



THE TOWNSHIP OF MAPLE SHADE
IN THE COUNTY OF BURLINGTON

January 22, 2018

Dear Mr. Duff:

My office is in receipt of your request for records received on January 3, 2018. You previously received a response from me on January 9, 2018 advising of a denial of one of your requests and requesting an extension for production of the remaining documents.

I also forwarded notice of a special service fee for production of the other requested emails. You responded by objecting to the fee stating that the fee was inappropriate because you did not request paper copies of the documents. As explained in my prior correspondence, the fee was not for copying costs but for the cost of having the Township IT consultant, who is the only person with access to the Township backup drive, to retrieve the emails requested. In order to assure you were provided with all responsive emails for the period requested, it was necessary to recover the emails from the backup drive as some of the emails would no longer be available on the council members' computers. The Township has agreed to waive the fee for this request but wants to assure that you understand the basis of the request and that any future requests of similar nature will be subject to the service fee.

The records you originally requested are:

1. All email communications and electronic files between the dates of 12-1-2014 and 12-31-2018 regarding the proposed memorial for Martin Luther King Jr. that council voted install in January of 2015 between all current and former city council members, current and former Mayors, current and former city managers as well as employees of Maple Shade.

By email dated January 18, 2018, you amended your request to limit the emails requested to the period from 1/1/2015 to 4/1/2015.

My apologies for not sending this response until today. I was out sick last week and had to revise the response per your 1/18/18 request.

Attached please find the responsive emails. Please note the following:
1) you requested emails between council members, mayors, managers and employees, the latter of which was denied because it was overly broad. Without waiving this objection, the Township was able to identify emails regarding the specified subject

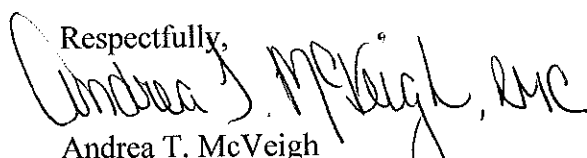
matter to/from the Township Clerk and these have been included.

2) Attached is an index identifying those emails responsive to your request which the Township asserts are exempt from production for the reasons given.

3) Certain emails have been produced which include the Township Attorney on the circulation list. This should not be construed as a waiver of the attorney-client privilege. The emails produced do not contain privileged material.

Should you have any questions regarding the attached, please do not hesitate to contact me. This writing satisfies your OPRA request dated January 3, 2018.

Respectfully,



Andrea T. McVeigh
Maple Shade Township Clerk

cc: Joe Andl, Township Manager
Eileen Fahey, Township Attorney

INDEX TO DOCUMENTS WITHHELD OPRA REQUEST OF P. DUFF

<u>Date of Email</u>	<u>To/From</u>	<u>Basis for Exemption</u>
01/15/2015	E. Fahey/J. Layne	Attorney Client Communication
01/15/2015	E. Fahey/Council & J. Layne	Attorney Client Communication
02/04/2015	E. Fahey/ W. Long	Attorney Client Communication Advisory, Consultative, Deliberative material
02/05/2015	K. Mc. Mahon/E. Fahey	Attorney Client Communication Advisory, Consultative Deliberative material
01/28/2015	E. Fahey/ Council & Mgr.	Attorney Client Communication
01/28/2015	R. Wells/E. Fahey	Attorney Client Communication

Date: Fri, 16 Jan 2015 14:49:42 -0500
From: "Lou M." <louis.manchello@verizon.net>
To: "Claire Volpe (Township)" <cvolpe@mapleshade.com>, Eileen Fahey
<efahey@clear.net>, Jack Layne <jlayne@mapleshade.com>, "Joe Anle (Township)"
<jandl@mapleshade.com>, "Lou Manchello (Township)"
<lmanchello@mapleshade.com>, "Nelson (Township)" <nwiest@mapleshade.com>,
"Rob Wells(Township)" <rwell@mapleshade.com>, 'Teri DeGolia'
<mstwpclk@mapleshade.com>
Subject: MLK links from Patrick Duff

*Thanks,
Lou*

*Louis A. Manchello, C.C.R.
Manchello Reporting, L.L.C.
Certified Court Reporters
856-482-7207
www.manchelloreporting.com*

