



Triad Associates Newsletter

June 2010

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**Local Government
Energy Program
Temporarily
Suspended**

Recent Affordable Housing Developments (No Pun Intended)

By Lorissa Whitaker, AICP/PP, Senior Associate

On June 10th, Senator Raymond Lesniak's highly controversial legislation, known as S1, made considerable progress, as the Senate passed the legislation after its second reading with a 28-3 approval.

Originally, S1 proposed to abolish COAH - the entity that currently has regulatory authority and provides administrative oversight to the production of the State's constitutional obligation to supply affordable housing, and per the "State Agency Transfer Act," transfer their powers, functions and duties SPC. The bill has since been amended to transfer these powers, functions and duties to the New Jersey Department of Community Affairs (NJDCA), of which both COAH and the SPC are currently housed.

S1 further proposes the elimination of the statewide calculation of need, otherwise known as Growth Share (which was upheld in the January 22, 2008 Appellate Division decision) and forgives all prior round need, regardless of past participation in COAH's voluntary process. Instead, the legislation states that inclusionary municipalities, defined as having either 1) 7.5% housing stock that is "price restricted;" 2) 33% of housing stock is single-family attached, mobile homes or multiple dwelling units (provided that 50% of this housing is rental housing); or 3) has adopted zoning ordinances that require specific compliance mechanisms or has incorporated certain

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The Board of Public Utilities (BPU) Clean Energy Local Energy Program recently reached its budget capacity for 2010 and is placing a temporary hold on the receipt of any new grant applications. Because of the large number of applications received by the BPU for this program, the board is, "currently exploring options to provide additional funding from other Clean Energy Programs to the Local Government Energy Program." In the meantime, there are still other opportunities to fund your energy efficient project such as:

- Direct Install - an equipment replacement service for small to medium sized facilities that covers up to 80% of project cost
- Pay for Performance - financial incentives for large buildings
- NJ SmartStart Buildings - financial incentives for

standards into their Master Plans. These ordinances or Master Plan inclusions do not set thresholds or standards for determining compliance but instead requires 'analyses' of existing housing stock. Those thresholds may or may not be clarified in NJDCA's newly promulgated administrative code.

Should S1 eventually become public law, municipalities will have 60 days from the effective date of that law to apply to NJDCA for a determination, through a 'limited review,' of whether the municipality is an inclusionary municipality, as described above. However, if NJDCA rejects a municipal application for determination as an inclusionary municipality, that municipality can either reapply within the six year planning cycle (which is no longer defined in the legislation and does not coincide with the current COAH planning cycles or the State Plan, which has a 3-year planning cycle), or a municipality can be deemed inclusionary if it adopts an ordinance which reserves 20% of its developable land for workforce housing. As a reference, workforce housing is no longer defined as 80% to 120% of median income. S1 defines workforce housing as all households earning up to 120% of median income. However, municipalities should note that no Federal subsidy will be provided for housing units that are set-aside for households between 80% to 120% median income.

*The rest of this article can be found on Triad's web site [here](#).*

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## Funding Opportunities

### COPS Secure Our Schools Grant Program

Approximately \$16 million is available through the U.S. Department of Justice - Office of Community Oriented Policing Services to provide funding to law enforcement agencies to assist with the development of school safety resources and provide improved security at schools.

The program will fund up to 50% of the total cost of the following:

- Placement and use of metal detectors, locks, lighting, and other deterrent measures
- Security assessments
- Security training of personnel and students
- Coordination with local law enforcement
- Any other measure that may provide a significant improvement in security

All applicants must have conducted a school safety assessment within the last three years or request funding for an assessment.

The deadline for priority consideration is June 21, 2010 and the second and final deadline is July 2, 2010. For more information visit [www.cops.usdoj.gov](http://www.cops.usdoj.gov).

energy efficient heating and cooling equipment, lighting upgrades and devices that control energy usage

For more information regarding these programs visit the [Clean Energy Web Site](#)

## Congratulations!!

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To Shane Godshall of Triad Associates!
Shane recently passed the exam to become an official LEED Green Associate. Developed by the U.S. Green Building Council, LEED stands for Leadership in Energy and Environmental Design. It is a third-party certification program and the nationally accepted benchmark for the design, construction and operation of high-performance green buildings. All LEED Green Associates have demonstrated an understanding of green building practices and principles. They also have familiarity with LEED requirements, resources and processes.

Sustainable Jersey

Walmart and Sustainable Jersey are providing funding to promote sustainable activities within local municipalities in New Jersey. The 2010 Sustainable Jersey Small Grants program will provide \$220,000 in the form of 10 \$10,000 grants, 4 \$25,000 grants and 20 \$1,000 grants to institute greening and sustainability initiatives within New Jersey municipalities. Grants will be awarded to both certified and registered communities in the Sustainable Jersey Certification Program. Municipalities seeking to be eligible for these grants should be registered with the Sustainable Jersey program before the application deadline of July 1, 2010. For more information go to www.sustainablejersey.com/resources.php

ARRA Report

A recent study provided by the GAO (U.S. Government Accountability Office) reported that as of May 7, 2010, approximately 41% of the \$282 billion in ARRA funding has been paid out to states and local governments. Most of the funding has been for health, education and training. New spending is expected for transportation, community development, energy and environmental incentives.

The full 344 page report can be found [here](#).