

POLICY MANUAL
Of The
Union County Community
Development
Revenue Sharing Committee



January 2018

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1 COMMUNITY DEVELOPMENT PROGRAM DESCRIPTION

With the passage of the Housing and Community Development Act of 1974 and as subsequently amended, Union County became eligible for an annual “urban county” entitlement grant from the U.S. Department of Housing and Urban Development (HUD). The Main focus of the Community Development (CD) program is to provide decent housing and viable neighborhoods in the urbanized areas of the nation, emphasizing physical revitalization for maximum impact.

Initially, HUD found that New Jersey counties did not possess the essential powers to conduct community development activities and were required to enact cooperation agreements with participating municipalities. The cooperation agreements establish the basic terms for activities to be carried out using the urban county CDBG funding. In essence the cooperation agreement is an official indication that the participating municipalities and the county agree to jointly and cooperatively undertake CD activities. The cooperation agreements have enabled Union County to participate in the program. This takes the form of an ordinance authorizing the mayor and clerk to execute such agreement and a resolution by the governing body specifically delineating the activities to be undertaken in the agreement. The resolution is approved annually; the ordinance remains in effect, with an opportunity to “opt out” of the program every three years.

The City of Elizabeth and the Township of Union, with populations exceeding 50,000, qualify for a direct grant; the other nineteen municipalities participate in the Union County Community Development Program. Each participating community as well as the County of Union appoints two representatives to serve on the Union County Community Development Revenue Sharing Committee. Guided by the county’s Community Development staff, the committee decides on which projects to fund, and the funding level of each.

It is the intent of the legislation to principally benefit low and moderate income concentrations and to eliminate conditions of blight by preserving and expanding the housing stock, improving public facilities and upgrading public services. The Community Development staff upholds these objectives by assuring compliance with all federal requirements in the preparation and approval of the county’s community development application.

2 ESTABLISHMENT OF WRITTEN POLICY AND POLICY MANUAL

It shall be the policy of the Union County Community Development Revenue Sharing Committee to establish written policy on matters that it deems necessary. Said policy is expected to provide stability from session to session and represent the judgment of the whole committee. Furthermore, said policy is to be maintained in binder form and made available at all meetings of the committee and its subcommittees, and said policy is to be distributed to all members and to the chief executive officers of the communities which they represent.

3 ALLOCATIONS OF FUNDS

In determining the allocation of the functional subcommittees, the Community Development Director prepares an analysis based on several factors:

- Estimated Forthcoming Entitlement Grant
- Available Funds for Reprogramming
- Prior Years Functional Subcommittee Allocation
- Review of Functional Subcommittee Previous Year Proposals
- Three Year Average of Functional Subcommittee Proposals Compared to Allocations to determine if Imbalances are developing

This data is then reviewed by the Administrative Subcommittee with the Director in order to develop a preliminary allocation by subcommittee.

Upon approval by the Administrative Subcommittee, the proposed allocation then receives final approval from the full committee. After each functional subcommittee distributes their allocation, any remaining balances should be returned to the Administrative Subcommittee for further redistribution. The Administrative Subcommittee should then make a determination if excess funds should be automatically returned to contingency or to be reallocated.

4 ACTIVITIES NOT PERMITTED BY THE UCCDRSC

It has been established by the Community Development Revenue Sharing Committee that it will not approve proposals for the following activities:

- Removal of architectural barriers in school buildings
- Purchase of vehicles, such as senior citizen buses, police cars or other rolling stock

- Environmental and health hazard clean up associated with a project site except for lead based paint
- Payment of rent, utilities or maintenance in a municipality owned facility

5 CRITERIA FOR COMMITTEE REVIEW OF PROPOSED CD PROJECTS

In consideration of proposals submitted for possible funding, the “Criteria for Committee Review of Proposed CD Projects” shall be used as a guideline by each subcommittee. These criteria for review may be found in the enclosed Appendix.

6 DEADLINE FOR NEW PROPOSALS

The deadline for submission of proposals is established by vote of the full Community Development Revenue Sharing Committee, when approving the schedule for the next calendar year. The normal deadline is December. However, since some municipalities in the County either change administration and /or reorganize each January 1st, a waiver procedure is needed. Therefore, where there is a change in a municipality’s administration, the Administrative Committee shall be authorized to approve late submissions, when accompanied by written justification. The deadline for receipt of any late submission shall be five (5) days after the municipality’s organizational meeting.

7 PROJECT ELIGIBILITY PROCESS

In order to minimize problems that occur from time to time, when CD applicants submit projects which are of questionable eligibility, the following procedure is established:

Step 1 Within fifteen (15) working days of the filing of CD applications, the CD Staff shall review all applications for their CD eligibility and advise applicants in writing of any project application which is “Preliminary Ineligible”, and include the reasons for the staff determination. The staff shall invite the applicant to submit any documentation which may support the eligibility of the project.