<http://whitedeercafe.blogspot.com/2008/04/mlk-at-marys-cafe-maple-shade-nj.html?m=1>

<http://www.usatoday.com/story/news/nation/2013/01/22/mlk-jersey-house/1856705/>

<http://hiddencityphila.org/2012/01/remembering-mlk-in-philadelphia-courage-and-complexity/>

Date: Fri, 16 Jan 2015 15:39:09 -0500
From: Jack Layne <jlayne@mapleshade.com>
To: "'Councilman Rob T. Wells'" <rwwells@mapleshade.com>
Subject: RE: MLK - Patrick Duff

Mr. Wells,

It is my understanding that Mr. Manchello spoke with Mr. Duff today and that he requested that Mr. Duff not come to the January meeting but perhaps in February after Council has had ample time to review and discuss this matter. Eileen is going to send an email to Mr. Duff confirming that this is the case. If it is different from what I just stated, I will inform you.

Jack

From: Councilman Rob T. Wells [mailto:rwwells@mapleshade.com]
Sent: Friday, January 16, 2015 12:39 PM
To: Fahey Eileen
Cc: Lou M.; Teri DeGolia; Claire Volpe (Township); Jack Layne; Joe Anle (Township); Lou Manchello (Township); Nelson (Township); Teri DeGolia
Subject: Re: MLK - Patrick Duff

Eileen and Jack,

Did we extend an invitation to Mr. Duff to come to the 22nd meeting to present his ideas etc to council? If not can we do so?

Rob T. Wells
Councilman
Township of Maple Shade
856.779.9610 ext 223

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

From: "Fahey Eileen"
Sent: Friday, January 16, 2015 10:49am
To: "Lou M."
Cc: "Teri DeGolia", "Claire Volpe (Township)", "Jack Layne", "Joe Anle (Township)", "Lou Manchello (Township)", "Nelson (Township)", "Rob Wells(Township)", "Teri DeGolia"
Subject: Re: MLK - Patrick Duff

Hi Lou: Jack and I are trying to meet with Mr Duff to flesh out his proposal so council has a better idea of what he's requesting. Tried to get information by email but it did not help.

Sent from my iPhone

> On Jan 16, 2015, at 9:05 AM, "Lou M." wrote:
>
> Teri,
>
> Council was contacted some time ago by a Patrick Duff regarding a memorial
> to Dr. Martin Luther King. Could you put this on the agenda for Thursday,
> just to discuss among ourselves, not to have Mr. Duff come in.
>
> Thanks,
> Lou
>
> Louis A. Manchello, C.C.R.
> Manchello Reporting, L.L.C.
> Certified Court Reporters
> 856-482-7207
> www.manchelloreporting.com
>

Date: Fri, 16 Jan 2015 15:44:28 -0500
From: Teri Degolia <mstwpclk@mapleshade.com>
To: "'Lou M.'" <louis.manchello@verizon.net>
Subject: RE: MLK links from Patrick Duff

Hey Lou, you're phone was busy, I wanted to correct the date I said earlier, it was the 9th, in the morning. Diann can give you details

From: Lou M. {mailto:louis.manchello@verizon.net}
Sent: Friday, January 16, 2015 2:51 PM
To: Claire Volpe (Township); Eileen Fahey; Jack Layne; Joe Anle (Township; Lou Manchello (Township); Nelson (Township); Rob Wells(Township); 'Teri DeGolia'
Subject: MLK links from Patrick Duff

Here is a link to the police report

https://books.google.com/books?id=jzEqRY71zv0C&pg=PA329&lpg=PA327&ots=ILVORBCir&focus=viewport&dq=martin+luther+king+maple+shade&output=html_text

This is the statement of Ernest Nichols

https://books.google.com/books?id=jzEqRY71zv0C&pg=PA327&lpg=PA327&ots=ILVORBCir&focus=viewport&dq=martin+luther+king+maple+shade&output=html_text

