2018 8:26:23 PM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Cc: D'Amico, Diane <Diane.D'Amico@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>; Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: Philadelphia Inquirer

[REDACTED]

Sent from my iPhone

On Feb 26, 2018, at 7:56 PM, McDonald, Michelle <Michelle.McDonald@stockton.edu> wrote:

[REDACTED]

http://www.philly.com/philly/news/new_jersey/martin-luther-king-camden-historical-landmark-researchers-dispute-20180226.html



Researchers dispute historical significance of Camden house tied to Martin Luther King - Philly www.philly.com

A newly released study by Stockton University researchers is raising questions about a claim that the Rev. Dr. Martin Luther King Jr. stayed in a Camden house that local activists are seeking to have declared a state historical landmark.

Best,
Michelle

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Associate Vice President of Academic Affairs
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From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 2/26/2018 8:29:19 PM
To: Angulo, Michael <Michael.Angulo@stockton.edu>
Cc: D'Amico, Diane <Diane.D'Amico@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>; Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: Philadelphia Inquirer

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
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michelle.mcdonald@stockton.edu



From: Angulo, Michael
Sent: Monday, February 26, 2018 8:26 PM
To: McDonald, Michelle
Cc: D'Amico, Diane; Davenport, Susan; Kesselman, Harvey
Subject: Re: Philadelphia Inquirer

[REDACTED]

Sent from my iPhone

On Feb 26, 2018, at 7:56 PM, McDonald, Michelle <Michelle.McDonald@stockton.edu> wrote:

[REDACTED]

http://www.philly.com/philly/news/new_jersey/martin-luther-king-camden-historical-landmark-researchers-dispute-20180226.html



Researchers dispute historical significance of Camden house tied to Martin Luther King - Philly

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A newly released study by Stockton University researchers is raising questions about a claim that the Rev. Dr. Martin Luther King Jr. stayed in a Camden house that local activists are seeking to have declared a state historical landmark.

Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 2/27/2018 5:22:54 AM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>; Angulo, Michael <Michael.Angulo@stockton.edu>
Cc: D'Amico, Diane <Diane.D'Amico@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: DRAFT COMMENTS

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle
Sent: Monday, February 26, 2018 8:29 PM
To: Angulo, Michael <Michael.Angulo@stockton.edu>
Cc: D'Amico, Diane <Diane.D'Amico@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>; Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: Philadelphia Inquirer

[REDACTED]

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Angulo, Michael
Sent: Monday, February 26, 2018 8:26 PM
To: McDonald, Michelle
Cc: D'Amico, Diane; Davenport, Susan; Kesselman, Harvey
Subject: Re: Philadelphia Inquirer

OPRA REQUEST 071320-1 DUFF
018

Sent from my iPhone

On Feb 26, 2018, at 7:56 PM, McDonald, Michelle <Michelle.McDonald@stockton.edu> wrote:

http://www.philly.com/philly/news/new_jersey/martin-luther-king-camden-historical-landmark-researchers-dispute-20180226.html



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Associate Vice President of Academic Affairs
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Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 2/27/2018 4:40:10 PM
To: Vermeulen, Lori <Lori.Vermeulen@stockton.edu>; Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: Fw: philly voice article
Attachments: [image001.png](#)

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: D'Amico, Diane
Sent: Tuesday, February 27, 2018 9:12 AM
To: McDonald, Michelle
Subject: philly voice article

[REDACTED]

<http://www.phillyvoice.com/mlk-visitor-camden-not-resident-report-finds-daughter-homeowner-agrees/>



MLK visited Camden, but not a resident, report finds; daughter of homeowner agrees

www.phillyvoice.com

MLK a visitor to Camden, but not a resident, report finds; daughter of homeowner agrees

Diane D'Amico
Director, News and Media Relations
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205-9441
P 609-652-4593
C 609 412-8069
Diane.D'Amico@stockton.edu



 STOCKTON
LIBRARY REQUEST 071320-1 DU

023

From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 2/27/2018 6:08:29 AM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Angulo, Michael <Michael.Angulo@stockton.edu>
Cc: D'Amico, Diane <Diane.D'Amico@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: Re: DRAFT COMMENTS
Attachments: [SIGNED CONTRACT--NJDEP - Historic Preservation Office 031517-7Signed 062717 \(1\).pdf](#)

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey
Sent: Tuesday, February 27, 2018 5:22 AM
To: McDonald, Michelle; Angulo, Michael
Cc: D'Amico, Diane; Davenport, Susan
Subject: DRAFT COMMENTS

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle
Sent: Monday, February 26, 2018 8:29 PM
To: Angulo, Michael <Michael.Angulo@stockton.edu>
Cc: D'Amico, Diane <Diane.D'Amico@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>; Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: Philadelphia Inquirer

OPRA REQUEST 071320-1 DUFF

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www.philly.com



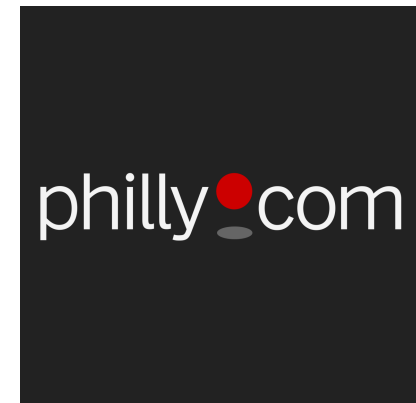
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Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529

**OPRA REQUEST 071320-1 DUFF
026**



CONTRACT BETWEEN
STOCKTON UNIVERSITY
(Name of Contractor)
AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

CONTRACT NUMBER: HE17-005

TABLE OF SECTIONS IN GENERAL TERMS AND CONDITIONS

- I. Contract Award Data and Signatures
- II. Compliance with Existing Laws and Policies
- III. Insurance
- IV. Indemnification
- V. Assignments and Subcontracts
- VI. Availability of Funds
- VII. Procurement Standards
- VIII. Property Management Standards
- IX. Method of Payment
- X. Matching and Cost Sharing Requirements
- XI. Project Income
- XII. Financial Management System
- XIII. Financial and Performance Reporting
- XIV. Monitoring Performance
- XV. Audit Requirements
- XVI. Contract Amendment
- XVII. Closeout Procedures
- XVIII. Termination, Expiration, and Suspension
- XIX. Access to Records
- XX. Record Retention
- XXI. Approvals and Authorizations
- XXII. Interest on Advance Payments and Disallowed Costs
- XXIII. Miscellaneous Provisions

TABLE OF ATTACHMENTS ATTACHED*

- | | | | |
|--------|---|---|--|
| A. | Additional Provisions and Special Modifications | ☒ yes | ☐ no |
| A-1. | Additional Federal Funded Agreement Provisions. | ☐ yes | ☒ no |
| A-1-A. | Certification of Lobbying and Disclosure of Lobbying Activities. | ☐ yes | ☒ no |
| A-2. | [Reserved for Future Use] | | |
| A-3. | U.S. Environmental Protection Agency Funded Agreements | ☐ yes | ☒ no |
| B. | Approved Project Budget | ☒ yes | ☐ no |
| B-1. | Itemization and Justification of Budget | ☒ yes | ☐ no |
| B-2. | Approved Advance Payment. | ☒ yes | ☐ no |
| C. | Expenditure Report | ☒ yes | ☐ no |
| D. | Scope of Services | ☒ yes | ☐ no |
| D-1. | Project Requirements | ☒ yes | ☐ no |
| D-2. | Contractor's Proposal | ☒ yes | ☐ no |
| E. | Governing Body Resolution | ☒ yes | ☐ no |
| F. | Subcontractor Certification | ☒ yes | ☐ no |
| RB. | Reference Bibliography | ☒ yes | ☐ no |

*Wherever this agreement form, including any attachments, presents alternatives, choices must be indicated as follows: An "X" within brackets or on a blank line shall indicate selection of the particular alternative. "NA" or "---" (a dashed line) shall indicate that no information is to be entered on a particular blank line. No blanks may remain just prior to execution, except in the signature blocks on attachments C and F.

Federal Award Information

Federal Awarding Agency:
Federal Award Name:
Federal Award Identification Number (FAIN):
Federal Award Date:
Total Amount of the Federal Award:

GENERAL TERMS AND CONDITIONS

I. Contract Award Data and Signatures

Contractor's Name: STOCKTON UNIVERSITY (the "Contractor")	
Address:	101 Vera King Farris Drive Galloway, NJ 08205
Vendor ID #:	22-2832788
Financial Officer's - name:	Charles Ingram
- Title:	Vice President, Administration & Finance (the "Chief Financial Officer")

The State of New Jersey (The "State")	
Department of Environmental Protection (the "Department" or the "DEP")	
Contracting agency's name:	HISTORIC PRESERVATION OFFICE (the "Contracting Agency")
- address:	Mail Code 501-04B P.O. Box 420 Trenton, NJ 08625-0420

CONTRACT AMOUNT: \$ 21,000.00

Total Project Funding

Source of Funds	AMOUNT	STATE ACCOUNT NUMBER	CFDA NUMBER/ CFDA TITLE
	State General Fund	\$ 21,000.00	17-100-042-4800-176
	Federal		
	Contractor		
	Other (identify below)		
	\$ 21,000.00	TOTAL APPROVED PROJECT AMOUNT	

Work Period: The "effective date" of this contract agreement is the date the Contractor executes it or the date the State executes it, whichever date is later. The "work period" for this contract commences on 2/15/2017 or the effective date, whichever is ☒ earlier ☐ later, and runs for a period of August 31, 2017 thereafter. Contract funds may be used only to satisfy obligations which arise during the work period.

PURPOSE AND AUTHORITY: Contract Project to be funded: Research on 753 Walnut St. in Camden NJ to determine the length and nature of Rev. Dr. Martin Luther King, Jr.'s association with the property, and to be used to determine whether it meets the NR Criteria for Evaluation.
Statutory Authority for this Contract: The New Jersey Register of Historic Places Act, N.J.S.A. 13:1B-15.128 et seq
Contract ☐ will ☒ will not be used for Research and Development (R&D)

In consideration of the payment of the State, the Federal, and if through the State treasury, the "other" amounts shown above (the "Contract"), the Contractor agrees to provide its share of the Total Project amount and to perform the work described in Attachment D, within the work period and in the manner and upon the terms specified in this agreement. The provisions of this agreement set forth in this Section I through Section XXIII constitute the General Terms and Conditions portion of this agreement.

OPRA REQUEST 071320-1 DUFF

STATE AND CONTRACTOR APPROVAL SIGNATURES

APPROVED AS TO LEGAL FORM

For the State: *

For the Contractor **

(signature)
John Kuehne, Deputy Attorney General
 (print name)

(signature)
BRIAN KOWALSKI
Michael Angulo, Attorney for Contractor
 (print name)

Date: 5/31/17Date: 6/15/17

* A confidential and privileged memorandum pre-approving this agreement as to legal form ☐ has ☒ has not been provided to the Contracting Agency by the Deputy Attorney General.

** Approval of this agreement by an attorney for Contractor is ☐ mandatory ☒ optional.

APPROVAL OF CONTRACTING AGENCY

HISTORIC PRESERVATION OFFICE

(print name of Contracting Agency; all capitals)

By: (signature)
Katherine J. Marcopul

Katherine J. Marcopul
 (print name)

Administrator / DSHPO

(print title)
 Date: 5/24/2017

EXECUTION SIGNATURES

By the signatures below, the Contractor and the State (the 'parties') execute this agreement and confirm that they are mutually bound by all provisions contained in its General Terms and Conditions and fully authorized and empowered to enter into and bind their organization to all obligations under this agreement and in each attachment selected as "ATTACHED" in the Table of Attachments.

SIGNED

COUNTERSIGNED:

STOCKTON UNIVERSITY

(print Contractor's name; all capitals)

By: (signature)
Margaret Quinn
Director of Procurement and Contracting
 (Print name)
 Director of the Historic Preservation Contracting Office
 (print title)
Stockton University

Date: 6/19/17

THE STATE OF NEW JERSEY

By: The DEP

By: (signature)
Rich Boornazian
 (print name)
 Assistant Commissioner for Natural & Historic Resources
 (print title; Commissioner or authorized delegate)

Date: _____

II. Compliance with Existing Laws and Policies

The Contractor, in order to induce the State to award the contract and enter into this agreement, agrees in the performance of this agreement to comply with all applicable federal, State, and municipal laws, rules, regulations, and written policies. Failure to comply with such laws, rules, regulations or policies shall be grounds for termination of this agreement. Such laws, rules, regulations, and policies include, but are not limited to, the following:

- A. The New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56.25 et seq., if applicable, is by this reference incorporated as part of this agreement and the Contractor agrees to comply with it. The Contractor warrants that neither it nor any subcontractor it might employ to perform work in furtherance of this agreement is suspended, debarred or otherwise listed or is on record in the Office of the Commissioner or Department of Labor for failure to pay prevailing wages in accordance with the New Jersey Prevailing Wage Act. The Contractor further warrants that it and any subcontractors it might employ to perform work in furtherance of this agreement shall comply with the New Jersey Prevailing Wage Act.
- B. The parties agree that, if applicable, the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq., N.J.S.A. 10:5-31 et seq., N.J.S.A. 10:2-1 et seq., N.J.A.C. 13:6-1 et seq. and N.J.A.C. 17:27-1.1 et seq. are by this reference incorporated as part of this agreement and are binding upon them. The Contractor agrees and guarantees to afford equal opportunity in performance of this agreement in accordance with an affirmative action program approved by the State Treasurer. As required by N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq., the following language must be included in all bid specifications and contracts for goods and services:

The Contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expressions, the Contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

The Contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The Contractor or subcontractor where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the Contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The Contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time.

The Contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The Contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The Contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the Contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The Contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

- i. *Appropriate evidence that the contractor is operating under an existing Federally approved or sanctioned affirmative action program;*
- ii. *A certificate of employee information report approval, issued in accordance with N.J.A.C. 17:27-4; or*
- iii. *An employee information report (Form AA302) electronically provided by the Division and distributed to the public agency, through the Division's website (http://www.state.nj.us/treasury/contract_compliance), to be completed by the contractor, in accordance with N.J.A.C. 17:27-4.*

The Contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be requested by the office from time to time in order to carry out the purpose of these regulations, and public agencies shall furnish such information as may be requested by the Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

- C. The act codified at N.J.S.A. 52:13D-12 et seq., the "New Jersey Conflicts of Interest Law", and the act codified at N.J.S.A. 40A:9-22.1 et seq., the Local Government Ethics Law, are by this reference incorporated as part of this agreement. The Contractor represents and affirms neither itself nor any of its employees, its subcontractors, its subcontractors' employees is engaged in any conduct which constitutes a conflict of interest under, or a violation of, either the New Jersey Conflicts of Interest Law or the Local Government Ethics Law.
- D. The Contractor represents and warrants:
1. that no person or selling agency has been employed or retained to solicit or secure this agreement in violation of N.J.S.A. 52:34-15,
 2. that it has made, and knows of no payments or gratuities made in violation of N.J.S.A. 52:34-19,
 3. that it is, and will remain, in full compliance with N.J.S.A. 40A:11-1 et seq., the Local Public Contracts Law, if applicable,
 4. that it is, and will remain, in full compliance with N.J.S.A. 14A:13-1 et seq., and N.J.S.A. 15A:13-1 et seq. (both regarding out-of-state corporations), if applicable, and
 5. (that it is, and will remain, in full compliance with N.J.S.A. 2A:44-143 (regarding bonds on construction and public works contracts), if applicable.
- E. The Contractor report in writing to the Attorney General and the Executive Commission on Ethical Standards, the solicitation of any fee, commission, compensation, gift, gratuity or other thing of value by any State officer or employee or special State officer or employee from any other State vendor.
- F. The Contractor shall not influence, or attempt to influence or cause to be influenced, any State officer or employee or special State officer or employee in his official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.
- G. The Contractor warrants that it will obtain and maintain, during the term of this agreement, all licenses, certifications, authorizations, or any documents required by the federal, state, county, or municipal governments and international authorities, wherever necessary, to perform this agreement. The Contractor shall promptly notify the State of any disciplinary action or any change in the status of any license, permit, or other authorization required by law or this agreement.
- H. The Contractor warrants that in performing its responsibilities under this agreement, it shall comply with all local, state, and federal laws, rules, and regulations applicable to this agreement and to the work to be done hereunder. Failure to comply will constitute a material breach of this agreement.
- I. New Jersey State Circular Letter 15-08-OMB, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid is by this reference incorporated as part of this agreement.
- J. The following documents issued by the United States are by this reference incorporated as standards and procedures used by the Department and made part of this agreement:
1. United States Office of Management and Budget ("OMB") Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200).
 2. Common Rule regulations for federal agencies, as applicable (e.g. 40 CFR for U.S.E.P.A.)
<http://www.whitehouse.gov/omb/grants/chart.aspx>, and
 3. Compliance Supplement for Single Audits of State and Local Governments (Compliance Supplement Revised).

III. Insurance

The Contractor shall maintain in force for the term of this agreement liability insurance as provided herein. These coverages shall be maintained either through insurance policies from insurance companies licensed to do business in the State of New Jersey or through formal, fully funded self-insurance programs authorized by law and acceptable to the Department. Unless current documentation is already on file, the Contractor must, within thirty (30) days after the effective date of this contract, provide to the Department current certificates of insurance, documentation of self-insurance, or both, for all coverages and renewals required under this contract. The insurance evidenced on the certificate shall not be canceled, terminated or materially changed for any reason except after thirty (30) days written notice to the Department by the Contractor. No payments may be made under this contract until acceptable documentation of insurance coverage is received. The minimum required coverages are:

- A. Business Automobile Liability Insurance that shall be written to cover any vehicle used by the insured. Limits of liability for bodily injury and property damage shall not be less than \$1,000,000 per occurrence as a combined single limit.
- B. Worker's Compensation Self Insurance in accordance with the laws of the State of New Jersey, a commercially insured excess worker's compensation policy and commercially purchased Employer's Liability Insurance with limits not less than:
 - \$1,000,000 Bodily Injury, Each Occurrence
 - \$1,000,000 Disease Each Employee
 - \$1,000,000 Disease Aggregate Limit

IV. Indemnification

To the extent provided by law, the Contractor shall defend, indemnify, protect, and save harmless the State, its agents, servants, and employees from and against any and all claims, losses, demands, or damages of whatever kind or nature arising out or claimed to arise out of any tortious act or omission of the Contractor, its agents, servants, employees or subcontractors in the performance of this contract. The Contractor shall, at its own expense, appear, defend and pay all reasonable charges for attorneys and all costs and other expenses arising from such suit or claim incurred in connection therewith. If judgment shall be rendered against the State for which indemnification is provided under this paragraph, the Contractor shall, at his own expense, satisfy and discharge the same. The Contractor's indemnification of the State shall not apply to damages to the extent they result from the State's tortious action or inaction for which it would be liable under the New Jersey Tort Claims Act. The State shall, as soon as practicable after the claim has been made against it, give written notice thereof to the Contractor, along with full and complete particulars of the claim. If the suit is brought against the State or any of its agents, servants, and employees, the State shall expeditiously forward or have forwarded to the Contractor every demand, complaint, notice, summons, pleading or other process received by the State or its representatives.

V. Assignments and Subcontracts

The Contractor shall not subcontract any of the work or services covered by this contract nor shall any interest be assigned or transferred, except as may be provided for in this contract or with the express written approval of the Department.

- A. As a precondition of the Department's approval of a subcontractor and prior to any payments by the Department for subcontracted work, the Contractor shall secure from the subcontractor and shall submit to the Department a completed and executed copy of Attachment F, Subcontractor Certification.
- B. The Contractor shall be responsible for compliance by any subcontractor with the terms, conditions and requirements of this contract.
- C. The Contractor shall be responsible for any claims arising out of any subcontract hereunder and, as a condition of any subcontract hereunder, the subcontractor shall hold the State harmless from any claims by the subcontractor or third parties which may arise under or as a result of the subcontract.

VI. Availability of Funds

- A. The State of New Jersey appropriates funds on a fiscal year basis, which is a period running from July 1 through June 30. The parties hereto recognize and agree that continuation of funding under this contract is expressly dependent upon availability to the Department of funds appropriated by the State Legislature from State or federal revenue or such other funding sources as may be available. The Department shall not be liable for any breach of this contract which results from the State Legislature's failure to appropriate the necessary funds.
- B. The Department may encumber and commit to any contract only those funds which have been appropriated and are available during the State fiscal year in which the contract is executed. For any contract which will be completed during that fiscal year, the State's contract amount will be fully encumbered and committed. However, for any contract, the performance of which will span more than one State fiscal year, the Department may or may not be able to encumber and commit the full contract amount and the full funding of the contract may depend upon subsequent fiscal year appropriations by the State Legislature.
- C. The parties understand that this contract is fully or partly funded as designated in Section II of Attachment A, Additional Provisions and Special Modifications.

VII. Procurement Standards

Procurement of supplies, equipment, and other services with funds provided by this contract shall be accomplished in accord with 2 CFR Part 200 and the appropriate federal common rule, whichever would be applicable under federal law, which shall be provided to the Contractor, upon request, by the Department. Procurement shall also be consistent with the New Jersey State College Contracts Law, N.J.S.A. 18A:64-52 et seq., and other statutory requirements, as applicable. Both the federal and applicable State requirements shall be incorporated into any subcontracts under this contract.

Adherence to the standards contained in those applicable federal and state laws and regulations does not relieve the Contractor of the contractual responsibilities arising under its procurements. The Contractor is the responsible authority, without recourse to the Department, regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurements entered into in support of this contract.

X. Property Management Standards

Property furnished by the Department or acquired in whole or in part with federal or Department funds or whose cost was charged to a project supported by federal or Department funds shall be utilized and disposed of in a manner generally consistent with state and federal requirements (2 CFR Part 200 and the appropriate federal common rule, whichever would be applicable under federal law).

XI. Method of Payment

A. Payment under this contract will be made upon submission by the Contractor of a properly executed State invoice form (available from the Department), and all invoices, bills, and other documents necessary to justify the payment. This form must also be accompanied by a certification from the Contractor that all procurements for which payment is requested have been made in accord with 2 CFR Part 200 and the appropriate federal common rule, whichever would be applicable under federal law, and in accord with all applicable State laws and have been made during the work period.

