

Public Libraries in New Jersey

OVERVIEW

The vast majority of New Jersey's residents, over 99%, are served by public libraries. 98% are served by either a municipal, joint or county library. These libraries are local government units, authorized by statute, created by referendum, funded mainly by property taxes, staffed by civil servants and required to follow many of the same laws as municipal or county government. Approximately 2% of this 98% are also served by non-profit library organizations known as association libraries. Approximately 1% of residents are served only by association libraries. Less than 1% of New Jerseyans have no public library service unless they choose to purchase service from a neighboring community. New Jersey's almost nine million residents receive library service through about 300 public library administrations with over 450 outlets.

Public libraries in New Jersey do not stand alone. Shared services have been an important part of the state's libraries ability to provide efficient and effective library service for decades. Most public libraries participate in reciprocal borrowing networks or have other types of agreements with neighboring municipalities and counties in order to increase access to resources and services for their residents. In 1985 the State Legislature formalized support of shared resources by funding the New Jersey Library Network. The purpose of the Network is to promote cooperation among the various types of libraries in New Jersey so that the State's residents will have full and equal access to library materials and programs. To achieve this goal the State Library promotes, coordinates and funds cooperative efforts, provides and coordinates library services on a statewide basis and funds the statewide library cooperative, LibraryLinkNJ.

Approximately 94% of the funding for public libraries is raised through property taxes. Municipal, joint, and county libraries are subject to a statutory minimum level of support based on the municipality's or county's property tax base. The level of support varies widely due to the extreme variation of local property values. It can also vary wildly as happened with the rapid escalation and then crash of the value of property in the 2000s. The related financial crisis left many public libraries struggling to provide services to match the increased needs of the public at a time when local, state and federal funding was declining, in some cases precipitously.

ORGANIZATION

Legal Authority

Association Libraries

Association libraries are incorporated and organized under N.J.S.A. 15A, the major statute which governs the formation and operation of all non-profit organizations in New Jersey. Some association libraries also choose to file with the IRS as a 501(c)(3) corporation for tax exempt status.

County Libraries

Laws governing the formation and operation of county libraries are found at N.J.S.A. 40:33-1 et seq.

Joint Libraries

Laws governing the formation and operation of joint libraries are found at N.J.S.A. 40:54-29.3 to 29.25, and at N.J.S.A. 40:54-1, et seq.

Municipal Libraries

Laws governing the formation and operation of municipal libraries are found at N.J.S.A. 40:54-1, et seq.

Formation

Association Libraries

The establishment of association libraries is governed by the New Jersey Nonprofit Corporation Act (N.J.S.A. Title 15A). The library files an application to reserve their corporate name with the Secretary of State, to be renewed annually. One or more individuals or corporate entities sign a certificate of incorporation, which is then filed in the office of the Secretary of State. After incorporation, the chosen board of trustees meets to adopt bylaws, elect officers, and transact any other relevant business.

County Libraries

Thirteen of the fourteen county libraries were established by referendum (N.J.S.A. 40:33-2) and one, Cumberland, was covered under special legislation allowing establishment by resolution (N.J.S.A. 40:33-5.1). Morris County Library was originally established by referendum and was additionally covered by N.J.S.A. 40:33-15 et seq. which allowed it to provide library service through a two-tiered system.

In order to establish a free county library, a petition requesting the creation of a county library, signed by a minimum of three hundred qualified voters, is submitted to the board of chosen freeholders. The board then submits the question of establishing a county library to the voters at any general or special election. A majority vote is required for the referendum's adoption (N.J.S.A. 40:33-1 to 33 - 5). In order to establish a free county

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library in counties with populations less than 150,000 in 1963 (Cumberland County), the board of chosen freeholders may adopt a resolution that establishes such a library for all of its municipalities (N.J.S.A. 40:33-5.1).

Twelve of the fourteen county libraries were formed specifically to provide library service to those municipalities within the county that did not maintain municipal or joint libraries (N.J.S.A. 40:33-1). Should a municipality later decide to withdraw from the county system, it may do so as long as it forms a municipal library (N.J.S.A. 40:33-13b).

Two county libraries having special legislation, Cumberland and Morris, serve all municipalities within the county and no municipality may withdraw from the county library.

Joint Libraries

In order to form a joint library system, the governing bodies of two or more municipalities prepare a joint library agreement subject to approval by each respective municipality. An ordinance approving the joint library agreement is filed, along with a copy of the agreement, with the State Librarian and the Director of the Division of Local Government. The question of uniting is then submitted to the legal voters of the respective municipalities at the next general election and is subject to majority approval (40:54-29.3 to 54-29.9).

