

**TOWNSHIP OF TOMS RIVER CITIZEN PARTICIPATION PLAN FOR THE  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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APRIL 2011  
Revised June 2020

Toms River Township  
Division of Community Development  
33 Washington Street  
Toms River, NJ 08753

## **INTRODUCTION**

### **Requirements**

The Township of Toms River is required by law to have a detailed Citizen Participation Plan, in particular Section 104(a) (2) of the Housing and Community Development Act and by regulations at 24 CFR 570.486(a)(6). The Citizen Participation plan includes the Township's policies and procedures for public involvement in the Consolidated Plan process and the use of Community Development Block Grant (CDBG) funds. This Citizen Participation Plan must be available to the public.

### **Purpose**

The law requires that the Township's Citizen Participation Plan both provide for and encourage public participation, emphasizing involvement by low and moderate-income persons-especially those living in low and moderate-income neighborhoods. The U.S. Department of Housing and Urban Development (HUD) requires the Township to take whatever actions are appropriate to encourage participation of minorities, non-English speaking persons, and persons with disabilities.

### **The Role of Low-Income Persons**

U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Program's primary purpose is to improve communities by providing: decent housing, living environments and growing economic opportunities-all principally for low and moderate-income people.

Since the amount of Federal CDBG funds that the Township receives each year from HUD is based upon the level of both poverty and substandard housing conditions in Toms River Township, it is necessary that public participation genuinely involve low-moderate income residents who experience these conditions. Involvement by low-moderate income residents must take place at all stages of the process; including: identifying needs; setting priorities among these needs, deciding how much money should be allocated to each high-priority need, and suggesting the types of programs to meet high-priority needs; as well as, overseeing the way in which programs are carried out.

### **The Consolidated Plan Process**

The policies and procedures in this Citizen Participation Plan relate to several stages of action mentioned in law or regulation. In general, these stages or events include:

1. Identification of housing and community development needs.
2. Preparation of a draft Five-Year Strategic Plan.
3. Formal Approval by elected officials of the Final Five-Year Strategic Plan,
4. Preparation of a draft use of funds for the upcoming year called the proposed Annual Action Plan, which must be in compliance with the Five-Year Strategic Plan.
5. Formal approval by elected officials of the Annual Action Plan.
6. On occasion during the year, it might be necessary to change the use of the money already budgeted in an Annual Action Plan, or to change the priorities established in the Five-Year Strategic Plan. In that case a formal Substantial Amendment will be proposed, considered, and acted upon.

7. After a program year is complete a Consolidated Annual Performance and Evaluation Report (CAPER) must be drafted for public review and comment, and then forwarded to HUD.

## **II. CITIZEN PARTICIPATION**

### **Citizen Participation Plan**

The Citizen Participation Plan is designed to facilitate and encourage public participation in the Consolidated Plan process. In particular, the Citizen Participation Plan seeks to encourage the involvement of low and moderate-income persons.

Community Development Block Grant Program regulations calls for improved accountability of jurisdictions to the public, The Township of Toms River will use the following procedures for the adoption and any subsequent changes to its Citizen Participation Plan:

Public notice in the Asbury Park Press newspaper, as well as notices at Town Hall and on the Township website will be provided seven (7) days in advance of a 30-day public comment period;

During the 30-day public review and comment period, the document will be available for review at the following locations:

- Township of Toms River Division of Community Development
- Ocean County Library-Toms River Branch

Copies of the Document will be available to the public free of charge within five days of a request.

- An administrative public hearing will be held by the Township's Division of Community Development CDBG staff.
- The Township Mayor adopts the Citizen Participation Plan, upon execution of SF424 documents contained in the Action Plan.

Any change in the public participation process as outlined in this document will require an amendment to the Citizen Participation Plan. Any amendments will require the same steps as noted above: public notice, public review, a public hearing, and Execution by the Mayor.

***For CDBG-CV Funding in response to the COVID-19 crisis:*** notice and reasonable opportunity to comment of no less than 5 days will be provided. The 5-day period runs concurrently for comments on the action plan amendment and amended citizen participation plans.

### **Consolidated Plan and Annual Action Plan**

The Consolidated Plan is a five-year plan that identifies the needs of low and moderate-income persons and areas of the Township and sets forth a five-year strategy to address those needs. The Action Plan identifies the specific needs to be addressed each year based on the priorities established in the Consolidated Plan's five-year strategy. The following steps outline the opportunities for public involvement in the Consolidated Plan and the Annual Action Plan Preparation.