1. If Attachment B-2, Approved Advance Payment, provides for a justification of an advance payment and if Section III of Attachment A, Additional Provisions and Special Modifications, so provides, an initial advance payment will be made to the Contractor upon receipt by the Department of a properly executed copy of this contract, signed by an appropriate officer of the Contractor organization, together with a properly executed invoice form.
2. Progress payments shall be made by the Department on a periodic basis as prescribed in Section III.B of Attachment A, Additional Provisions and Special Modifications. Such payments shall be issued only upon receipt of the required financial and narrative reports described in Section XIII of the General Terms and Conditions of this contract, Financial and Performance Reporting. Payment shall be made either in fixed amounts as determined by the Department to be reasonable to maintain an appropriate level of services or in the form of reimbursement of actually reported expenditures as indicated in Section III of Attachment A, Additional Provisions and Special Modifications.
3. If Section III of Attachment A, Additional Provisions and Special Modifications, so provides, a portion of the contract will be withheld pending receipt of the required final reports described in Section XVII of the General Terms and Conditions of this contract, Contract Closeout Procedures.
4. The Department shall withhold payment of any costs disallowed by the Department as improperly incurred under any provision of this contract.
5. Contractor may not use any contract funds to satisfy any obligation which arose outside the work period.

B. If this contract includes federal funds, all invoices must be submitted by the Contractor and all payments must be made by the State no later than ninety (90) days after the end of the work period.

XII. Matching and Cost Sharing Requirements

If there are any matching and/or cost sharing requirements indicated in Section IV of Attachment A, Additional Provisions and Special Modifications, then, regardless of whether federal funds are involved, the Contractor shall account to the satisfaction of the Department for these requirements in accordance with 2 CFR Part 200 and the appropriate federal common rule, whichever would be applicable under federal law.

XIII. Project Income

Project income must be accounted for as indicated in Section V of Attachment A, Additional Provisions and Special Modifications. "Project income" means gross income earned by the Contractor from contract-supported activities. Such earnings include, but are not limited to, income from service fees, sale of commodities, usage or rental fees, and royalties on patents and copyrights. In all cases, interest earned on advances of contract funds shall be remitted to the Department, except for interest earned on advances to instrumentalities of a state as provided by the federal Intergovernmental Cooperation Act of 1968, P. L. 90-577.

XIV. Financial Management System

The Contractor's Chief Financial Officer, as designated in Section I of the General Terms and Conditions of this contract, Contract Award Data and Signatures, shall be responsible for maintaining an adequate financial management system. The Chief Financial Officer shall notify the Department when the Contractor cannot comply with the requirements established in this Section XII, Financial Management System.

A. Contractor financial management system shall provide for:

1. accurate, current, and complete disclosure of the financial results of each project, agreement, or contract,
2. records that adequately identify the source and application of funds for Department- supported activities, and that contain information pertaining to awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays, and income,
3. effective internal and accounting controls over all funds, property, and other assets, which controls adequately safeguard all such assets and assure that they are used solely for authorized purposes,
4. comparison of actual outlays with budgeted amounts for all major cost categories on Attachments B, Approved Project Budget; B-1, Itemization and Justification of Budget; D, Scope of Services; and D-2, Contractor's Proposal, and correlation of financial information with performance or productivity data, including the production of unit cost information required by the Department,
5. accounting records that are supported by source documentation,
6. procedures to minimize the time elapsing between the advance of funds from the Department and the disbursement by the Contractor, whenever funds are advanced by the Department, and
7. procedures for determining reasonableness, allowability, and allocability of costs generally consistent with the provisions of 2 CFR Part 200 and the appropriate federal common rule, whichever would be applicable under federal law.

B. If required by Section VI of Attachment A, Additional Provisions and Special Modifications, the Department may require the submission of Attachment G, Statement of Adequacy of Accounting System.

C. The Department may review the adequacy of the financial management system of any applicant for financial assistance as part of a pre-award review or at any time subsequent to the award. If the Department determines that the Contractor's accounting system does not meet the standards described in paragraph B of this Section XII, Financial Management System, additional information to monitor the contract may be required by the Department upon written notice to the Contractor.

XIII. Financial and Performance Reporting

A. Attachment B, Approved Project Budget, is the approved financial plan to carry out the purpose of this contract. The budget shall be itemized to disclose specifically the contract tasks and project activities to be funded.

B. The Contractor shall submit interim expenditure reports, including a completed copy of Attachment C, Expenditure Report, comparing actual expenditures with the Approved Project Budget. These reports shall be submitted on a periodic basis as prescribed in Section VII of Attachment A, Additional Provisions and Special Modifications, and must be certified by the Contractor's Chief Financial Officer.

C. The Contractor shall submit performance reports on an interim basis as prescribed by the Department in Section VII of Attachment A, Additional Provisions and Special Modifications. Performance reports shall present the following information for each contract task and shall include all available and relevant, quantitative data pertaining to production of project work units, completion of contract tasks, and actual costs for each unit or task:

1. a comparison of actual accomplishments to the objectives established in Attachments D, Scope of Services; D-1, Project Requirements; and D-2, Contractor's Proposal, for the reporting period,
2. reasons why established goals were not met or tasks were not completed as scheduled, and
3. other pertinent information, including a description of work performed during the reporting period, relevant literature citations, raw data generated, any modifications to the planned scope of work, and an anticipated work schedule for the next reporting period.

D. The Contractor shall submit a final report on its overall performance of this contract, as prescribed in Section VII of Attachment A, Additional Provisions and Special Modifications, including a completed copy of Attachment C, Expenditure Report, comparing actual expenditures for the entire project with the Approved Project Budget, certified by the Chief Financial Officer, and a final performance report.

E. Extensions of reporting due dates may be granted upon written request to the Department.

F. If reports are not submitted as required the Department shall, at its discretion, suspend payments on this contract or any other contract entered into between the Department and the Contractor and shall take action to suspend payments to the Contractor by other State agencies.

G. If the Contractor has a history of unsatisfactory performance or the Contractor does not submit satisfactory reports, the Department may require additional and more detailed reports from the Contractor.

XIV. Monitoring Performance

- A. The Contractor shall continually monitor its performance under this contract to assure that time schedules are being met, projected work units by time periods are being accomplished, and other performance goals are being achieved as applicable and as defined in Attachments D, Scope of Services; D-1, Project Requirements; and D-2, Contractor's Proposal.
- B. The Contractor shall inform the Department as soon as possible if any of the following types of conditions affect project objectives and performance and shall describe the action taken, or contemplated, and the Department assistance needed, if any, to respond to any such condition:
 1. problems, delays, or adverse conditions which will materially affect the ability to attain project objectives, prevent the meeting of time schedules and goals, or preclude the completion of project work units or contract tasks within established time periods; and
 2. favorable developments or events which enable meeting time schedules and goals sooner than anticipated or producing more project work units or completing more contract tasks than originally projected.
- C. The Department may, at its discretion, make site visits to:
 1. review project accomplishments and management control systems,
 2. audit the financial records pertaining to this contract, and
 3. provide such technical assistance as may be required.
- D. If the Contractor is not performing satisfactorily in the sole judgment of the Department, the Department may require remedial measures deemed necessary to fulfill the project requirements, including requiring the Contractor to obtain additional Department approvals before proceeding or requiring the Contractor to obtain outside technical or managerial assistance.

XV. Audit Requirements

- A. All contracts are subject to audit by the State. This contract may be audited at the discretion of the State up to five (5) years after the date of last payment under this contract or as otherwise required, by the Office of the State Comptroller. Any such audit must be made in accordance with generally accepted auditing standards, including the standards described in the federal General Accounting Office Government Auditing Standards.
- B. Where an audit conducted hereunder indicates any noncompliance by the Contractor with the material terms and conditions of this contract, the Contractor shall forthwith take corrective action as permitted or required by Section XVI of the General Terms and Conditions of this contract, Contract Amendment; Section XVIII of the General Terms and Conditions of this contract, Termination, Expiration, and Suspension; or as otherwise required by the Department. As a result of any audit hereunder, recommendations shall be made whether any costs incurred by the Contractor should be disallowed as beyond the scope or the purpose of this contract, excessive, or otherwise impermissible. The Department retains the right to recover any disallowed expenditures, and the Contractor shall return to the Department any disallowed expenditures no later than thirty (30) days after the request.
- C. In any case, this contract is, at the discretion of the State, subject to audits by the State at any time prior to closeout and subject to a follow-up compliance audit which may build upon previous audits of the contract.
- D. Copies of all audit reports involving this contract must be sent to the DEP, Office of Audit and the Granting Agency identified in Section I of the General Terms and Conditions of this contract, Grant Award Data and Signatures.

XVI. Contract Amendment

If it desires to amend this contract, the Contractor must submit a written request to the Contract Officer designated in Section IX of Attachment A, Additional Provisions and Special Modifications. Any amendment, whether requested by the Contractor or the Department, must be documented by completion of the Department's amendment form (DEP-076). The completed amendment form must be formally executed by authorized representatives of both parties in the same manner as this contract, unless the amendment being documented is of the type described in paragraph A, B, or C of this Section XVI, Agreement Amendment. If the amendment is of the type described in paragraph A, B, or C below, the Contract Officer may execute the amendment form for the State by signing it in the designated place, and no formal execution by authorized representatives of the parties will be required. As a nonrestrictive example only, if the Department requests, and the Contractor consents to, any amendment to the scope of the services to be performed by the Contractor, including any increase in the amount of the approved budget, such amendment must be memorialized by a completed amendment form, formally executed by authorized representatives of both parties.

- A. The Contractor may obtain approval directly from the Contract Officer to transfer amounts of up to \$20,000 or 10% of the total contract amount, whichever is less, from one direct cost category to another or from the indirect cost category to a direct cost category, as long as this transfer does not result in any change in the project's scope, work period, objective, or deliverables. If the total contract amount is less than \$25,000, the Contract Officer may disregard the 10% limitation and approve transfers of up to \$2,500.
 1. "Indirect costs" are those incurred for a common or joint purpose benefiting more than one cost objective and not readily assignable to the cost objectives specifically benefited, without effort disproportionate to the results achieved. "Direct costs" are those which can be identified specifically with a particular cost objective.
 2. The amendment form documenting any budget revision shall clearly show and justify each change in each cost category, either on the form or on an attachment to it.
- B. The Department may reduce the contract budget and the scope of services so that they fairly reflect anticipated project expenditures and progress if:
 1. the Department notifies the Contractor, that the Contractor is making project expenditures or progress at a rate which, in the judgment of the Department, will result in substantial failure to expend the contract or to fulfill the purposes of this contract,
 2. the Department notifies the Contractor at least thirty (30) days in advance of any reduction,
 3. after consultation, the Contractor is unable to develop to the satisfaction of the Department a plan to rectify its low level of project expenditures or progress, and
 4. the Department considers the contractor's fixed costs when making any reduction.
- C. The Contract Officer may approve no-cost time extensions to the work period or the due date of the final report in increments of six months or less but not beyond the expiration date as described in Section XVIII.A.2 of the General Terms and Conditions of this contract, Termination, Expiration, and Suspension. Written justification and documentation evidencing the need to extend the work period or the due date of the final report must be submitted to the Contract Officer at least thirty (30) days in advance of the scheduled end of the work period. The Contract Officer shall decide whether to grant the extension. The amendment form documenting any no-cost time extension shall clearly show and justify the change, either on the form or on an attachment to it.
- D. The Contract Officer may approve proposed Contractor substitutions to the personnel and/or subcontractors identified and approved for this contract. The Contractor must submit a written request to the Department which includes:
 1. An explanation of the reasons why the original personnel/subcontractors cannot be provided;
 2. Vitae/credentials which demonstrates that the qualifications of the substitutions are equal to or better than the originally proposed personnel/subcontractors; and
 3. A declaration that the substitution will be provided at no additional cost to the State.

XVII. Closeout Procedures

The closeout of this contract shall mean the process by which the Department determines that all applicable administrative actions and all required work have been completed by the Contractor. This process shall include the steps enumerated below.

- A. The Contractor shall submit a final report as provided in Section VII of Attachment A, Additional Provisions and Special Modifications. The Department may permit extensions when requested in writing by the Contractor.
- B. The Contractor shall, together with the submission of the final report, refund to the Department any cash advanced but not committed to payment of eligible project costs in accordance with the Attachment B, Approved Project Budget.
- C. The Contractor shall refund to the Department any funds spent on costs which are disallowed by the Department. Such refund shall be made within thirty (30) days after the request.
- D. In the event a final audit has not been performed prior to the closeout of this contract, the Department retains the right to recover any appropriate amount after fully considering any recommendation on disallowed costs resulting from the final audit.
- E. The Contractor shall account for any property acquired with contract funds or received from the Department in accordance with Section VIII of the General Terms and Conditions of this contract, Property Management Standards.
- F. The Contractor shall comply with any Federal audit or closeout procedures applicable to this contract and/or identified by the Department as necessary to qualify for Federal reimbursement for any funds expended under this contract.

- G. The Department retains the right to request any additional information necessary to close out this contract and may retain any final contract payment until the closeout procedure is completed.

XVIII. Termination, Expiration, and Suspension

- A. The following definitions shall apply for the purposes of this Section XVIII, Termination, Expiration, and Suspension.
1. Termination - The "termination" of this contract means the cancellation of unsatisfied contractual obligations prior to the completion of the contract tasks by the Contractor. Work should stop unless the Contractor wants to continue at its own expense.
 2. Expiration Date - The "expiration date" of this contract is the agreed upon date at which time the term of this contract automatically ends absent a formal written amendment executed by the parties. The expiration date of this contract shall be the third anniversary of the date the work period would end as initially agreed upon in Section I of the General Terms and Conditions of this contract, Contract Award Data and Signatures.
 3. Suspension - The "suspension" of this contract means a temporary cessation of State support or assistance pending corrective action by the Contractor or pending a decision to terminate the contract by the Department. Work should stop unless the Contractor wants to continue at its own expense and is not otherwise required for good cause to stop by the Department.
- B. If the Contractor fails to comply with any term, condition, requirement, or provision of this contract or fails to make sufficient progress so as to reasonably ensure completion of performance of this contract within the time frames set forth herein, the Department may upon notice to the Contractor suspend this contract and withhold further payments, prohibit the Contractor from incurring additional obligations of contract funds pending corrective action by the Contractor, or decide to terminate this contract in accordance with paragraph C of this Section XVIII, Termination, Expiration, and Suspension. The Department may, at its sole discretion, allow Contractor to incur additional costs that could not be reasonably avoided during the period of suspension provided that said costs meet the provisions of 2 CFR Part 200, appropriate federal common rule or any other applicable state or federal requirements.
- C. The Department may terminate this contract, in whole or in part, upon thirty (30) days notice, whenever it determines that the Contractor has failed to comply with any term, condition, requirement, or provision of this contract or fails to make sufficient progress so as to reasonably ensure completion of performance of this contract within the time frames set forth therein. The Department shall promptly notify the Contractor, in writing, of its determination and the reasons for the termination together with the date on which the termination shall take effect. Upon termination, the Department retains the right to recover any improper expenditures from the Contractor and the Contractor shall return to the Department any improper expenditures no later than thirty (30) days after the date of termination. The Department may, at its sole discretion, allow Contractor to retain or be reimbursed for costs reasonably incurred prior to termination that were not made in anticipation of termination and cannot be canceled provided that said costs meet the provisions of 2 CFR Part 200, appropriate federal common rule or any other applicable state or federal requirements.
- D. The Department and the Contractor may terminate this contract in whole, or in part, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions including the date on which the termination shall take effect, and, in case of partial terminations, the portion to be terminated. The Contractor shall not incur new obligations for the terminated portion after the date on which the termination shall take effect, and shall cancel as many outstanding obligations as possible.
- E. The closeout procedures described in Section XVII of the General Terms and Conditions of this contract, Closeout Procedures, shall apply in all cases of termination of this contract.

XIX. Access to Records

- A. The Contractor agrees to make available to the Department, any Federal agency whose funds are expended in the course of this contract, the Office of the State Comptroller or any other State auditor, and any of their duly authorized representatives, such pertinent accounting records, books, documents, and papers as may be necessary to monitor and audit Contractor's operations.
- B. Whenever reasonable and practical, the State shall give reasonable notice to the Contractor prior to any visitation, inspection, or audit, including any visitation or request for documentation in discharge of the State's responsibilities. However, the State retains the right to make unannounced visitations, inspections, and audits as deemed necessary during normal business hours.
- C. The State reserves the right to have access to records of any subcontractor and requires the Contractor to provide the State access to such records in any contract with the subcontractor.

- D. The State reserves the right to have access to all workpapers produced in connection with audits made by the Contractor or by independent certified public accountants or licensed public accountants hired by the Contractor to perform such audits.

XX. Record Retention

- A. The Contractor shall retain financial records, supporting documents, statistical records, and all other records in the Contractor's financial management system or otherwise pertinent to this contract (a) for a period of five (5) years from the date of last payment under this contract the Department's record retention schedule, whichever is later, or (b) for such longer period as any applicable State or federal statute may require, with the qualifications stated below.
1. If any litigation, claim, or audit is started before the end of the five-year period, the records shall be retained until all litigations, claims, or audit findings involving the records have been resolved.
 2. Records for nonexpendable property acquired with Department funds shall be retained for five (5) years after its final disposition.
- B. The State may request transfer of certain records to its custody from the Contractor when it determines that the records possess long term retention value and will make arrangements with the Contractor to retain any records that are continuously needed for joint use.

XXI. Approvals and Authorizations

- A. Unless specifically stated otherwise, wherever this contract requires the approval or authorization of the Department, that approval or authorization must be given in writing by the Commissioner of the Department, by the authorized delegate who signed this contract, or by said delegate's successor or superior, if any.
- B. If the Contractor is a municipal or county government agency, the Contractor must submit with this contract a copy of an ordinance or resolution, duly enacted by the governing body of that municipal or county government agency or of the municipality or county and authorizing execution of this contract. If the Contractor is a corporation, the Contractor must submit with this contract a corporate resolution, duly adopted by its board of directors, board of trustees, or equivalent governing body, and authorizing execution of this contract. The Department will not make any payments until such ordinance or resolution is received.
- C. If the Contractor is a corporation or partnership, the Contractor must submit with this contract a disclosure of the names and addresses of any persons who own 10% or more of the firm's stock or interest, in accordance with N.J.S.A. 52:25-24.
- D. If the Contractor is a corporation incorporated outside of New Jersey, the Contractor must, as a condition of payment hereunder, obtain a certificate of authority to do business in New Jersey from the Department of the Treasury and file a copy of that certificate with the Contract Officer designated in Section IX of Attachment A, Additional Provisions and Special Modifications.
- E. If the Contractor is neither a government agency nor a corporation and if the Contractor has neither a residence nor a place of business in New Jersey, the Contractor hereby irrevocably appoints the Commissioner of the Department to receive process in any civil action which may arise out of or as a result of this contract. Within ten (10) days of receipt of any such process, the Commissioner shall transmit it by certified mail to the Contractor at the address shown in Section I of the General Terms and Conditions of this contract, Contract Award Data and Signatures.

XXII. Interest on Advance Payments and Disallowed Costs

- A. Advance Payments: The Contractor is required to deposit any advance payments received hereunder in an interest bearing account. Any interest up to \$100 per year may be retained by the Contractor for documented administrative expenses. If this contract is federally funded, any interest above \$100 per year must be remitted on a quarterly basis to the Department for return to the federal government. If this contract is funded by the State, interest above \$100 per year may be retained by the Contractor for purposes of this contract or shall be remitted to the Department as indicated in Section XI of Attachment A, Additional Provisions and Special Modifications.
- B. Disallowed Costs: Where the Contractor has been reimbursed by the Department for costs which are subsequently disallowed by the Department, the Contractor shall return the funds to the Department no later than thirty (30) days after the request.

XXIII. Miscellaneous Provisions

- A. Governing Law: It is agreed and understood that this contract shall be governed and construed, and the rights and obligations of the parties hereto shall be determined, in accordance with the laws of the State of New Jersey including but not limited to the Contractual Liability Act, N.J.S.A 59:13-1 et seq.

- B. Conflict of Terms: In the event of any conflict, the order of precedence shall be (1) the terms and conditions of this Contract; (2) any State Agency application form or specific correspondence describing the Project and/or soliciting a Contractor proposal; and (3) the contractor's proposal (D-2).

NOTE: The only exception to the above is that consistency with rules and regulations promulgated pursuant to the State Program's enabling legislation shall always have precedence in any conflict with the terms and conditions of this Contract.

