

Draft Final Plan

for

New Jersey's Administration

of the

Small Cities Community Development Block Grant

Program

State Fiscal Year 2009

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Small Cities Community Development Block Grant Program

Administered by the New Jersey Department of Community Affairs

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2009 Final Plan for New Jersey's Administration of the Small Cities CDBG Program Department of Community Affairs

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Summary Information for Federal Fiscal Year 2008

Community Development Block Grant Program

FFY 2008 Total Allocation: \$7,170,552

State Administration: \$ 243,411

FFY 2008 Funds:	\$6,927,141
Emergency Housing Repair	\$ 20,000
Innovative Development	\$ 900,000
Housing Rehabilitation	\$2,000,000
Public Facilities	\$4,007,141
108 Loan Authorization	\$35,852,760*

^{*} This figure has <u>not</u> been adjusted for current loan obligations, which was not available at the time of this publication.

Application Submission Schedule

Emergency Housing Repair Fund	Applications accepted throughout the program year.
Innovative Development Fund	Applications accepted throughout the year by invitation from the Department of Community Affairs (DCA) following pre-application approval.
Housing Rehabilitation Fund	Applications accepted throughout the program year with priority given to applications received during the month of October, 2008.
Public Facilities Fund	Applications must be submitted no later than October 24, 2008.
108 Loan Program	Applications accepted throughout the program year by the New Jersey Economic Development Authority.

Objectives

State Conformance to National Objectives

The State of New Jersey will be guided by applicable federal rules and regulations in carrying out the Small Cities Community Development Block Grant (CDBG) program. All project activities <u>must meet</u> one of the three national program objectives set forth in the Housing and Community Development Act of 1974, as amended:

- 1. To undertake community development activities that principally benefit persons of low and moderate income;
- 2. To prevent or eliminate slums and blight;
- 3. To meet urgent community development needs for which no other resources are available.

The State of New Jersey certifies that not less than 70 percent of the funds will be used for activities that benefit persons of low and moderate income. Low and moderate income is defined in the New Jersey Small Cities CDBG Program as the income of "lower income" families as set forth in the Section 8 Assisted Housing Program of the US Department of Housing and Urban Development (US HUD). The US HUD provides applicable standards, and the standards are included in application instructions distributed to all **eligible units of local government** (list attached).

State Program Objectives

- 1. Support housing rehabilitation programs that maintain the supply of safe, decent, and affordable housing.
- 2. Support and encourage efficient patterns of community development, redevelopment, and capital funding by giving priority to proposals that address documented health and safety concerns and further the policies set forth in the *State Development and Redevelopment Plan*.
- 3. Encourage innovative proposals that combine job creation, housing improvement, and other eligible activities to renew designated revitalization areas.
- 4. Encourage the development of facilities needed to support welfare to work programs such as job training and child and elder care.
- 5. Support and encourage neighborhood revitalization efforts identified in locally developed plans and strategies.

- Improve the availability and adequacy of essential public facilities, and remedy serious deficiencies in areas that principally serve people of low or moderate income.
- 7. Ensure that municipalities have the capacity to implement community development programs and maintain community development improvements.
- 8. To support community development projects of particular urgency where existing conditions pose a serious and immediate threat to the health or welfare of the community, and where other financial resources are unavailable.

Distribution of Allocation

Contingent on the US HUD's final approval of the State's Consolidated Plan, the distribution of CDBG funds will be as set forth below.

Administration and Technical Assistance

Administration \$ 243,411

The State is permitted to retain an amount equal to 2 percent of the grant award plus \$100,000 to cover costs associated with the State's administration of the CDBG program.

Funds

Emergency Housing Repair Fund

\$ 20,000

The Emergency Housing Repair Fund has been established to correct emergency conditions in owner-occupied housing where the owner is incomeeligible and unable to obtain assistance from any other public or private source. Assistance will be provided on a first-come, first-served basis to the extent funds are available. Only eligible units of local government may apply on behalf of the homeowner.

The maximum grant award in this category will be \$5,000. However, the DCA will consider exceeding this ceiling if the applicant presents compelling reasons to do so. Prospective applicants are required to contact the Small Cities CDBG Program before submitting a proposal for assistance.