In order to identify the needs of low and moderate-income persons and areas of the Township priorities must be set in order to decide which needs should get more attention and more resources than other needs. In order to solicit community input, which is essential to determining these needs and priorities, the Township will:

Consult with local public agencies that assist low and moderate-income persons and areas, including Township Staff, State and federal agencies, neighboring local governments, regional agencies.

Consult with private agencies, including local non-profit service providers and advocates such as local health agencies, homeless service providers, non-profit housing developers, social service agencies (including those focusing on services to children, the elderly, persons with HIV/AIDS, persons with substance abuse problems, etc.).

Publicly notify and conduct a public meeting to solicit input on needs and priorities.

In addition, the Township will maintain an interested non-profits list and forward an application packet to the non-profit. All applications are reviewed for completeness, eligibility, and service specific information. Any interested non-profit agency may request to be added to the non-profit list at the following address:

Attention: CDBG  
Township of Toms River  
Division of Community Development  
33 Washington Street  
P.O. Box 728  
Toms River, NJ 08753-0728

All applications must include the following information in order to be eligible to receive CDBG funds:

- Name of Organization, contact person(s), brief history of the organization.
- Name of Project and detailed description of project.
- Documentation identifying the need for such a project.
- Financial summary, including amount of CDBG funds requested and other resources to leverage CDBG funds, as well as potential uses of funds.
- Objectives of project and intended beneficiaries.
- If the organization is requesting CDBG funds from other jurisdictions for the same project, including information on the amount requested and potential benefits for each jurisdiction.

Township staff will review the applications to determine eligibility of the projects. Township staff will evaluate the projects based on the benefits to low and moderate-income residents and low-moderate income areas. In addition, the feasibility of the project will also be reviewed. All Non-profit funding should be expended within a year from receiving an allocation from the Township. The selected projects will be recommended to the Township Administrator and Mayor for approval.

All approved projects will be incorporated into the Annual Action Plans. A 30-day review period will be publicly noticed for Draft Action Plans. The public has a 15-day comment period upon completion of the 30-day review period. A complete draft of the Consolidated Plan and/or Annual Action Plan will be made available to the public at the following locations.

- Township of Toms River Division of Community Development
- Ocean County Library-Toms River Branch

An administrative public hearing will be held after the release of the Annual Action Plan. If there is further demand for a follow-up meeting, another meeting may be scheduled after the 30-day review period is complete, but still within the 15-day comment period. All public hearings will be posted in the Legal section of the Asbury Park Press. In addition, the Spanish Speaking Newspaper Latinos Unidos will be utilized for non-English speaking residents. This Spanish speaking geared newspaper is sold in local ethnic markets. However, the newspaper is published monthly and notices must be published before the end of the month before the meeting is to occur.

**For CDBG-CV Funding in response to the COVID-19 crisis:** notice and reasonable opportunity to comment of no less than 5 days will be provided. The 5-day period runs concurrently for comments on the action plan amendment and amended citizen participation plans.

### **Adoption**

As noted, above the Township will provide several opportunities for citizen involvement in the Consolidated Plan process prior to adoption. These include:

- Published notice of a public meeting in the local newspaper, the Asbury Park Press (in both English and Spanish), and on the Township's website 14 days in advance of both public meetings.
- A public meeting on needs and priorities for the Consolidated Plan/Annual Action Plan.
- A public notice announcing the 30-day review and comment period.
- A public notice for the hearing on the Draft Consolidated Plan and/or Draft Annual Action Plan will be posted in the Asbury Park Press, Town Hall, and the Township's Website. The notice will list the locations where the document(s) will be available for review and the notice will be posted prior to the start of the comment period.

The Draft Consolidated Plan and/or Draft Annual Action Plan will be available at the following locations in Toms River Township:

- Township of Toms River Division of Community Development
- Ocean County Library - Toms River Branch

The Draft Consolidated Plan and/or Draft Annual Action Plan will be made accessible to persons with disabilities and Non-English Speaking persons upon request. In addition, a reasonable number of free copies will be provided to citizens or groups requesting copies of the document(s).

An administrative hearing will be held by the Toms River Township Division of Community Development CDBG staff prior to the execution for adoption of the Consolidated Plan and/or Annual Action Plan by the Mayor.

In preparing the Final Consolidated Plan and Annual Action Plan, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The final documents will have a section that presents all comments, plus explanations why any comments were not accepted.

At the end of the 30-day review and 15-Day comment period, the Township of Toms River will consider adoption of the Consolidated Plan and Annual Action Plan. Adoption of the plan will occur upon the execution of the plan by the Township Mayor.