Step 2 Within ten (10) working days of the receipt of a letter from the CD staff advising of the “Preliminary Ineligibility Determination,” the applicant must supply a written response to the staff determination. The applicant may either withdraw the application, or provide additional information documenting the proposed project’s eligibility. Failure to respond within a ten (10) day period shall be considered a “withdrawal” of application.

Step 3 Within five (5) working days of the receipt of the applicant’s “written response,” which provides additional information, the staff must review the “additional information” and either advise the applicant, in writing, that the proposed project is eligible for

consideration for funding or rule that the project is “ineligible” on the basis of a review of the applicant’s written documentation. If requested by the applicant, a project found ineligible by staff will be forwarded to the HUD Area Office for its written determination on eligibility. To assist HUD in making its determination; staff will transmit to HUD copies of the proposal, the staff’s findings, the applicant’s supplemental information, and any other data pertinent to the question. An “Eligible Project” should be promptly forwarded to all members of the relevant subcommittee for their further consideration of funding.

8 PRIORITY LISTINGS

Each municipality must prioritize it’s municipal projects by subcommittee at the time its projects are submitted for initial review. These priority listings assist each subcommittee in their funding deliberations. While non-profit agencies do not have to be included in the municipality’s priority list, every non-profit proposal must be signed by the Mayor to be considered for funding.

9 SUBMISSION OF PROPOSALS BY NON-PROFIT AGENCIES

Each non-profit agency shall submit a copy of its proposal to the municipality in which it is located to be reviewed at the municipality’s public hearing. Proposals must include the following:

- a Copy of their Federal Tax Status as a 501 (c) (3)
- b Copy of the agency’s Mission Statement
- c Names of the Board of Directors
- d Copy of the most current independent audit report
- e Proposal must be signed by Mayor

10 CONTRACT ADJUSTMENTS AND COMMUNICATIONS

Budget modifications, contract extensions and scope changes fall into the category of “contract adjustments”. Ten (10) days prior to the particular functional subcommittee meeting, correspondence regarding any business must be submitted to staff in order to provide adequate time to properly research the issue. Advance and adequate notice by staff and an agenda must be provided to committee members. This policy would therefore limit distribution of letters, etc., at meetings and would not place an undue burden on committee members.

In the event of an emergency, agenda clearance by the respective subcommittee chairperson must be sought before any late or emergency type matters can be discussed by a subcommittee.

Contract extensions, budget modifications involving less than 10% of a Sub grantees contract budget, scopes of services, and contingency requests are reviewed by the Administrative Subcommittee and presented to the full committee for approval. All other Sub grantees requests for contract adjustments shall be heard by the subcommittee that funded the project originally. After being reviewed by the appropriate subcommittee, the request shall be sent to the full committee for final determination. No contract extensions will be granted if the project has not been underway by August 31st of the contract year.

11 MINUTES

Minutes of all administrative and full committee meetings shall be taken so that the members, especially those who were absent, can be kept accurately informed.

12 CONTINGENCY REQUESTS

The Administrative Subcommittee shall review all contingency requests and recommend to the full committee necessary action in accordance with the current policy. The Administrative Subcommittee, composed of the Chairman, Vice Chairman, Administrative Chairman, Community Development Director and the Chairmen of the functional subcommittee, have, by virtue of their long experience in the program, a broader viewpoint in reviewing contingency requests.

Request for contingency funds shall be considered for ongoing Community Development funded projects where an unanticipated critical need for additional funds exists.

Upon an affirmative recommendation of the Administrative Subcommittee, the full Community Development Revenue Sharing Committee may make additional appropriations after adoption of the Consolidated Plan for the purpose which was not foreseen at the time of such adoption in order to meet a pressing need. The Administrative Subcommittee may recommend a waiver from the above stated contingency requirement for a new project if the committee believes the project has significant merit. However, the project must meet HUD regulations and be able to expend any funds appropriated within twelve months.

13 FRINGE BENEFITS

Fringe benefits are an eligible CD activity. Fringe benefits may not exceed 20% of salary and wages. Some examples of fringe benefits include vacation, sick and

holiday pay, medical and health insurance, pension, unemployment insurance and social security.

Any Sub Grantee that claims fringe benefits as a CD expense shall submit, at the time of Scope of Services approval, documentation to substantiate the percentage claimed.

14 HOUSING REHABILITATION PROGRAM POLICY

Each Housing Rehabilitation Program shall maintain a policy defining program goals and objectives (such policies have previously been approved). Any policy change must be reviewed by the Housing Subcommittee and be approval by the full Community Development Revenue Sharing Committee.