Municipal Libraries

To establish a municipal library, the municipality's governing body proposes a referendum to establish a free public library to be voted on during a general or special election. The municipal clerk must publish public notice of the referendum in at least five public places and in two newspapers for at least ten days previous to the election. The referendum is subject to a majority vote.

Municipal libraries formed under any general law prior to N.J.S.A. 40:54-1 et seq. are subject to the aforementioned statutes (Deputy Attorney General memorandum, June 21, 1979).

Governing Board

Association Libraries

N.J.S.A. 15A:1:1 et seq. specifies the structure and terms of a nonprofit organization's governing board.

County Libraries

The county's board of chosen freeholders appoints a five-person county library commission for the governance of the county free library (N.J.S.A. 40:33-7). Counties with fewer than three library commission members who are residents of the

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municipalities can increase the size of the commission to seven members, of which a majority shall be comprised of the municipality's residents within five years.

County libraries in counties that have undergone reorganization are governed by their respective reorganization laws. Atlantic County Library and Mercer County Library are under the authority of the county executive but retain an advisory library board or commission. Sussex County Library and Morris County Library operate as divisions of the county, without a library board or commission.

Joint Libraries

Joint libraries are governed by a board of trustees. Trustees for each municipality include the mayor or the mayor's alternate, the superintendent of schools or the superintendent's alternate, and three citizens appointed by the mayor of each participating municipality (N.J.S.A. 40:54-29.10).

Municipal Libraries

Municipal libraries are governed by a library board of trustees composed of the mayor or the mayor's alternate, the superintendent of schools or the superintendent's alternate, and five to seven citizens appointed by the mayor (N.J.S.A. 40:54-9).

Note: Some types of municipal government require council approval for appointments.

SERVICE AREA

Association Libraries

Association libraries provide service to the residents in the municipalities in which they are located; acceptance of municipal funds requires that the association library is available for public use. Some association libraries are supported by and also serve neighboring municipalities.

Most association libraries are in counties with a county library system and the association library board of trustees partners with the county library commission to provide many county library services through the association library. The association library serves all county library members.

County Libraries

In Cumberland County and Morris County, all municipalities are served by the county library. The remaining twelve county libraries serve all residents of the county that are not served by a municipal public library. There is a provision in the law permitting a municipality to pay both the county library tax and the municipal library tax and receive services from both libraries. The county library commission may also enter into shared services agreements with other library boards.

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Fourteen of New Jersey's twenty-one counties have county library systems. The seven counties without county library systems cluster in the densely populated northeast region of the state.

Joint Libraries

A joint library provides services to residents of its member municipalities (two or more), as specified in the joint library agreement. A joint library board of trustees may also enter into shared services agreements with other library boards.

Municipal Libraries

Municipal libraries serve all residents within the municipality's limits. A municipal library board of trustees may also enter into shared services agreements with other library boards.

FUNDING

Local Support

Association Libraries

Association libraries may receive funding from the municipalities in which they are located or any other municipality (N.J.S.A. 40:54-35). Those association libraries receiving public funds pursuant to N.J.S.A. 40:54-35 must be open to the public. Most association libraries serve municipalities that are also members of a county library system, and the association libraries may receive services paid for through the county library dedicated tax.

County Libraries

With the exception of Cumberland County Library and Morris County Library, all county libraries are supported by only those municipalities in the county that have not established a municipal library. Cumberland County Library is supported by all municipalities in the county regardless of municipal library status (N.J.S.A. 40:33-5.1), and Morris County Library has a two-tiered system (N.J.S.A. 40:33-19). For all types of county libraries, funding is provided through the apportionment of the budget sum among the member municipalities. The sum is raised by taxation and must be no less than 1/15 of a mill per dollar on the assessable property valuation of the municipalities in the county library system (N.J.S.A. 40:33-9).

Joint Libraries

Joint libraries are supported by the local property taxes of their member municipalities. A minimum level of funding for joint libraries has been established 1/3 of a mill on each dollar of assessable property within the service area based on the equalized valuation as certified by the Director of the Division of Taxation (N.J.S.A. 40:54-8). Additional amounts needed, as judged by the member municipalities' governing bodies, may also be

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raised by taxation. Increases are limited to 15% of the previous year's expenditures. Increases beyond 15% must be approved by the State Librarian.

