

CA - Edison

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W/ HUD Assurances  
... to Edison Attorn (r

Pg. 03

CA001358L

June 10, 1976

Roland A. Winter, Esq.  
940 Amboy Avenue  
Edison, New Jersey 08817

Dear Mr. Winter:

If] I'm writing you relevant to the meeting held in your office at which Mayor Paterniti, Mr. Godwin, myself and you were present.

O We are concerned with a new position that HUD is taking with regard to programs already in being. As outlined to you in your office, HUD is now saying that in order to qualify for fund3 (that the Township thought were already committed), we must undertake a program of subsidized housing (in addition to the North Edison project), as was outlined to you by the Mayor and myself.

P You raised, the question of the effect on any changes that might be violative of or contradictory to the Order of the United States District Court in the suit brought by the NAACP, et al v. the Township of Edison and Carla Hills, et al.

Y Both the Mayor and I feel that no decision with regard to EUD's recent request can be made until the problems are analyzed in the light of the Consent Order which terminated the litigation in the Federal Court.

Would you please examine the Consent Order and the Stipulation upon which it was based, and let us have your opinion with regard to same.

Please give this your immediate attention.

**Sincerely,**

**John A. Delesandro**  
Business Administrator

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## ASSURANCES

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The applicant hereby assures and certifies with respect to the grant that:

- (1) It possesses legal authority to apply for the grant, and to execute the proposed program.
- (2) Its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and designating the authorized representative of the applicant to act in connection with the application and to provide such additional information as may be required.
- (3) It has complied with all the requirements of OMB Circular No. A-95 as modified by Sections 57G.300(c) (for entitlement applicants) or 570.400(d) (for discretionary applicants) and that either
  - (i) any comments and recommendations made by or through clearinghouses are attached and have been considered prior to submission of the application; or
  - (ii) the required procedures have been followed and no comments or recommendations have been received.
- (4) Prior to submission of its application, the applicant has:
  - (i) provided citizens with adequate information concerning the amount of funds available for proposed community development and housing activities, the range of activities that may be undertaken, and other important program requirements;
  - (ii) held at least two public hearings to obtain the views of citizens on community development and housing needs; and
  - (iii) provided citizens an adequate opportunity to articulate needs, express preferences about proposed activities, assist in the selection of priorities, and otherwise to participate in the development of the application.
- (5) Its chief executive officer or other officer of applicant approved by HUD:
  - (i) Consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 insofar as the provisions of such Act apply to the applicant's proposed program pursuant to 24 CFR 57C.603; and
  - (ii) Is authorized and consents on behalf of the applicant and himself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his responsibilities as such an official.
- (6) The Community Development Program has been developed so as to give maximum feasible priority to activities which will benefit low or moderate income families or aid in the prevention or elimination of slums or blight. Where all or part of the community development program activities are designed to meet other community development needs having a particular urgency, such needs are specifically described in the application under the Community Development Plan Summary.
- (7) It will comply with the regulations, policies, guidelines and requirements of Federal Management Circulars 74-4 and 74-7, as they relate to the application, acceptance and use of Federal funds for this federally-assisted program.
- (8) It will administer and enforce the labor standards requirements set forth in Section 570.605 and HUD regulations issued to implement such requirements.
- (9) It will comply with all requirements imposed by HUD concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with Federal Management Circular 74-7.
- (10) It will comply with the provisions of Executive Order 11296, relating to evaluation of flood hazards.
- (11) It will comply with:
  - (i) Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and the regulations issued pursuant thereto (24 CFR Part I), which provides that no person in the United States shall on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance; and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
  - (ii) Title VIII of the Civil Rights Act of 1968 (P.L. 90-234) as amended, administering all programs and activities relating to housing and community development in a manner to alternatively further fair housing; and will take any action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services within the applicant's jurisdiction.

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- (iii) Section 109 of the Housing and Community Development Act of 1968, and the regulations issued pursuant thereto (24 CFR 570.601), which provide\* that no person in the United States shall, on the ground of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with Title I funds.
  - (iv) Executive Order 11163 on equal opportunity in housing and nondiscrimination in the sale or rental of housing built with Federal assistance
  - (v) Executive Order 11246, and all regulations issued pursuant thereto (24 CFR Part 130), which provides that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of Federal or federally - assisted contracts. Such contractors and subcontractors shall take affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, rates of pay or other forms of compensation and selection for training and apprenticeship.
  - (vi) Section 3 of the Housing and Urban Development Act of 1968, as amended, requiring that to the greatest extent feasible opportunities for training and employment be given lower income residents of the project area and contracts for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part by, persons residing in the area of the project.
- (12) It will:
- (f) In acquiring real property in connection with the community development block grant program, be guided to the greatest extent practicable under State law, by the real property acquisition policies set out under Section 301 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) and the provisions of Section 302 thereof:
  - (if) Pay or reimburse property owners for necessary expenses as specified in Section 303 and 304 of the Act; and
  - (iii) Inform affected persons of the benefits, policies, and procedures provided for under HUD regulations (24 CFR Part 42).
- (13) It will:
- (i) Provide fair and reasonable relocation payments and assistance in accordance with Sections 202, 203, and 204 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and applicable HUD regulations (24 CFR Part 42.), to or for families, individuals, partnerships, corporations or associations displaced as a result of any acquisition of real property for an activity assisted under the program;
  - (if) Provide relocation assistance programs offering the services described in Section 205 of the Act to such displaced families, individuals, partnerships, corporations or associations in the manner provided under applicable HUD regulations;
  - (iii) Assure that, within a reasonable time prior to displacement, decent, safe, and sanitary replacement dwellings will be available to such displaced families and individuals in accordance with Section 205(c) (3) of the Act, and that such housing will be available in the same range of choices to all such displaced persons regardless of their race, color, religion, national origin, sex, or source of income;
  - (iv) Inform affected persons of the benefits, policies, and procedures provided for under HUD regulations; and
  - (v) Carry out the relocation process in such a manner as to provide such displaced persons with uniform and consistent services, including any services required to insure that the relocation process does not result in different or separate treatment to such displaced persons on account of their race, color, religion, national origin, sex, or source of income.
- (14) It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
- (15) It will comply with the provisions of the Hatch Act which limit the political activity of employees.
- (16) It will give HUD and the Comptroller General through any authorized representative access to and the right to examine all records, books, papers, or documents related to the grant