***For CDBG-CV Funding in response to the COVID-19 crisis:*** notice and reasonable opportunity to comment of no less than 5 days will be provided. The 5-day period runs concurrently for comments on the action plan amendment and amended citizen participation plans.

## **Amendments**

The Consolidated Plan or Annual Action Plan will be amended anytime there is: a change in one of the priorities presented on the HUD-required Priority Table; a change in the use of money to any activity not mentioned in the Final Annual Action Plan; or a change in the purpose, location, scope, or beneficiaries of any activity (described more fully later). The public will be notified whenever there is a substantial amendment as defined below:

A change in the use of CDBG funding of more than 10% of the total grant amount from one activity to another (i.e. “reprogramming” of CDBG funds).

- Funding of an activity type not described in the Annual Action Plan
- Changing the priorities contained in the Five Year Strategy of the Consolidated Plan.
- Increasing or reducing the amount allocated to an activity by more than 25 percent.
- Additional allocation of funds from the Department of Housing & Urban Development that is not part of the yearly allocation and is not part of any of the current Annual Action Plans.

There must be reasonable notice of a proposed Substantial Amendment so that residents will have an opportunity to review and comment on it. Notice will be made according to the procedures described earlier in the Citizen Participation Plan, with the addition of the following procedures specifically for Substantial Amendments:

There will be 7 days’ advance notice of and availability of a proposed Substantial Amendment before there is a public hearing about it.

A written description of the proposed Substantial Amendment will be made available to the public at no cost within five working days of a request. Also, copies will be available at the locations indicated in this Citizen Participation Plan under “Public Access to Information.”

There will be a public hearing regarding the proposed Substantial Amendment. This public hearing will not take place until the public has had 30 days to review the proposed Substantial Amendment.

The public hearing will be held no sooner than two weeks prior to submission to HUD.

In preparing a Final Substantial Amendment, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The Final Substantial Amendments will have a section that presents all comments, plus explanations why any comments were not accepted.

### **Expediting an Amendment**

If a Substantial Amendment must be expedited, the procedures in this plan shall be followed but the comment period shall be no less than five days. Should this Citizen Participation Plan have to be amended at the same time in order to expedite said amendment, the five-day period will run concurrently for comments on the action plan amendment and the amended citizen participation plan.

*For CDBG-CV Funding in response to the COVID-19 crisis:* notice and reasonable opportunity to comment of no less than 5 days will be provided. The 5-day period runs concurrently for comments on the action plan amendment and amended citizen participation plans.

### **Consolidated Annual Performance Report**

Every year, the Township of Toms River must submit to HUD a Consolidated Annual Performance Evaluation Report (CAPER) within 90 days of the close of the program year. In general, the CAPER must describe how funds were actually used and the extent to which these funds were used for activities that benefited low and moderate-income people. The following steps outline the opportunities for public involvement in the CAPER:

Public notice will be made according to the procedures described later in this Citizen Participation Plan. The public notice will identify a 15-day public review and comment period for the CAPER. During the 15 Day review period, the document will be available for review at the following locations:

- Township of Toms River Division of Community Development
- Ocean County Library- Toms River Branch

Careful consideration will be given to all written comments submitted by the public. These comments will be addressed in the CAPER.

The CAPER will be adopted upon approval by the Township Mayor.

## **III. PUBLIC NOTICE**

### **Public Notice Requirements**

There shall be advance public notice once a federally required document is available, such as

the Proposed Annual Action Plan or Five-Year Consolidated Plan, any proposed Substantial Amendment to the Action Plan or Consolidated Plan, and the Consolidated Annual Performance Evaluation Report (CAPER).

In addition, there shall be advanced public notice of all public hearings and all public meetings related to the funds or planning process covered by this Citizen Participation Plan.

**"Adequate" Public Notice**

Adequate advance notice is "timely"; it is given with enough lead-time for the public to take informed action. The Township will provide 10 days' notice at a minimum. The content of notices will give residents a clear understanding of the event being announced and shall also be provided in Spanish.

Public Notice shall be given Seven (7) days prior to the start of a 30-day document review period.

**Forms of Public Notice**

Toms River Township staff will ensure adequate advance notice of all public meetings and hearings. Adequate notice will include:

- Printing notices in the Asbury Park Press at least 10 days prior to the public meetings and hearings
- Posting notices in the Township Municipal Complex
- Posting notices in community facilities located in low-moderate income areas (specifically vestibules of apartment complexes and community centers).
- Posting notices on Toms River Township's website (tomsrivertownship.com)
- Posting notices in Latinos Unidos (month prior to the meeting date since this is not a daily circulation paper), when possible.

