



## STATEMENT ON THE SOMERVILLE PUBLIC LIBRARY

The recent vote by the Somerville Town Council to join the Somerset County Library System without a public referendum should be of grave concern to the residents of Somerville. The people of New Jersey have always had a role in determining how library service is provided in local municipalities. Citizens vote to establish municipal libraries, as the citizens of Somerville did in 1912. Therefore, any changes to the structure or charter of a free municipal library's status must only be authorized by a rescinding public referendum. It is the right of citizens to have a direct voice in public library service.

The New Jersey Library Association has no objection if the voters of Somerville choose to join the Somerset County Library System. A referendum on the ballot is the correct process to follow to make that choice, as detailed in a 1975 Attorney General's opinion on the question of procedures of dissolution of a library.

This opinion states, in part, "As a general rule, where a measure has been adopted by referendum it may only be repealed by the same procedure, that is, by the electorate rather than governing body."

Its legal rationale concludes by saying, "*You are therefore advised that should either a municipal or county library wish to dissolve, it should seek to do so by referendum.*"

The Somerville Library Task Force, who studied this issue and reported to the Mayor and Council, also believe a referendum is necessary. We believe the findings and recommendations of the Somerville Library Task Force should not be ignored.\*

It is, therefore, up to the citizens of Somerville to make the decision by referendum, a right which has thus far been denied. We urge you to take this matter directly to the Somerville Council, asking them to fulfill their legal responsibility and to schedule the referendum as soon as possible. NJLA can and will assist you in any way we can in this process. Failure to follow the law and to deny the people their rights is a very serious matter.

\*([http://www.somervillenj.org/filestorage/140/Somerville\\_Library\\_Task\\_Force\\_Final\\_Presentation\\_071910.pdf](http://www.somervillenj.org/filestorage/140/Somerville_Library_Task_Force_Final_Presentation_071910.pdf) page 23 and 24)

August 26, 2010