



**Cumberland County  
Board of Chosen Freeholders**

164 West Broad Street  
Bridgeton, NJ 08302



SCHEDULED  
**ORDINANCE 2016-1**  
Meeting: January 26, 2016 6:00 PM

**ORDINANCE 2016-1 ESTABLISHING A HOMELESSNESS TRUST  
FUND AND COUNTY HOMELESSNESS TRUST FUND TASK FORCE**

WHEREAS, the State of New Jersey has passed P.L. 2009, Chapter 123, N.J.S.A. 52:27D-287a known as the County Homelessness Trust Fund Act pursuant to which counties are authorized to establish a county homelessness trust fund and a county homelessness trust fund task force; and

WHEREAS, the provisions of the aforesaid legislation authorize and enable the County of Cumberland to create a County Homelessness Trust Fund as well as a County Homelessness Trust Fund Task Force; and

WHEREAS, the County Homelessness Trust fund may be funded by the imposition of a \$3.00 surcharge for each document recorded by the County Clerk; and

WHEREAS, the County Homelessness Trust Fund is to be utilized in accordance with P.L. 2009, Chapter 123, N.J.S.A. 52:27D-287a et. seq. and is to be utilized with the advice of the County Homelessness Task Force pursuant to recommendations made by them in order to operate a homeless housing grant program to provide various social services for the homeless including, but not limited to acquisition, construction, rehabilitation of housing projects, rental assistance, supportive and preventive services to obtain or maintain permanent affordable housing; and

WHEREAS, the Board of Chosen Freeholders of the County of Cumberland is empowered to establish a County Homelessness Trust Fund and Task Force to implement the

provisions of the foregoing legislation; and

WHEREAS, the Board of Chosen Freeholders of the County of Cumberland believe that the establishment and funding of a county homelessness trust fund and task force is in the interest of the residents of the County of Cumberland.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF CUMBERLAND, as follows:

Section 1. Definitions. The following words and phrases shall have the meaning ascribed to them by Section 3 of P.L. 2009, Chapter 123.

“Community based organization” means a nonprofit, private or public organization funded with public or private funds, or both, that provides housing and services to families and individuals who are homeless.

“County Homeless housing grant program” means the vehicle by which competitive grants are awarded by the governing body of the county, utilizing monies from the Homelessness Housing Trust Fund, for activities directly related to housing homeless individuals and families, preventing homelessness, and other efforts directly related to permanently housing homeless persons, as administered by the local government or its designated subcontractor.

“County Homelessness Trust Fund Task Force” means the voluntary local committee created to advise a local government on the creation of a local homeless housing plan and participate in a local homeless housing program. It shall include at least one (1) representative of the county, representatives from each of the three (3) municipalities in the county with the largest populations of homeless persons, representatives from the organization responsible for developing, implementing, or both, the local plan to end homelessness, at least three (3) homeless or formerly homeless persons, and three (3) representatives of local private or nonprofit organizations with experience in assisting the homeless or providing low-income housing, together with such other persons who may be appointed by the Board of Chosen Freeholders of the County of Cumberland. The Board shall consist of not less than eleven (11) appointees nor more than fifteen (15) members.

“Department” means the Department of Community Affairs, unless otherwise designated.

“Director” means the Director of the Division of Housing in the Department of Community Affairs.

“Homeless person” means an individual living outside, or in a building not meant for human habitation or in which the person has no legal right to occupy, in an emergency shelter, or

in a temporary housing program which may include a transitional and supportive housing program if habitation time limits exist, or temporarily in the home of another household, or in a motel.

“Housing authority” means any of the public corporations created pursuant to section 17 of P.L. 1992,c.79 (C.40A:12A-17).

“Housing continuum” means the progression of individuals along a housing-focused scale with homelessness at one end and home ownership at the other.

“Homeless housing plan” means the plan approved by a local government to address housing for homeless persons that includes measurable and achievable objectives to end homelessness in the county.

“Local government” means a county government.

“Outcome measurement” means the process of comparing specific measures of success against ultimate and interim goals.