***For CDBG-CV Funding in response to the COVID-19 crisis:*** notice and reasonable opportunity to comment of no less than 5 days will be provided. The 5-day period runs concurrently for comments on the action plan amendment and amended citizen participation plans.

**IV. PUBLIC HEARINGS**

Public hearings are required by law in order to obtain the public's views, and to provide the public with the Township's responses to public questions and proposals. In accordance with the New Jersey "Open Public Meetings Act", public meetings may be held in person or by means of communication equipment, to include streaming services and online meeting platforms. If the need arises, web conferencing information will be posted on the Toms River Township Community Development web page.

The law requires public hearings at all stages of the process, including at least a hearing about community needs, a public hearing to review proposed uses of funds, and a public hearing to assess how funds were spent during the previous program year.

Public hearings will be held only after there has been adequate notice as described in the Public Notice part of this Citizen Participation Plan, 10 days prior to the public hearing. Public hearings will usually be held in the evening at a time convenient to most residents, especially those who might benefit from the use of funds. Toms River Township will host all public hearings at 6:00pm.

Public hearings may be held at the Toms River Municipal Complex, which is centrally located and accessible by mass transit. The final approval and adoption of the Annual Action Plan, Five-year Strategy, and CAPER will be conducted at the Toms River Municipal Complex. The Municipal Complex is accessible to people with disabilities, and provisions will be made for people with disabilities when requests are made at least five working days prior to the hearing. Translators will also be provided for people who do not speak English when requests are made at least five working days prior to a hearing.

***For CDBG-CV Funding in response to the COVID-19 crisis:*** in-person public hearings are not required. Grantees may meet public hearing requirements with virtual public hearings if:

- National/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and
- Virtual hearings provide reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

## **V. PUBLIC ACCESS TO INFORMATION**

As required by law, the Township of Toms River will provide the public with reasonable and timely access to information and records relating to the data or content of the Consolidated Plan, as well as the proposed, actual, and past use of funds covered by this Citizen Participation Plan. The Township will also provide reasonable public access to records about any uses of these funds during the previous five years.

Also, as required by law, the Township of Toms River will provide the public with reasonable and timely access to local meetings relating to the proposed or actual use of funds.

### **Consolidated Plan Documents**

Consolidated Plan documents include: The Annual Action Plans, the Five-Year Consolidated Plan, and Consolidated Annual Performance Evaluation (CAPER) as well as substantial amendments to either the Annual Action Plan or the Five Year Strategic Plan, annual Performance Reports and the Citizen Participation Plan.

### **Availability of Consolidated Plan Documents**

In the spirit of encouraging public participation, copies of Consolidated Plan documents will be provided to the public at no cost and within one week of a request. These materials will be available in a form accessible to persons with disabilities, when requested.

## **Location of Documents**

Consolidated Plan documents will also be available at the following locations during the respective review periods:

- Toms River Township Division of Community Development (33 Washington Street, 2<sup>nd</sup> floor, Toms River).
- Ocean County Library – Main Branch (101 Washington Street, Toms River).
- Ocean County Planning Department (129 Hooper Avenue, Toms River).
- On the Township’s web site at <https://nj-tomsrivertownship.civicplus.com/395/Community-Development-Block-Grant-Program>.

Copies of final and draft versions of the documents are available at the Toms River Township Division of Community Development, located at 33 Washington Street, 2nd floor.

## **VI. TECHNICAL ASSISTANCE**

Township staff will work with organizations and individual’s representative of low and moderate-income people who are interested in submitting an application to obtain funding for an activity. All potential applicants for funding are encouraged to contact the Township staff for technical assistance before completing an application form.

Specifically, the Township of Toms River will provide technical assistance to nonprofit organizations that serve low/moderate income persons. This technical assistance may include:

- Instructions/assistance on how to fill out forms/applications.
- Conducting workshops to explain:
  - The process for submitting proposals.
  - Federal and local requirements
- Providing comments and advice on the telephone or in meetings.
- Reviewing and commenting on draft proposals.

The Township will also provide ongoing assistance to CDBG-funding agencies as needed to help them maintain their eligibility for full funding.

## **VII. COMMENT AND COMPLAINT PROCEDURES**

The Township of Toms River will provide a period of at least thirty (30 days) to receive comments on the Draft Consolidated Plan and on any Substantial amendments. The 30-day period may start on the date the document is available to the public. The Township must also provide public notice regarding the availability of documents and the dates of the 30-day comment period.