Date: Sat, 17 Jan 2015 05:34:14 -0500
From: "Lou M." <louis.manchello@verizon.net>
To: "Claire Volpe (Township)" <cvolpe@mapleshade.com>, Eileen Fahey <efahey@clear.net>, Jack Layne <jlayne@mapleshade.com>, "Joe Andl (Township)" <jandl@mapleshade.com>, "Lou Manchello (Township)" <lmanchello@mapleshade.com>, "Nelson (Township)" <nwiest@mapleshade.com>, "Rob Wells (Township)" <rwells@mapleshade.com>, 'Teri DeGolia' <mstwpclk@mapleshade.com>
Subject: FW: Copy of original report for MLK

*Thanks,
Lou*

*Louis A. Manchello, C.C.R.
Manchello Reporting, L.L.C.
Certified Court Reporters
856-482-7207
www.manchelloreporting.com*

From: Patrick Duff [mailto:101etm@gmail.com]
Sent: Friday, January 16, 2015 10:45 PM
To: Lou M.; Jack Layne
Subject: Fwd: Copy of original report for MLK

----- Forwarded message -----
From: **Patrick** <101etm@gmail.com>
Date: Friday, January 16, 2015
Subject: Copy of original report for MLK
To: MichaelCoard@msn.com

This is a perfect copy of the report.

Patrick

Attachment: 500612-000.pdf [application/pdf]

Date: Wed, 21 Jan 2015 09:53:11 -0500
From: Jack Layne <jlayne@mapleshade.com>
To: "'Lou M.'" <louis.manchello@verizon.net>
Subject: RE: Pat Duff and MLK Memorial

Thank you. Jack -----Original Message----- From: Lou M.
[mailto:louis.manchello@verizon.net] Sent: Wednesday, January 21, 2015 7:34
AM To: Claire Volpe (Township); Eileen Fahey; Jack Layne; Joe Andl
(Township); Lou Manchello (Township); Nelson (Township); Rob
Wells(Township); 'Teri DeGolia' Subject: Pat Duff and MLK Memorial Hi, Here
is an article in today's Inquirer regarding the above subject. It is my
understanding Mr. Duff will be attending Thursday to speaking during public
portion. Thanks, Lou Louis A. Manchello, C.C.R. Manchello Reporting, L.L.C.
Certified Court Reporters 856-482-7207 www.manchelloreporting.com

Date: Wed, 21 Jan 2015 07:33:58 -0500
From: "Lou M." <louis.manchello@verizon.net>
To: "Claire Volpe (Township)" <cvolpe@mapleshade.com>, Eileen Fahey
<efahey@clear.net>, Jack Layne <jlayne@mapleshade.com>, "Joe Andl
(Township)" <jandl@mapleshade.com>, "Lou Manchello (Township)"
<lmanchello@mapleshade.com>, "Nelson (Township)" <nwiest@mapleshade.com>,
"Rob Wells(Township)" <rwell@mapleshade.com>, 'Teri DeGolia'
<mstwpclk@mapleshade.com>
Subject: Pat Duff and MLK Memorial

Hi, Here is an article in today's Inquirer regarding the above subject. It
is my understanding Mr. Duff will be attending Thursday to speaking during
public portion. Thanks, Lou Louis A. Manchello, C.C.R. Manchello Reporting,
L.L.C. Certified Court Reporters 856-482-7207 www.manchelloreporting.com

Attachment: Inquirer article on MLK.pdf [application/pdf]

Date: Sat, 14 Feb 2015 20:40:18 -0500
From: Jack Layne <jlayne@mapleshade.com>
To: cvolpe@mapleshade.com, lmanchello@mapleshade.com, "'Councilman Rob T. Wells'" <rwells@mapleshade.com>, nwiest@mapleshade.com, 'Andl Joe' <jandl@mapleshade.com>, 'tdegolia tdegolia' <tdegolia@mapleshade.com>, 'Fahey Eileen' <efahey@clear.net>
Subject: MLK Memorial information

Council,

Attached for your review is an article that appeared in the *Philadelphia Inquirer* today regarding the proposed Dr. Martin Luther King, Jr. memorial and the letter and attachments that I propose to send to the State.

Thank you.

Jack

Attachment: 201502141951.pdf [application/pdf]
Attachment: 201502142016.pdf [application/pdf]