15 COUNTY HOME IMPROVEMENT PROGRAM

The County Home Improvement Program Task Force, consisting of CD members of the participating municipalities, will maintain fair distribution of rehabilitation units to income eligible residents in the fifteen (15) eligible municipalities, Berkeley Heights, Clark, Cranford, Fanwood, Garwood, Hillside, Kenilworth, Mountainside, New Providence, Roselle, Roselle Park, Scotch Plains, Springfield, Summit, and Westfield. Allocation of units will be done incrementally based on the total amount of funds available for the County Improvement Program and the maximum allowable cost per unit.

16 PROGRAM INCOME

1. All municipalities that generate program income will submit the following to the County on a monthly basis:
 - a. a monthly bank statement for the municipality's CDBG bank account; and
 - b. a check payable to the County of Union for any balance greater than \$1,000.00(ONE THOUSAND DOLLARS) within the CDBG account.
2. Upon receipt of check, the County will establish a reserve account for the municipality. These funds will remain in the reserve account until the municipality submits a request to appropriate the funds to a specific CDBG project. To reduce potential timeliness issues, funds that remain in the reserve account for more than one year are subject to reprogramming by the County.

3. Program income within the reserve accounts will be appropriated in the same manner as other CDBG funds, including:
 - a. project must meet National Objective;
 - b. project must be an eligible activity;
 - c. CDRS Committee must approve Scope of Service and budget;
 - d. funds must be expended within 12 months from approval of contract. A three month extension may be authorized by CDRS Committee; and
4. Municipalities are not allowed to expend any funds directly from their local CDBG bank account. All requests for CDBG disbursements must be sent to the County for payment.

17 **CONSULTANTS**

From time to time, questions arise concerning engaging the services of consultants as opposed to utilizing in-house capabilities. Generally, a municipality should explore all possibilities to use the services of their own professionals. Where it is determined that an outside professional is required, the following guidelines should be followed:

- When a proposal is being reviewed by a subcommittee, the subcommittee should carefully evaluate the need to engage outside consultants.
- The subcommittee should advise the applicant that if an outside consultant is required, then a minimum of three (3) proposals should be solicited. Additionally, the awarding of a contract must be in strict accordance with the local public contracts law.
- Municipalities should pay for engineering/architect fees so that Community Development Block Grant funds are expended for the “bricks and mortar”. The applicant needs to complete their project in a timely manner and this is better accomplished if plans and specifications are completed prior to the submission of the proposal. In the event architect/engineering fees are approved the amount shall be capped at 10% of the Community Development Block Grant approval for the specific project.

18 **SUB-GRANTEE RENTAL FEES**

In this area it appeared difficult to determine a fixed policy. Therefore, these guidelines are offered as a flexible alternative.

- Secure three (3) estimates of fair market value of comparable space in area.
- Review by the respective subcommittee to determine reasonableness.
- Reasonable charge could vary and ultimately would depend on municipality involved.

19 **ORIENTATIONS OF NEW MEMBERS**

A yearly orientation seminar shall be held for new and veteran members, including persons associated with the Community Development process. They will be provided with copies of the policy manual, bylaws, administrative procedures manual and roster.

20 **PUBLIC OFFICIALS LIABILITY INSURANCE**

While not a policy of the Union County Community Development Revenue Sharing Committee, it has been advised by the County Personnel Department that all county agencies, including the Community Development Revenue Sharing Committee, are covered by a public official's liability insurance policy.

21 **TIMELY COMPLETION**

In accordance with HUD requirements for timely completion, all CD projects must be completed within 15 months of the beginning of the contract. Proposals which appear unlikely to be completed in that length of time will be discouraged. Approved projects for which implementation has not reasonably progressed within 12 months of application approval, will be reviewed for possible reprogramming of funds.

If in the opinion of the Community Development Director, reasonable progress is not being made on a project or any phase of a project, the Director shall so notify the sub grantee sponsor in writing. This notification shall set forth the activities which have been delayed and request an explanation and a schedule for their completion. A reply is expected within 30 days for the sponsor to reply.

Should the sub grantee either fail to respond or respond in a manner which, in the opinion of the Community Development Director, fails to demonstrate a commitment to implement the project, the Director shall bring the matter to the Administrative Subcommittee.

The Administrative Subcommittee will be given a history of the project and provided copies of the Director's notice to the sub grantee and the sub grantee's reply. The Administrative Subcommittee shall review all information presented to them and shall decide whether to recommend to the full Community Development Revenue Sharing Committee to terminate the project, to revise or restructure the project, or establish a firm deadline by which specific actions are to be taken or results shown.

22 REPROGRAMMING

From time to time funds budgeted to a specific project remain unspent either because the activity has been completed at a lesser cost than anticipated, or because all or part of the project cannot be undertaken for some reason. The Community Development Revenue Sharing Committee has periodically reprogrammed these funds into the Contingency Account in order to fund a new project in future years or added to the budgets of other projects when an emergency arises. The Community Development Revenue Sharing Committee's policy regarding reprogramming is that once a project is completed or dropped, the balance of funds are retained by the CDBG Program in the Contingency Account to be used for new projects in future years or to provide funds to existing projects pursuant to the policy regarding contingency requests.

