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Hopewell Borough Public Water Alliance

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Hopewell Borough Resident Files Legal Challenge to Water Referendum Language

Borough of Hopewell, (October 21, 2025) Retired attorney J. David Waldman filed a complaint with the New Jersey Superior Court (Civil Division, Mercer County) challenging the wording of a referendum on the November 4th ballot which asks voters to for a “YES” or “NO” vote regarding the proposed sale of Hopewell Borough water infrastructure to a private corporation, New Jersey American Water.

The ballot question is accompanied by an optional “Interpretive Statement” which is required to present an objective summary of the referendum’s purpose and potential impact. However, the statement implies guaranteed cost savings when some users will experience higher water costs, while simultaneously implying that voting against the referendum will unequivocally result in higher water costs.

Waldman stated, “The wording of these statements must be scrupulously neutral, clear and transparent; any bias, however subtle, can mislead voters and undermine their fundamental democratic right to make a reasoned, rational decision at the ballot box. The language of an interpretive statement should inform not persuade.”

Since it is too late to have the question amended or removed from the ballot, the filing asks the court to enjoin the County Clerk from counting the votes on the referendum, though the governing body would be able to resubmit the question at the next election with appropriate explanatory language.

The case is docketed as MER-L-002218-25, and will be heard by Judge William Anklowitz.

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