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April 22, 2022

VIA EMAIL

Attn: Lindsey.Zimmerman@courts.phila.gov

Hon. Sheila A. Woods-Skipper, Administrative Judge
Orphans' Court Division
Court of Common Pleas, County of Philadelphia
386 City Hall
Philadelphia PA 19107

**Re: Atwater Kent Museum Testamentary Trust, O.C. 922 ST of 2021
Response to City's Proposed "Final Transfer Agreement"**

Dear Judge Woods-Skipper:

We ask you to consider an alternative to Drexel University taking over as custodian of the fabulous Atwater Kent Collection. Contrary to what the City has suggested, there could be a "Plan B" – a plan building on Philadelphia's existing institutional strengths.

For good reasons, there continues to be substantial concern among professionals as well as the general public about the City's proposal to transfer ownership of the Atwater Kent Collection from the people of Philadelphia to Drexel University. Questions and comments directed to the City and the Court at <http://www.philadelphiahistory.org> run broadly against the City's proposed Final Transfer Agreement. There is a deep concern that Drexel lacks the financial resources to care for the Collection properly and make it accessible to the public, especially given the absence of a budget, a financial plan, and a fundraising forecast in the Agreement. This concern is exacerbated by the recent disclosure by the Chair of the Drexel Faculty Senate that the university is burdened with a structural deficit in excess of \$70 million, a shortfall that is likely to curtail current programs and reduce benefits paid to all Drexel employees (see Attachment).

The City's assumption is that the Collection must remain together. This is not necessarily the best possible outcome, and to presume so eliminates consideration of alternative solutions for the preservation, display and access. As the City admits, the Collection is hardly a carefully curated, planned body of artifacts that tell a seamless

story of Philadelphia from its beginnings to the present. Rather, it is a compilation of donations given to the City on an irregular basis. As a result, the Collection includes excesses in some areas, including duplicate artifacts as well as glaring gaps, especially when it comes to the City's history of ethnic, minority and underserved populations. These factors suggest that the Collection could reasonably be divided up, if doing so would result in better care and greater accessibility for the artifacts and the ideas they represent. And since the proposed Final Transfer Agreement does not contemplate creating a museum where the objects will be permanently displayed, there is no reason not to consider dividing up the Collection among collecting institutions that can collectively carry out the Museum's mission.

Philadelphia has no history museum, but it does have a rich infrastructure of outstanding cultural and historical institutions that, collectively, have the capacity to care for, display and provide access to the objects in the Collection. The City's effort to divest itself of the Collection, as set forth in its Petition, involved reaching out to a few institutions about taking the Collection in its entirety off the City's hands. While only Drexel expressed willingness to take the entire Collection, there are many other Philadelphia institutions eminently qualified and, in many cases, willing to take on the care, display and access, of parts of the collection. Stewardship by these institutional partners would be part of their existing and ongoing programming.

Here are just a few of the possibilities: the Philadelphia Museum of Art, which is currently borrowing several key artifacts from the Collection, might accept responsibility for the fabulous paintings, silver and furniture; the Pennsylvania Academy of the Fine Arts (PAFA) and the Woodmere Art Museum are also potential recipients of such artifacts. The Free Library of Philadelphia has an important photograph collection, as does Temple University Special Collections and PAFA. Together, they and others have the mission and the capacity to care for, display and provide access to photographs in the AKM Collection. Maps, watercolors and lithographs would be a natural addition to those already held by the Library Company of Philadelphia; nautical artifacts could be preserved and displayed by the Independence Seaport Museum; radios and radio components and other industrial artifacts would enrich the collections of the Franklin Institute; architectural materials would be a natural fit for the Athenaeum of Philadelphia. Manuscripts could be archived at the Temple University Urban Archives, the Historical Society of Pennsylvania or the University of Pennsylvania. To the extent the Collection includes Afro-Americana, such objects would find a natural place in the Blockson Collection or the African American Museum in Philadelphia. The Museum of the American Revolution is able to take on numerous objects from the Revolutionary period. The extensive collection of Quaker clothing at AKM would complement Drexel's own significant historical apparel collection.

Our point is that the City has thrown up its hands and concluded that there is no alternative to giving the Collection to Drexel. This is not the case. Considering the Court record shows serious deficiencies in the plan to turn the entire AKM Collection over to Drexel, we urge consideration of what we believe is a viable alternative: an intelligent, strategic dividing up of the collection. This would share the burden and the risks, but

also the benefits among numerous institutions whose missions are consistent with that of the Philadelphia History Museum. This solution builds on the collective, existing strengths of Philadelphia's cultural community. Furthermore, by distributing the Collection among several institutions, the number of venues for display would be multiplied, potentially resulting more accessibility to Philadelphia's public.

We suggest that the Court direct the City to consider this option—a responsible dividing up the Collection—as the better plan. The inventory and indexing of the Collection, presently being undertaken by the City through a contract with Drexel, will help guide the development of a plan to distribute the Collection with a clear understanding of its contents. The City could make a public announcement of its consideration of the division of the Collection and invite the full range of Philadelphia's cultural, historical and archival institutions to propose which portions of the Collection they would be willing to care for, display to the public, and make accessible for researchers.

The Court has scheduled a hearing for April 27 to consider the City's proposed Final Transfer Agreement. Our position is that this proposed agreement is still lacking in detail and fiscal accountability. We urge the Court to reject that Transfer Agreement and direct the City to seek what we believe are viable and reasonable alternatives.

We are three concerned citizens who have devoted a great deal of time and thought to the preservation of the AKM Collection. We have previously participated in forwarding submissions to the Court as members of other groups. We wish to make clear to the Court that, because of time constraints, we are offering these further thoughts on behalf of ourselves alone.

Thank you for your kind attention to these comments.

Respectfully submitted,

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ATTACHMENT

Screen shot from the Drexel University Faculty Senate website,
April 19, 2022

As Chair of the Senate, I invite you to the next meeting of the full Faculty Senate which will take place on Today Tuesday, April 19, 2022, from 2:30-4:30pm
via Zoom <https://drexel.zoom.us/j/113929123?pwd=SGlHd2FVaHFXUkY5UGR5Zm03>
Meeting ID: 113 929 123 Passcode: 650014

Provost Paul Jensen and COO Helen Bowman will be present starting at 2:30pm to provide an update on the University finances and the Fiscal Year 2023 (FY23) budget that starts on July 1. They will make a presentation and also answer questions from the group on those topics.

You may have heard that there is an approximately \$70M structural deficit (i.e., expenses exceed revenues) that needs to be addressed. You are also likely still feeling the effect of losing the University contribution to your 403b last year and now dealing with a 2% "merit increase" starting this past January when inflation is running at a multi-decade high of now close to 8%. It is certainly true that all of us, as faculty and staff of the University, do not have to be experts on the University budget. However, we do need to be aware- and I would suggest on more than just the conceptual level- of the challenges we face here at Drexel. These are challenges that have- and will continue to shape- the development and implementation of our Drexel 2030 strategic plan. These challenges will also be the reason we are asked to work harder and smarter on efforts to increase revenues even as we also must pull in our belts another notch. These Drexel-specific challenges are just as important for us to understand as those larger challenges, like the coming 2026 demographic "cliff" (or "shift") that face the entire higher education sector in this country.

Note that we solicited questions from Faculty Senators to help guide the discussion that we have forwarded to the Provost and COO to help guide their discussion. We will post those questions and any answers provided at the meeting to the Senate SharePoint site, drexel0.sharepoint.com/sites/FacultySenate, after the meeting.