In the event that the Community Development Revenue Sharing Committee approves a substantial change in activity, staff shall follow HUD procedures to amend the Consolidated Plan.

Community Development staff shall not process any cash request for the project until these requirements have been met and documentation of such placed in the appropriate project file.

23 DEFINITIONS TO ALLOCATE COSTS AS ADMINISTRATIVE OR PROJECT

In an effort to keep Administrative Costs within the guidelines established by HUD regulations, the following definitions are adopted by the Community Development Revenue Sharing Committee for use in determining which costs are Project Cost and which costs are Administrative.

	<u>Description</u>	<u>Definition</u>	<u>Type of Costs</u>
1.	Administrative	Non-Project Salaries such as CD staff, i.e. those who receive a salary for supervising or administering a program.	Admin
2.	Project Salary	Project Salaries such as social service coordinator, a nurse in a health program, senior citizen bus driver, code enforcement officer cost estimator, etc.	Project
3.	Administrative Fringe	Fringe Benefits such as medical/dental insurance, as well as sick and vacation time, etc.	Admin

4.	Project Fringe	Same as Item #3, but charged to fringe if salary is charged to project salary.	Project
5.	Rent	Lease of real property, such as offices.	Admin
6.	Heat	Heat costs.	Admin
7.	Electric	Electric costs	Admin
8.	Telephone	Telephone costs	Admin
9.	Office Supplies	Consumable supplies, printing, duplicating, copy machine, general advertising.	Admin
10.	Other Office	Office equipment, maintenance contracts, Insurance, books, membership, conference, travel, postage, committee fund.	Admin
11.	Travel/Vehicle Maintenance	Travel costs, mileage reimbursement for, gas, oil, repairs to vehicle, tires, etc.	Project
12.	Meals	Meal allowance for County CD Staff	Admin
13.	Supplies Non-office	Material used directly for project, i.e. blacktop, street signs, expendable material for arts and crafts, food for nutrition program.	Project
14.	Equipment	Non-office equipment of a permanent nature such as playground equipment, kitchen equipment, non-expendable equipment for arts and crafts, folding tables, chairs, etc.	Project
15.	Consultant	Planning consultants, attorney fees, audit fees, contract cost estimator. Planning consultant fees for operating housing rehabilitation programs shall be classified as Project costs.	Admin/Project
16.	Architectural	Municipalities should pay for engineering/ architect fees so that Community Development Block Grant funds are expended for the "brick and mortar". The applicant needs to complete their project in a timely manner and this is better accomplished if plans and specifications are completed prior to the	Project

submission of the proposal. However in the event architect/engineering fees are approved the amount shall be capped at 10 % of the Community Development Block Grant approved for that specific project, or actual project cost amount, whichever is less. (Adopted on the 8/19/2010 Meeting)

17. Project costs Rehabilitation costs, contract costs for facility or public improvements, Title XX match for public services.

24 **AMENDMENTS TO CONSOLIDATED PLAN**

In accordance with HUD Regulation 24 CFR 570.305 (a), which requires the county to develop criteria as to what constitutes a substantial change in a project which would require an amendment of the Consolidated Plan; the following policy shall be adopted by the Community Development Revenue Sharing Committee.

A substantial change, which would require a modification of the Consolidated Plan of the Union County Community Development Block Grant, would have one or more of the following criteria;

1. Deletion of an activity described in the Consolidated Plan.
2. Addition of an activity not described in the Consolidated Plan.
3. A change in the category of beneficiaries (such as change from senior citizen to youth in a public service program or facility renovation project).
4. A major change in the purpose of an activity (such as using social services funds for a renovation), as opposed to a line item change on the contract's budget page.
5. A major change of location of the project, (such as out of a neighborhood or target area, as opposed to a move within close proximity).
6. A 20% increase or decrease in the amount of funds.
7. A change in the contract's scope of service encompassing a change in HUD activity.

All amendments to the Consolidated Plan must be approved by the Board of Chosen Freeholders.

25 APPENDIX

25.1 CRITERIA FOR COMMITTEE REVIEW OF PROPOSED CD PROJECTS

CRITERIA FOR COMMITTEE REVIEW OF FACILITY PROJECTS

1. All projects must be an eligible activity as outlined in HUD regulations.
2. In addition to above, each project must meet one of the following HUD requirements.
 - a. It must principally benefit low/moderate income persons. Projects serving low income must be emphasized over moderate income projects.
 - b. Eliminate slums and blight.
 - c. Meet community development needs having particular urgency.
3. For all of the Facility Projects the subcommittee should consider:
 - a. The applicant's past performance in completing similar projects.
 - b. A commitment of local funds to the projects.
 - c. If a third source of funds is involved, will there be a long wait for its receipt?
 - d. If engineering services are required, there should be a commitment by the applicant to have plans, specifications and bid documents prepared prior to the HUD release of funds date, so as to be able to complete the project in a timely fashion.
 - e. Will the necessity of acquiring permits, easements; right of way, municipal board approval, etc. delay the timely completion of the project?
 - f. Will the approval of the proposed require a larger portion of Community Development funds in future years?
 - g. Is the amount of funds proposed or the amount considered being granted sufficient to complete the task or will Community Development funds be bankrolled over several program years? Are they realistic?
 - h. What are the administrative costs of the project?
 - i. Is the project's location where other Community Development Activities have been taking place? (i.e., housing rehab, facilities, social services)?