- C. Dispute Resolution: Consistent with the Contractual Liability Act, N.J.S.A 59:13-1 et seq., unless otherwise provided in this contract, all claims, counterclaims, disputes, and other matters in question between the State and the Contractor arising out of, or relating to, this contract or the breach of it will proceed as follows:
1. The dispute shall initially be submitted by either party for resolution via administrative proceedings conducted by the Department.
 2. If there is no mutually agreeable resolution after administrative recourse is exhausted, the matter may then proceed to arbitration or litigation. Any litigation must be submitted to, and heard by, a court of competent jurisdiction within the State of New Jersey.
- D. Performance: The Contractor warrants that it is aware of the work required to be performed under this contract, that it has the capabilities and credentials required by the contract, and that it will faithfully perform the work and abide by the terms, conditions, and other requirements of this contract.
- E. Disclaimer of Agency Relationship: The contractor's status shall be that of an independent principal and not as an agent or employee of the State. Nothing contained in the contract shall be construed to create, either expressly or by implication, the relationship of agency between the State and the Contractor or its subcontractors.
- F. Computation of Time: When the contract refers to a period of time in terms of days, the day of the act or event from which the designated period begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday, or legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday, nor legal holiday. In computing a period of time of less than seven days, Saturday, Sunday, and legal holidays shall be excluded.
- G. Intellectual Property Rights: If the Contractor, in the course of its duties under this contract, develops any invention apparatus, computer program, discovery, or other intellectual property, the State will own the entire right, title and interest throughout the world to each such property right and to patents and copyrights protecting the same. The State's ownership shall be unaffected by any assignment, suspension, termination, or expiration of this contract.
- H. Captions and Headings: Captions and headings used in this contract are for convenience of reference only and shall in no way be deemed to define, limit, explain, or amplify any term or provision.
- I. Severability: In case any term or provision of this contract shall be held invalid, illegal, or unenforceable, in whole or in part, neither the validity of any remaining part nor the validity of any other term or provision shall in any way be affected by such holding.
- J. Entire Agreement: The parties understand and agree that all prior understandings and agreements between them regarding performance of the obligations described herein are merged into this written contract which supersedes all such prior understandings and agreements. Neither party enters into this contract in reliance on any statement nor representation of the other which is not reiterated herein, or incorporated herein by reference.
- K. Successor and Assigns: This contract shall be binding upon any successors or assigns of the Contractor. The State may, in its sole discretion, reject any proposed successor or assign of the Contractor.
- L. Counterparts: This contract may be executed in multiple counterparts, each of which shall constitute an original instrument and all of which taken together shall constitute one and the same instrument.
- M. Notices: All notices, certificates, and other documents (a "notice") to be given by one party to the other shall be in writing and shall be delivered to the other party. Any such notice shall be delivered to the address of the Contractor or the Contracting Agency shown in Section I, Contract Award Data and Signatures, by overnight courier service or by regular first class, certified, or registered mail, postage prepaid. If mailed, said notice shall be deemed to have been received five (5) days after its deposit in the United States Mail; and if given otherwise, said notice shall be deemed to have been received when delivered to the party to whom it is addressed.
- N. Waiver of Breach: The waiver by either party of any breach of this contract shall not be deemed a waiver of any subsequent breach of the same or any other term or provision.
- O. Gender and Number: Use of the singular or plural includes the other and use of any gender includes all genders, as the context requires or permits.
- P. Waiver of Jury Trial: In the event of litigation, Contractor waives any right it may have to a trial by jury.

CONTRACT
BETWEEN
STOCKTON UNIVERSITY
(Name of Contractor)
AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

CONTRACT NUMBER: HE17-005
ADDITIONAL PROVISIONS AND SPECIAL MODIFICATIONS

This Attachment A adds the terms, conditions, requirements, and provisions specified in Sections I through XI below, and makes the modifications specified in Section XII below, to the preceding General Terms and Conditions of the contract between STOCKTON UNIVERSITY and the State of New Jersey, by and for the DEP.
(print Contractor's name)

I. Insurance (See Section III of the General Terms and Conditions of this contract, Insurance.)

A. The Contractor maintains and must continue to maintain the required insurance coverages as follows:

1. commercial general liability
☐ insurance
☐ self-insurance
☒ not required
2. automobile liability
☒ insurance
☐ self-insurance
☐ not required
3. worker's compensation
☒ insurance
☐ self-insurance
☐ not required
4. employer's liability
☒ insurance
☐ self-insurance
☐ not required

B. Certificates of insurance or documentation of self-insurance

- ☒ is on file with the Department.
☐ will be forthcoming within 30 days after the effective date of this contract.
☐ other (explain) _____

NOTE: No payment can be made until the Department has received acceptable documentation of these required coverages.

II. Availability of Funds (See Section VI of the General Terms and Conditions of this contract, Availability of Funds.)

Based upon funds available to the Department in the State's fiscal year, the contract (the sum of the State, the federal, and if through the State treasury, the other amounts, shown as components of the Total Project Amount in Section I of the General Terms and Conditions of this contract, Contract Award Data and Signatures) is

- ☒ fully funded.
☐ partially funded in the amount of _____
☐ not applicable.

III. **Method of Payment** (See Section IX of the General Terms and Conditions of this contract, Method of Payment.)

- A. Advance payment, if justified and itemized in Attachment B-2, Approved Advance Payment, is
☐ authorized for \$ _____.
☒ not applicable.
- B. Progress payments
☒ shall be made on a _____ (e.g. mo./qtr./deliverable) basis for \$ _____ per payment.
☐ shall be based on actual expenditures submitted on a _____ (e.g. mo./qtr.) basis accompanied by ☐ receipts ☐ computer printouts.
☐ shall be made on submission of deliverables in accordance with the project specifications and requirements.
☐ are not applicable.
- C. Final payment of \$10,000.00
(amount or description)
☒ shall be withheld pending receipt of all final reports.
☐ is not applicable.
☐ (other, specify) _____.

NOTE: No payment can be made unless a proper state invoice is submitted with appropriate justification, receipts, etc. and unless any required expenditure and performance reports are submitted.

IV. **Matching and Cost Sharing Requirements** (See Section X of the General Terms and Conditions of this contract, Matching and Cost Sharing Requirements.)

- ☐ The Contractor shall provide the matching or cost sharing amounts indicated in Section I of the General Terms and Conditions of this contract, Contract Award Data and Signatures, and described further in Attachment B, Approved Project Budget.
☒ Matching and cost sharing requirements do not apply.

V. **Project Income** (See Section XI of the General Terms and Conditions of this contract, Project Income.)

- A. Royalties, if any, received as a result of copyrights or patents produced under this contract shall be
☐ paid to the Department.
☐ retained by the Contractor.
☒ not applicable.
- B. Other project income, if any, as defined in Section XI of the General Terms and Conditions of this contract, Project Income, shall be
☐ added to funds committed to the project by the Department and used to further eligible project objectives.
☐ deducted from the total project costs for the purpose of determining the net costs on which the Department shall base contract payments.
☐ paid to the Department.
☐ retained by the Contractor.
☒ not applicable.

VI. **Certification of Adequacy of Accounting System** (See Section XII of the General Terms and Conditions of this contract, Financial Management System.)

- A. A statement attesting to the adequacy of the Contractor's accounting system in accordance with the standards set forth in Section XII of the General Terms and Conditions of this contract, Financial Management System,
☐ must be completed, on Attachment G, Statement of Adequacy of Accounting System, by the Chief Financial Officer identified in Section I of the General Terms and Conditions of this contract, Contract Award Data and Signatures.
☒ is not required.
- B. Financial reports shall be prepared in a manner consistent with the Contractor's normal accounting records, which are kept on
☒ a cash basis.
☐ an accrual basis.
☐ modified accrual basis.
☐ (other, specify) _____.

VII. Financial and Performance Reporting (See Section XIII of the General Terms and Conditions of this contract, Financial and Performance Reporting.)

- A. All financial reports must be certified by the Chief Financial Officer.
- B. Interim expenditure reports, including a completed copy of Attachment C, Expenditure Report, shall be submitted
 - ☐ on a _____ (e.g. mo./qtr.) basis, no later than _____ days immediately following the end of the period.
 - ☒ (other, specify) as specified in report and payment schedule, but no later than the due date of the final expenditure report.
- C. Performance reports shall be submitted on a _____ (e.g. qtr./annual) basis. These reports should be submitted no later than _____ days after the end of each reporting period.
- D. A final expenditure report, including a completed copy of Attachment C, Expenditure Report, and a final performance report shall be submitted by the Contractor no later than 45 days after the Contractor's completion of all contract tasks, the expiration date of this contract, or the termination of this contract, whichever first occurs.

VIII. Audit Requirements (See Section XV of the General Terms and Conditions of this contract, Audit Requirements.)

- A. An audit on this contract:
 - ☐ shall be performed at the end of the work period.
 - ☒ may be performed at the Department's discretion up to three years after the end of the work period.
- B. If an audit may be performed at the Department's discretion under paragraph A above, the audit shall be conducted by
 - ☐ State Auditors
 - ☐ Department Internal Auditors
 - ☐ a CPA firm appointed by Department
 - ☐ a CPA firm chosen by the Contractor
 - ☒ (other, specify) At the discretion of the Department
- C. The Department's records show the Contractor's fiscal year ends on 6/30. The Contractor shall notify the Department immediately if this date is incorrect or is changed.
- D. Copies of all audit reports must be submitted to DEP, Internal Audit Unit, PO Box 420, Trenton, NJ, 08625-0420 and to the Contracting Agency identified in Section I of the General Terms and Conditions of this contract, Contract Award Data and Signatures.

IX. Contract Amendment (See Section XVI of the General Terms and Conditions of this contract, Contract Amendment.)

All budget revisions and modifications must be submitted, in writing, to (name) Andrea Tingey, (title) Principal Historic Preservation Specialist or the successor to that position (the "Contract Officer").

X. Authorizations and Disclosures (See Section XXI of the General Terms and Conditions of this contract, Approvals and Authorizations.)

- A. The Contractor is
 - ☐ a local government agency.
 - ☐ a New Jersey corporation.
 - ☐ an out-of-state corporation.
 - ☒ (other, specify) Stockton University
- B. Appended hereto as Attachment E, Governing Body Resolution, Corporate Resolution or Certified Resolution, is
 - ☒ a governing body resolution.
 - ☐ a corporate resolution.
 - ☐ a certified resolution.
 - ☐ no resolution.
- C. A Contractor's Stockholder Disclosure Statement is
 - ☐ submitted herewith.
 - ☒ not applicable.
- D. A certificate of authority for Contractor to do business in New Jersey
 - ☐ will be submitted.
 - ☒ is not applicable.

NOTE: No payment can be made until the Department has received any and all documents required under this Section X, Authorizations and Disclosures.

XI. Interest (See Section XXII of the General Terms and Conditions of this contract, Interest on Advance Payments and Disallowed Costs.)

A. Interest above \$100 per year on advance payment of State funds

- ☐ may be retained by the Contractor for documented purposes under this contract.
☐ shall be remitted to the Department on a quarterly basis.
☒ will not exist because no advance payment is authorized.
☐ (other, explain) _____

NOTE: On federally funded grants, any interest above \$100 per year must be remitted on a quarterly basis to the Department for return to the federal government.

B. Interest on payments of disallowed costs not returned within 30 days of request shall accrue in favor of the State at the rate specified in the "Notice of Intent to Collect" document (ADM-182).

XII. Modifications to General Terms and Conditions

The General Terms and Conditions of this contract are changed, supplemented, or deleted ("modified") as specified in this Section XII, which supersedes inconsistent terms, conditions, requirements, or provisions contained elsewhere in this contract. If all modifications do not fit on this page, the numeral "5" in the phrase "of 5" in the header of each page of this Attachment A must be changed to equal the total number of pages in this Attachment A, and each new page must be identified and successively numbered in the same manner as the first five pages.

- ☐ This Section XII does not contain modifications to the General Terms and Conditions of this contract.
☒ This Section XII does contain modifications to the General Terms and Conditions of this contract, and this Attachment A now comprises [5] pages.

ADDITIONAL TERMS AND CONDITIONS

Patent and Copyright Liability

The Contractor shall hold and save the State of New Jersey, its officers, agents, servants and employees, harmless from liability of any nature or kind, for or on account of the use of any copyrighted or uncopyrighted composition, patented or unpatented invention, article, or appliance furnished or used in the performance of this contract. This is in addition to and in no way limits any other indemnification provision in the contract.

Delay of Contract

The Contractor is responsible for completing the contract as required by the Scope of Services and according to any approved project work schedules. However, a project schedule may be extended for delays caused by events which could not reasonably be anticipated and which are beyond the control of the Contractor. Such causes include, but are not limited to, actions by employees or other contractors employed by the State, unanticipated work changes ordered by the State, strikes, lockouts, fire, delays caused by common carriers, unavoidable casualties, work stoppage orders and work suspension riders. The Contractor shall submit written documentation to the Project Manager in accordance with Section XVI in order to request an extension of an approved project work schedule.

Dissemination of Information

During the course of this contract and for two years following submission of an approved final report, the Contractor shall not print, publish, disclose or otherwise make known to third parties the content of any data, information, studies, computation, memoranda, graphs, reports or other material arising from this Contract without at least thirty (30) days prior written notification to the State, and without informing the State of the nature of such disclosures. The Contractor shall coordinate all such disclosures with the State and shall permit the State to preview any such disclosure prior to its release. Contractor agrees to seriously consider the comments and suggestions of the State in the final drafting of all publications. During the above thirty day period, the State may request a delay of any disclosure for up to ninety (90) days, if necessary, in order to protect the public interest. If the Contractor is publishing materials that the Department has reviewed and found unsatisfactory, inadequate or unacceptable, at the request of the Department, the Contractor shall include in any publication of materials resulting from this contract a statement, conspicuously placed, that the Department does not endorse the materials, that the views or opinions expressed herein by the Contractor do not necessarily represent the views or opinions of the Department, or both.

Acknowledge/Co-Authorship

Publication by the Contractor of any work or portion of work arising from this Contract must include a written acknowledgment of the Department's assistance (e.g., financial, equipment, manpower). Also, where State employees have contributed substantive work on the project, the appropriate State employees (project manager or other significant Department participant(s)) shall be named as co-author(s) on publications arising from this Contract.

Access to Material

Unless otherwise specified in this contract, the State shall have access to all data, samples, material, evidence and documentation gathered, originated or prepared for the State by the Contractor during the performance of his contractual responsibilities for a period of three (3) years from the submission of the approved Final Report. During that time period any such data, samples, material, evidence and documentation shall be provided to the State in a reasonably timely manner upon request by the State.

Substitutions of Personnel and Subcontractors

If, during the course of the contract, the Contractor finds that he cannot provide the personnel or subcontractors identified in this contract, and desires to substitute personnel or subcontractors, the Contractor must request in writing from the Department permission to substitute personnel or subcontractors. Such request must:

1. Explain the reasons why the original persons cannot be provided;
2. Demonstrate that the qualifications of the substitution are equal to or better than the originally proposed persons; and
3. Warrant that the substitution will be provided at no additional cost to the State.

Ownership of Material

1. All data, technical information, materials gathered, originated, developed, prepared, used or obtained in the performance of the contract, including, but not limited to all reports, surveys, plans, charts, literature, brochures, mailing, recordings (video and/or audio), pictures, drawings, analyses, graphic representations, software computer programs and accompanying documentation and all print-outs, notes and memoranda, written procedures and documents, regardless of the state of completion, which are prepared for or are a result of the services required under this contract as deliverables or work products shall be and remain the property of the Department and shall be delivered to the Department upon thirty (30) days notice by the Department. With respect to software computer programs and/or source codes developed for the State, the work shall be considered "work for hire", i.e., the Department, not the contractor or subcontractor, shall have full and complete ownership of all software computer programs and/or source codes developed. To the extent that any of such materials may not, by operation of the law, be a work made for hire in accordance with the terms of this Agreement, Contractor or its subcontractors hereby assign to the Department all right, title and interest in and to any such material, and the Department shall have the right to obtain and hold in its own name and copyrights, registrations and any other proprietary rights that may be available. Contractor retains the right to use any materials it develops under this agreement for its own internal purposes, such as, but not limited to its teaching and research programs and including publications, provided that Contractor complies with all of the requirements of this Agreement.
2. The Contractor has a right of free access to any and all research findings and data collected as a result of the Project and the right to distribute and use the findings and data at its discretion.

**CONTRACT
BETWEEN
STOCKTON UNIVERSITY
(Name of Contractor)
AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
CONTRACT NUMBER: HE17-005**

EXPENSE CATEGORY	TOTAL BUDGET	FEDERAL	STATE	CONTRACTOR	OTHER
A. Personnel Costs					
Salaries	\$ 16,566.00	\$ 0.00	\$ 16,566.00	\$ 0.00	\$ 0.00
Fringe Benefits	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
B. Consultants and Subcontractors	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
C. Other Costs Specify below:					
▪ Travel	\$ 4,084.00	\$ 0.00	\$ 4,084.00	\$ 0.00	\$ 0.00
▪ Photography	\$ 200.00	\$ 0.00	\$ 200.00	\$ 0.00	\$ 0.00
▪ Census Production	\$ 150.00	\$ 0.00	\$ 150.00	\$ 0.00	\$ 0.00
▪	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
▪	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
D. Audit	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Subtotal Direct Costs	\$ 21,000.00	\$ 0.00	\$ 21,000.00	\$ 0.00	\$ 0.00
Less Program Income (enter as negative)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Total Direct Costs	\$ 21,000.00	\$ 0.00	\$ 21,000.00	\$ 0.00	\$ 0.00
Indirect Costs (indicate rate: 0.00%)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL PROJECT AMOUNT *	\$ 21,000.00	\$ 0.00	\$ 21,000.00	\$ 0.00	\$ 0.00

* Total Project Amount must equal the amounts indicated under General Terms and Conditions, I. Contract Award Data and Signatures, Source of Funds, "Total Approved Project Amount" (page 2)

TOTAL CONTRACT AMOUNT is ☒ the sum of "Federal" and "State" columns for a total of \$
☐ the sum of "Federal", "State" and "Other" columns for a total of \$

The sums identified in the "Total Budget" column are itemized and justified in (check one or more as appropriate)

- ☒ Attachment D, Scope of Services, on page(s) ____.
- ☐ Attachment D-2, Contractor's Proposal, on page(s) ____.
- ☐ Attachment B-I, Itemization and Justification of Budget, comprising 1 pages.

CONTRACT
BETWEEN
STOCKTON UNIVERSITY
(Name of Contractor)
AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
CONTRACT NUMBER: HE17-005

EXPENDITURE REPORT: For the period beginning _____ and ending _____

EXPENSE CATEGORY	APPROVED PROJECT BUDGET	PREVIOUSLY REPORTED CUMULATIVE EXPENDITURES	EXPENDITURES INCURRED DURING THE CURRENT PERIOD	CUMULATIVE EXPENDITURES	UNEXPENDED BALANCE
A. Personnel Costs					
Salaries	\$ 16,566.00				
Fringe Benefits	\$ 0.00				
B. Consultants and Subcontractors	\$ 0.00				
C. Other Costs Specify below:					
▪ Travel	\$ 4,084.00				
▪ Photography	\$ 200.00				
▪ Census Production	\$ 150.00				
▪	\$ 0.00				
▪	\$ 0.00				
D. Audit	\$ 0.00				
Subtotal Direct Costs	\$ 21,000.00				
Less Program Income (enter as negative)	\$ 0.00				
Total Direct Costs	\$ 21,000.00				
Indirect Costs (indicate rate: 0.00%)	\$ 0.00				
TOTAL PROJECT AMOUNT	\$ 21,000.00				

CERTIFICATION BY CHIEF FINANCIAL OFFICER

I certify that the above expenditures for the period are accurate as stated; that all procurements for which payment is required have been made in accordance with the standards contained in this contract, and that each obligation for which an expenditure is listed arose during the work period.

Date: 6/15/17

Signature: _____

Name: ~~Charles Ingram~~ E. Michael Angulo
(print name) Interim

Title: Vice President, Administration & Finance

CONTRACT
BETWEEN
STOCKTON UNIVERSITY
(Name of Contractor)
AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

CONTRACT NUMBER: HE17-005

SCOPE OF SERVICES

The Scope of Services for this contract comprises Attachment D-2, Contractor's Proposal; any project requirements delineated in Attachment D-1, Project Requirements; and any modifications, amendments, and additions to the Contractor's proposal discussed in this Attachment D. In case of conflict among the provisions of Attachments D, D-1, and D-2, the order of priority shall be: (1) Attachment D-1, (2) Attachment D, (3) Attachment D-2. This Attachment D comprises 9 pages, including this page.

See attached 8 pages

**Scope of Work for
a Biographical Investigation of Martin Luther King, Jr.
with Respect to 753 Walnut Street, Camden, New Jersey,
during the Years 1948-1951**

BACKGROUND

The State of New Jersey Department of Environmental Protection, Historic Preservation Office (HPO) is contracting with Stockton University for an investigation of the presence of Martin Luther King, Jr. at 753 Walnut Street, Camden, New Jersey, during the years 1948 to 1951, and of the significance of that presence to King's life and to his career as a pre-eminent civil rights leader.

During this time, King was a graduate student at Crozer Theological Seminary in Upland, Delaware County, Pennsylvania, near Chester. One of his classmates was Walter McCall with whom he had first become acquainted when both were undergraduate students at Morehouse College in Atlanta, Georgia. McCall was a cousin of Benjamin Hunt, the owner of the house at 753 Walnut. According to Mr. Hunt's daughter-in-law, Jeanette Lily Hunt, she observed King at the house during that time and has indicated that he spent an unspecified amount of time staying at the residence.

Additional evidence as to King's possible residence in the house is contained in a police report for a racial incident that took place in Maple Shade, Burlington County, on June 12, 1950. On that date, King and three other individuals were denied service at a restaurant/bar known as Mary's Cafe, in violation of New Jersey civil rights law. The police report indicates one of the participants as "M. L. King, Jr." and his address as 753 Walnut Street, Camden, New Jersey, although the address is crossed out in the document. Because this incident may have been important in forming King's interest in and participation in civil rights activism, a critical goal of the investigation will be to ascertain whether King was in residence at the property in question at this time.

The Investigation shall consist of a written report comprising an account of the research conducted. The report shall include a historical narrative of King's experiences of 753 Walnut Street between 1948 and 1951 supported by at a minimum: 1) a detailed and justified methodology for the investigation; 2) a listing of all biographical sources consulted on Dr. King and a summary of any relevant information contained in each of these sources; 3) a listing of all archival collections visited and results of the visits, whether information was obtained or not; 4) a listing of all oral history interviews conducted and summaries of the contents of each interview; and 5) a conclusions section evaluating the evidence concerning King's residence at 753 Walnut and indicating and justifying any identified periods of residence. The report shall be accompanied by appendices, including, at a minimum: properly referenced copies of any primary and secondary source documents that provide information germane to the investigation and transcripts of each oral history interview conducted. In addition, DVDs of recorded interviews shall also be submitted when available.

RESEARCH TEAM

The research will be conducted (or the Research Team led) by a Stockton University faculty or staff member with a demonstrated expertise in African American history. The members of the research team shall possess a demonstrated knowledge of the history of the 20th-century African American civil rights movement in the United States and demonstrated ability to identify and document places in New Jersey with importance to African American history. Additional members of the team may be drawn from junior faculty, college or university staff members, or graduate students, whose qualifications based on previous experience make them suitable additions to the team. HPO will approve the qualifications of each team member. Stockton has identified two persons to lead the Research Team: John O'Hara (Associate Professor of Writing and Critical Thinking) and Paul W. Schopp (Assistant Director for Stockton's South Jersey Culture & History Center). Both Team Leaders are acceptable to the HPO.