The joint library agreement provides for the apportionment of the annual and special appropriations among the municipalities based on the assessed valuations of the municipalities, their populations, or other such factor as agreed upon by the governing bodies.

Municipal Libraries

Municipal libraries are supported by local property taxes. A minimum level of funding for municipal libraries has been established at 1/3 of a mill on each dollar of assessable property within the municipality based on the equalized valuation as certified by the Director of the Division of Taxation (N.J.S.A. 40:54-8). Additional amounts needed, as judged by the municipality's governing body, may also be raised by taxation. Increases are limited to 15% of the previous year's expenditures. Increases beyond 15% must be approved by the State Librarian.

State Support

State Aid

State Aid is provided by the New Jersey Legislature and administered by the New Jersey State Library. While the law allows for many different types of State aid to different types of libraries (see N.J.S.A. 18A:74-1 et seq. and N.J.A.C. 15:21-1.1 et seq.), Per Capita State Aid has been the only grant program funded by the legislature for many years.

Per Capita State Aid is calculated according to a formula that includes the annual amount of funding from the legislature, each municipality's/county's level of support to the library calculated as a ratio (current year local tax support to the library divided by the prior year's equalized valuation of the political entity or entities), the population of the library's legal service area and the library's compliance with the minimum standards established by regulation (N.J.A.C. 15:21-2.1 et seq.). There are five aid categories, ranging from \$.50 to \$1.50 per capita. Minimum standards are based on the size of the legal service population and include such categories as: appropriate number of state-certified librarians, collection size, annual collection growth rate, periodical subscriptions, number of open hours per week and staff training.

Network Aid

Network Aid is provided by the New Jersey Legislature and administered by the New Jersey State Library. It is used to support the programs and services of the New Jersey Library Network. Members of the New Jersey Library Network include the New Jersey State Library, the state's library cooperative, LibraryLinkNJ, and the public and private libraries of the state. Funds may be used for such activities as delivery of library

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materials, continuing education, pilot projects, and the licensing of statewide resources as well as staffing and other operating costs associated with these activities.

Federal Support

Annual Federal Funding

Annual federal funding is provided through the Library Services and Technology Act (LSTA). This program is administered by the Institute of Museum and Library Services (IMLS). Each state receives an appropriation, to be used for the purposes of LSTA, based upon both a base grant as well as a population-based allocation. In New Jersey LSTA funds are used to support the programs, services and staff of the New Jersey Talking Book and Braille Center, and to provide funding for programs in the areas of literacy and diversity. Funding may also be used for other programs and services such as statewide resource licenses, the statewide interlibrary loan system and technology services and infrastructure.

Other Federal Funding

The New Jersey State Library applies for and receives other federal funding as opportunity permits. Grants for statewide technology and infrastructure development, training for librarians and preservation training have been received over the years.

Private Grant Funding

The primary source of private grant funds awarded to the New Jersey State Library has come from the Bill and Melinda Gates Foundation. Grants from this foundation have provided computer hardware and software for poverty-eligible public libraries, computer training labs in some of these same libraries, computer training for library staff as well as programs to address the technology needs of rural and Hispanic populations. In addition, the State Library is administrator of the Tischler endowment, a fund which is designated to support collection development for small and needy libraries in the state.

Library Revenues

Municipal and joint libraries may charge, retain and expend money collected from fines as per N.J.S.A 40:54-17, and photocopy fees as per N.J.S.A 40:54-17.1.

Donations

Many libraries also rely on grants and donations from foundations, local businesses, Friends of the Library groups, and individual residents.

Capital Funding

Association Libraries

To fund capital projects association libraries may request increased support from the municipality, solicit individual and corporate donations through a fundraising drive, or apply for government or foundation grants.

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County Libraries

The board of chosen freeholders of a county library system is empowered to raise and appropriate money for the acquisition, maintenance, and operation of library property in the same manner as moneys raised and appropriated for other county purposes pursuant to the Local Budget Law (N.J.S.A. 40A:4-1 et seq.). The board of freeholders may also issue bonds or levy ad valorem taxes upon the county's taxable property to pay the principal and interest on such bonds pursuant to the Local Bond Law (40A:2-1 et seq.).

Joint Libraries

Municipalities participating in a joint library share the costs of capital improvements and acquisitions according to the apportionment in the joint library agreement. Each member municipality may raise and appropriate money pursuant to the Local Budget Law (N.J.S.A. 40A:4-1 et seq.) for municipalities.