- j. If applicable, will benefiting properties be assessed for a share of the improvement costs?
- k. What priority does the municipality place on this project?
- l. Are all federal and state requirements complied with?

CRITERIA FOR COMMITTEE REVIEW OF SOCIAL SERVICE PROJECTS

1. All proposals must be an eligible activity as outlined in HUD regulations.
2. In addition to the above, each must meet one of the following HUD requirements.
 - a. The service must principally benefit low/moderate income persons.
 - b. Eliminate slums and blight.
 - c. Meet Community Development needs having particular urgency.
3. For all Social Services the Subcommittee should consider:
 - a. The applicant's past performance (i.e. quarterly progress reports, drawdown rate, and number of persons being served is who they said they would serve).
 - b. Is this a new service or continuous program?
 - c. Is there an increased level of service?
 - d. Is there a commitment of local funds to the program?
 - e. Is the Community Development share seed money?
 - f. If a third source of funds are involved will there be a long wait for its receipt?
 - g. Will the approval of the proposal commit a larger portion of Community Development funds in future years?
 - h. Is the amount of funds proposed or the granted amount being considered, sufficient to complete the anticipated accomplishments?
 - i. What are the administrative costs of the project?
 - j. What priority does the municipality place on this project?

CRITERIA FOR COMMITTEE REVIEW OF ECONOMIC DEVELOPMENT PROJECTS

1. All projects must be an eligible activity as outlined in HUD regulations.
2. In addition to the above, each project must meet one of the following HUD requirements:
 - a. It must principally benefit low/moderate income persons (conduct site inspections, take photos, videotape, etc., review assessed valuation equalized, review recent sales to make a judgment).
 - b. Eliminate slums and blight.
 - c. Meet Community Development needs having particular urgency.
3. For all Economic Development Projects the subcommittee should consider:
 - a. Will the project alleviate physical and economic distress?
 - b. Will private investments be stimulated?
 - c. Will long term employment to low/moderate income persons be generated by activity.
 - d. What will be the impact on the economic conditions of the applicant?
 - e. Is it primarily a façade program?
 - f. Is there housing rehabilitation directly involved with the project?
 - g. Is there commitment of local funds to the project?
 - h. If a third source of funds is involved, will there be a long wait for its receipt?
 - i. If engineering/architectural services are required, is there a commitment by the applicant to have plans, specifications and bid documents prepared prior to the HUD release of funds date so as to be able to complete the project in a timely manner?
 - j. Will the necessity of acquiring permits, easements, right of way, etc., delay the timely completion of the project?
 - k. What are the administrative costs?
 - l. Are other Community Development activities being carried out in the area?

- m. What priority does the municipality place on this project?

CRITERIA FOR COMMITTEE REVIEW OF HOUSING PROJECTS

1. All projects must be an eligible activity as outlined in HUD regulations.
2. In addition to the above, each project must meet one of the following HUD requirements:
 - a. It must benefit low/moderate income persons
 - b. Eliminate slums and blight.
 - c. Meet Community Development needs having particular urgency.
3. For all Housing Rehabilitation Projects, the subcommittee should consider:
 - a. The applicant's past performance in completing project number of units.
 - b. Are administrative costs a reasonable percentage of amount requested? (35% maximum)
 - c. Is the majority of rehab work done to eliminate code violations and conditions detrimental to public health and safety?
 - d. Will the assistance be given out as grants, matching grants, deferred loans, or direct loans?
 - e. What are the terms of the loan or grants? (i.e., interest rates, repayment schedule, lien on property)
 - f. Has the drawdown process (in past years) been consistent and relatively efficient?
 - g. Is the project targeted in specific areas?
 - h. Are other Community Development activities being carried out in the area?
 - i. What priority does the municipality place on this project?

CRITERIA FOR COMMITTEE REVIEW OF PUBLIC IMPROVEMENTS PROJECTS

1. All projects must be an eligible activity as outlined in HUD regulations.
2. In addition to the above, each project must meet one of the following HUD requirements:
 - a. It must principally benefit low/moderate income persons.
 - b. Eliminate slums and blight.
 - c. Meet Community Development needs having particular urgency.
3. For all Public Improvements Projects the subcommittee should consider:
 - a. The applicant's past performance in completing similar projects.

