

# Rutgers protester 'trespasses' but can't get himself arrested

By KATHLEEN CASEY

A former Rutgers University student banned from "trespassing" on campus did so in New Brunswick yesterday, then attempted to turn himself in to campus police, who would not arrest him.

Geoffrey Herzog and Christine Kelly, also a former student, had been informed in a May 16 letter from Dean Clarence L. Shive that because they were involved in a disruptive anti-CIA demonstration in April, they were being banned from state university property.

"Should you be found on the property of Rutgers... at any time without written authorization... you will be arrested," wrote Shive, assistant dean of students for judicial programs.

Herzog and Kelly, who have been politically active in the New Brunswick area for five years, said they have been advised by their attorney that the ban violates the federal and state constitutions and is out of keeping with a state Supreme Court decision in a similar case.

The ban is illegal and any attempt to enforce it would subject the university to suits for illegal arrest, according to the attorney, Jack Wysocki of New Brunswick.

Herzog and Kelly rallied about 15 other demonstrators for songs, a poetry reading and speeches outside the Bishop House university office building on College Avenue about 11 a.m.

"All of the commotion today is a result of the fact that our belief in the university as a precious and unsalable sanctuary of democracy and free speech and enquiry has been sorely compromised," Kelly said.

Herzog demanded a public apology and a lifting of the ban.

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The two led the demonstrators to Shive's second-floor office at Bishop House. All were admitted by the dean, who gave Herzog a letter granting him permission to be on campus for a meeting on the subject of the ban, and Kelly a letter lifting the ban on her because she has been admitted to the Rutgers graduate school in September.

"People come to this community to participate in the university's programs and services," the dean said.

"We all have the right to free speech. This is not an issue of free speech, but an issue of time, place and manner. When demonstrations disrupt the normal operation of the university, we have the right to enforce our own rules and regulations," he said.

Herzog and Kelly were among a group of students who briefly occupied the university's career development and placement office in New Brunswick April 5 to protest recruitment on campus by the CIA. They are awaiting struction of a university facility.

Although Herzog said he declined the dean's permission to be on campus because he feels that as an American and a New Jersey citizen and former student he does not need it, and that he wished to force the issue of the ban, Shive declined to have him arrested.

Herzog then led the demonstrators to Rutgers police headquarters where he tried to turn himself in, showing Shive's letter banning him from campus to Capt. Douglas J. Thompson. But Thompson did not bite.

"We don't want to arrest you. Whoever initiated the letter, if he doesn't want to do anything about it, we aren't going to do anything about it,"



Former Rutgers student Christine Kelly, banned from the campus in April, participates in a rally outside Bishop House along with student Michael Crockford, left, student government president Rob Hill and an unidentified supporter

trial in New Brunswick Municipal Court on charges of criminal trespass, failing to heed a police officer and ob Thompson said.

An attempt by Michael Crockford of New Brunswick, a Rutgers junior, to file a complaint "in the interest of public safety" that Herzog was on campus

also fizzled. Herzog and Kelly said they would consult their attorney before deciding what to do next.

## Two Bridges officials may get raises

The Lincoln Park Borough Council last night introduced an ordinance that would give each of the six commissioners of the Two Bridges Sewerage Authority a \$1,500 raise.

Similar legislation would have to be adopted by Lincoln Park, Pequannock and Fairfield. The public hearing will be held July 17.

The authority was established in 1970 to process the sewage from the three municipalities. The commissioners—two from each community—earn \$1,000 a year each. Last night's measure would increase their annual salaries to \$2,500.

Bloomington and Butler have purchased services from Two Bridges but have no votes on the commission.

In other business, the council passed a resolution to contribute \$2,000 to the Passaic River Organization To Encourage Construction of the Tunnel (PROTECT).

The tunnel, called the Pompton-Passaic Dual Inlet Tunnel Diversion Plan, has been recommended by the Army Corps of Engineers to alleviate Passaic River basin flooding.

A 13.5-mile-long tunnel, 39 feet in diameter, would run from Pequannock to Nutley, and a diversion tunnel 1.2 miles in length and 22 feet in diameter would end in Newark Bay.

The project was to be funded by \$625 million from the federal government and \$222 million from the state.

## Livingston seeks bids

The Livingston Township Council will seek new bids to resurface the basketball courts in Memorial Park after receiving two that ranged from almost \$25,000 to more than \$34,000 over the estimated cost.

The bids from Hillcrest Paving and Excavating Inc. of Maplewood for \$75,757 and John Dimilia & Sons Inc. of Montclair for \$66,236 were rejected at a special meeting last night. Township Engineer Robert Schaefer had estimated the project would cost \$41,560.

The council also voted to create an advisory committee for United Nations Day in Livingston, with Irwin Bromberg and Sister Marge Jaros co-chairing the event. Gov. Thomas Kean and the New Jersey UN Day chairman, Myron Kronisch, both residents of Livingston, had asked the township to take part in the program. Although no date for the observance has been set, it is expected that it will be held in October.

In other business, the council authorized Township Manager Charles J. Tahany to apply for a 1989 municipal recycling tonnage grant. The grants are awarded by the state to encourage source separation and recycling, develop new programs and expand old ones at the local level.

## Town may hire aid consultant

The Franklin Township Committee will consider hiring a firm to seek grant money for low- and moderate-income housing.

Under requirements set by the state Council of Affordable Housing the Warren County municipality must set aside 19 units to be rehabilitated for low- and moderate-income housing. The township has 60 days to submit a policy to the council.

The committee last night heard a presentation by Carol Hertweck of Planners Diversified of Summit.

Diversified Planners would act as an intermediary for Franklin in applying for grant monies from the state Department of Community Affairs Balanced Housing Program. Diversified Planners also would set up documents, talk to the property owners, deal with council regulations and supervise the rehabilitation. Franklin could receive up to \$350,000 in grant money from the Department of Community Affairs.

"It seems like we have someone who seems to be reputable," said Mayor Carl Sigler.

He added the committee will look over the contract submitted by Diversified Planners and make a recommendation.

## Orange cops ask clues in pedestrian shooting

A 34-year-old man remained hospitalized yesterday after being shot in the chest while walking along a street in Orange, police said.

Police Director Charles Cobbert said the victim, George (Tony) Lewter of North Day Street, was injured under unknown circumstances about 8:10 p.m. Sunday.

According to Cobbert, "We don't know what happened" except that "he was shot once in the left side of his chest."

After the attack, friends took Lewter to Orange Memorial Hospital, said Cobbert, adding that the hospital notified police of the shooting.

Cobbert asked anyone with information about the shooting to call the municipal police department's detective bureau.

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