

CITIZEN
PARTICIPATION PLAN
Town of Babylon

Department of Community Development
47 WEST MAIN STREET
BABYLON, NY-11702
April 2020

Introduction

The Citizen Participation Plan is designed to provide for and encourage citizen involvement in the development, implementation and evaluation of housing and community development programs in the Town of Babylon, New York. The interests and concerns of citizens are carefully considered in conjunction with preparation of each year's Community Development Block Grant (CDBG) and HOME Investment Partnerships Application, in the implementation of projects and in the assessment of the results achieved by the program.

The Town of Babylon Citizen Participation Plan outlines the procedures that will be followed in order to allow citizens to play an effective role in the conduct of the Town's Community Development (CD) Program. The plan delineates mechanisms to obtain citizen input and assures continuity of citizen involvement in all states of CD activities. It recognizes the citizens' advisory role in planning, implementation and assessment of the Program, defines methods for citizen involvement, describes how citizen input is used, and outlines the organizational structures used for citizen participation.

As the lead agency responsible for the preparation and administration of the Consolidated Plan, the Town of Babylon has the primary responsibility for developing and implementing the Citizen Participation Plan. Per the federal regulations found at 24 CFR 91, the citizen participation plan must provide for and encourage citizens to participate in the development of the Consolidated Plan, the annual action plan, any substantial amendments to the Consolidated Plan, and the annual performance report. The plan is designed especially to encourage participation by low- and moderate-income persons, particularly:

- those living in slum and blighted areas,
- in areas where CDBG funds are proposed to be used,
- residents of predominantly low- and moderate-income neighborhoods,
- residents of public and assisted housing developments, and
- residents of targeted revitalization areas in which the developments are located.

The Town of Babylon's recognizes that inclusion of citizens in the Community Development process is essential for responsible planning. The Town will follow its citizen participation plan to the greatest extent possible. The Town will provide citizens with a reasonable opportunity to comment on amendments to the citizen participation plan and will make the citizen participation plan public. The citizen participation plan will be in a format accessible to persons with disabilities within seven days of the initial request.

The Town of Babylon Department of Community Development is the point of contact for all questions, comments, complaints, and requests for technical assistance. The Department of Community Development can be contacted by telephone at (631) 587-3752. Please address all correspondence to:

Department of Community Development
Attn: Consolidated Plan
47 West Main Street
Babylon, New York 11702

Consolidated Plan Development

Every five years the Town of Babylon develops a Consolidated Plan. The Consolidated Plan is a five-year plan that guides the programs that Town will undertake each year. In addition to the Consolidated Plan, the Town must prepare an annual action plan that describes the actions to be taken in a specific program year. To ensure public participation in the development of the Consolidated Plan and annual action plan, the Town will hold a public hearing, accept public comment, and issue public notices for the Consolidated Plan and for each annual action plan. Specific guidelines on citizen participation related to the Consolidated Plan, Annual Action Plan, Performance Report, and Substantial Amendments is detailed throughout the plan.

Consolidated Plan Public Comment

The Town of Babylon will publish a notice of scheduled hearings in Newsday, Noticia, Able newspapers and the Town of Babylon website before each hearing and public comment period. The Town of Babylon will also send the notice to individuals and organizations on the citizen participation mailing list. The notice will include a general summary which includes the amount of assistance expected to be received, the range of activities to be carried out, and any plans to minimize displacement. The notice will also provide the location where copies of the entire plan or report may be obtained for examination and review. Citizens will be provided with at least 30 days to comment on the plan before the plan is approved by the Town Board and/or submitted to HUD. The Town will hold at least one public hearing during the development process of the Consolidated Plan. Public comments may be received orally at the public hearing and written comments will be accepted at the public hearing and via mail at the Department of Community Development. All comments will be considered and addressed to the extent feasible. The summary of comments will be included with the final consolidated plan.

Annual Action Plan Public Comment

The Town of Babylon will publish a notice of scheduled hearings in Newsday, Noticia, Able newspapers and the Town of Babylon website before each hearing and public comment period. The Town of Babylon will also send the notice to individuals and organizations on the citizen participation mailing list. The notice will include a general summary which includes the amount of assistance expected to be received, the range of activities to be carried out, and any plans to minimize displacement. The notice will also provide the location where copies of the entire plan or report may be obtained for examination and review. Citizens will be provided with at least 30 days to comment on the plan before the plan is approved by the Town Board and/or submitted to HUD. The Town will hold at least one public hearing during the development process of the Consolidated Plan. Public comments may be received orally at the public hearing and written comments will be accepted at the public hearing and via mail at the Department of Community Development. All comments will be considered and addressed to the extent feasible. The summary of comments will be included with the final Annual Action plan.