- b. A commitment of local funds to the project.
 - c. If a third source of funds is involved, will there be a long wait for its receipt?
 - d. If engineering services are required, there should be a commitment by the applicant to have plans, specifications and bid documents prepared prior to the HUD release of funds date, so as to be able to complete the project in a timely fashion.
 - e. Will the necessity of acquiring permits, easements, right of way, etc., delay the timely completion of the project?
 - f. Will approval of the proposal commit a larger portion of Community Development funds in the future years?
 - g. Will the approval of funds proposed or the grant amount being considered be sufficient to complete the task or will Community Development funds be bankrolled over several program years?
 - h. What are the administrative costs of the project?
 - i. What priority does the municipality place on this project?
 - j. Is the project's location where other Community Development Activities have been taking place (i.e., housing rehab, facilities, and social services)?
 - k. If applicable, will benefiting properties be assessed for a share of the improvements costs?
 - l. Are there any adverse environmental impacts?
4. For drainage improvements, the subcommittee should consider:
- a. If regional in nature, does the project conform to the regional flood control plan or the county drainage master plan?
 - b. A positive cost/benefit ratio should be shown.
 - c. Documentation should be submitted outlining the extent of damages from flooding.
 - d. The proposal should be proven to be an independent project causing no adverse impact upstream or downstream.

25.2 BYLAWS – UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE

ARTICLE 1 – NAME, PURPOSE AND DEFINITIONS

- Section 1: The name of this organization shall be the “Union County Community Development Revenue Sharing Committee”.
- Section 2: The purpose of the Committee shall be to fulfill the duties and responsibilities of the Review Committee as defined now and in the future by PL93-383, known as the Housing and Community Development Act, with its accompanying rules and regulations.
- Section 3: Definitions:
- a. Committee – “Union County Community Development Revenue Sharing Committee” hereinafter referred to as the “Committee”.
 - b. Municipality – All participating municipalities which have executed Inter-local Service Agreements.
 - c. Policy – Ten municipalities and the County in attendance at CDRS meeting shall constitute a quorum being present.
 - d. Members – Each municipality’s officially designated representatives, as appointed in accord with the Inter-Local Services Agreement and the county representatives as defined in Article II.
 - e. Routine- Routine matters will be such items as the review of proposals, scopes of services, consultants, contracts, and other ordinary business procedures.

ARTICLE II – MEMBERSHIP

- Section 1: All members will be selected in accordance with the Inter-local Services Agreement.
- Section 2: The Chief Elected Officer of each municipality or his designated representative shall provide the Committee with the names and addresses of each municipality’s representatives in January of each year following the municipality’s organizational meeting.
- Section 3: Each participating municipality shall have two (2) representatives.
- Section 4: Each representative may have an alternate appointed as designated by the appointed official.
- Section 5: One Freeholder and one administrative liaison officer shall serve as county representatives and members of the Community Development Committee.
- Section 6: If any member misses two consecutive meetings, the Chief Executive Officer of the municipality will be notified with a request that a new person be appointed to serve as the municipality’s representative. A member is present if his alternate is present.

ARTICLE III – MEETINGS

- Section 1: There shall be at least six full committee meetings annually, at a date, time and place to be determined by the Committee. Written

notice shall be directed to the last known address, as designated by each member in writing at least 5 days prior to such meeting, a preliminary agenda will accompany the meeting notice.

- Section 2: An Annual Organization meeting will be held at which time officers will be elected in September; Subcommittee Chairs will be elected at the October meeting.
- Section 3: Special Meetings shall be called by the Chairperson upon the written request of three municipalities, providing written notice is given, as in Section 1.
- Section 4: Ten municipalities and the County in attendance at CDRS meetings shall constitute a quorum being present.
- Section 5: When no quorum is present, the representatives present shall adjourn to the next regularly scheduled meeting, unless an emergency situation exists; then Section 6: Emergency meetings, is to be implemented.
- Section 6: Emergency meeting: When matters of utmost emergency arise, the Chairperson or Vice Chairperson may call an emergency meeting of the Committee providing members with as much notice as possible, via email, telephone or fax. Only those emergency matters may be considered at such meeting. Emergency Meeting called must meet emergency meeting requirements of the Open Public Meeting Law.