Innovative Development Fund

\$ 900.000

This fund provides assistance for activities that meet one of the three national objectives of the program, but that do NOT qualify for consideration under any of

the other Small Cities Funds. Examples include land acquisition in support of housing rehabilitation and site improvements and assistance to first-time homebuyers that principally benefit low and moderate income people. Innovative Development Proposals (IDPs) must consist of more than one eligible activity (excluding administration or planning). The activities proposed must be carried out within the same time period and must be directly related to the implementation of a locally approved redevelopment strategy. Consultation with the Small Cities Program Administrator is encouraged before preparing a formal application.

Grants may not exceed \$450,000 unless compelling reasons for exceeding that amount are set forth by the applicant and accepted by the DCA.

Housing Rehabilitation Fund

\$ 2,000,000

This fund will be used for activities that improve the condition of affordable housing in New Jersey. County-managed programs may be awarded up to \$500,000. Multi-jurisdictional programs may receive grants of up to \$350,000. Awards to programs serving only one municipality may not exceed \$200,000.

Public Facilities Fund

\$ 4,007,141

This fund is established to assist units of local government to construct or improve essential public facilities that will primarily benefit people of low and moderate income. The maximum grant awarded in this category will be \$500,000. However, this maximum may be exceeded if compelling reasons are presented and accepted by the DCA.

108 Loan Program

The 108 Loan Program authorizes the State to extend financing to commercial projects and to real estate and industrial businesses with a proven ability to expand. The 108 Program funds may be used for fixed-asset financing; for land, construction or renovation; for machinery and equipment; or for working capital. Such loans may be provided for up to 90% of the total fixed-asset financing.

The terms of the loans are a maximum of 20 years for real estate, 10 years for machinery and equipment, and 6 years for working capital. The interest rate is fixed at 200 basis points above the rate charged to the State by HUD, except for projects located within a Federal Empowerment Zone. In such locations the interest rate is 175 basis points above the rate charged to the State by HUD. The purpose of the 108 loan program is to stimulate private sector investment and to retain and create permanent job opportunities for people of low and moderate income residing in eligible units of local government. The project may also qualify if it produces a vital service consistent with one of the statutory objectives of the CDBG program.

NOTE: The New Jersey Economic Development Authority (NJEDA) administers the 108 Loan Program. More information may be obtained by contacting NJEDA at 609/292-1800.

* This figure has <u>not</u> been adjusted for current loan obligations, which was not available at the time of this publication.

Matching Requirements

Units of local government seeking assistance from the Innovative Development Fund, the Public Facilities Fund, and the Housing Rehabilitation Fund may be required to commit a percentage of the grant request, based on the applicable Municipal Distress Index ranking (MDI Rank). The matching share is determined as follows:

MDI Rank	Matching Share
0 to 100	10%
101 to 200	20%
201 to 300	30%
301 to 400	40%
401 and above	50%

The MDI rank for each Small Cities-eligible unit of government is provided in the Appendix. Where more than one municipality is participating in the proposed project, the matching requirement will be determined by combining the MDI of each participant and dividing by the number of participating municipalities. Where in-kind services will be used, identified costs borne by the applicant must be consistent with established DCA standards as set forth in the applicable application guide. The matching fund requirement shall not apply to Emergency Housing Repair assistance and may be waived for Innovative Development Fund projects, when compelling reasons are accepted by the DCA.

Number of Applications

Applicants may apply for one Housing Rehabilitation grant, one Public Facilities grant, and one Innovative Development grant per year. The Department retains the discretion to award only one grant a year per jurisdiction.

Open Balances of Prior Awards

The Department reserves the right not to fund an applicant should a substantial balance exist in prior grant awards.

Reallocation of Funds

The DCA may transfer funds (including those recaptured from cancellations or closeout balances and program income) among funding categories based on demand for assistance demonstrated by the number of applications received.

Evaluation Criteria

Emergency Housing Repair

Funding to correct emergency conditions in owner-occupied housing units may be requested by an eligible local government at any time throughout the funding year and will be evaluated according to the following considerations:

- 1. Compliance with a statutory National Objective.
- 2. Documented needs and costs.
- 3. Certification that other public or private funding sources are not available.
- 4. Date of submission.