Any changes to the personnel of the Research Team shall be reviewed and approved by the HPO.

RESEARCH QUESTIONS

Based upon research conducted to date, HPO staff has developed a cluster of research questions that surround the central theme of this investigation: did Martin Luther King, Jr., spend appreciable time at 753 Walnut Street, Camden, New Jersey between the summer of 1948 and the summer of 1951 inclusive, or were his visits there few and inconsequential in the course of his life and career? To begin to disentangle this complex question, the following questions are posed:

King's Whereabouts: Did King spend an appreciable amount of time at 753 Walnut Street?

Anecdotal evidence indicates that King visited 753 Walnut Street and that he stayed there overnight on one or more occasions in the company of his close friend Walter McCall, whose cousin, Benjamin Hunt, and his family, had occupied the house since 1945.

- 1) Can actual visits by King be specifically documented in the record, with dates and lengths of stay?
- 2) Can frequent visits by King be documented within an established period of time (e.g. Summer 1950)?
- 3) Can King's whereabouts at other places be ascertained within the 1948-1951 period in question? When was he at Crozer, for example, or in Atlanta? Are trips to other places known for King at this time? [This would be helpful negative evidence; dates when he is documented to have been elsewhere would be times that he could not have been visiting 753 Walnut Street. This information could be used to inform conclusions about the frequency or length of stay of King's Camden visits.]
- 4) By comparison, how much time did King spend at Crozer, in Atlanta, or at other places during the years in question?

- 5) An online biographical profile of Walter McCall notes that he worked in Camden, New Jersey for the Board of Education during the summer of 1948. HPO has not confirmed this information. If he was, indeed, temporarily employed there, one might suspect that this may have prompted McCall to seek to temporarily stay at the Hunts. If such an arrangement had begun in 1948, could it have continued during the succeeding years of McCall's and King's study at Crozer, at least during those times when Crozer's student housing was not available.

The Relationship to or Impact upon King's Life and Career

- 1) Did King engage in any significant activities during his periods of stay at 753 Walnut Street? If so, can these activities be documented in detail?
- 2) Did King comment upon any such activities in any contemporary record that has survived?
- 3) Did King, himself, attach significance to any activities that he was engaged in during periods of his stays in Camden?
- 4) Have King's biographers attached significance to any activities that he pursued during periods of stay in Camden?
- 5) Have other people discovered or amassed convincing evidence of the effects on King's career of events associated with the periods of his stay in Camden?

RESEARCH PLAN

The following investigative activities shall be conducted by the Research Team. Please note these phases will likely overlap.

Phase 1. Review of existing scholarly sources on Martin Luther King, Jr.'s life and work for references to the period in question, particularly to residency in Camden and to the incident at Mary's Cafe.

The Research Team will review all documentary and biographical accounts of King's. Any passages that support answers to or provide circumstantial evidence relevant to the cluster of research questions enumerated above shall be photocopied and submitted as part of the final submission.

In addition, the Research Team shall consult indexes of recent scholarly literature to identify any dissertations that may contain results of research on the period of King's life in question. If any dissertations are identified, the Research Team shall request use of this dissertation, review its contents, and copy any relevant passages. The search will include, but will not be limited to the following primary and secondary publications:

Select Primary Publications:

- Clayborne Carson, et al. (eds.), *The King Papers* - Volumes 1-7 (with more volumes forthcoming), University of California Press.
- *Stride Toward Freedom: The Montgomery Story*. New York: Harper & Row Publishers, 1958.

- *The Trumpet of Conscience*: New York: Harper & Row Publishers, 1968. (Foreword by Coretta Scott King).
- *Where Do We Go From Here: Chaos or Community?* New York: Harper & Row Publishers, 1967.
- James M. Washington (ed.), *Why We Can't Wait*. New York: Harper & Row Publishers, 1963.
- Carson, Clayborne (ed.). *The Autobiography of Martin Luther King, Jr.* New York: IPM in Association with Warner Books, 1998.

Select Secondary Publications:

- Lewis Baldwin. *Never to Leave Us Alone: The Prayer Life of Martin Luther King Jr.* Minneapolis: Fortress Press, 2010.
- Coretta Scott King. *My Life with Martin Luther King, Jr.* New York: Henry Holt and Company, 1969. Revised edition copyright 1993 by Coretta Scott King.
- Thomas F. Jackson. *From Civil Rights to Human Rights: Martin Luther King, Jr. and the Struggle for Economic Justice*. Philadelphia: University of Pennsylvania Press, 2007.
- Lerone Bennett, Jr. *What Manner of Man*. Chicago: Johnson Publishing Co., Book Division, 1964
- Oates, Stephen B. Oates. *Let The Trumpet Sound: The Life of Martin Luther King, Jr.* New York: Harper & Row, 1982.

Phase 2. Archival Research

Local Repositories

Sanborn fire insurance maps are available for the City of Camden for 1926, updated through July 1950 (from the New Jersey State Library collections). The 1940 Census and a 1947 directory for the City of Camden are available. These materials show the layout of the houses along Walnut Street and provide names of some household members in the 700 block of Walnut Street. Pursuing this line of inquiry may lead to a more complete and accurate list of residents of the block in the 1948-1951 period. Based upon this information, the Research Team shall consult genealogical data bases and newspapers indices, at a minimum to identify surviving household members or their immediate descendants.

Other records to be consulted should include the records of the Camden City Bureau of Assessments (City Hall, Room 329). A Bureau of Assessments staff member has identified that the Bureau holds "Property Record Cards" from 1950 (the oldest ones that it possesses), which should help strengthen information about residents on Walnut Street at the time. The local chapter of the NAACP should be contacted to determine whether they retain any records concerning the incident at Mary's or any other relevant subject.

Records should be sought from the Burlington County Superior Court to determine whether additional information might be contained within to add to information concerning the legal action taken in the wake of the June 12, 1950 Mary's incident.

OKRA

The Online King Records Access database (www.okra.stanford.edu) should be comprehensively searched to identify sources relating to King, Crozer and Camden. The final report shall explain the value of this database to the 1948-1951 period.

Crozer Seminary

Crozer Seminary is closed and has merged with another institution. Contact should be made with the Delaware County Historical Society in Chester to ascertain whether they have any records or files specifically related to King's time at Crozer.

Swasey Library, Colgate Rochester Crozer Divinity School, Rochester, New York. The library holds the Crozer Seminary Archives. Contact should be made with the library director to determine the scope of materials in their collections and whether a visit to the library would be warranted.

National Archives (College Park, Maryland)

The period 1948-1951 is generally understood to predate the period of interest by the Federal Bureau of Investigation (the "Bureau") into the activities of King. Yet the Bureau collected reports filed from its field offices related to civil rights matters during the period of King's study at Crozer. A subject archivist should be contacted to ascertain whether any of these records may reference King, McCall, Wiggins or other pertinent Civil Rights activists or Civil Rights activities in southern New Jersey, and if so, whether the records would be available for review. (Dr. King's major Bureau file is inaccessible for another decade). These records may shed light on the importance of the June 12, 1950 incident and the consequential actions that flowed from it.

The King Center (Atlanta)

Following research in local and regional repositories the King Center in Atlanta should be contacted. The King Center holds the largest collection of Dr. King's papers in the country, as well as the records from Atlanta's Ebenezer Baptist Church that reference King and his father. According to the King Center website, not all the materials have yet been digitized. An archivist should be contacted to ascertain: 1) whether the Center holds any materials concerning King's time at Crozer that have not been digitized; 2) whether the materials available on the website concerning Ebenezer Baptist Church represent all the available archival information concerning King's association with the church during 1948-1951; and 3) whether the King Papers at Stanford may have additional useful primary sources. If a positive response be given to the last question, the King Papers office should be contacted.

Phase 3. Oral History

Oral history may represent the most productive avenue of research, but interviews should generally be conducted after archival information has been collected and analyzed (although the findings from interviews may trigger additional archival research).

The investigators should seek to interview or further interview people who were present at 753 Walnut Street or neighboring properties to develop a more thorough context of the interaction of residents with each other during the period in question. Such interviews may reveal other friendships among people who did not live on Walnut Street but who might have been a witness to gatherings at the house with McCall and King. A further purpose of such interviews could include determining whether contemporary written records including letters, postcards, or other correspondence or diaries or photographs might exist that could shed light on social relationships among neighbors on Walnut Street and may even offer direct evidence of King's presence. HPO has learned that Robert Burke Johnson, the attorney for King and McCall is still living and can be contacted. HPO has learned through Congressman John Lewis that King's older sister, Christine King Farris, is still living (she is 89 years old). The Congressman's office has offered to assist in contacting her. In addition, Walter McCall's two children are still living in the Atlanta area. They may have been told by their father about his associations with Martin Luther King, Jr. Communication with either of both of them may yield information about the relationship between the two men.

COORDINATION

To insure that the project is proceeding smoothly and to consult about unexpected events, the Research Team will participate in at least three project status meetings with HPO staff. These meetings will occur in Trenton, in Camden, or at the offices of the Research Team, as appropriate. One of the meetings will be scheduled following the submittal of the draft report to provide HPO staff an opportunity to present to and discuss comments with the Research Team. Team leaders will meet monthly with HPO staff by Skype, or in person, as determined by HPO, along with other team members as appropriate, to ensure that HPO remains up-to-date on project developments.

DELIVERABLES

The Research Team shall submit to the HPO either one digital copy or four hard copies of a draft report complete with all figures and attachments including one or more DVDs of oral history interviews. This report will include a detailed explanation of the course of the research, the logic behind the selection of the sources consulted, an evaluation of the quality of the available evidence that supports or contradicts the conclusions presented in the report. The conclusion shall also include suggestions for additional research, if appropriate.

Following this submission, HPO will have 30 days to set up a follow-up meeting to discuss the draft report. Following the meeting, the Research Team shall have 30 days to complete and submit a final report. One digital and two hard copies of the report and attachments must be submitted, as well as one copy of each of the oral history interview DVDs.

Report Requirements

The report will be written according to the NJHPO's Requirements for archaeological survey reports – standards for report sufficiency at N.J.A.C. 7:4-8.6 with the exception of:

- 7:4-8.6(a) 2.ix (concerns architectural field results)
 2.x (concerns assessment of impacts)
 2.xi (concerns data summary for architecturally surveyed properties)
 4 (in its entirety; concerns undertakings)
 5 (in its entirety; ” “
 6.iii. (concerns field research and evaluation methods under NR criteria)
 9 (concerns discussion of “field results”)
 10 (in its entirety; concerns undertakings)
 11 (in its entirety; concerns data summaries of surveyed properties)
 15.vi (concerns delineating APE's)
7:4-8.6(a) 7. + 8. (Could be interpreted such that “area” means 753 Walnut Street, and that “surroundings” mean the several adjacent properties in both directions from 753 Walnut Street and on both sides of the street.)

The report will meet the standards and guidelines set forth by the U.S. Secretary of the Interior for Archeology and Historic Preservation, September 29, 1983.

Submission will be made in hard copy and digital (pdf) formats. Bound hard copies of the report, prepared in accordance with the formatting requirements at N.J.A.C. 7:4-8.5 shall be submitted to the NJHPO and NPS. Seven (7) hard copies and twenty (20) digital copies in pdf format, each on its own CD (20 CD-ROM total).

Two bound hard copies of the report, prepared in accordance with the formatting requirements at N.J.A.C. 7:4-8.5 shall be submitted to the NJHPO.

Two digital copies of the report prepared in accordance with the requirements of N.J.A.C. 7:4-8.9(a)2 shall be submitted to the NJHPO. NJHPO shall make this report available on its website when it is received.

SCHEDULE

February 15-28, 2017: Complete review of existing documentation made available by HPO; conduct literature review.

March-April 2017: Conduct local online and archival research (specifics provided above); begin identifying and recording local oral histories; complete newspaper and genealogical research.

May 30, 2017: Prepare and submit preliminary report to HPO, along with schedule for research in more distant libraries and archives, if HPO deems such work is warranted.

June-July 2017: Conduct distant archival research once the spring 2017 has ended (this work

cannot be completed earlier as such teaching schedules for team members span Monday through Friday). Compile second report to be submitted to the HPO when research is complete, and no later than July 30, 2017.

August 31, 2017: Final deliverables due.

CONTRACT
BETWEEN
STOCKTON UNIVERSITY
(Name of Contractor)
AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

CONTRACT NUMBER: HE17-005

GOVERNING BODY RESOLUTION

~~INSERT CURRENT BOARD RESOLUTION~~

*See attached signature authority policy
and signature authority procedure.*

STOCKTON UNIVERSITY



POLICY

Signatory Authority Policy

Policy Administrator: Vice President for Administration and Finance
Authority: N.J.S.A. 18A:64-6 & 8
Effective Date: August 25, 1977; February 24, 2016
Index Cross-References: Procedure 6416 – Signatory Authority
Policy File Number: VI-65
Approved By: Board of Trustees

The Board of Trustees of a State College shall have general supervision over and shall be vested with the conduct of the University. The President of a State College shall be responsible to its Board of Trustees and shall have such powers as shall be requisite to the executive management and conduct of the University in all departments, branches and divisions, and for the execution and enforcement of the bylaws, rules, regulations and orders governing the management, conduct and administration of the University (N.J.S.A. 18A:64-6 & 8).

The Board of Trustees further designates the University President or his designee authority to sign and execute an agreement with banking and financial institutions and to establish the appropriate accounts to deposit, transfer or withdraw funds; to agree to the purchase, sale or exchange of any funds or assets held in the accounts; to provide instructions, when needed, to the Bank with respect to the management or investment of such funds or assets; and to sign checks, drafts, stock powers, bond powers or other orders with respect to assets of, or being added to, the accounts; and to transact any and all other business relating to the accounts, which at any time may be deemed advisable.

The Board of Trustees further designates the University President authority to execute contracts on behalf of the University. No person is authorized to execute contracts unless granted by formal written authorization.

Subject to these limitations, Procedure No. 6416 – Signatory Authority further delegates banking authority, contract review and signatory authority to other officers of the University.

Approval History:

	Date
Legal Counsel	11/18/15
President	11/18/15
Board of Trustees	2/24/16

STOCKTON UNIVERSITY



PROCEDURE

Signatory Authority Procedure

Procedure Administrator: Assistant Vice President for Finance

Authority:

Effective Date: February 24, 2016

Index Cross-References: VI-65 – Signatory Authority Policy

Procedure File Number: 6416

Approved By: Harvey Kesselman, President

PURPOSE:

This procedure is intended to ensure that commitments of University resources are reviewed and that the associated agreements are signed by authorized officials. It is essential that agreements and contracts are consistent with the goals and objectives of the University and do not expose the University to undesirable financial or legal risks.

This procedure applies to designated employees who have been assigned signatory authority and responsibility to approve contracts, documents for procurement of goods and services, grant agreements and awards, internal awards, and travel on behalf of the University.

CONFLICT OF INTEREST:

It is the responsibility of all University employees to ensure that the University does not enter into contracts that present conflicts of interest. University employees must exercise their authority in a manner consistent with the University Code of Ethics Policy.

CONTRACTS AND GRANT AGREEMENTS:

All contracts and agreements that obligate the University, regardless of dollar amount, must be reviewed by General Counsel prior to execution.

The University does not recognize contracts signed by University employees as binding on the University unless the employee who signed the contract has duly delegated signatory authority. Employees who sign contracts purporting to bind the University without authority properly delegated may be personally subject to legal action by the vendor, and may be subject to disciplinary action by the University.

The President has the authority to approve and enter into contracts and agreements on behalf of the University and delegates the following authority:

The Vice President for Administration and Finance has been delegated the authority to enter into contracts on behalf of the University up to \$2,500,000.

The Contracting Officer of the University has been delegated the authority to enter into contracts up to \$250,000.

Signatory authority is delegated to The Executive Director for the Office of Research and Sponsored Programs (ORSP) to enter into grant agreements on behalf of the University after being assigned a legal and contract reference number up to \$500,000.

Signatory authority is delegated to the Provost Office for Affiliation agreements.

Signatory authority has been delegated to the Executive Director of the Southern Regional Institute and Educational Technology and Training Center (SRI-ETTC) for the condensed service agreement vetted by the Legal Department.

Copies of fully executed agreements should be returned to the Office of Staff Counsel.

PROCUREMENT AND PAYMENT OF GOODS AND SERVICES:

The President has the authority to approve purchase orders and payments for the procurement of goods and services on behalf of the University and grants the following authority:

Deans and Directors can approve purchase orders and disbursements for the procurement of goods and services that do not exceed \$50,000.

Purchase orders or disbursements for procurement of goods and services that exceed \$50,000 require the approval of the appropriate Cabinet Member.

Cabinet Members can approve purchase orders and disbursements for the procurement of goods and services within the Division's annual budget.

Assistant Vice President for Finance has authority to approve all institutional disbursements up to \$250,000.

Vice President for Administration and Finance has authority to approve all institutional disbursements up to \$2,500,000.

Internal and External Awards:

Academic Development (AD) grant proposals and sabbatical leaves require approval by the University President.

Grant proposals, sabbatical leaves, subventions, Career Development Committee (CDC), Research & Professional Development (R&PD), and other internal University awards for Academic Affairs require approval of the Provost.

Travel:

The President has the authority to approve travel for University personnel on behalf of the University and grants the following authority:

Cabinet Members can approve travel for their respective Deans and Directors.

Deans and Directors can approve travel for their respective Faculty, Staff, Students, program receptions, study tours and staff training.

All international travel including international study tours are subject to additional review and approval by the Office of Global Engagement and the Office of Risk Management & Environmental Health and Safety.

International travel also requires approval by the appropriate Cabinet Member.

All requests for travel must be made in accordance with Authorized Travel Guidelines and approved by the University's Travel Officer.

DELEGATION OF AUTHORITY:

Delegations of authority may be essential for efficient and effective operations; however, the delegating officials retain overall responsibility for matters delegated to personnel under their supervision.

All individuals with signatory authority as well as the respective Cabinet Member must approve requests for delegation of signatory authority on a Designation of Signatory Authority Form.

An individual may only delegate the approval already granted to him / her and delegations can only be made within the same unit. Designation of Signatory Authority

Forms must be submitted to the Division of Administration and Finance prior to any delegation of authority.

Table 1: Signatory Authority Levels

Function	President	Cabinet Members	VP for A&F	Assistant VP for Finance	Contracting Officer	Deans and Directors
Contracts and Agreements	No Limit	N/A	\$2.5 million	N/A	\$250,000	N/A
Grants Contracts and Agreements	No Limit	N/A	\$2.5 million	N/A	N/A	N/A
Affiliation Agreements	No Limit	N/A	No Limit	N/A	N/A	N/A
Condensed Service Agreements	No Limit	N/A	No Limit	N/A	N/A	N/A
Requisitions and Direct Pays	No Limit	\$100,000	\$2.5 million	\$250,000	\$50,000	\$50,000
Change Orders	No Limit	N/A	\$2.5 million	N/A	N/A	N/A

Notes to Table 1:

- Executive Director for OSRP has authority to sign Grant Contracts and Agreements up to \$500,000.
- Executive Director of SRI-ETTC has authority to sign Condensed Service Agreements reviewed by the University's General Counsel.
- Provost has authority to sign Affiliation Agreements.

Approval History:

	Date
President	1/27/16

**CONTRACT
BETWEEN
STOCKTON UNIVERSITY
(Name of Contractor)
AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

CONTRACT NUMBER: HE17-005

SUBCONTRACTOR CERTIFICATION

As a condition of the State's consent to the subcontract entered into between _____ (the "subcontractor") and **STOCKTON UNIVERSITY** (the "Contractor") (such subcontract, the "subcontract") for work in furtherance of the contract with the State of New Jersey (the "State") captioned above (the "contract") and in consideration of any payment or benefit the subcontractor may receive for its performance of the subcontract, the subcontractor agrees that the following terms, provisions, and conditions ("terms") shall be additional terms of the subcontract, shall inure to the benefit of the State, and shall not be modified in any way without the written agreement of the State:

1. With respect to all services and goods the subcontractor provides pursuant to the subcontract or in furtherance of the contract, the subcontractor shall comply with, and shall be bound by, all terms of the contract (excepting only (a) those terms, if any, requiring the provision of goods or services not required by the subcontract, (b) the following Sections of the General Terms and Conditions of the contract: IV, IX, X, XI, XIII, XV, XVI, XVII, and XXII, and (c) Attachments B, B-1, B-2, C, and G) as though it were the Contractor and as though all such terms were explicit terms of the subcontract for the benefit of the State as third party beneficiary. The subcontractor acknowledges that the Contractor has given it a complete copy of the contract and that it is familiar with all of the contract's terms
2. The subcontractor acknowledges and accepts that it is an independent principal working for the Contractor and has no relationship with the State in connection with the contract as its agent, servant, employee, contractor, or otherwise.
3. The subcontractor shall make no claim or demand against the State, its officers, its agents, its servants, or its employees (the "State or its agents") (a) which arises out of or in connection with, or which is based on, (i) the subcontract or the contract, (ii) any services or goods the subcontractor provides pursuant to the subcontract or in furtherance of the contract, or (iii) the relationship between the subcontractor and the Contractor in connection with the subcontract or (b) which would not exist if the subcontract did not exist.
4. The subcontractor shall defend, indemnify, protect, and save harmless the State, its officers, its agents, its servants, and its employees from and against any damage, claim, demand, liability, judgment, loss, expense, or cost (collectively, "damage") arising, or claimed to arise, from, in connection with, or as a result of, the subcontractor's performance, attempted performance, or failure to perform in connection with the subcontract (collectively, "performance"), regardless of whether such performance was undertaken by the subcontractor, its officers, its directors, its agents, its servants, its employees, its subcontractors, or any other person at its request, subject to its direction, or on its behalf. As nonrestrictive examples only, this indemnification shall apply, but shall not be limited, to (a) any settlement by the State of any claim or judgment against the State or its agents, provided the subcontractor had the opportunity to participate in the settlement negotiation, and (b) all attorneys' fees, litigation costs, and other expenses of any nature, incurred by the State in connection with any damage. The subcontractor (a) shall immediately notify the State of any damage for which it or the State might be liable and (b) shall, at its sole expense, (i) appear, defend, and pay all charges for attorneys, all costs, and all other expenses incurred in connection with any damage and (ii) promptly satisfy and discharge any judgment rendered against the State or its agents, or any settlement entered into by the State, for any damage. The subcontractor shall not assert any defense which would be available to the State but not to the subcontractor, whether arising pursuant to the New Jersey Tort Claims Act or otherwise, without having first obtained the written approval of the New Jersey Division of Law. This agreement to indemnify shall continue in full force and effect after the termination or expiration of the subcontract and the contract. The subcontractor does not hereby agree to indemnify the State against damage to the extent it results from the state's tortious action or inaction for which it would be liable under the New Jersey Tort Claims Act. As soon as practicable after it receives a claim for damage made against it, the State shall notify the subcontractor in writing and shall have a copy of such claim forwarded to the subcontractor.