ARTICLE IV – VOTING

- Section 1: Ten municipalities and the County in attendance at CDRS meetings shall constitute a quorum being present (quorum required), shall enable the committee to take formal action on routine matters, including contingency requests, contract amendments and budget modifications.
- Section 2: Each representative or designated alternate shall have one vote.
- Section 3: A majority of members present at any meeting may request a mail ballot on any matter of policy.
- Section 4: Procedures for all mail ballots shall be as follows:
- a: The Chairperson and/or staff shall prepare a written proposal of the motion.
 - b. No item will be voted on by mail unless it has been considered at two meetings of the committee.
 - c. Said proposal, together with the meeting minutes and a ballot, shall be mailed to each representative and alternate by registered or certified mail.
 - d. A sample mail ballot will also be sent to the Chief Executive Officer of each committee. The Chief Executive Officer will be requested to ascertain that votes from the communities' representatives are cast.

e. Each ballot will have a final date of return which will be 12 days after mailing. Ballots must be returned and received by the staff by that date.

f. The ballots will be maintained by the Committee staff and the vote(s) counted and recorded and action taken as the first item of business at the next meeting. Votes from the municipalities will be counted on the basis of regular members, then alternates votes, if regular member votes are not received.

ARTICLE V – OFFICERS

- Section 1: The Officers of the committee shall be a Chairperson, Vice Chairperson and Secretary.
- Section 2: The Chairperson and Vice Chairperson shall be elected at the organization meeting and shall serve a term of one year. The designated representative of the Union County Freeholders shall serve as Secretary.
- Section 3: The Chairperson shall preside at all meetings and shall have all the duties and powers normally associated with that position.
- Section 4: The Vice Chairperson shall serve as Chairperson, in the absence, death or incapacity of the Chairperson.
- Section 5: All meetings of the full Community Development Revenue Sharing committee, and the Administrative Subcommittee, whether or not a quorum is present, shall have written minutes prepared by the Secretary. Minutes must be approved at the next meeting.
- Section 6: A majority of the official representatives present will elect officers for the year at the Annual Organization Meeting.

ARTICLE VI – SUBCOMMITTEE AND TASK FORCE

- Section 1: Four standing subcommittees will be created each year, with a minimum of three members in each, with no two voting from the same municipality on the same committee. A member shall be a voting member on only one standing subcommittee. Each will select a Chairman and Vice Chairman and staff will be assigned to assist each.
- Section 2: These subcommittees shall be: (1) Housing – including rehabilitation, code environmental, etc.; (2) Social Services – senior citizens, day care and public services, etc.; (3) Public Improvements – construction of public improvements such as parks, playgrounds (excluding permanent structures with roofs), street improvements, parking, water and sewer, etc.; (4) Facilities construction and renovation of public and private facilities, including all permanent structures with roofs.

- Section 3: There shall be created an Administrative Subcommittee, which shall handle matters such as economic development, planning and consultation, and overall coordination of the CDRS committee.
- Section 4: The members of the Administrative Subcommittee, shall include the immediate past Chairman of the Union County Community Development Revenue Sharing Committee who shall serve as Chairperson of the Subcommittee; the Chairperson of each of the four subcommittees; the Chairperson and Vice Chairperson of the Union County Community Development Revenue Sharing Committee; the Union County Community Development Director; /Secretary and two persons appointed by the Chairman of the Union County Community Development Revenue Sharing Committee, which person must be former members of the Administrative Subcommittee, each of whom must be current members of the Union County Community Development Revenue Sharing Committee. No more than one person from a municipality may serve as a member of the Administrative Committee.
- Section 5: All subcommittee meetings will be open to all members of the public.
- Section 6: Chairperson and Vice Chairperson are not members of any specific subcommittee but may serve as an ex-officer, non-voting member and must be notified of all meetings. They do retain the right to vote as representatives of their communities in all matters coming before the full Union County Community Development Revenue Sharing Committee.
- Section 7: Subcommittee and task force recommendations are not binding on the rest of the Committee.
- Section 8: Task Force – the chairperson may appoint study task forces.

ARTICLE VII – RULES OF PROCEDURE

- Section 1: The Committee shall abide by Roberts Rules of Order (revised) in such cases that are not covered by these bylaws.

ARTICLE VIII – AMENDMENT AND ADOPTION

- Section 1: Any amendment to these bylaws may be proposed in writing to the Committee by any member at any meeting. If approved by a majority vote, a mail vote as provided in Article IV shall be taken.
- Section 2: Amendments shall take effect at the start of the next meeting following the twelve (12) days voting procedure.
- Section 3: The adoption procedure shall be the same as provided in Article 1 Section 3(C).

25.3 CITIZEN PARTICIPATION PLAN

In order to meet the requirements under Section 104 (a) (3) of the Housing and Community Development Act of 1974, as amended, the Union County Community Development Revenue Sharing Committee has adopted a citizen participation plan that sets forth its policies and procedures.

The Citizen Participation Plan must provide for and encourage participation by low and moderate income persons, particularly those living in slum and blighted areas and in areas where CDBG funds are proposed to be used, and by residents of predominantly low and moderate income neighborhoods, as defined by the jurisdiction.