108 Loan Program

Applications for 108 loans are evaluated by the New Jersey Economic Development Authority to determine compliance with applicable federal statutes and regulations, with State program objectives and for credit worthiness.

Community Development and Housing Needs Statement

To be considered for assistance from any Small Cities fund (with the exception of the Emergency Housing Repair Fund and the 108 Loan Program), the applicant must provide a *Community Development and Housing Needs Statement*. This statement must include at least three components – community development needs, housing needs, and status of applicable land use plans. Instructions for preparing this document are set forth in the application guide for each Small Cities Fund.

Innovative Development

To qualify for funding, applicants must document that the problem to be addressed and/or the remedy proposed fall(s) outside the scope of other funding categories. Consultation with the Program Administrator and staff prior to the submission of a formal request for assistance is required.

Housing Rehabilitation and Public Facilities

All proposals will be subject to the following review process. Utilizing a standardized Application Review Form (Attachment A), staff of the Small Cities CDBG Program will review all applications to determine if threshold requirements are met. Applications that fail to meet **any threshold** requirement will not be funded.

Threshold Requirements

- Attachment A: Refer to the Threshold Requirements in the Small Cities Application Review Form attached, page 12.
- All Federal Compliance Items (New for SFY 2009): Resolutions for citizen participation and affirmatively furthering fair housing, a grant management plan, an environmental review record for the level of review required (including the official public notice and letters documenting findings), professional services agreement drafts, an adopted policies and procedures manual for housing programs and matching funds certification must be 100 percent complete and ready for execution. Applicants that do not complete the above items and do not submit them with the application may not be eligible for funding.
- All Housing Rehabilitation Applications: Housing programs must establish
 a revolving loan fund and include such provision in an adopted policies and
 procedures manual.

Rated Criteria

Applications that meet all threshold requirements will then be scored based upon the following criteria:

 Municipal Distress: The relative need of an applicant will be evaluated by using the Statewide Municipal Distress Index (MDI), which appears in the appendix. The indices are used by State agencies in allocating need-based assistance to municipalities. Applicants may receive up to 100 points as follows:

MDI Rank	Score
0 to 100	100 Points
101 to 200	80 Points
201 to 300	60 Points
301 to 400	40 Points
401 and above	20 Points

- Readiness to Proceed: The degree to which an applicant is ready to proceed with the proposed project will be evaluated as follows: Housing Rehabilitation applications that include a list of three or more income-eligible households with biddable work write-ups will receive 100 points.
 Public Facilities applications that include biddable plans and specifications will receive 100 points.
- **Balance Ratio:** Applicants will be rated on the remaining balance of grant awards received in a funding category over a three year period, including all open grants. Applicants with ratios of .50 or less will receive 100 points and applicants with ratios above .50 will receive zero points.
- **Past Performance:** Past performance will affect an applicant's overall rated score. Good past performance will boost the score. However, multiple instances of poor performance in managing grants, e.g., where concerns and findings were documented as a result of monitoring visits, may lower the overall rated score.

Rating	Score
Good	51 to 100 Points
Fair	1 to 50 Points
Poor	0 to -100 Points

Eligible Activities

Activities assisted under the Small Cities CDBG Program are limited to the following:

1. Acquisition of real property that is blighted, appropriate for rehabilitation, appropriate for preservation as a historic site, or used for provision of public works or other public purposes.

- Acquisition, construction, reconstruction, or installation of public works or facilities (except buildings for the general conduct of government) and site and other improvements.
- 3. Code enforcement in deteriorated or deteriorating areas in which such enforcement may arrest the area's decline.
- 4. Clearance, demolition, removal, and rehabilitation of buildings.
- 5. Special projects directed to the removal of architectural barriers that restrict the accessibility of the elderly and handicapped.
- 6. Payments to housing owners for losses of rental income incurred in holding units for relocated individuals and families displaced by activities under the program.
- 7. Disposition of real property acquired pursuant to the program.
- 8. Provision of public services if the local government has not provided such services during the 12-month period immediately preceding implementation of the program.
- 9. Payment of the non-Federal share required in connection with a Federal grant-in-aid program undertaken as part of this program.
- 10. Payment of the cost of completing a project funded under Title I of the Housing Act of 1949.
- 11. Relocation payments for displaced individuals, families, businesses, and organizations as a result of activities under the program.
- 12. Activities necessary to develop a comprehensive community development plan and to develop a policy-planning-management capacity to enable the recipient to more effectively administer the program.
- 13. Payment of reasonable administrative costs.
- 14. Activities carried out by public or private non-profit organizations including:
 - a. Planning
 - Acquisition, construction, reconstruction, rehabilitation, or installation
 of public facilities (except for buildings for the general conduct of
 government), site improvements, and utilities and commercial or
 industrial buildings or structures.
- 15. Assistance to non-profit organizations serving non-entitlement areas, local development corporations or entities organized under the Small Business Investment Act of 1985 to carry out a neighborhood revitalization or community economic development or energy conservation projects, including the development of shared housing opportunities for the elderly (other than by construction of new facilities).
- 16. Activities necessary to the development of a comprehensive community-wide energy-use strategy.