12/16

Page 2 of 2

Date: _____

(print name of subcontractor)

by: _____

(signature)

(print name)

(print title)

(number and street)

(municipality, state, and zip code)

(telephone number)

ATTEST:

(signature of another officer of subcontractor,
if sole prop or single-member entity, person as witness)

(print name and title)

SIGNATURE AUTHORIZATION*

I, _____, _____, of
(print name) (print title)_____ certify that the individual who executed this
(print subcontractor's name)

Subcontractor Certification on behalf of the subcontractor was duly authorized to do so.

ATTEST:

(signature of subcontractor's secretary or equivalent)

(signature of another officer of subcontractor,
can be same as witness signature above)

(print name)

(print name)

(print title)

(print title)

Date: _____

SEAL

*This section is required for all business structures except for sole proprietorship and other single-member entities

REFERENCE BIBLIOGRAPHY

This bibliography is provided for reference purposes only. It lists documents incorporated by reference into this contract and other documents which might be helpful to the Contractor.

A. New Jersey Department of the Treasury

- State Circular Letter 15-08-OMB: Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid
- State Grant Compliance Supplement

B. United States General Accounting Office

- Government Auditing Standards (Yellow Book)

C. United States Office of Management and Budget

- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200)
- Uniform Administrative Requirements for Grants and Cooperative Agreements with State and Local Governments (Common Rule), (March 11, 1988) <http://www.whitehouse.gov/omb/grants/chart.aspx>
- Compliance Supplement for Single Audits of State and Local Governments-Uniform Requirements for Grants to State and Local Governments (Compliance Supplement, Revised)

D. American Institute of Certified Public Accountants ("AICPA")

- State and Local Governments – Audit and Accounting Guide
- Not-for-Profit Organizations — AICPA Audit and Accounting Guide

From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 2/27/2018 11:48:58 PM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>; Vermeulen, Lori <Lori.Vermeulen@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Cc: D'Amico, Diane <Diane.D'Amico@stockton.edu>
Subject: RE: Philly voice article
Attachments: [image001.png](#)

[REDACTED]
Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle
Sent: Tuesday, February 27, 2018 4:40 PM
To: Vermeulen, Lori <Lori.Vermeulen@stockton.edu>; Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: Fw: Philly voice article

[REDACTED]

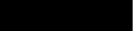
[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: D'Amico, Diane
Sent: Tuesday, February 27, 2018 9:12 AM
To: McDonald, Michelle
Subject: Philly voice article



[MLK visited Camden, but not a resident, report finds; daughter of homeowner agrees](#)

www.phillyvoice.com

MLK a visitor to Camden, but not a resident, report finds; daughter of homeowner agrees

Diane D'Amico
Director, News and Media Relations
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205-9441
P 609-652-4593
C 609 412-8069
Diane.D'Amico@stockton.edu



 STOCKTON
LIBRARY REQUEST 071320-1 DU

068

From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 2/28/2018 5:50:45 AM
To: Angulo, Michael <Michael.Angulo@stockton.edu>; D'Amico, Diane <Diane.D'Amico@stockton.edu>
Subject: FW: philly voice article
Attachments: [image002.png](#)

[MLK visited Camden, but not a resident, report finds; daughter of homeowner agrees](#)

www.phillyvoice.com

MLK a visitor to Camden, but not a resident, report finds; daughter of homeowner agrees



Best regards,

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President
Stockton University

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Sent: Tuesday, February 27, 2018 4:40 PM
To: Vermeulen, Lori <Lori.Vermeulen@stockton.edu>; Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: Fw: philly voice article

Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University

OPRA REQUEST 071320-1 DUFF
069

101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: D'Amico, Diane
Sent: Tuesday, February 27, 2018 9:12 AM
To: McDonald, Michelle
Subject: philly voice article



<http://www.phillyvoice.com/mlk-visitor-camden-not-resident-report-finds-daughter-homeowner-agrees/>

[MLK visited Camden, but not a resident, report finds; daughter of homeowner agrees](http://www.phillyvoice.com/mlk-visitor-camden-not-resident-report-finds-daughter-homeowner-agrees/)

www.phillyvoice.com

MLK a visitor to Camden, but not a resident, report finds; daughter of homeowner agrees



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P 609-652-4593
C 609 412-8069
Diane.D'Amico@stockton.edu



OPRA REQUEST 071320-1 DUFF
070



OPRA REQUEST 071320-1 DUF

071

From: Bill Kelly <billkelly3@gmail.com>
Sent: 3/3/2018 5:34:56 PM
To: Patrick Duff <101etm@gmail.com>;mburney@phillynews.com;Harvey Kesselman <Harvey.Kesselman@stockton.edu>
Subject: My response to Inquirer Article

[Whitedeercafe: King In Camden - Stockton Study Dispute](#)

From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 3/5/2018 10:21:25 AM
To: D'Amico, Diane <Diane.D'Amico@stockton.edu>; Weeks, Patty <Patty.Weeks@stockton.edu>; Keenan, Claudine <Claudine.Keenan@stockton.edu>
Cc: Vermeulen, Lori <Lori.Vermeulen@stockton.edu>; Pettifer, Geoffrey <Geoffrey.Pettifer@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: RE: Today's NJ.com

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

-----Original Message-----

From: D'Amico, Diane
Sent: Monday, March 05, 2018 10:19 AM
To: Kesselman, Harvey ; Weeks, Patty ; Keenan, Claudine
Cc: Vermeulen, Lori ; Pettifer, Geoffrey ; Davenport, Susan
Subject: RE: Today's NJ.com

Good morning,

[REDACTED]

Diane

Diane D'Amico
Director, News and Media Relations
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205-9441

OPRA REQUEST 071320-1 DUFF
073

P 609-652-4593
C 609 412-8069
Diane.D'Amico@stockton.edu

-----Original Message-----

From: Kesselman, Harvey
Sent: Monday, March 05, 2018 9:49 AM
To: Weeks, Patty ; Keenan, Claudine
Cc: Vermeulen, Lori ; Pettifer, Geoffrey ; D'Amico, Diane ; Davenport, Susan
Subject: RE: Today's NJ.com



Best regards,

Harvey Kesselman
President
Stockton University

-----Original Message-----

From: Weeks, Patty
Sent: Monday, March 05, 2018 9:36 AM
To: Kesselman, Harvey ; Keenan, Claudine
Cc: Vermeulen, Lori ; Pettifer, Geoffrey ; D'Amico, Diane ; Davenport, Susan
Subject: Fw: Today's NJ.com



Patricia Weeks
Director, SRI&ETTC
School of Education
Stockton University
10 West Jimmie Leeds Road
Galloway, NJ 08205
609-626-3850
patty.weeks@stockton.edu

From: Giaquinto, James
Sent: Monday, March 5, 2018 9:26:21 AM
To: Weeks, Patty

OPRA REQUEST 071320-1 DUFF
074

Subject: Re: Today's NJ.com

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Weeks, Patty
Sent: Monday, March 5, 2018 8:07:31 AM
To: Giaquinto, James
Subject: Fw: Today's NJ.com

Good morning - [REDACTED]

Patricia Weeks
Director, SRI&ETTC
School of Education
Stockton University
10 West Jimmie Leeds Road
Galloway, NJ 08205
609-626-3850
patty.weeks@stockton.edu

From: Kesselman, Harvey
Sent: Monday, March 5, 2018 7:18:37 AM
To: Keenan, Claudine; Weeks, Patty
Cc: Davenport, Susan; Vermeulen, Lori; Pettifer, Geoffrey; D'Amico, Diane

OPRA REQUEST 071320-1 DUFF

Subject: Today's NJ.com

Patty,



http://www.nj.com/salem/index.ssf/2018/03/school_segregation_oldmans_township.html

Best regards,

Harvey Kesselman
President
Stockton University

From: Weeks, Patty <Patty.Weeks@stockton.edu>
Sent: 3/5/2018 10:29:58 AM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; D'Amico, Diane <Diane.D'Amico@stockton.edu>; Keenan, Claudine <Claudine.Keenan@stockton.edu>
Cc: Vermeulen, Lori <Lori.Vermeulen@stockton.edu>; Pettifer, Geoffrey <Geoffrey.Pettifer@stockton.edu>; Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: RE: Today's NJ.com

Diane - [REDACTED]

Patty

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To: D'Amico, Diane ; Weeks, Patty ; Keenan, Claudine
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Subject: RE: Today's NJ.com

Good morning,

[REDACTED]

[REDACTED]

Diane

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Director, News and Media Relations
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C 609 412-8069
Diane.D'Amico@stockton.edu

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Cc: Vermeulen, Lori ; Pettifer, Geoffrey ; D'Amico, Diane ; Davenport, Susan
Subject: RE: Today's NJ.com

[REDACTED]

Best regards,

Harvey Kesselman
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From: Weeks, Patty
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To: Kesselman, Harvey ; Keenan, Claudine
Cc: Vermeulen, Lori ; Pettifer, Geoffrey ; D'Amico, Diane ; Davenport, Susan
Subject: Fw: Today's NJ.com

[REDACTED]

[REDACTED]

Patricia Weeks

Director, SRI&ETTC
School of Education
Stockton University
10 West Jimmie Leeds Road
Galloway, NJ 08205
609-626-3850
patty.weeks@stockton.edu

From: Giaquinto, James
Sent: Monday, March 5, 2018 9:26:21 AM
To: Weeks, Patty
Subject: Re: Today's NJ.com

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Weeks, Patty
Sent: Monday, March 5, 2018 8:07:31 AM
To: Giaquinto, James
Subject: Fw: Today's NJ.com

Good morning - [REDACTED]

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Cc: Davenport, Susan; Vermeulen, Lori; Pettifer, Geoffrey; D'Amico, Diane
Subject: Today's NJ.com

Patty,



http://www.nj.com/salem/index.ssf/2018/03/school_segregation_oldmans_township.html

Best regards,

Harvey Kesselman
President
Stockton University

From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 4/19/2018 6:35:25 AM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Subject: RE: FYI

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle
Sent: Thursday, April 19, 2018 6:34 AM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: FYI

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey
Sent: Thursday, April 19, 2018 5:27 AM
To: McDonald, Michelle
Subject: FYI

<http://thiscantbehappening.net/print/3871?page=2>

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 4/19/2018 6:38:59 AM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: FYI

[REDACTED]

[REDACTED]

M.

[The ThisCantBeHappening.net news collective: a history and ...](#)
[thiscantbehappening.net](#)

ThisCantBeHappening.net was founded in 2004 as a blog by Dave Lindorff in a quixotic one-man effort to afflict the powerful. As the site gained recognition and readers, Dave realized that it would take more than one journalist to cause any significant degree of affliction.

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey
Sent: Thursday, April 19, 2018 6:35:25 AM
To: McDonald, Michelle
Subject: RE: FYI

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle
Sent: Thursday, April 19, 2018 6:34 AM

To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: FYI

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



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To: McDonald, Michelle
Subject: FYI

<http://thiscantbehappening.net/print/3871?page=2>

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 4/19/2018 6:34:19 AM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: FYI

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey
Sent: Thursday, April 19, 2018 5:27 AM
To: McDonald, Michelle
Subject: FYI

<http://thiscantbehappening.net/print/3871?page=2>

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 5/9/2018 7:24:54 AM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Cc: Kowalski, Brian <Brian.Kowalski@stockton.edu>; Bailey, Ellen <Ellen.Bailey@stockton.edu>
Subject: Re: The Stockton Study is Mentioned

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey
Sent: Wednesday, May 9, 2018 5:35 AM
To: McDonald, Michelle
Cc: Kowalski, Brian; Bailey, Ellen
Subject: The Stockton Study is Mentioned

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 5/9/2018 5:35:30 AM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Cc: Kowalski, Brian <Brian.Kowalski@stockton.edu>; Bailey, Ellen <Ellen.Bailey@stockton.edu>
Subject: The Stockton Study is Mentioned

Attachments: [Grant for King site went to Fire Dept. - Philadelphia Inquirer -Philly Edition, 2018-05-09.pdf](#)


Best regards,

Harvey Kesselman
President
Stockton University

Grant for King site went to Fire Dept.

By Melanie Burney STAFF WRITER



A \$229,000 grant earmarked to save a rundown Camden home where the Rev. Dr. Martin Luther King Jr. lived as a young seminary student in 1950 was somehow diverted to the Fire Department, city officials say.

The misdirected money came to light when an activist who has been fighting to save the home in the Bergen Square

At the house in 2016 (from left): Historian Patrick Duff, U.S. Rep. Donald Norcross, Jeanette Lily Hunt, U.S. Rep. John Lewis, and Mayor Dana Redd. AVI STEINHARDT

neighborhood filed a public records request. Now, a judge has ordered Camden officials to turn over documents showing what happened to the funds.

The disclosure at a hearing last week before Superior Court Judge Deborah Silverman Katz came amid efforts to have the house declared a state historic landmark. The three-story house at 753 Walnut St. has fallen into disrepair and has been vacant for years.

At issue is an award from the city's 2017 Community Development Block Grant program designating the grant to preserve the King House. The project has been delayed and bogged down in controversy, and Patrick Duff, a local historian and activist, filed requests under the state's Open Public Records Act seeking documents on the status of the grant.

Like many large cities, Camden receives millions of dollars annually in grants from the federal government for programs that benefit low- and moderate-income residents. The city in turn disburses the funds to nonprofit housing and community development groups.

After Duff filed more than a dozen requests with the city, his attorney, Donald M. Doherty, sued. At the hearing Friday, Katz, according to an audio recording of the arguments Duff obtained from the court records office, concluded that Duff was entitled to the information.

"All he wants to know is what happened to that money. I think that's a pretty simple request," Katz said. "I'm a little dismayed that he wasn't given something as basic as [City Council] resolutions."

In response to questions from the judge, Assistant City Attorney Ilene Lampitt replied: "The \$229,035 for the MLK House was actually reprogrammed for the Fire Department." She said the Parks Department, in conjunction with Camden County, "decided to go a different way." She did not elaborate.

"That's amazing to me," Katz replied.

Doherty had a similar reaction.

"I can't fathom that it came down the way it did," he said.

Lampitt declined to comment Tuesday, citing the pending litigation. "I really can't speak to it now," she said.

Vince Basara, a spokesman for Mayor Frank Moran, also declined to comment Tuesday.

Katz set a May 18 deadline for the city to turn over "every single bit of information promulgated by any entity within the City of Camden dealing with the \$229,000 MLK funds" and how after approval by the U.S. Department of Housing and Urban Development to spend it on the restoration project, it was diverted to the Fire Department.

The judge said she could not determine whether the action was proper without seeing the underlying paperwork. It was unclear whether the Fire Department had received the funds.

“I’m assuming there’s got to be a resolution. There’s got to be an ordinance. There’s got to be paperwork. There’s got to be some kind of email chain,” the judge said. “I want all of that information provided.”

Camden can reallocate the funds without HUD approval, but such action may require a public hearing, said agency spokeswoman Olga Alvarez. The city received \$2.1 million in community block grants in 2017 and \$2.3 million in 2018, she said.

“It’s pretty common,” Alvarez said.

A June 5 hearing was scheduled on additional requests filed by Duff.

Duff said he was surprised to learn that the funds were no longer designated for the King house, which he has been fighting for years to save.

“It’s like the twilight zone,” Duff said.

In 2016, the city reached an agreement allowing the nonprofit Cooper’s Ferry Partnership to take over the house. Cooper’s Ferry was to become the custodian of the property, owned by Jeannette Hunt.

Last year, Cooper’s Ferry applied to the city for a \$160,000 grant to preserve and rehabilitate the house. Additional funding would come from a foundation and \$45,000 from in-kind donations, the application said. It called for design work to begin in August 2017 and the project to be completed by July 2018.

Duff asked the city for documents to show how the grant was increased to \$229,000 before it was diverted to the Fire Department. He also requested minutes from the meeting at which the grant was approved.

Kris Kolluri, executive director of Cooper’s Ferry, which is overseeing redevelopment on the Camden waterfront, said his agency had not received any funds in question from the city for the project.

“Cooper’s Ferry does not have an involvement in the project, because there never was a grant agreement between the city and Cooper’s Ferry,” Kolluri said.

King stayed in Camden when he was a student at the now-closed Crozer Theological Seminary in Upland, local historians say. While living there, King was refused service at a Maple Shade bar along with a fellow seminary student, an incident that some believe helped spark his long crusade for civil rights.

Duff began campaigning to save the house and raised an alarm after the building’s owner received a demolition notice from the city. U.S. Rep. John Lewis (D., Ga.), who was a King lieutenant, stopped by in 2016 to lend his support.

An application seeking a historical designation for the house has been pending for several years with the state Office of Historic Preservation. A controversial study released this year by Stockton University researchers cast doubts about the historical significance of the house and the impact that any time that King spent in Camden had on his development in later life.

A spokesman for the state Department of Environmental Protection said a decision had not been made on whether to place the house on the historical register. The house could be eligible for state and federal preservation funds with such a designation.

Camden’s Historical Commission declared the house a historical site in 2016. Francis and local historians believe King frequently studied for classes and mulled issues that helped mold him as a civil-rights leader

during his stays in Camden. The state Legislature passed resolutions that same year calling for the preservation of the house.

Duff said he still hopes to turn the house and an adjacent vacant lot into a site commemorating King 's time in Camden. mburney@phillynews.com

856-779-3814 @mlburney

From: Inquirer Morning Newsletter <morningnewsletter@philly.com>
Sent: 5/9/2018 7:01:52 AM
To: harvey.kesselman@stockton.edu
Subject: Trump exits Iran deal, Pa. prepares for primaries | Morning Newsletter

[Read this newsletter on Philly.com](#)

The Philadelphia Inquirer

Wednesday, May 9, 2018

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Welcome to Wednesday. Internationally, the top story today is President Trump's decision to pull the U.S. out of the Iran nuclear deal and re-impose sanctions on the country. The ramifications of the move continue to unfold, but French and Iranian leaders say they hope to keep the deal together. Closer to home, primary candidates are rallying before next week's Pennsylvania elections. Thanks to some wide-open races, some crowded tickets, and that new Pennsylvania map, it will be an eventful one for the region. And don't miss our story on how a recent announcement by the Trump administration will affect Philly's Honduran community, it's a must-read.

— Aubrey Nagle ([@aubs_n](#), [morningnewsletter@philly.com](#))

For a Honduran mother in Philly, a forced return to a troubled homeland looms

TOM GRALISH/ Staff Photographer

Miriam Turcios, originally from Honduras, pauses outside the Kensington offices of New Sanctuary Movement of Philadelphia.

Last week, the Trump administration said [it would end Temporary Protected Status for Honduras](#), granted in 1999 after Hurricane Mitch. The move puts about 57,000 foreign nationals at risk of deportation, including some of Philadelphia's small Honduran community.

Immigration advocates like the [New Sanctuary Movement of Philadelphia](#) say sending immigrants back is inhumane. One woman at risk is Miriam Turcios, who has spent the last

OPRA REQUEST 071320-1 DUFF
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24 years in the United States and who would be [leaving behind a family, job, and home in North Philadelphia](#).

Candidates, party leaders prepare for primaries

As next week's Pennsylvania primary election moves closer, candidates are making pitches and political leaders are sending along endorsements. Montgomery County, for one, is hoping to [send one of its own to Congress for the first time in years](#), thanks to the state's new congressional map. Republican Laura Ellsworth is [running to be Pennsylvania's first woman governor](#).

In the Seventh Congressional District [a Democratic but "Trumpish" candidate](#) is stirring the pot in a Trump-favored region. He's running against five other Democrats, including one woman [who has the powerful financial backing of EMILY's List](#).

The Inquirer Editorial Board has [put all of its primary endorsements into one guide](#) (complete with candidate illustrations) for your perusal.

Uber driver who killed herself battled depression, her insurance carrier

Just about a year ago, [police found the body of Krysten Laib](#), 45, in the Delaware River. Weeks prior, she abandoned her car near the Benjamin Franklin Bridge after finishing a shift driving for Uber.

Laib had struggled with depression. A few weeks before her death, her insurer rejected her claim for long-term disability benefits during which she hoped to recover. Her sad story exposes a crisis facing those battling mental illness: [prove you're too mentally ill to work — without losing everything](#).

Read: [Suicide warning signs and resources from the American Foundation for Suicide Prevention](#).