Municipal Libraries

Municipalities may raise, borrow, and appropriate funds for capital improvement according to the Local Budget Law (N.J.S.A. 40A:4-1 et seq.) and Local Bond Law (N.J.S.A. 40A:2-1 et seq.).

Contracts for Service

Inter-local library services agreements are governed by the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65 et seq.). Under this act, any local unit may enter into an agreement with any other local unit or units to provide or receive any service that each unit is empowered to provide or receive within its own jurisdiction. This applies to municipal, joint, and county libraries, as well as regional library cooperatives and consortia. Agreements involving association libraries are governed by N.J.S.A. 15A.

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INSTITUTIONS SUPPORTING PUBLIC LIBRARIES

While each type of library has a defined service area, regional and statewide entities and networks exist to ensure equitable and efficient service throughout the state.

New Jersey State Library

The State Library has been providing service to the executive, legislative and judicial branches of state government for more than 200 years. The State Library's mission has expanded since its establishment in 1796 to lead in the provision, promotion and support of high quality library and information services to all the people of New Jersey. Established and maintained according to N.J.S.A.18A:73-26 et seq., the New Jersey State Library provides services to the state's residents and libraries in 5 primary areas, the State Library Information Center, the Talking Book and Braille Center, Library Support Services, Lifelong Learning, and Innovation and Outreach. The New Jersey State Library is an affiliate of Thomas Edison State College

The State Library Information Center provides collections and reference assistance primarily to the state government, but also to other libraries, Thomas Edison State College staff and students. The library is open to the public. The Talking Book and Braille Center provides services for any state residents with print disabilities, including people who are blind or visually impaired, or who have a physical impairment that makes it difficult to hold a book or turn pages, or who have a learning disability with a physical basis. The library is open to the public.

Library Support Services provides technical, advisory and oversight services to support New Jersey's libraries and the New Jersey Library Network. Lifelong Learning provides consultant services and technical assistance to create, improve and strengthen library information and literacy services. Innovation and Outreach focuses on what is happening on the horizon both inside and outside the world of New Jersey's libraries.

LibraryLinkNJ

The primary function of New Jersey's library cooperative is to enhance library services to New Jersey residents by promoting cooperative sharing of resources, information, and expertise among its member libraries. The cooperative accomplishes this by operating a statewide delivery service structure, engaging in group negotiation of resources, facilitating communication among member libraries, providing professional development for library staff, and promoting best practices across the membership.

The cooperative operates as a nonprofit organization serving public, school, academic, special, and institutional libraries, pursuant to N.J.A.C. 15:22-1.4 to 22-1.6. Services are funded from state tax dollars appropriated for the New Jersey Library Network and administered by the State Library.

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New Jersey Library Association

NJLA advocates for the advancement of library services for New Jersey residents, provides continuing education and networking opportunities for librarians, and supports the principles of intellectual freedom and democratic access to library services and materials. Established in 1890, it is the oldest library organization in the state.

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APPENDIX A: NEW JERSEY PUBLIC LIBRARIES BY TYPE January 2014

Association Libraries (45)

Bass River Township*	Harding Township*	Oaklyn*
Berlin Borough*	High Bridge*	Old Tappan
Beverly*	Holland-Alexandria*	Oxford Township*
Brielle*	Little Silver*	Pennsville
Burlington City*	Manasquan*	Ringwood
Chesterfield Township*	Mendham Borough*	Riverside*
Clementon*	Mendham Township*	Rochelle Park
Delanco*	Millville*	Rumson*
Eatontown*	Monmouth Beach*	Sea Bright*
Elmer	Morris Plains*	Sea Girt*
Fair Haven*	Mount Holly*	Southampton Township*
Florence Township*	Mountain Lakes*	Tewksbury*
Frenchtown*	Neptune City*	Tinton Falls*
Gibbsboro*	Newfield*	Union Beach*
Hanover Township*	Norwood	Woodstown-Pilesgrove

*also a member of a county library system

County Libraries (14)

Atlantic County Library	Mercer County Library
Burlington County Library	Monmouth County Library
Camden County Library	Morris County Library*
Cape May County Library	Ocean County Library
Cumberland County Library*	Somerset County Library
Gloucester County	Sussex County Library
Hunterdon County Library	Warren County Library

*All municipalities are members of the county library system

Joint Libraries (5)

Bedminster-Far Hills
Chatham Borough & Township
Chester Borough & Township
Matawan-Aberdeen
Morristown & Morris Township

Municipal Libraries (234)