- 17. Assistance to private, for-profit entities, when the assistance is appropriate to carry out an economic development project.
- 18. Rehabilitation or development of housing assisted under Section 17 of the United States Housing Act of 1937.
- 19. Assistance to facilitate the substantial reconstruction of housing owned and occupied by low- and moderate-income persons.
- 20. Technical assistance to increase the capacity of public or non-profit entities to carry out eligible neighborhood revitalization or economic development activities.
- 21. Housing services designed to assist homeowners, tenants, and others seeking to participate in eligible housing activities.
- 22. Assistance to institutions of higher education capable of implementing eligible activities.
- 23. Assistance to public and private organizations (for-profit as well as non-profit) to facilitate the development, stabilization, and expansion of microenterprises.
- 24. Assistance to facilitate and expand homeownership by subsidizing interest rates, financing acquisition, guaranteeing mortgages, paying up to 50% of down payments, or paying reasonable closing costs for income-eligible people.
- 25. Activities necessary to repair and operate housing units acquired through tax foreclosure to prevent abandonment and deterioration.

Program Income and Other Recaptured Funds

CDBG Grants

Program income will remain with the grantee when the grantee demonstrates, as determined by the State, that program income can be distributed in a timely way to carry out the same activity for a specific project in accordance with a reuse plan that has been approved by the State.

The State of New Jersey interprets the phrase "the same eligible activity" to mean that the grantee must use the income for the same activity for which it was originally funded, as taken from the list of eligible activities (see pages 8-10). For example, if the income was derived from a loan to a private firm, it must be used again for loans to private firms. This does not mean that the income may only be used for an additional loan to the same firm. Nor can "continuing the activity" be so broadly defined as to mean use for the same general purpose, such as economic development.

The State will consider exceptions to this policy on a case-by-case basis. However, in the event a grantee fails to demonstrate an acceptable reuse of program income, the State will recapture program income and distribute such funds in accordance with the provisions set forth in the applicable plan for **Distribution of Allocation**.

A statement must be included in the application documenting the balance of all previous grant funds recaptured by applicant as of the date of application. The Department reserves the right not to fund a new project should a substantial balance exist that is not obligated in a particular funding category.

108 Loans

The New Jersey Economic Development Authority (NJEDA) shall charge a fixed interest rate of 200 basis points, except for projects located within a Federal Empowerment Zone. In such locations the interest rate shall be 174 basis points above the rate charged to the NJEDA by HUD. This amount is considered income to the NJEDA.

Displacement

The Small Cities CDBG Program will seek to minimize involuntary displacement of persons from their neighborhoods and homes and to mitigate the adverse effects of any such displacement on low-and moderate-income persons. The State will require applicants to assess all feasible alternatives to any activity resulting in involuntary displacement.

In the event that involuntary displacement is the only feasible alternative, the State will require that grantees comply with the requirements of the Housing and Community Development Act of 1974, as amended; the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended; and the statutory amendments implementing regulations (CFR Part 24). In addition, the State will require that grantees comply with the requirements of the New Jersey Relocation Assistance Acts (P.L. 1971, c.362 and P.L. 1967, c. 79) and the New Jersey Regulations for Provision of Relocation Assistance (N.J.A.C. 5:40-1 et seq.).