For performance reports, the Township will provide at least fifteen (15) days to receive public comments. The Township will consider all comments received. The Township will respond to all complaints, in writing, within fifteen (15) days. All comments and responses will be attached to each document.

In the event that the Township has an amendment to be expedited, the public comment period shall be no less than five (5) days.

***For CDBG-CV Funding in response to the COVID-19 crisis:*** notice and reasonable opportunity to comment of no less than 5 days will be provided. The 5-day period runs concurrently for comments on the action plan amendment and amended citizen participation plans.

## **VIII. ACCOMODATION OF PERSONS WITH SPECIAL NEEDS**

The Township complies with the Americans with Disabilities Act, and will make accommodations for persons with special needs. Public hearings and the review of Consolidated Plan documents will be held at the Township Municipal Complex, which is accessible to people with disabilities. Additional provisions will be made for people with disabilities when requests are made at least five working days prior to a hearing. Translators will also be provided for people who do not speak English when requests are made at least five working days prior to a hearing.

## **IX. DISPLACEMENT**

If, as a result of a program activity, any residential displacement and relocation must occur, the Township of Toms River ensures that it will develop an Anti-Displacement and Relocation Plan in connection with that project in accordance with Federal Regulations. Specifically, the Township will comply with the anti-displacement and relocation requirements of the Uniform Relocation Act and the Housing and Community Development Act of 1974, as amended, and implementing regulations of 24 CFR Part 42.

## **X. CITIZEN PARTICIPATION COORDINATOR**

The Township of Toms River employs a Citizen Participation Coordinator. His responsibility is to ensure the Township's Community Development Block Grant complies with this Citizen Participation Plan. In addition, it is the responsibility of the Citizen Participation Coordinator to ensure that comments and complaints from the public are given careful consideration and addressed. The Township's Citizen Participation Coordinator is:

Robert Hudak  
Toms River Township  
Division of Community Development  
33 Washington Street, 2<sup>nd</sup> floor  
PO Box 728  
Toms River, NJ 08754-0728  
[rhudak@tomsvrivertownship.com](mailto:rhudak@tomsvrivertownship.com)  
732-341-1000 ext. 8356

## **GLOSSARY**

### Annual Action Plan:

This document allocates one year's funding (entitlement and program income) to specific projects and activities for the CDBG Program. It is submitted to HUD 45 days prior to the start of the Township's Fiscal year or no later than May 17<sup>th</sup> and is developed in accordance with Federal Regulations (24 CFR Part 91).

### Program Year:

The "program year" chosen by the Township of Toms River is July 1<sup>st</sup> through June 30<sup>th</sup>.

### Citizen Participation Plan:

This plan is prepared to facilitate and encourage public participation and involvement in the Consolidated Plan process and the Township's CDBG Program, especially by low and moderate income persons. The plan identifies the public participation requirements as identified by Federal Regulations (24 CFR Part 91).

### Community Development Block Grant (CDBG) Program:

This is a Federal Grants program administered by the U.S. Department of Housing and Urban Development (HUD). The program allocates money to eligible Cities and Counties throughout the Nation to assist low and moderate income households and neighborhoods. The grant program may be used for such activities as housing rehabilitation, affordable housing assistance, community services and community development activities such as the construction or rehabilitation of community facilities and economic development.

### Consolidated Plan:

This document services as the Township's application for CDBG funds and sets forth the priorities and strategies to address the needs of primarily low and moderate income persons and areas in the Township. It typically covers a five or three-year time period. It is submitted to HUD 45 days prior to the start of the Township's Fiscal Year or no later than May 17<sup>th</sup> and is developed in accordance with Federal Regulations (24 CFR Part 91).

### Consolidated Plan Documents:

These include the Consolidated Plan, The Annual Action Plan, the Consolidated Annual Performance and Evaluation Report (CAPER).

### Low and Moderate Income Households:

These are households earning less than 80 percent of the area median income. They are broken down into the following designations:

- *Extremely Low Income:*
  - Households with income less than 30 percent of the area median family income adjusted for household size.
  
- *Low Income:*
  - Households with incomes between 31 and 50 percent of the area median family income, adjusted for household size.

- *Moderate Income:*
  - Households with incomes between 51 and 80 percent of the area median family income, adjusted for household size.

Low and Moderate Income Neighborhood:

In general, this is defined as a census tract(s) or block group(s) where a minimum of 51 percent of the residents have low or moderate income (i.e. – not exceeding 80 percent of the area median family income).

Median Family Income (MFI):

HUD surveys major metropolitan area annually to develop an index of median family income by household size. Most CDBG funded activities and programs must benefit primarily the lower and moderate income households.