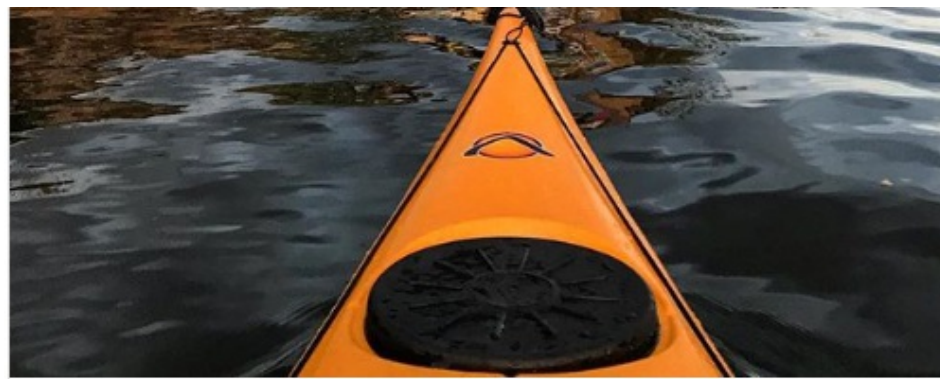
What you need to know today

- In a blow to U.S. allies, President Trump announced yesterday that the [U.S. will pull out of an international accord with Iran](#) which had lifted sanctions against the country in return for restrictions and inspections on its nuclear program. Iranian officials [say they still hope to preserve the deal](#). Columnist Trudy Rubin writes that the change ["will spur further Iranian aggression."](#)
- Somehow the \$229,000 set aside to restore a Camden home where Rev. Martin Luther King Jr. lived as a young seminary student was diverted to the city's fire department, [so now a Superior Court judge is asking questions](#).

- A Temple journalism professor was publicly (and controversially) outed as the user behind a commenting account whose messages included anti-Muslim rhetoric and promoted conspiracy theories, and were posted on news sites including Philly.com. [She admitted to writing some, but not all, of the comments.](#)
- Comcast has not given up on acquiring 21st Century Fox before the Walt Disney Co. does, but [they need tens of billions of dollars first.](#)
- Urologists and hospitals have long advocated for life-saving prostate cancer screenings. But new recommendations show the screening's risks may outweigh its benefits. [Use this new infographic to help determine](#) if it's right for you.
- Where will you be Thursday morning at 10 a.m.? [If you want Eagles tickets](#) you better be near a phone or computer.

Through Your Eyes | #OurPhilly





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city_kayaker glad to see a bunch of people still out there on the pier
[#whyilovephilly](#) [#65minutes](#) [#ourphilly](#)

[view all 6 comments](#)

16 HOURS AGO



It's almost like the clouds aren't happy about Graffiti Pier's fate, either, [@city_kayaker](#).

Tag your Instagram posts or tweets with [#OurPhilly](#) and we'll pick our favorite each day to feature in this newsletter and give you a shout out!

That's Interesting

- [The Sixers face elimination](#) at the hands of the Celtics once again tonight in the Eastern Conference semifinals. They may be Philly's favorite ballers, but the Sixers are actually from all over the world [as this sweet interactive map shows](#).
- What would you do if you had three weeks until your wedding and your Fishtown venue suddenly shut down? [A few unlucky local couples are about to find out](#).
- The Iron Maidens, the only reasonable name for an all-female Iron Maiden tribute band, plays in Philly tonight, [a homecoming for guitarist Courtney Cox](#) (not *that* Courtney Cox).
- [Hulk Hogan thinks he can beat Rocky Balboa](#) in a fight. That's all you need to know about that.

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- Some people love discounts and some people *really* love discounts. Like [this woman who visited 60 T.J. Maxx stores](#) to celebrate her 60th birthday, including a final stop in Abington.
- The Pennsylvania Ballet's longest-serving employee has worked there for *triple* the length of the typical dancer's career. But [that's because she's not actually a dancer](#).

Opinions

Signe Wilkinson

May 9, 2018

“As one friend whose parent association sends in flowers for her children’s teachers told me, ‘Call me a cynic, but nothing says ‘so sorry you are underpaid’ like an enormous bouquet.’” — Teacher Carly Berwick on why [educators would rather get fair pay than gifts](#) during Teacher Appreciation Week.

- Roosevelt Boulevard is the most dangerous road in Philly and one of the most dangerous in the state. But [adding speed cameras could help make it safer](#), Bicycle Coalition of Greater Philadelphia director Sarah Clark Stuart writes.
- Childish Gambino (the stage name of artist Donald Glover) shook up pop culture last weekend with the release of his “This Is America” music video. Columnist Solomon Jones writes, [it's meant to make us uncomfortable, but in a good way](#).

What we’re reading

- Electric bikes are the next big thing in cycling, but they tend to be misunderstood by newbies. Grid Philly’s excellent explainer dives into [how they could change Philly transportation](#).
- A story on local Asian-American students’ [quest to build a multi-generational cultural garden](#) behind a South Philly high school will renew your faith in the next generation today, via the Philadelphia Citizen.
- Tech pioneer Angel Rich (who created a groundbreaking financial literacy game and has been compared to Steve Jobs) [shed light on how Philly can compete with other big cities](#) in an insightful new interview with Philadelphia Magazine.

- Marie Claire just published a really intriguing look at [what they call “the Kardashians of the Middle East.”](#) But these influencers aren’t just social media-obsessed; they’re ushering in social change, too.
- How would you feel if lava started spouting up from your street? Concerned, probably? Well, the reactions of Hawaii residents to the Kilauea volcano eruptions, as told to the Washington Post, [range from ambivalence to devastation to nonchalance.](#)

A DAILY DOSE OF | TALK RADIO



Can you believe Philly’s favorite radio personalities, [Preston & Steve, are celebrating 20 years](#) on the air? Time really flies when you’re having fun.

David Swanson/Staff



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From: Inquirer Morning Newsletter <morningnewsletter@philly.com>
Sent: 8/22/2018 6:55:09 AM
To: harvey.kesselman@stockton.edu
Subject: Doylestown Borough's Verizon victory, Trump lawyer pleads guilty

*** External email alert ***

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The Philadelphia Inquirer

Wednesday, August 22, 2018

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Let's hear it for the little guy in this morning's David-and-Goliath tale. A settlement between Doylestown Borough and Verizon over the placement of wireless cells was a big victory for small-town charm. The question now facing other local municipalities: can we pull that off? Meanwhile, in national news, yesterday the President's longtime lawyer and his former campaign chairman both came away from court proceedings guilty. You won't stop hearing about either case anytime soon.

— Aubrey Nagle ([@aubs](#), [morningnewsletter@philly.com](#))

Tiny Doylestown Borough battled Verizon over 5G and won a big settlement

MICHAEL BRYANT / Staff Photographer

The intersection of State Street and Main Street in downtown Doylestown Borough.

When Verizon proposed placing dozens of boxy 5G wireless cells with five-foot antennas all around Doylestown Borough, residents' reactions were pretty predictable: uh, no.

So officials spent \$150,000 to defend the borough, winning the right to reduce the number of poles, camouflage and relocate some of them, and (surprisingly) take a share in the revenues from each cell.

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099

But the big win will be hard for other municipalities to replicate. [Harrisburg lawmakers are considering legislation](#) that would strip municipalities of zoning oversight when telecom companies want to place cells.

Trump lawyer pleads guilty, former campaign chairman convicted

Michael Cohen, President Trump's longtime fixer and personal lawyer, [implicated Trump in campaign finance crimes](#) after pleading guilty to eight criminal charges Tuesday.

Cohen told a judge that he participated in two campaign finance violations at the direction of a candidate for federal office (understood to be Trump) in order to influence the 2016 election.

Also on Tuesday, Paul Manafort, who for months led Trump's successful presidential campaign, [was found guilty of eight financial crimes](#).

DUIs are down in Philly. Did Uber and Lyft help?

Good news: arrests for intoxicated driving have dropped precipitously — a full 33 percent — in Philadelphia over much of the past decade. The statewide drop over the same period was only 13 percent.

From 2015 to 2017, in fact, Philly DUI arrests dropped by 14 percent. What else happened during that time? Uber and Lyft exploded in Philadelphia.

A reader recently used our [Curious Philly question-and-answer forum](#) to ask if the two events are related. [But the answer isn't a simple "yes" or "no."](#)

What you need to know today

- Ramona Africa, the last survivor of the 1985 MOVE bombing, [has been hospitalized according to a GoFundMe page](#). The page says Africa is suffering from post-traumatic stress disorder-related health complications and has been diagnosed with cancer.
- The [Trump administration wants to roll back the Clean Power Plan](#), which was designed to reduce greenhouse gas emissions. A new plan would give states leeway on how to restrict emissions instead.
- Fentanyl, a synthetic opioid, is [killing more and more people in Pennsylvania](#). In 2017, fentanyl was present in 67 percent of the state's 5,456 overdose deaths, up from 52 percent in 2016.

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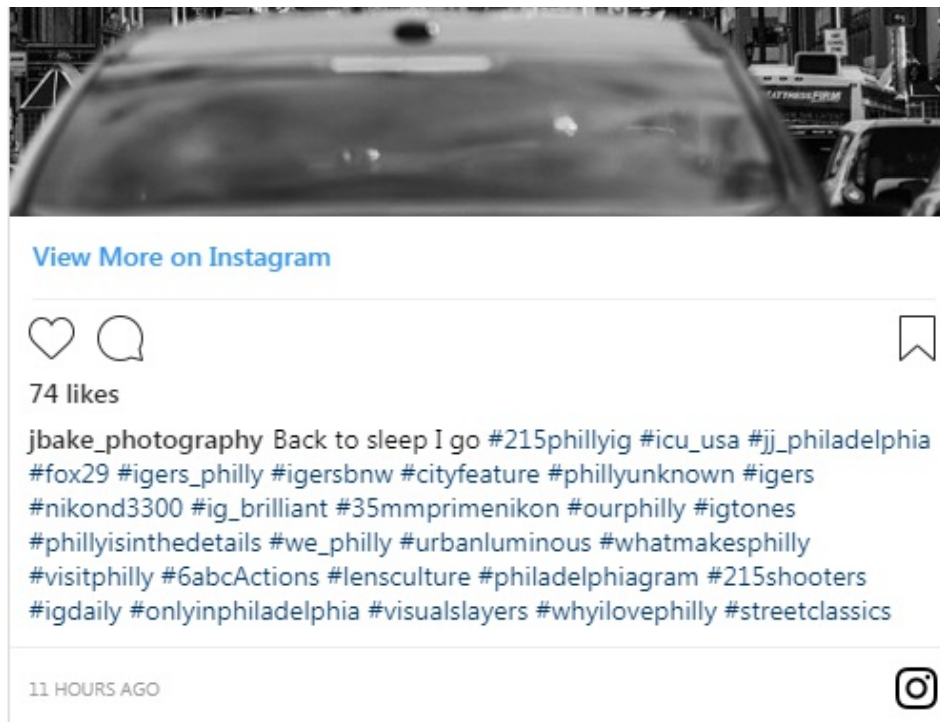
- After a student complained that a crisis pregnancy center was brought to her health class

to teach sex ed using faulty science, the Wallingford-Swarthmore School District [has banned the organization from its classes.](#)

- The owner of the Camden home where the Rev. Dr. Martin Luther King Jr. is said to have lived as a young seminary student in 1950 wants to sell it [and she wants it to become a historical site.](#)
- The traditional post-Labor Day school year start is in retreat as Philly schools say opening in August is the new norm. [Now they just need to let everyone know.](#)

Through Your Eyes | #OurPhilly





Back to sleep? Sounds like a plan, [@jbake_photography](#).

Tag your Instagram posts or tweets with [#OurPhilly](#) and we'll pick our favorite each day to feature in this newsletter and give you a shout out!

That's Interesting

- Hold onto your hats, foodies: The brains behind Zahav, Federal Donuts, and Goldie are [planning to open a new restaurant in Kensington](#).
- A reader recently asked [Curious Philly](#) where the popular carousel that used to reside in Hunting Park has gone. It still exists, [it's just 500 miles away](#).
- When DNA test told a Philadelphia lawyer he had a half-brother in California, [they both went on a mission](#) to find their biological father. What they found [were more siblings and a complicated story](#).
- Just before last season, the Eagles traded away Jon Dorenbos, then their longest-tenured player. It was a bittersweet moment — [until a typical pre-trade physical saved his life](#).

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- Did you know [you can learn the flying trapeze right here in Philly](#)? Reporter Bethany Ao

called it, “one of the most exhilarating and terrifying things I’ve ever done on this job,” and she’s had some *wild* assignments.

- The 20th annual Marian Anderson Award, which honors artists who positively impact society and is named for the famed Philadelphia opera singer, [will go to Queen Latifah this year](#).

Opinions

Bill Schorr, PoliticalCartoons.com

Trump Tower 2020

“But sometimes you gotta do what you gotta do to survive. And sometimes survival as a poor person means spending time contemplating criminality.” — Freelance columnist Charing Ball on [her defense of “Camel Prom Mom” Saudia Shuler](#), recently accused of fraud.

- Last week, New York Gov. Andrew Cuomo said America “was never that great.” CNN political analyst Salena Zito writes that Cuomo [doesn’t know where to look for America’s greatness](#).
- Martin W.G. King, former senior writer at the National Crime Prevention Council, writes that [the rampant abuse of migrants, including asylum seekers](#), in U.S. detention facilities will stain American history.

What we’re reading

- You can say many things about Philly, but you can’t say it lacks character. [Consider the history of the goose-themed street signs](#) that used to dot city corners, thanks to Hidden City.
- Philadelphia Magazine’s food editor has helpfully answered a question that plagues diners each weekend: [how do you score a reservation at the city’s top restaurants?](#)
- In New Orleans, [a community has reimaged the space under an elevated expressway](#) that divided their neighborhood decades ago, reports NextCity. Their struggles with invasive infrastructure may remind you of Philly’s EI and the Vine Street Expressway.

- You’ll need to clear some time today in case you get sucked into the New Yorker’s

gripping long read on a woman who [exposed the murderous confessions of her notorious gangster brother](#).

- Some personal news: Refinery29 has dug into the [social media evolution of one of the most reviled phrases on the internet](#) used to announce our life events. It's a doozy.

A DAILY DOSE OF | PRETZELS



Twenty years ago, [two roommates bet their careers on soft pretzels](#). It paid off: now the Philly snack is more popular than ever and those roommates have an empire.

Maggie Loesch/Staff Photographer



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From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 10/18/2017 9:38:12 PM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>; O'Hara, John <John.O'Hara@stockton.edu>
Subject: MLK in Camden

<http://www.phillyvoice.com/m-l-king-slept-there-did-he-make-history-there-no-decision-two-years/>

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 10/18/2017 9:59:26 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: MLK in Camden

[REDACTED]

Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey
Sent: Wednesday, October 18, 2017 9:38 PM
To: McDonald, Michelle; O'Hara, John
Subject: MLK in Camden

<http://www.phillyvoice.com/m-l-king-slept-there-did-he-make-history-there-no-decision-two-years/>

Best regards,

Harvey Kesselman
President
Stockton University

From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 10/19/2017 5:00:27 AM
To: Davenport, Susan <Susan.Davenport@stockton.edu>; D'Amico, Diane <Diane.D'Amico@stockton.edu>
Subject: FW: MLK in Camden



Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle
Sent: Wednesday, October 18, 2017 9:59 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: MLK in Camden



Best,
Michelle

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
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To: McDonald, Michelle; O'Hara, John
Subject: MLK in Camden



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President
Stockton University

From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 10/19/2017 5:01:10 AM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Cc: Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: RE: MLK in Camden

[Redacted]

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle
Sent: Wednesday, October 18, 2017 9:59 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: MLK in Camden

[Redacted]

[Redacted]

Best,
Michelle

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Associate Vice President of Academic Affairs
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From: Kesselman, Harvey
Sent: Wednesday, October 18, 2017 9:38 PM
To: McDonald, Michelle; O'Hara, John
Subject: MLK in Camden

[Redacted]

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 10/25/2017 12:33:39 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Fw: Will restoration come in time for Camden's MLK house? : Community : WHY

[REDACTED]

[REDACTED]

Sent from my iPhone

From: Bill Kelly <billkelly3@gmail.com>
Sent: 10/25/2017 10:07:07 AM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Cc: Gregg, Robert <Robert.Gregg@stockton.edu>; Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Vermeulen, Lori <Lori.Vermeulen@stockton.edu>
Subject: MLK In NJ Study

Well - I have a copy of the June 1950 complaint against Ernest Nichols - proprietor of Mary's Place bar in Maple Shade, NJ for refusing service signed by Michael King, who gave his address as 753 Walnut Street, Camden, NJ.

When this document was discovered by Patrick Duff and shared with me, I was the first person to go to that address and photograph the house before it was cleaned up, a picture that appeared in the Philadelphia Inquirer the next day.

I learned of the incident when reading the obituary of Nichol's attorney and went to Maple Shade and photographed Mary's Place before it was razed by the NJ Dept. of Transportation.

Nichol's attorney (McCann) said he later heard a radio broadcast of King's testimony before a congressional committee when a Congressman asked King what stimulated him to make civil rights an issue in his ministry. King replied that it was an incident in New Jersey when he was refused service, but that preCSPAN testimony has been hard to find.

Maybe your professors can locate it.

I have done some research into the background of those involved including Dr. Wiggins - who assisted King in his case - Nichols, McCann his lawyer as well as the other three people who were with King and signed the complaint - including another seminary student and two women - one a Philadelphia police officer - Rare in those days for a black women to be a police officer.

I found a picture of her in the Philadelphia Bulletin.

In any case, I have a lot of info on King's residency in NJ.

He also gave an important speech on civil disobedience to Quakers in Cape May that was recorded but that tape has yet to surface.

As today's WHYY story says - the state's delay in recognizing the historic value of the Camden house is delaying its restoration as the roof is deteriorating.

Bill Kelly

On Oct 25, 2017, at 9:33 AM, McDonald, Michelle <Michelle.McDonald@stockton.edu> wrote:

OPRA REQUEST 071320-1 DUFF

Dear Mr. Kelly:

I am in contact with those working on that project. I would be happy to pass along whatever you would like to share.

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Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
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(609) 626-3529
michelle.mcdonald@stockton.edu



From: Bill Kelly <billkelly3@gmail.com>
Sent: Wednesday, October 25, 2017 8:50 AM
To: Gregg, Robert
Cc: McDonald, Michelle; Kesselman, Harvey; Vermeulen, Lori
Subject: Re: Stockton History Committee

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From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 10/25/2017 12:30:49 PM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Subject: RE: Stockton History Committee

[REDACTED]

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From: McDonald, Michelle
Sent: Wednesday, October 25, 2017 12:30 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: Stockton History Committee

[REDACTED]

M.

Michelle Craig McDonald
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From: Kesselman, Harvey
Sent: Wednesday, October 25, 2017 12:28 PM
To: McDonald, Michelle
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OPRA REQUEST 071320-1 DUFF
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From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 10/25/2017 12:30:13 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: Stockton History Committee

M.

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey
Sent: Wednesday, October 25, 2017 12:28 PM
To: McDonald, Michelle
Subject: RE: Stockton History Committee

Best regards,

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President
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From: McDonald, Michelle
Sent: Wednesday, October 25, 2017 9:33 AM
To: Bill Kelly <billkelly3@gmail.com>; Gregg, Robert <Robert.Gregg@stockton.edu>
Cc: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Vermeulen, Lori <Lori.Vermeulen@stockton.edu>
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Bill Kelly
(609) 425-6297

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From: Kesselman, Harvey
Sent: Monday, October 16, 2017 7:55 PM
To: Bill Kelly
Cc: Vermeulen, Lori; Gregg, Robert; McDonald, Michelle
Subject: RE: Stockton History Committee

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Best regards,

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From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 10/25/2017 12:33:25 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: Stockton History Committee

[REDACTED]

M.

Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
(609) 626-3529
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey
Sent: Wednesday, October 25, 2017 12:30 PM
To: McDonald, Michelle
Subject: RE: Stockton History Committee

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle
Sent: Wednesday, October 25, 2017 12:30 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: Stockton History Committee

[REDACTED]

M.

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OPRA REQUEST 071320-1 DUFF
144

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To: Bill Kelly
Cc: Vermeulen, Lori; Gregg, Robert; McDonald, Michelle
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OPRA REQUEST 071320-1 DUFF
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From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 10/25/2017 9:48:29 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: Will restoration come in time for Camden's MLK house? : Community : WHY

[REDACTED]

[REDACTED]

Michelle

Sent from Michelle McDonald's iPhone.

> On Oct 25, 2017, at 8:29 PM, Kesselman, Harvey wrote:
>
> [REDACTED]
>
> Best regards,
>
> Harvey Kesselman
> President
> Stockton University
>
> -----Original Message-----
> From: McDonald, Michelle
> Sent: Wednesday, October 25, 2017 12:34 PM
> To: Kesselman, Harvey
> Subject: Fw: Will restoration come in time for Camden's MLK house? : Community : WHY
>
> [REDACTED]
>
> [REDACTED]
>
>
> Sent from my iPhone

From: Bill Kelly <billkelly3@gmail.com>
Sent: 10/25/2017 10:12:40 AM
To: Michelle McDonald <Michelle.McDonald@stockton.edu>
Cc: Harvey.Kesselman@stockton.edu; Robert Gregg <Robert.Gregg@stockton.edu>; Bill Kelly <billkelly3@gmail.com>
Subject: Will restoration come in time for Camden's MLK house? : Community : WHY

<https://whyy.org/articles/op-ed-will-restoration-come-time-camdens-mlk-house/>

Sent from my iPhone

From: Bill Kelly <billkelly3@gmail.com>
Sent: 11/30/2017 10:32:01 AM
To: Carra Hood <Carra.Hood@stockton.edu>; Lori Vermeulen <Lori.Vermeulen@stockton.edu>; Robert Gregg <Robert.Gregg@stockton.edu>; Michelle McDonald <Michelle.McDonald@stockton.edu>; Harvey.Kesselman@stockton.edu
Cc: Bill Kelly <billkelly3@gmail.com>
Subject: MLK House Roof Repaired

The neighbors did it.