Attachment A Page 1 of 2

Small Cities Application Review Form, Final Plan SFY 2009

Applicant:		
Project Type: Public Facilities	□ Но	using Rehabilitation
Threshold Requirements		Comment
Does the proposal meet one of the National Objectives set forth in the Housing and Community Development Act?	☐ Yes ☐ No	☐ Benefit to Low/Moderate Income People ☐ Prevention or Elimination of Slums & Blight ☐ Urgent Need
Where Benefit to Low/Moderate Income people is claimed, indicate the source of the claim and whether the claim is Area-Wide or targeted at a Special Population.		☐ Census or ☐ Survey ☐ Area-Wide or ☐ Special Population
For all proposals, provide the jurisdiction- wide population, number of low/ moderate income people and L/M percent. Provide the total number of people served and number of low/moderate income people served and the percent L/M.		Jurisdiction-wide (Municipal/County): Population Number of L/M Percent L/M Total number of people served by project: Population Number of L/M Percent L/M
Does the proposal address at least one of the State Program Objectives?	Yes No	
Are the proposed activities permitted by the Act?	☐ Yes ☐ No	
Does the application include evidence of a public notice (display ad) in compliance with Citizen Participation Requirements?	☐ Yes ☐ No	
Does the proposal address at least one of the areas identified in the applicant's Statement of Community Development and Housing Needs?	☐ Yes ☐ No	
Does the application include evidence that		
the required local match will be met? Does the application establish a revolving loan fund and include a provision in the policies and procedures manual? (HR programs – only)	Yes No	
Does the application include evidence that the required compliance items have been completed? Note: The application may be rejected if	☐ Yes ☐ No	Compliance Items: 1
applicant failed to complete the required compliance items and the establishment of a revolving loan fund, HR programs - only.		5 Environmental Review Record 6 Policies & Procedures Manual (HR Only)
Rated Criteria		Comment
What is the applicant's Municipal Distress Index rank (MDI)?	Score: (100 Max.)	Score for MDI Rank: Refer to page 5, and the MDI Ranking Table.
Does the applicant claim "Readiness to Proceed"?	Yes No Score:	□ A list of income-eligible housing units to be improved including biddable work write-ups (HR Only) □ Biddable Plans and Specifications (PF Only)
	(100 Max.)	
Is the applicant's balance ratio equal to or less than .50?	Calculation: Bal./Tot.= B. Ratio	Score for Balance Ratio: ■ Ratios of .50 or less will receive 100 points ■ Ratios above .50 will receive zero points.
Balance Ratio: Balance of all Small Cities CDBG grant funds prior three years & open = Bal. Total amount of all SC CDBG grant awards prior three years & open grants = Tot.	=B. Ratio Score: (100 Max.)	

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Applicant:		
Project Type: Public Facilities	□ Но	using Rehabilitation
Rated Criteria (Cont.)		Comment
Describe the applicant's past grant management performance in terms of good, fair, and poor. Provide a brief justification for your score.	☐ Good, ☐ Fair, ☐ Poor,	Justification for score:
Scoring: Good = 51 to 100 points, Fair = 1 to 50 points, Poor = 0 to - 100 points	Score: (100 Max.)	
Additional Policy Considerations		Comment
Will other funds be leveraged (beyond the required match) if this grant is awarded?	☐ Yes ☐ No	If yes, explain below.
In what Smart Growth Planning Area is the project located?		http://sgl.state.nj.us/ click on Smart Growth Locator & enter address, zip code (upper left side of webpage)
Describe the applicant's COAH status? http://www.nj.gov/dca/coah click on Third Round Status (lower left side of webpage)		 ☐ The applicant is eligible to apply for and receive Balanced Housing Funds. ☐ The applicant is eligible to apply for, but not receive Balanced Housing funds. ☐ The applicant is not eligible to apply for or receive Balanced Housing funds
Does the application include evidence that an experienced and competent management team will implement the project?	☐ Yes ☐ No	If no, explain below.
Application Scoring Summary		
Does the application meet threshold requirements?	☐ Yes ☐ No	
Rated criteria?	Total Score:	
Other considerations?		f Prior Awards \$ program income documenting the balances of all grant fund recaptured

2009 NJ Eligible Small Cities Municipalities & Counties (With Municipal Distress Index (MDI) Ranking Revised June 6, 2008