## Section 2. Establishment of Trust Fund.

A. There is hereby established the Cumberland County Homelessness Trust Fund (hereinafter referred to as the Trust Fund). The Trust Fund shall be financed by amounts raised pursuant to the imposition of a surcharge of \$3.00 on all documents recorded in the County Clerk’s Office with the exception of documents of assignment or substitutions of previously recorded deeds of trust. The County Clerk shall be entitled to impose a \$3.00 surcharge on all documents recorded in the Clerk’s Office pursuant to N.J.S.A. 52:27D-287e and N.J.S.A. 22A:4-17 as may be amended from time to time. The amounts raised by the surcharge shall be deposited by the County Treasurer in a fund entitled “the Cumberland County Homelessness Trust Fund” and shall be used exclusively for the purposes authorized pursuant to Section 5 of this Ordinance and in accordance with the provisions of N.J.S.A. 52:27D-287a et seq. as may be amended from time to time. The County may also deposit other funds into the Trust Fund as it may, from time to time, deem appropriate. Five (5%) percent of the fund may be used annually by the County for administrative costs related to the administration of the fund and the grant program established under this Ordinance and the remainder is to be used only for homelessness housing programs as set forth in Section 5 of this Ordinance.

B. No amounts raised by the aforementioned surcharge shall be utilized to pay or discharge any indebtedness incurred by the County or any other governmental entity.

C. The monies collected from the surcharge must be expended for the purposes detailed in Section 5 of this Ordinance within four (4) years of being collected. Any funds that are not expended within this time frame shall be transferred to the New Jersey

Department of Community Affairs which will be required to contract with a community-based organization located with Cumberland County for the continual performance of social services for homeless county residents.

D. The County shall transmit information concerning the uses made of the trust funds to the New Jersey Housing and Mortgage Finance Agency in accordance with that Agency's requirements.

Section 3. Establishment of Homelessness Trust Fund Task Force.

A. The County of Cumberland hereby establishes a County Homelessness Task Force (hereinafter referred to as the Task Force), the membership of which shall be appointed by the Board of Chosen Freeholders of the County of Cumberland. The composition of the Task Force shall be in accordance with the definitions as listed in Section 1 of this Ordinance.

B. The Task Force shall perform those duties and responsibilities as set forth in Section 1 of this Ordinance and as prescribed in Section 6 of P.L. 2009, Chapter 123, N.J.S.A. 52:27D-287f as may be amended from time to time.

Section 4. Establishment of Homeless Housing Plan.

The County shall adopt a Homeless Housing Plan (hereinafter referred to as the Plan). The Plan shall include a strategic local scheme to identify and address the needs of the County's homeless residents and shall include strategies to reduce the need for emergency room care, hospital care, law enforcement, foster care and other social services associated with the homeless in order to reduce and eliminate homelessness.

Section 5. Purposes For Which The Trust Fund May be Utilized.

A. The County shall utilize the Trust Fund with the advice and recommendations of the Task Force for the operation of a homeless housing grant program.

B. The housing grant program is hereby established to provide:

(1) for the acquisition, construction, or rehabilitation of housing projects or units within housing projects that supply permanent affordable housing for homeless persons or families, including those at risk of homelessness;

(2) rental assistance vouchers, including tenant and project based subsidies, for affordable housing projects or units within housing projects that provide permanent affordable housing for homeless persons or families, including those at risk of homelessness;

(3) supportive services as may be required by homeless individuals or families in order to obtain or maintain, or both, permanent affordable housing; and

(4) prevention services for at risk homeless individuals or families so that they can obtain and maintain permanent affordable housing.

C. The Housing Grant Program shall be used for projects which:

- (1) measurably reduce homelessness;
- (2) demonstrate government cost savings over time;
- (3) employ evidence-based models;
- (4) can be replicated in other counties;
- (5) include an outcome measurement component;
- (6) are consistent with the local homeless housing plan; or
- (7) fund the acquisition, construction, or rehabilitation projects that will serve

homeless individuals or families for a period of at least 30 years or equal to the longest term of affordability required by other funding sources.

Section 6. Severability. Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining portions of this Ordinance which shall remain in full force and effect.

Section 7. Effective Date. This Ordinance shall take effect following adoption and publication as required by law.

#### NOTICE OF PENDING ORDINANCE

The Ordinance published herewith was introduced and passed upon first reading at a meeting of the Board of Chosen Freeholders of the County of Cumberland, New Jersey, held on January 26, 2016. It will be further considered for final passage, after a public hearing thereon, at a meeting of said Board of Chosen Freeholders to be held at the County Administration Building, 164 West Broad Street, in said county on February 23, 2016 at 6:00 p.m. During the week prior to and including the date of such meeting, copies of said ordinance will be made available to the general public who shall request the same at the office of the Clerk to the Board of Chosen Freeholders.

Ordinance 2016-1

Meeting of January 26, 2016

Ken Mecouch  
Clerk to the Board of Chosen Freeholders