<https://m.facebook.com/#~/home.php>

From: Bill Kelly <billkelly3@gmail.com>
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From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 12/1/2019 6:26:09 PM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Subject: RE: wtf

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: Sunday, December 1, 2019 6:24 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: wtf

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Michelle

Michelle Craig McDonald
Chief Academic Officer, Atlantic City Campus
& Associate Vice President of Academic Affairs
Stockton University, Atlantic City
3711 Atlantic Avenue
Atlantic City, NJ 08401
(609) 761-1201
michelle.mcdonald@stockton.edu



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Sent: Sunday, December 1, 2019 6:16 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: wtf

[REDACTED]

Michelle Craig McDonald
Chief Academic Officer, Atlantic City Campus
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Stockton University, Atlantic City
3711 Atlantic Avenue
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From: Matt Evans [REDACTED]
Sent: Wednesday, November 27, 2019 1:59 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: wtf

[REDACTED]

Matthew "LlamaTerra" W. Evans
Stockton University, School of Business

[REDACTED]

From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
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To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
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[REDACTED]

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Chief Academic Officer, Atlantic City Campus
& Associate Vice President of Academic Affairs
Stockton University, Atlantic City
3711 Atlantic Avenue
Atlantic City, NJ 08401
(609) 761-1201
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: Sunday, December 1, 2019 6:17 PM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Subject: RE: wtf

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

Sent: Sunday, December 1, 2019 6:16 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: Re: wtf

[REDACTED]

Michelle Craig McDonald
Chief Academic Officer, Atlantic City Campus
& Associate Vice President of Academic Affairs
Stockton University, Atlantic City
3711 Atlantic Avenue
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(609) 761-1201
michelle.mcdonald@stockton.edu



From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: Sunday, December 1, 2019 6:13 PM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Subject: FW: wtf

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

From: Matt Evans [REDACTED]
Sent: Wednesday, November 27, 2019 1:59 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Subject: wtf

*** External email alert ***

[REDACTED] with the automated phone number? I don't need concert tickets i need an information help desk! not campus police either.... also IT fucked up your wifes contact the first lady site and she can't get her friends messages....

Matthew "LlamaTerra" W. Evans
Stockton University, School of Business

[REDACTED]

From: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>
Sent: 12/19/2017 6:15:22 PM
To: McDonald, Michelle <Michelle.McDonald@stockton.edu>; Hood, Carra <Carra.Hood@stockton.edu>; Vermeulen, Lori <Lori.Vermeulen@stockton.edu>; Gregg, Robert <Robert.Gregg@stockton.edu>
Cc: Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: RE: Stockton MLK Report

[REDACTED]

Best regards,

Harvey Kesselman
President
Stockton University

-----Original Message-----

From: McDonald, Michelle
Sent: Tuesday, December 19, 2017 2:26 PM
To: Kesselman, Harvey ; Hood, Carra ; Vermeulen, Lori ; Gregg, Robert
Subject: Re: Stockton MLK Report

Hi All:

[REDACTED]

[REDACTED]

[REDACTED]

Best,
Michelle

On 12/19/17, 2:15 PM, "Bill Kelly" wrote:

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158

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To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Hood, Carra <Carra.Hood@stockton.edu>; Vermeulen, Lori <Lori.Vermeulen@stockton.edu>; Gregg, Robert <Robert.Gregg@stockton.edu>
Subject: Re: Stockton MLK Report

Hi All:

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Sent: 12/19/2017 2:31:39 PM
To: Bill Kelly <billkelly3@gmail.com>; Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Hood, Carra <Carra.Hood@stockton.edu>; Vermeulen, Lori <Lori.Vermeulen@stockton.edu>; Gregg, Robert <Robert.Gregg@stockton.edu>
Subject: Re: Stockton MLK Report

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Michelle Craig McDonald
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101 Vera King Farris Drive
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From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 12/19/2017 8:41:11 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Hood, Carra <Carra.Hood@stockton.edu>; Vermeulen, Lori <Lori.Vermeulen@stockton.edu>; Gregg, Robert <Robert.Gregg@stockton.edu>
Cc: Davenport, Susan <Susan.Davenport@stockton.edu>
Subject: Re: Stockton MLK Report

[REDACTED]

Best,
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Michelle Craig McDonald
Associate Vice President of Academic Affairs
Stockton University
101 Vera King Farris Drive
Galloway, NJ 08205
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From: Kesselman, Harvey
Sent: Tuesday, December 19, 2017 6:15 PM
To: McDonald, Michelle; Hood, Carra; Vermeulen, Lori; Gregg, Robert
Cc: Davenport, Susan
Subject: RE: Stockton MLK Report

[REDACTED]

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President
Stockton University

-----Original Message-----

From: McDonald, Michelle
Sent: Tuesday, December 19, 2017 2:26 PM
To: Kesselman, Harvey ; Hood, Carra ; Vermeulen, Lori ; Gregg, Robert

OPRA REQUEST 071320-1 DUFF

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OPRA REQUEST 071320-1 DUFF
179

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Sent: 12/19/2017 8:56:53 PM
To: Patrick Duff <101etm@gmail.com>; Bill Kelly <billkelly3@gmail.com>
Cc: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Hood, Carra <Carra.Hood@stockton.edu>; Vermeulen, Lori <Lori.Vermeulen@stockton.edu>; Gregg, Robert <Robert.Gregg@stockton.edu>
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Dear Patrick:

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Kate Marcopul
609-984-0176
Kate.marcopul@dep.nj.gov

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From: Patrick Duff <101etm@gmail.com>
Sent: Tuesday, December 19, 2017 3:10 PM
To: Bill Kelly
Cc: Kesselman, Harvey; McDonald, Michelle; Hood, Carra; Vermeulen, Lori; Gregg, Robert
Subject: Re: Stockton MLK Report

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Now that would be significant.

William Kelly

From: McDonald, Michelle <Michelle.McDonald@stockton.edu>
Sent: 12/19/2017 2:26:07 PM
To: Kesselman, Harvey <Harvey.Kesselman@stockton.edu>; Hood, Carra <Carra.Hood@stockton.edu>; Vermeulen, Lori <Lori.Vermeulen@stockton.edu>; Gregg, Robert <Robert.Gregg@stockton.edu>
Subject: Re: Stockton MLK Report

Hi All:

[REDACTED]

[REDACTED]

[REDACTED]

Best,
Michelle

On 12/19/17, 2:15 PM, "Bill Kelly" wrote:

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>

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Sent: 12/19/2017 3:10:43 PM
To: Bill Kelly <billkelly3@gmail.com>
Cc: Harvey.Kesselman@stockton.edu;McDonald, Michelle <Michelle.McDonald@stockton.edu>;Carra Hood <Carra.Hood@stockton.edu>;Lori Vermeulen <Lori.Vermeulen@stockton.edu>;Robert Gregg <Robert.Gregg@stockton.edu>
Subject: Re: Stockton MLK Report

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OPRA REQUEST 071320-1 DUFF

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OPRA REQUEST 071320-1 DUFF

Camden man remembers King's trip

KNARR From A1

Instead, I found the house empty and boarded up, a sad part of South Camden's littered ruin.

Now came this message from Dianne Polk, who is 53 and has taught school for 33 years.

"I happen to know the people who own that house on Walnut Street. I am friends with another teacher named Jeanette Hunt; her husband's name is Jesthroe Hunt. McCall was his cousin."

Man, there aren't many phone calls that get me excited anymore. But this one had my attention.

Jesthroe Hunt, 77, a retired Camden fireman, grew up in that house at 753 Walnut St. and lives nearby. His son, J. Jay Hunt Jr., is a Willingboro police detective.

"That night, I came out of the house and saw King and Walt standing there," said Hunt. "They said they wanted to go to Maple Shade to get some real good sandwiches that somebody had talked about."

This was Jesthroe's first night home from a 3-year hitch in the Army. He said the two students had used his bedroom on the second floor while he was gone and commuted to Crozer Theological Seminary in Chester.

"When they told me that they were going up to Maple Shade, I said, 'Look, you guys got to be kidding.' I said, 'You don't know anything about that area.' I said, 'You can't be going up there.'"

"My memory of the thing is, I was telling them how stupid they were! I'll always remember that, as long as I live, how stupid they were. Who did they think they were?"

"See, I still had on my Army uniform," Hunt said. "I just had come home from overseas. I thought I had known a whole lot about everything, you know. And so, these two guys — shucks, they don't know anything. And they're going to go to Maple Shade? I said, 'You guys got to be kidding.'"

He knew Maple Shade as all-white.

"And King says, 'Oh, that's OK. You think that we shouldn't be going up there — we've got to get this thing changed, to the point where we can go anywhere.'"

"Now I knew that they had to be out of their minds."

Later that night, a phone call came to his father, Benjamin Hunt.

"They wanted to let him know that they were in some kind of altercation there in Maple Shade, and could he help them out?" said Jesthroe.

"Well, my father, not being a politician or anything like that, he didn't know what to do, other than to call (the late) Dr. Ulysses S. Wiggins, who was the head of the NAACP and was a staunch civil-rights fighter at the time.

"Somebody in Maple Shade had fired a shot," he said. "And somehow they agreed that they wouldn't press their charges if the tavern owner wouldn't press his charges. And I think that's the only way they got out of that thing."

Jesthroe Hunt said McCall and King didn't come back to the house

afterward. They likely took their dates home and continued on to Chester. Shortly, they headed home to Atlanta for the summer. The case was never prosecuted, because they didn't show up to testify before the grand jury.

Jesthroe Hunt is skeptical of the tavern owner's story.

"I don't remember either Walt or King being drinking people," he said. "Down through the years after this incident I would be with him (McCall) each year, and I never

knew of him to even think about drinking.

"So the thing about asking for beer or liquor — well, I wasn't there, so I can't really say no. But as I say, I have never known them to even order anything like that."

Jesthroe believes it came down to one thing obvious to 1950: "They shouldn't have been there. ... To me, it wasn't real news. I mean, that type of thing happened around that time every time we went into that type of area."

The recollections of two other relatives who lived at 753 Walnut St. that night are not as vivid.

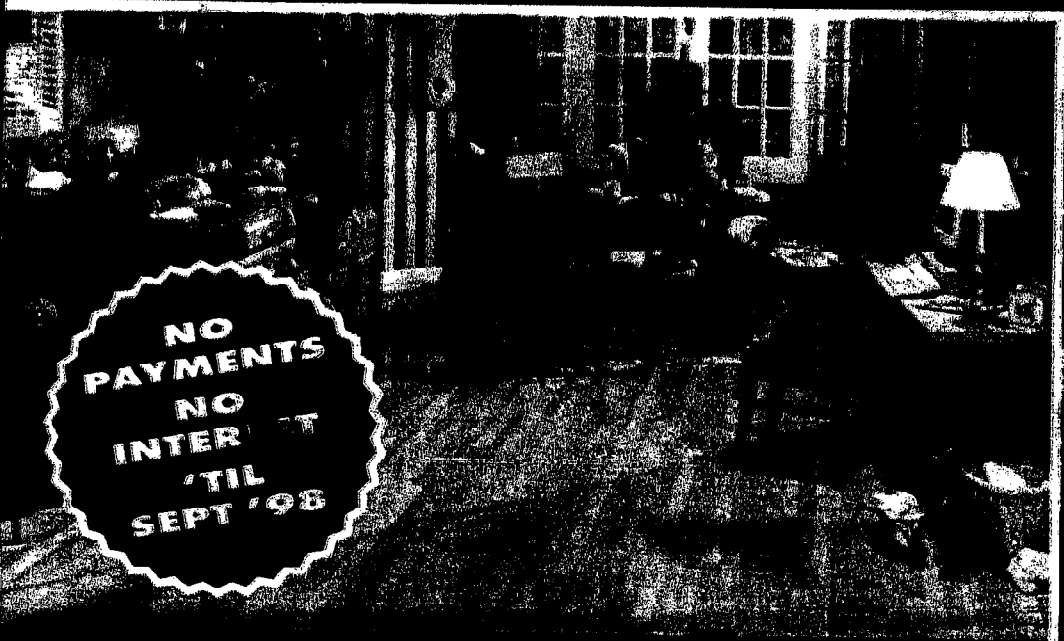
Jesthroe's sister, Thelma Johnson, 70, lives next door now; that night she was told not to mind the grownups' business, and she didn't.

"But I heard Mama tell them to just look up and pray," she said, "and everything will be all right."

Jesthroe's late father Benjamin, then 81, gave this account to the Courier-Post in 1981:

"I long but some 'A there this : cope- up. It tor v right Pe Benje this i

Don't b floor cove (without this



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Declar

Organ donation measure released to state Senate

From staff reports

TRENTON — Legislation clarifying the rights of people who want

Maple Shade man remembers King's trip to Ma

From A1

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OPRA REQUEST 071320-1 DUFF

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Police records are gone. Benjamin added: "I don't know if this is so, but I always think that

what happened that night may have started to change him into the leader he was."

The next fall, King went to school in Boston, and Jesthroe never saw him again.

"At the time, I just thought he was another fellow passing along," said Jesthroe Hunt. "None of us knew that King would wind up being what he was."

Jack Kean's human interest column appears in the Burlington County Times three days a week.

All For

By Claire Haws
BCT staff writer

PEMBERTON TOWNSHIP — The state has decided that students living in 142 Fort Dix housing units recently taken over by McGuire Air Force Base won't be pulled out of Pemberton schools and put into the North Hanover and Northern Burlington County Regional districts.

School and township officials last night announced the decision made by state Commissioner of

More mone Lautenberg

By Laurence Arnold
Associated Press

WASHINGTON — Already pleased with an increase in money for highway projects, New Jersey officials greeted an agreement among Senate leaders yesterday that would provide an extra \$5 billion for mass transit projects nationwide.

In a Congress where power increasingly rests with southern and western states, lawmakers from the Northeast feared that funding for mass transit — largely a feature of northern cities — would get shorted in the debate over a new transportation funding bill.

But the \$5 billion increase would bring bus and rail spending to \$41.3 billion during the next six years, nearly a \$10 billion increase over the six-year transportation bill that expired last year but was extended.

Pay phone users receive cost option

Associated Press

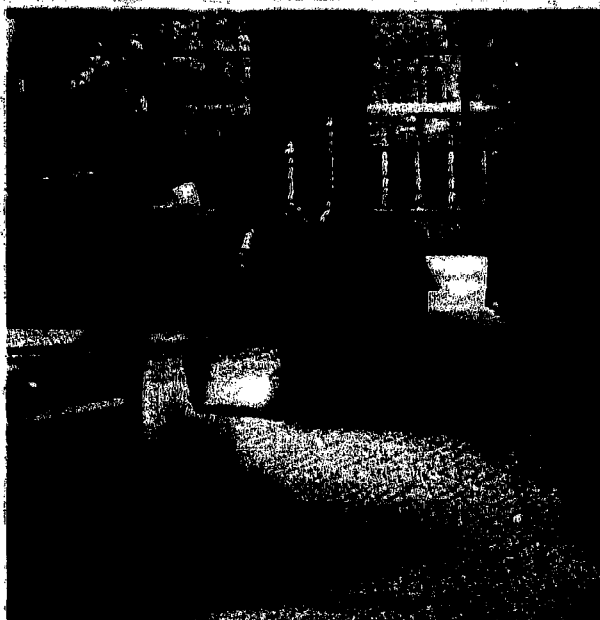
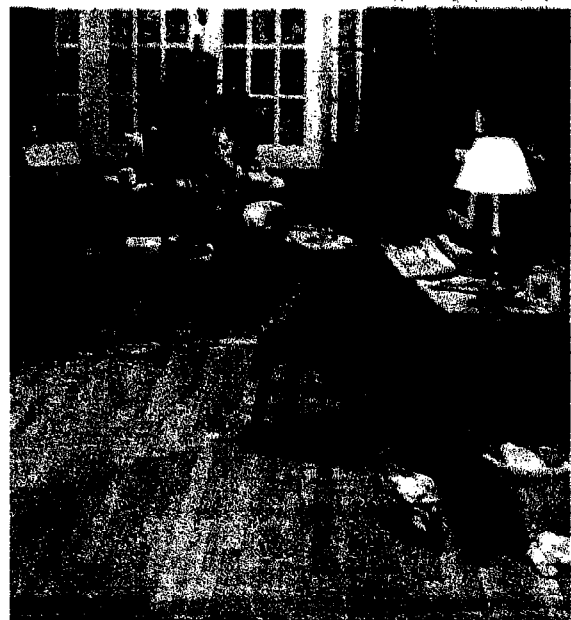
NEWARK — Pay phone dialers who use a credit card or operator to make a call will no longer get surprised by their monthly bill.

Starting June 1, such callers will be able to punch a few buttons and learn how much their local and in-state toll call will cost.

They can also determine the name of the company operating the phone, under a rule enacted yesterday by the state Board of Public Utilities.

The rule does not apply to inter-

on't buy r covering without this ad)



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Duff's legendary soil and

"Kids at Play"
Perfect for the active family, this magnificent product comes in 12" or 15" widths to virtually eliminate the choice between plush or textured.

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OPRA REQUEST 071320-1 DUFF

附錄三

PERMANENT: ~~None~~ ☒ ~~Other~~

Authorities contend that Fleischman funded the warren during the visits to his Mount Laurel office from 1991 to 1995.

Advers has moved, the New Jersey
Board of Municipal Commissioners, composed
of the following: John Greenough, mayor;
George W. Smith, president; and the following:

See: HEPATITIS A

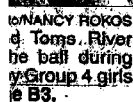
For those who missed it, Rev.



They were refused service by the owner, who fired a shot outside and later was charged. His said the students had tried him into making illegal beer sales on Sunday.

On the court documents, King and McCaff said they lived at 753 Walnut St., Camden. So I went to Camden last week, looking for anyone who had known them in 1950 — who could tell me what *they* said had happened at Mary's Cafe.

See KNARR A4



1998

Camden man remembers King's trip

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Man, there aren't many phone calls that get me excited anymore. But this one had my attention.

Jesthroe Hunt, 77, a retired Camden fireman, grew up in that house at 753 Walnut St. and lives nearby. His son, J. Jay Hunt Jr., is a Willingboro police detective.

"That night, I came out of the house and saw King and Walt standing there," said Hunt. "They said they wanted to go to Maple Shade to get some real good sandwiches that somebody had talked about."

This was Jesthroe's first night home from a 3-year hitch in the Army. He said the two students had used his bedroom on the second floor while he was gone and commuted to Crozer Theological Seminary in Chester.

"When they told me that they were going up to Maple Shade, I said, 'Look, you guys got to be kidding.' I said, 'You don't know anything about that area.' I said, 'You can't be going up there.'"

"My memory of the thing is, I was telling them how stupid they were! I'll always remember that, as long as I live, how stupid they were. Who did they think they were?"

"See, I still had on my Army uniform," Hunt said. "I just had come home from overseas. I thought I had known a whole lot about everything, you know. And so, these two guys — shucks, they don't know anything. And they're going to go to Maple Shade? I said, 'You guys got to be kidding.'"

He knew Maple Shade as all-white.

"And King says, 'Oh, that's OK. You think that we shouldn't be going up there — we've got to get this thing changed, to the point where we can go anywhere.'"

"Now I knew that they had to be out of their minds."

Later that night, a phone call came to his father, Benjamin Hunt.

"They wanted to let him know that they were in some kind of altercation there in Maple Shade, and could he help them out?" said Jesthroe.

"Well, my father, not being a politician or anything like that, he didn't know what to do, other than to call (the late) Dr. Ulysses S. Wiggins, who was the head of the NAACP and was a staunch civil-rights fighter at the time."

"Somebody in Maple Shade had fired a shot," he said. "And somehow they agreed that they wouldn't press their charges if the tavern owner wouldn't press his charges. And I think that's the only way they got out of that thing."

Jesthroe Hunt said McCall and King didn't come back to the house

afterward. They likely took their dates home and continued on to Chester. Shortly, they headed home to Atlanta for the summer. The case was never prosecuted, because they didn't show up to testify before the grand jury.

Jesthroe Hunt is skeptical of the tavern owner's story.

"I don't remember either Walt or King being drinking people," he said. "Down through the years after this incident I would be with him (McCall) each year, and I never

knew of him to even think about drinking."

"So the thing about asking for beer or liquor — well, I wasn't there, so I can't really say no. But as I say, I have never known them to even order anything like that."

Jesthroe believes it came down to one thing obvious to 1950: "They shouldn't have been there. ... To me, it wasn't real news. I mean, that type of thing happened around that time every time we went into that type of area."

The recollections of two other relatives who lived at 753 Walnut St. that night are not as vivid.

Jesthroe's sister, Thelma Johnson, 70, lives next door now; that night she was told not to mind the grownups' business, and she didn't.

"But I heard Mama tell them to just look up and pray," she said, "and everything will be all right."

Jesthroe's late father Benjamin, then 81, gave this account to the Courier-Post in 1981:

"I long but some of these this: cope-up. It tor v right Pe Benje this i

Don't b floor cover (without this



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Great for home or office, this durable, stain-resistant Lerveloop is available in 16 smart colorations. 12" or 15" wide option for less seams. It's practically maintenance free.

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From staff reports

TRENTON — Legislation clarifying the rights of people who want

Maple Shade man remembers King's trip to Ma

From A1

lead, I found the house empty and up, a sad part of South's littered ruin.

I came this message from Polk, who is 53 and has school for 33 years.

I happen to know the people who that house on Walnut I am friends with another named Jeanette Hunt; her name is Jesthroe Hunt. I was his cousin.

There aren't many phone at get me excited anymore. s one had my attention.

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Police records are go Benjamin added: "I don't know this is so, but I always think tl

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SEPT '08**

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OPRA REQUEST 071320-1 DUFF

pers King's trip to Maple Shade

even think about

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"The boys kept this from me for a long time because I was very strict, but sooner or later I found out. Just some of the details are missing.

"At some point on that night there must have been a fight over this and the boys ran away. But the cops caught them and locked them up. It was King's idea to call a doctor who was very active in civil rights to get them out."

Police records are gone. Benjamin added: "I don't know if this is so, but I always think that

what happened that night may have started to change him into the leader he was."

The next fall, King went to school in Boston, and Jesthroe never saw him again.

"At the time, I just thought he was another fellow passing along," said Jesthroe Hunt. "None of us knew that King would wind up being what he was."

Jack Kram's human interest column appears in the Burlington County Times three days a week.

All For

By Claire Haws
BCT staff writer

PEMBERTON TOWNSHIP — The state has decided that students living in 142 Fort Dix housing units recently taken over by McGuire Air Force Base won't be pulled out of Pemberton schools and put into the North Hanover and Northern Burlington County Regional districts.

School and township officials last night announced the decision made by state Commissioner of

More mone Lautenberg

By Laurence Arnold
Associated Press

WASHINGTON — Already pleased with an increase in money for highway projects, New Jersey officials greeted an agreement among Senate leaders yesterday that would provide an extra \$5 billion for mass transit projects nationwide.