Atlantic County	MDI Rank	Cumberland County	MDI Rank
Egg Harbor City	73	Commercial Township	23
Hammonton Town	124	Deerfield Township	28
		Downe Township	55
		Fairfield Township	83
Burlington County	MDI Rank	Greenwich Township	21
		Hopewell Township	184
Beverly City	36	Lawrence Township	30
Burlington City	101	Maurice River Township	49
North Hanover Township	209	Shiloh Borough	44
Palmyra Borough	109	Stow Creek Township	100
Pemberton Borough	63	Upper Deerfield Township	80
Pemberton Township	76		
Riverside Township	96		
Wrightstown Borough	114	Hunterdon County	MDI Rank
		Alexandria Township	504
Camden County	MDI Rank	Bethlehem Township	500
		Bloomsbury Borough	380
Gloucester City	15	Califon Borough	484
Pine Valley Borough	473	Clinton Town	498
Tavistock Borough	557	Clinton Township	524
		Delaware Township	479
		East Amwell Township	521
Cape May County	MDI Rank	Flemington Borough	219
		Franklin Township	357
Avalon Borough	421	Frenchtown Borough	306
Cape May City	202	Glen Gardner Borough	301
Cape May Point Borough	343	Hampton Borough	233
Dennis Township	259	High Bridge Borough	325
Lower Township	223	Holland Township	375
Middle Township	144	Kingwood Township	356
North Wildwood City	170	Lambertville City	418
Sea Isle City	370	Lebanon Borough	511
Stone Harbor Borough	455	Lebanon Township	403
Upper Township	350	Milford Borough	436
West Cape May Borough	309	Raritan Township	524
West Wildwood Borough	310	Readington Township	515
Wildwood City	29	Stockton Borough	458
Wildwood Crest	254	Tewksbury Township	510
Woodbine Borough	86	Union Township	541
		West Amwell Township	416

Mercer County	MDI Rank	Salem County - Continued	MDI Rank
East Windsor Township	342	Upper Pittsgrove Township	262
Hightstown Borough	90	Woodstown Borough	69
Hopewell Borough	431		
Hopewell Township	531	Sussex County	MDI Rank
Lawrence Township	472		
Pennington Borough	438	Andover Borough	269
Princeton Borough	374	Andover Township	302
Princeton Township	446	Branchville Borough	334
Washington Township	556	Byram Township	437
West Windsor Township	535	Frankford Township	326
		Franklin Borough	158
Monmouth County	MDI Rank	Fredon Township	385
		Green Township	423
Little Silver Borough	520	Hamburg Borough	267
		Hampton Township	409
Morris County	MDI Rank	Hardyston Township	320
		Hopatcong Borough	298
Dover Town	27	Lafayette Township	316
		Montague Township	266
Ocean County	MDI Rank	Newton Town	110
		Ogdensburg Borough	250
Plumsted Township	378	Sparta Township	442
		Sandyston Township	292
Passaic County	MDI Rank	Stanhope Borough	225
		Stillwater Township	187
North Haledon Borough	358	Sussex Borough	57
Ringwood Borough	333	Vernon Township	369
Totowa Borough	407	Walpack Township	195
		Wantage Township	311
Salem County	MDI Rank		
		Warren County	MDI Rank
Alloway Township	347	Allamuchy Township	401
Carneys Point Township	72	Alpha Borough	125
Elmer Borough	118	Belvidere Town	75
Elsinboro Township	167	Blairstown Township	379
Lower Alloways Creek Twp.	181	Franklin Township	244
Mannington Township	99	Frelinghuysen Township	389
Oldmans Township	162	Greenwich Township	360
Penns Grove Borough	6	Hackettstown Town	153
Pennsville Township	215	Hardwick Township	353
Pilesgrove Township	304	Harmony Township	196
Pittsgrove Township	169	Hope Township	235
Quinton Township	58	Independence Township	383
Salem City	34	Knowlton Township	210

Warren County - Continued	MDI Rank
Liberty Township	303
Lopatcong Borough	287
Mansfield Township	242
Oxford Township	87
Phillipsburg Town	24
Pohatcong Township	201
Washington Borough	135
Washington Township	340
White Township	327

Eligible Counties	MDI Rank
Cape May County	262
Cumberland County	56
Hunterdon County	427
Mercer County	373
Salem County	151
Sussex County	290
Warren County	248