Citizen Participation Plan Public Comment

The Town of Babylon will publish a notice in Newsday, Noticia, Able newspapers and the Town of Babylon website before the start of the public comment period. The notice will

include a general summary and the location where copies of the entire plan may be obtained. Citizens will be provided with at least 15 days to comment on amendments to the Citizen Participation Plan before approved by the Town Board and/or submitted to HUD. A 5-day comment period is established in the Citizen Participation Plan to be executed when emergency funding is provided by the Department of Housing and Urban Development to the Town of Babylon to expedite procedures to draft, propose, or amend plans for use of the emergency grants before approved by the Town Board and/or submitted to HUD.

Amendments

For the purpose of this Citizen Participation Plan, amendments to the Consolidated Plan are divided into two categories: Substantial Amendments and Minor Amendments. The Town of Babylon is required by HUD [24 CFR 91.505 (b)] to identify the criteria to be used in determining if a proposed action will be considered a “Substantial Amendment”. The following criteria will be used by the Town:

Substantial Amendments Criteria

1. Addition of a new project not previously described in its Consolidated Plan
2. Addition of emergency grant funds not previously described in its Consolidated Plan
3. Deletion of a project previously described in its Consolidated Plan
4. Change in the purpose, scope, location or beneficiaries of an activity or project previously described in its Consolidated or Action Plan
5. Change in the use of CDBG funds from one eligible activity or project to another previously described in its Consolidated or Action Plan if over \$50,000
6. Increasing or decreasing funding of an existing project by \$50,000 or less, or 20% or less, depending on whichever is larger, is not considered a Substantial Amendment.
7. Adding a new activity under an existing project is not considered a Substantial Amendment

Minor Amendments

Minor amendments represent any changes to the Consolidated Plan or Action Plan that do not qualify as “substantial amendments”, including correction of errors in the original plan. Minor amendments require the approval of the Town of Babylon Department of Community Development Director or designated representative, but do not require public notice of 30 days or Town Board approval.

Public Comment for Substantial Amendments

The Town of Babylon will publish a notice in Newsday, Noticia, Able newspapers and the Town of Babylon website before each public comment period. The notice will include a general summary and the location where copies of the entire plan or report may be obtained. Citizens will be provided with at least 30 days to comment on the substantial amendment before the amendment is implemented. A public hearing will be held during the comment period.

Public Comment for Emergency Grant Substantial Amendments

The Town of Babylon will publish a notice in Newsday, Noticia, Able Newspapers and the Town of Babylon website before each public comment period. The notice will include a general summary and the location where copies of the plan or report may be obtained. Citizens will be provided with at least 5 days to comment on the substantial amendment before the amendment is implemented. This action will only take place under the authority of the U. S. Department of Housing and Urban Development waving certain grant requirements to expedite or facilitate the use of emergency grant funds. During the comment period a public hearing/virtual public hearing will take place during the comment period.

Performance Reports

The Consolidated Annual Performance Evaluation Report (CAPER) will include copies of comments submitted by citizens during the reporting period regarding the Town of Babylon's CD performance, the assessment of those comments and a summary of any action taken in response to the comments received. These documents will be available for citizen review and comments. The CAPER will be made available for citizen comment prior to its submission to HUD.

The Town of Babylon will publish a notice in Newsday, Noticia, Able newspapers and the Town of Babylon website before the start of the public comment and review period. The notice will include a general summary and the location where copies of the entire plan or report may be obtained. Citizens will be provided with at least 15 days to comment on the performance report before the performance report is approved by the Town Board and/or submitted to HUD.

Public Hearings

The purpose of the public hearings is to obtain citizens' views, respond to proposals, and answer questions on Community Development and Housing Needs. The hearings will address housing and community development needs, proposed activities, and review of program performance.

The Town will hold two public hearings as part of the Consolidated Plan and Annual Action Plan submission process each year. At least one of these hearings will be held before the proposed plan is published for comment. The Town will set aside time for citizens to provide comments on the Consolidated Plan or the Annual Action Plan. All citizen comments will be considered and acted upon as feasible.

The Town of Babylon will publish a notice of scheduled hearings in Newsday, Noticia, Able newspapers, and the Town of Babylon website before each hearing. The Town of Babylon will also send the notice to individuals and organizations on the citizen participation mailing list. The notice will include a general summary and the location where copies of the entire plan or report may be obtained. Citizens will be provided with at least 30 days to comment on the plan before the plan is approved by the Town Board and/or submitted to HUD.

The Town will publish a notice of availability in Newsday, Noticia, Able newspapers, and the Town of Babylon website at least 15 days prior to the approval by the Town Board and the submission of the Consolidated Annual Performance Evaluation Report (CAPER) to HUD.