In a Congress where power increasingly rests with southern and western states, lawmakers from the Northeast feared that funding for mass transit — largely a feature of northern cities — would get shorted in the debate over a new transportation funding bill.

But the \$5 billion increase would bring bus and rail spending to \$41.3 billion during the next six years, nearly a \$10 billion increase over the six-year transportation bill that expired last year but was extended.

Pay phone users receive cost option

Associated Press

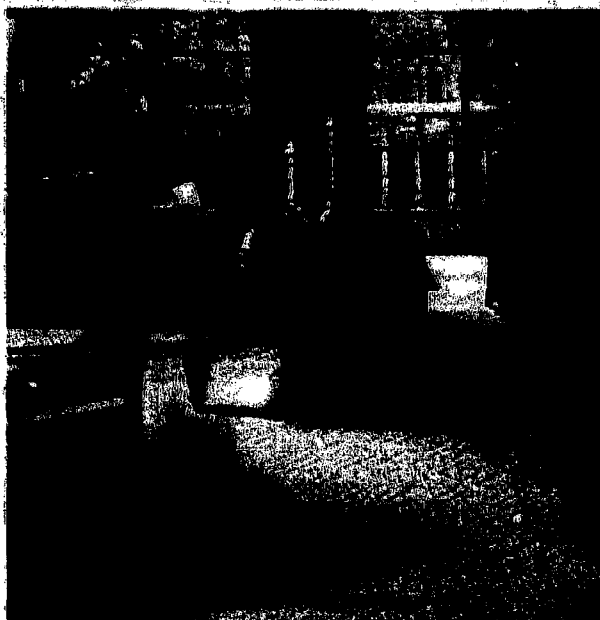
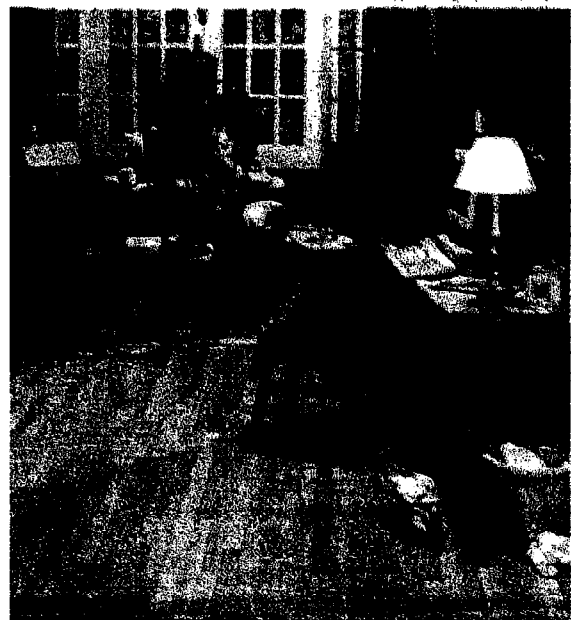
NEWARK — Pay phone dialers who use a credit card or operator to make a call will no longer get surprised by their monthly bill.

Starting June 1, such callers will be able to punch a few buttons and learn how much their local and in-state toll call will cost.

They can also determine the name of the company operating the phone, under a rule enacted yesterday by the state Board of Public Utilities.

The rule does not apply to inter-

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Duff's legendary soil and

"Kids at Play"
Perfect for the active family, this magnificent product comes in 12" or 15" widths to virtually eliminate the choice between plush or textured.

LEGEND: Legal explanation and statutory citation for the denial of access to records

A. Advisory, Consultative, Deliberative (general)

Content redacted includes “inter-agency or intra-agency advisory, consultative, or deliberative material” and therefore exempt from disclosure pursuant to N.J.S.A. 47:1A-1.1. See also Educ. Law Ctr. ex rel. Abbott v. N.J. Dep’t of Educ., 198 N.J. 274 (2009) (quoting In re Liquidation of Integrity Ins. Co., 165 N.J. 75 (2000)), finding that the deliberative process privilege permits the government to withhold documents that reflect advisory opinions, recommendations, and deliberations comprising part of a process by which governmental decisions and policies are formulated; and that the privilege exists to ensure free and uninhibited communication within governmental agencies so that the best possible decisions can be reached.

B. Advisory, Consultative, Deliberative (draft)

Content redacted is “inter-agency or intra-agency advisory, consultative, or deliberative material” and therefore exempt from disclosure pursuant to N.J.S.A. 47:1A-1.1. See also Parave-Fogg v. Lower Alloways Creek Township, GRC Complaint No. 2006-51 (August 2006) finding that draft meeting minutes that had not been approved by the governing body constitute inter-agency, intra-agency advisory consultative, or deliberative material and are exempt from disclosure.

C. Student E-mails

Student email(s) have been redacted pursuant to the Family Educational Rights and Privacy Act of 1974 (“FERPA”), 20 U.S.C. §1232g (implemented by regulations at 34 CFR Part 99) which regulates the disclosure of student information. Your request under OPRA must also be read in conjunction with FERPA. Though electronic mail addresses may be discloseable if designated by an institution as “directory information” under FERPA, the University, as permitted, elected not to include students’ electronic mail addresses as directory information. Accordingly, because under FERPA this information is protected, student electronic mail addresses are exempt from disclosure under OPRA.

D. Personal Identifying Information

The redacted content (e.g., home address, private/unlisted telephone number, social security number, etc.) contains “personal identifying information” and is therefore exempt from disclosure pursuant to N.J.S.A. 47:1A-1.1 and Burnett v. County of Bergen, 198 NJ 408 (2009) (holding that OPRA imposes an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests).

E. Job Applicant, Prior Employment, and/or Personnel Information

The redacted content references a candidate who never accepted employment with the College or details prior employment information. Except for an individual’s name, title, position, salary, payroll record, length of service, date of separation and the reason therefore, and the amount and type of any pension received, personnel records shall not be considered a government record and shall not be made available for public access. N.J.S.A. 47:1A-10. See also Toscano v. New Jersey Department of Human Services, Division of Mental Health Services, GRC Complaint No. 2010-147 (May 2011). Additionally, Executive Order 26 (McGreevy 2002) provides: “The résumés of successful candidates shall be disclosed once the successful candidates is hired. The résumés of unsuccessful candidates may be disclosed after the search has been concluded and the position has been filled, but only where the unsuccessful candidate has consented to such disclosure.”

F. Attorney-Client Privileged Communication¹

Content redacted is “within the attorney-client privilege” and therefore exempt from disclosure pursuant to N.J.S.A. 47:1A-1.1. See also Farneski v. Hunterdon County Prosecutor’s Office, GRC Complaint No. 2010-20 (October 2011), finding that the attorney-client privilege protects communications between a lawyer and the client made in the course of that professional relationship, and particularly protects information which, if disclosed, would jeopardize the legal position of the client. N.J.S.A. 2A:84A-20; RPC 1.6. Also confidential are mental impressions, legal conclusions, and opinions or theories of attorneys. In Re Environmental Ins. Actions, 259 N.J. Super. 308, 317 (App.Div.1982).

And/or, , the content was redacted pursuant to the “common interest rule” which extends the confidentiality of attorney-client communications and attorney work product to information shared with attorneys representing separate clients, in the context of a request for production of public records pursuant to OPRA, and the common law right to access government records. O’Boyle v Borough of Longport, 218 N.J. 168 (2014) [Adopting the common interest rule articulated in Laporta v Gloucester County Board of Chosen Freeholders, 340 N.J. Super. 254 (App. Div. 2001), and recognizing that the common interest exception to waiver of confidential attorney-client communications or work product due to disclosure to third parties applies to communications between attorneys for different parties if the disclosure is made due to actual or anticipated litigation for the purpose of furthering a common interest, and the disclosure is made in a manner to preserve the confidentiality of the disclosed material and to prevent disclosure to adverse parties.]

G. Information which, if disclosed, would give an Advantage to Competitors or Bidders

Content redacted is “information which, if disclosed, would give an advantage to competitors or bidders” and therefore exempt from disclosure pursuant to N.J.S.A. 47:1A-1.1.

H. Records in Pursuit of Charitable Contribution

Content redacted includes information concerning the pursuit of charitable contributions. N.J.S.A. 47:1A-1.1 provides “a government record shall not include, with regard to any public institution of higher education, the following information which is deemed to be privileged and confidential: records of pursuit of charitable contributions.”

I. Privacy Interest

A public agency has a responsibility and an obligation to safeguard from public access a citizen’s personal information with which it has been entrusted when disclosure thereof would violate the citizen’s reasonable expectation of privacy. N.J.S.A 47:1A-1 (Legislative Findings); N.J.S.A. 47:1A-6. See also Burnette v. County of Bergen, 198 NJ 408, 436 (2009); Andrew J. Mayer v. Borough of Tinton Falls (Monmouth), GRC Complaint No. 2008-245 (April 2010) (“There is also a privacy interest in non-disclosure of an individual’s e-mail address because e-mail addresses maintain an individual’s anonymity. Anonymity could be compromised if e-mail addresses are released to the public, especially when an e-mail address is contemporaneously coupled with or later used to obtain other personal identifying information such as a name and home address.”).

¹ Relative to this records production, attorneys representing Stockton University include: Brian Kowalski, Esq., Ellen Bailey, Esq., Brittany Medio, Esq.

J. Certain records of higher education institutions

Pedagogical, scholarly and/or academic research records and/or the specific details of any research project, except that a custodian may not deny inspection of a government record or part thereof that gives the name, title, expenditures, source and amounts of funding and date when the final project summary of any research will be available.

K. Redactions of Stockton IT email addresses to obtain new computer accounts

[newaccounts@stockton.edu and information.security@stockton.edu] under N.J.S.A. 47:1A-1.1 exemption for "administrative or technical information regarding computer hardware, software and networks which, if disclosed, would jeopardize computer security"; and "security measures which, if disclosed, would create a risk to the safety of persons, property, electronic data or software."

OPRA EXEMPTIONS

(Exceptions are noted in italics)

N.J.S.A. 47:1A-1 (Legislative Findings)

- 1) Privacy Interest - “a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy.” See Burnett v. Cnty. of Bergen, 198 N.J. 408 (2009).

N.J.S.A. 47:1A-1.1

- 2) Inter-agency or intra-agency advisory, consultative or deliberative material (Note: refers generally to draft documents or documents used in a deliberative process).
- 3) Legislative records. Specifically:
 - a. information received by a member of the Legislature from a constituent or information held by a member of the Legislature concerning a constituent, including but not limited to information in written form or contained in any e-mail or computer data base, or in any telephone record whatsoever, *unless it is information the constituent is required by law to transmit*;
 - b. any memorandum, correspondence, notes, report or other communication prepared by, or for, the specific use of a member of the Legislature in the course of the member's official duties, *except that this provision shall not apply to an otherwise publicly-accessible report which is required by law to be submitted to the Legislature or its members.*
- 4) Medical examiner records – photographs, negatives, print, videotapes taken at the scene of death or in the course of postmortem examination or autopsy, *except*:
 - a. *when used in a criminal action or proceeding in this State which relates to the death of that person,*
 - b. *for the use as a court of this State permits, by order after good cause has been shown and after written notification of the request for the court order has been served at least five days before the order is made upon the county prosecutor for the county in which the post mortem examination or autopsy occurred,*
 - c. *for use in the field of forensic pathology or for use in medical or scientific education or research, or*
 - d. *or use by any law enforcement agency in this State or any other state or federal law enforcement agency.*
- 5) Criminal investigatory records - records which are not required by law to be made, maintained or kept on file that are held by a law enforcement agency which pertain to any criminal investigation or related civil enforcement proceeding. (Note: N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be disclosed).

6) Victims' records

- a. an individually-identifiable file or document held by a victims' rights agency which pertains directly to a victim of a crime except that a victim of a crime shall have access to the victim's own records. "Victims' rights agency" means a public agency, or part thereof, the primary responsibility of which is providing services, including but not limited to food, shelter, or clothing, medical, psychiatric, psychological or legal services or referrals, information and referral services, counseling and support services, or financial services to victims of crimes, including victims of sexual assault, domestic violence, violent crime, child endangerment, child abuse or child neglect, and the Victims of Crime Compensation Board.
- b. any written OPRA request by a crime victim for a record to which the victim is entitled to access, including, but not limited to, any law enforcement agency report, domestic violence offense report, and temporary or permanent restraining order;

7) Personal firearms records:

- a. *Except for use by any person authorized by law to have access to these records or for use by any government agency, including any court or law enforcement agency, for purposes of the administration of justice.*
- b. Personal identifying information received by the Division of Fish and Wildlife in the Department of Environmental Protection in connection with the issuance of any license authorizing hunting with a firearm. For the purposes of this paragraph, personal identifying information shall include, but not be limited to, identity, name, address, social security number, telephone number, fax number, driver's license number, email address, or social media address of any applicant or licensee.

8) Trade secrets and proprietary commercial or financial information obtained from any source. Includes data processing software obtained by a public agency under a licensing agreement which prohibits its disclosure.

9) Any record within the attorney-client privilege. *This paragraph does not allow for a denial of attorney invoices in their totality*; however, redactions may apply for information contained in the invoices that are protected under the privilege.

10) Administrative or technical information regarding computer hardware, software and networks which, if disclosed would jeopardize computer security.

11) Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the building or facility or persons therein.

12) Security measures and surveillance techniques which, if disclosed, would create a risk to the safety or persons, property, electronic data or software.

- 13) Information which, if disclosed, would give an advantage to competitors or bidders.
- 14) Information generated by or on behalf of public employers or public employees in connection with:
 - a. Any sexual harassment complaint filed with a public employer;
 - b. Any grievance filed by or against an individual; or
 - c. Collective negotiations, including documents and statements of strategy or negotiating position.
- 15) Information which is a communication between a public agency and its insurance carrier, administrative service organization or risk management office.
- 16) Information which is to be kept confidential pursuant to court order.
- 17) Certificate of honorable discharge issued by the United States government (Form DD-214) filed with a public agency, *except that a veteran or the veteran's spouse or surviving spouse shall have access to the veteran's own records.*
- 18) Any copy of an oath of allegiance, oath of office, or any affirmation for incoming, current, and former officers and employees in State, County, or municipal government, and including members all members of the Legislative, Executive, and Judicial branches of government, *except that:*

Full name, title, and oath date are not confidential.
- 19) Personal identifying information. Specifically:
 - a. Social security numbers, *except that a social security number contained in a record required by law to be made, maintained or kept on file by a public agency shall be disclosed when access to the document or disclosure of that information is not otherwise prohibited by State or federal law, regulation or order or by State statute, resolution of either or both houses of the Legislature, Executive Order of the Governor, rule of court or regulation promulgated under the authority of any statute or executive order of the Governor.*
 - b. Credit card numbers
 - c. Unlisted telephone numbers
 - d. Drivers' license numbers.

Except for:

- a. *Use by any government agency, including any court or law enforcement agency, in carrying out its functions,*
- b. *or any private person or entity acting on behalf thereof,*
- c. *or any private person or entity seeking to enforce payment of court-ordered child support; except with respect to the disclosure of driver information by*

the Division of Motor Vehicles as permitted by section 2 of P.L.1997, c.188 (C.39:2-3.4);

- 20) List of persons in need of special assistant during an emergency maintained at either the municipal or county level in accordance with section 1 of P.L.2017, c.266 (C.40:48-2.67) or section 6 of P.L.2011, c.178 (C.App.A:9-43.13).
- 21) Certain records of higher education institutions:
- a. Pedagogical, scholarly and/or academic research records and/or the specific details of any research project, *except that a custodian may not deny inspection of a government record or part thereof that gives the name, title, expenditures, source and amounts of funding and date when the final project summary of any research will be available.*
 - b. Test questions, scoring keys and other examination data pertaining to the administration of an examination for employment or academic examination.
 - c. Records of pursuit of charitable contributions or records containing the identity of a donor of a gift if the donor requires non-disclosure of the donor's identity as a condition of making the gift provided that the donor has not received any benefits of or from the institution of higher education in connection with such gift other than a request for memorialization or dedication.
 - d. Valuable or rare collections of books and/or documents obtained by gift, grant, bequest or devise conditioned upon limited public access.
 - e. Information contained on individual admission applications.
 - f. Information concerning student records or grievance or disciplinary proceedings against a student to the extent disclosure would reveal the identity of the student.

N.J.S.A. 47:1A-1.2

- 22) Biotechnology trade secrets.

N.J.S.A. 47:1A-2.2

- 23) Limitations to convicts - personal information pertaining to the person's victim or the victim's family, including but not limited to a victim's home address, home telephone number, work or school address, work telephone number, social security account number, medical history or any other identifying information. *Information may be released only if the information is necessary to assist in the defense of the requestor. A determination that the information is necessary to assist in the requestor's defense shall be made by the court upon motion by the requestor or his representative.*

N.J.S.A. 47:1A-3(a)

- 24) Ongoing investigations – any records pertaining to an investigation in progress by any public agency if disclosure of such record or records shall be detrimental to the public

interest. *This provision shall not be construed to allow any public agency to prohibit access to a record of that agency that was open for public inspection, examination, or copying before the investigation commenced.*

N.J.S.A. 47:1A-5(k)

- 25) Public defender records that relate to the handling of any case, *unless authorized by law, court order, or the State Public Defender.*

N.J.S.A. 47:1A-9(a)-(b)

- 26) Upholds exemptions contained in other State or federal statutes and regulations, Executive Orders of the Governor, Rules of Court, Constitution of this State, or judicial case law.

N.J.S.A. 47:1A-10

- 27) Personnel and pension records, *except specific information identified as follows:*
- a. *An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason for such separation, and the amount and type of any pension received,*
 - b. *When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the United States, or when authorized by an individual in interest.*
 - c. *Data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information.*

In accordance with OPRA's "catch-all" exemption at N.J.S.A. 47:1A-9, the following executive orders also apply as exemptions under OPRA:

Executive Order No. 21 (McGreevey 2002)

- 1) Records where inspection, examination or copying would substantially interfere with the State's ability to protect and defend the State and its citizens against acts of sabotage or terrorism, or which, if disclosed, would materially increase the risk or consequences of potential acts of sabotage or terrorism.
- 2) Records exempted from disclosure by State agencies' promulgated rules are exempt from disclosure by this Order.
- 3) Executive Orders No. 9 (Hughes), 11 (Byrne), 79 (Byrne) and 69 (Whitman) are hereby continued to the extent that they are not inconsistent with this Executive Order.

Executive Order No. 9 (Hughes) exemptions that are still active:

- a. Questions on examinations required to be conducted by any State or local governmental agency;
- b. Personnel and pension records (same as N.J.S.A. 47:1A-10);
- c. Records concerning morbidity, mortality and reportable diseases of named persons required to be made, maintained or kept by any State or local governmental agency;
- d. Records which are required to be made, maintained or kept by any State or local governmental agency which would disclose information concerning illegitimacy;
- e. Fingerprint cards, plates and photographs and other similar criminal investigation records which are required to be made, maintained or kept by any State or local governmental agency;
- f. Criminal records required to be made, maintained and kept pursuant to the provisions of R. S. 53:1-20.1 and R. S. 53:1- 20.2;
- g. Personal property tax returns required to be filed under the provisions of Chapter 4 of Title 54 of the Revised Statutes; and
- h. Records relating to petitions for executive clemency.

Executive Order No. 11 (Byrne) exemptions are the same as N.J.S.A. 47:1A-10.

Executive Order No. 79 (Byrne) exemptions are the similar to # 8, 9, 10 above under N.J.S.A. 47:1A-1.1.

Executive Order No. 69 (Whitman) exemptions that are still active: Fingerprint cards, plates and photographs and similar criminal investigation records that are required to be made, maintained or kept by any State or local governmental agency.

Executive Order No. 26 (McGreevey 2002)

1) Certain records maintained by the Office of the Governor:

- a. Any record made, maintained, kept on file or received by the Office of the Governor in the course of its official business which is subject to an executive privilege or grant of confidentiality established or recognized by the Constitution of this State, statute, court rules or judicial case law.
- b. All portions of records, including electronic communications, that contain advisory, consultative or deliberative information or other records protected by a recognized privilege.
- c. All portions of records containing information provided by an identifiable natural person outside the Office of the Governor which contains information that the sender is not required by law to transmit and which would constitute a clearly unwarranted invasion of personal privacy if disclosed.
- d. If any of the foregoing records shall contain information not exempted by the provision of the Open Public Records Act or the preceding subparagraphs (a), (b) or (c) hereof then, in such event, that portion of the record so exempt shall be

deleted or excised and access to the remainder of the record shall be promptly permitted.

- 2) Resumes, applications for employment or other information concerning job applicants while a recruitment search is ongoing. *The resumes of successful candidates shall be disclosed once the successful candidate is hired. The resumes of unsuccessful candidates may be disclosed after the search has been concluded and the position has been filled, but only where the unsuccessful candidate has consented to such disclosure.*
- 3) Records of complaints and investigations undertaken pursuant to the Model Procedures for Internal Complaints Alleging Discrimination, Harassment or Hostile Environments.
- 4) Information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation.
- 5) Information in a personal income or other tax return
- 6) Information describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness, except as otherwise required by law to be disclosed.
- 7) Test questions, scoring keys and other examination data pertaining to the administration of an examination for public employment or licensing.
- 8) Records in the possession of another department (including NJ Office of Information Technology or State Archives) when those records are made confidential by a regulation of that department or agency adopted pursuant to N.J.S.A. 47:1A-1 et seq. and Executive Order No. 9 (Hughes 1963), or pursuant to another law authorizing the department or agency to make records confidential or exempt from disclosure.
- 9) Records of a department or agency held by the Office of Information Technology (OIT) or the State Records Storage Center of the Division of Archives and Records Management (DARM) in the Department of State, or an offsite storage facility outside of the regular business office of the agency. Such records shall remain the legal property of the department or agency and be accessible for inspection or copying only through a request to the proper custodian of the department or agency. In the event that records of a department or agency have been or shall be transferred to and accessioned by the State Archives in the Division of Archives and Records Management, all such records shall become the legal property of the State Archives, and requests for access to them shall be submitted directly to the State Archives.