Activities necessary to meet this requirement are as follows:

1. The two members of the Union County Community Development Revenue Sharing Committee from each municipality attend monthly meetings, receive detailed correspondence on appropriate regulations and situations concerning the entire county Community Development Program, and maintain voting privileges regarding the distribution of the grant and other matters. Correspondence includes updates on changing HUD requirements, copies of the draft and final Consolidated Plan, and periodic data sheets covering the fiscal progress of the entire Community Development Program. The Community Development Revenue Sharing Committee members represent the residents of low and moderate income neighborhoods in the respective communities. Staff maintains direct contact with all Community Development Revenue Sharing members via meetings, mail and telephone correspondence. Staff maintains direct contact with the representatives of projects serving eligible residents via site visits, public meetings, written correspondence and telephone contact.
2. Prior to the submission of proposals for the coming year, each participating municipality holds a local public meeting, after 10 days public notice, to receive citizen input on proposed projects and to determine municipal project priorities for the forthcoming program year. Each non-profit agency shall submit a copy of its proposal to the municipality within which it is located for review at the public meeting. Minutes of this meeting are forwarded to the Union County Community Development Office. Special efforts shall be made by the municipalities to contact residents of low and moderate income and blighted areas.

The Citizen Participation Plan must provide citizens with reasonable and timely access to local meetings, information, and records relating to the grantee's proposed use of the funds, as required by regulations of the Secretary, and relating to the actual use of funds under this title.

Activities necessary to meet this requirement are as follows:

1. Staff conforms to P.L. 1975, Chapter 231, section 213 (Open Public Meeting Act) and HUD requirements by publishing proper notices in advance of all public meetings.
2. Correspondence is also sent directly to local agencies participating in the CD program, such as the notice of the start of the yearly planning process, the proposal submission forms and accompanying instructions, scopes of service forms, contracts, monthly /quarterly progress reports, forms and notices of the Workshop and the Seminar meeting and the Public meeting to discuss the proposed projects for the coming year. All correspondence offers further assistance from staff.
3. Calendars of Community Development activities and meetings for the year are provided to all interested parties.
4. Pursuant to N.J.S.A. 47:1A-1 et seq. (New Jersey Right to Know Law), all records pertaining to the Union County Community Development Program are available to the public for perusal at the Office of Community Development, 3rd floor, Union County Administration Building, from 8:30 a.m. to 4:30 p.m..

The Citizen Participation Plan must provide for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to determine by the grantee:

Activities necessary to meet this requirement are as follows:

1. A seminar will be held annually in October to acquaint public, (with direct mailing to agencies serving low and moderate income groups), with the technical assistance available to them from the Community Development Staff in developing acceptable proposals. An interpreter will be provided for foreign speaking individuals, if requested in writing, at least 5 days prior to the meeting.
2. Staff site visits will be made to all participating agencies, private and public, in order to provide instructions and technical assistance to those agency directors and clients in developing proposals, when requested.
3. Annual workshops for sub grantees and Community Development Revenue Sharing Committee members will be held in January to provide comprehensive technical assistance on all aspects of the CDBG Program.
4. Correspondence to municipalities and agencies offers staff names and telephone numbers, especially letters regarding proposal submission instructions and forms, and notices of workshops and hearings. Staff emphasizes the willingness to instruct and assist interested parties in the Community Development Program.

All records are kept in the Community Development office and are open to the public.

5. Community Development staff maintains income data and other census data, as well as maps delineating the low income areas of the county, which information is provided to the general public, consultants, agencies and municipalities as a means of providing technical assistance.

The Citizen Participation Plan must provide for public hearing to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped.

Activities necessary to meet this requirement as follows:

1. As previously stated, each municipality is required to hold a public meeting, with 10 days notice to the public, to obtain citizen views to projects needed (development of needs) and proposals to be submitted for the coming year. This meeting is to be held prior to the proposal submission deadline established.
2. A countywide Public Hearing will be held, after due Public Notice is published in a newspaper of general circulation in the county. At the hearing, copies of the Draft Consolidated Plan will be distributed and a review of program performance presented, for citizen comment. The hearing will be held at a central county location for the convenience of low and moderate income citizens, and will be assessable to the handicapped. Final decisions on funding will be made after citizen input is expressed and considered.

The Citizen Participation Plan must provide that the proposed Consolidated Plan be published so that affected citizens have sufficient opportunity to review it and provide comments.

Activities necessary to meet this requirement are as follows:

1. Staff prepares a summary of the proposed Consolidated Plan and places it in one or more newspapers of general circulation. The summary describes contents and purpose of the Consolidated Plan and includes a list of locations where copies of the entire plan may be examined.
2. Citizens will be provided a period of not less than 30 days prior to the submission of the Consolidated Plan to submit comments.
3. Staff will respond, in writing, within 15 working days to any written complaints submitted by the general public.

The Union County Board of Chosen Freeholders



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Chairman



Bette Jane Kowalski
Vice Chairman



Bruce H. Bergen



Linda Carter



Angel G. Estrada



Angela R. Garretson



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