Absecon	Atlantic City	Bayonne
Allendale	Audubon Borough	Beach Haven
Alpha Borough	Avalon	Belleville
Asbury Park	Avon-by-the-Sea	Belmar

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Belvidere	Fanwood	Linwood
Bergenfield	Flemington	Little Falls
Berkeley Heights	Florham Park*	Little Ferry
Bernards Township	Fort Lee	Livingston
Bernardsville	Franklin Lakes	Lodi
Bloomfield	Franklin Township	Long Branch
Bloomington	(Gloucester County)	Long Hill Township*
Bogota	Franklin Township	Lyndhurst
Boonton Town*	(Somerset County)	Madison*
Bradley Beach	Freehold Borough	Mahwah Township
Bridgeton*	Garfield	Manville
Butler*	Garwood	Maplewood
Caldwell	Glen Ridge	Margate City
Carlstadt	Glen Rock	Maywood
Carteret	Gloucester City	Metuchen
Cedar Grove	Hackensack	Middlesex
Cherry Hill	Hackettstown	Middletown
Clark	Haddon Heights	Midland Park
Cliffside Park	Haddonfield	Milford
Clifton	Haledon	Millburn
Closter	Hamilton	Milltown
Collingswood	Harrington Park	Monroe
Cranbury	Harrison	Monroe Township
Cranford	Hasbrouck Heights	Montclair
Cresskill	Haworth	Montvale
Denville*	Hawthorne	Montville*
Demarest	Highland Park	Moorestown
Deptford Township	Hillsdale	Mount Arlington*
Dover*	Hillside	Mount Laurel
Dumont	Hoboken	Mount Olive*
Dunellen	Ho-Ho-Kus	Mountainside
East Brunswick	Hopewell Borough	Neptune Township
East Hanover*	Irvington	New Brunswick
East Orange	Jamesburg	New Milford
East Rutherford	Jefferson Township*	New Providence
Edgewater	Jersey City	Newark
Edison	Kearny	North Arlington
Elizabeth	Kenilworth	North Bergen
Elmwood Park	Keyport	North Brunswick
Emerson	Kinnelon*	North Haledon
Englewood	Lambertville	Northfield
Fair Lawn	Leonia	Nutley
Fairfield	Lincoln Park*	Oakland
Fairview	Linden	Ocean City

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Old Bridge	Rockaway Borough*	Verona
Oradell	Rockaway Township*	Vineland*
Orange	Roseland	Waldwick
Palisades Park	Roselle	Wallington
Paramus	Roselle Park	Wanaque
Park Ridge	Roxbury Township*	Washington
Parsippany-Troy Hills*	Runnemede	(Bergen County)
Passaic	Rutherford	Washington Borough
Paterson	Saddle Brook	(Warren County)
Paulsboro	Salem	Washington Township
Pennington	Sayreville	(Gloucester County)
Pennsauken	Scotch Plains	Washington Township
Pequannock Township*	Secaucus	(Morris County)*
Perth Amboy	Somerville	Waterford Township
Phillipsburg	South Amboy	Wayne
Piscataway	South Brunswick	Weehawken
Pitman	South Orange	Wenonah
Plainfield	South Plainfield	West Caldwell
Plainsboro	South River	West Deptford
Pompton Lakes	Sparta	West Milford
Princeton	Spotswood	West New York
Rahway	Spring Lake Borough	West Orange
Ramsey	Springfield	Westfield
Randolph Township*	Stratford	Westville
Raritan	Summit	Westwood
Red Bank	Teaneck	Wharton*
Ridgefield	Tenafly	Willingboro
Ridgefield Park	Totowa Borough	Woodbridge Township
Ridgewood Village	Trenton	Woodbury
River Edge	Union	Woodland Park**
River Vale	Union City	Wood-Ridge
Riverdale*	Upper Saddle River	Wyckoff

*all municipal libraries in Cumberland and Morris counties are also part of the county library system

APPENDIX B: REGIONAL LIBRARY NETWORKS

Bergen County Cooperative Library System (BCCLS)

<http://www.bccls.org>

Libraries of Middlesex Automation Consortium (LMxAC)

www.lmxac.org

Libraries of Gloucester, Salem and Cumberland Information Network (LOGIN)

<http://www.login-libraries.org>

Morris Automated Information Network (M.A.I.N.)

<http://www.mainlib.org>

PALSPlus: the computer consortium of Passaic County Libraries

<http://www.palsplus.org>

Reciprocal Borrowing and Lending Consortium (ReBL)

<http://library.shu.edu/rebl>