The Town of Babylon will publish a notice of scheduled hearings in Newsday, Noticia, Able newspapers, and the Town of Babylon website before each hearing. The Town of Babylon will also send the notice to individuals and organizations on the citizen participation mailing list. The notice will include a general summary and the location where copies of the entire plan or report may be obtained. Citizens will be provided with at least 30 days to comment on the plan before the plan is approved by the Town Board and/or submitted to HUD.

Any requests for an interpreter or translation services to accommodate persons with Limited English Proficiency and all other requests for reasonable accommodation required by an individual to fully participate in any open meetings, programs, or activities should be sent to the Department of Community Development seven (7) days prior to the meeting.

The Town will also take whatever actions are appropriate to make reasonable accommodations for persons with disabilities.

The Town has identified locations in the Town that are accessible to persons with disabilities. These meetings are held in the morning and in the afternoon. The public hearing process takes place formally and informally in the following ways:

1. Formal – Town-wide

Public hearings will generally be held at 47 West Main Street, Babylon, New York (Old Town Hall, Babylon). This location is easily accessible. If needed, alternate locations that are convenient and handicapped accessible will be selected; such as the Babylon Town Hall, located at 200 E. Sunrise Highway, Lindenhurst, New York. Public notice will be advertised in Newsday, Noticia, Able newspapers, and the Town of Babylon website . Selected location will be handicapped accessible.

2. Formal – Special Areas

This category includes special meetings in low income or targeted areas, at which CD staff members discuss the CD Program. Locations include the various senior centers in the Town, Town public libraries, etc. These meetings have been held recently at the North Amityville Senior Center and at the Wyandanch Senior Center. Selected location will be handicapped accessible.

3. Informal – Town-wide

This category includes all of the individual contacts made during the program year with town residents, both in person and over the telephone. It includes meetings with government officials, members of the business community, and individual citizens of the Town of Babylon. These contacts are made in response to citizen information distributed within the town and are usually concerned with single purposes, either an application proposal or a particular project implementation problem. All demographic segments of the town are included.

Meetings and Public Hearings are open to all citizens, interested persons, and a particular effort is made to involve low and moderate income residents, minority groups and the disabled persons. Every effort is made to ensure continuity of involvement of citizens and citizen organizations. A list of groups involved with the CD Program is kept and notices of all meetings and hearings are automatically sent to groups who have previously been involved. Adequate and timely information is developed and distributed to all segments of the population, as is discussed in other sections of the plan.

Meetings and Record Availability/Access

In addition to providing participation in the development of plans and the review of the annual report, the Town of Babylon will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the Consolidated Plan, Annual Action Plan, CAPER, Substantial Amendments, and the use of federal funds. The Town will provide access to records for the current program year and previous five program years. This information includes, but is not limited to, the citizen participation plan, the Consolidated Plan as adopted, annual action plans, performance reports, and any substantial amendments. The Town will make every reasonable effort to

make these records available in a form accessible to persons with disabilities, and persons with limited English proficiency upon request. Records are maintained at the Department of Community Development, located at 47 West Main Street, Babylon, New York

Records may be reviewed by appointment during regular business hours.

The Town of Babylon will also provide citizens with reasonable and timely access to local meetings held in regard to the Consolidated Plan and the activities undertaken as part of the Consolidated Plan.

Standard Documents

The following is a list of standard documents related to the Consolidated Planning process:

Standard documents include:

- Draft and final Annual Action Plans
- Draft and final five-year Consolidated Plan
- Draft and final Substantial Amendments to either an Annual Action Plan or the five-year Consolidated Plan
- Draft and Final Annual Performance Reports
- Citizen Participation Plan

Standard documents will be available the CD office and at the following locations within the Town.

Reference Librarian Amityville Public Library Corner of Oak & John Streets Amityville, New York 11701	Reference Librarian Lindenhurst Public Library 1 Lee Avenue Lindenhurst, New York 11757
Reference Librarian Babylon Public Library 24 South Carll Avenue Babylon, New York 11702	Reference Librarian North Babylon Public Library 815 Deer Park Avenue North Babylon, New York 11703
Reference Librarian Copiague Memorial Public Library 50 Deauville Blvd. Copiague, New York 11726	Reference Librarian West Babylon Pubic Library 211 Route 109 West Babylon, New York 11704
Reference Librarian Deer Park Public Library 44 Lake Avenue Deer Park, New York 11729	TOWN Clerk Town of Babylon 200 East Sunrise Highway Lindenhurst, NY 11757
Executive Director EOC of Suffolk – ACE Center 48 Cedar Road Amityville, New York 11701	Reference Librarian Wyandanch Public Library 14 South 20th Street Wyandanch, New York 11798

Technical Assistance

Technical assistance in the formulation of CD project proposals for funding assistance under any of the programs covered by the Consolidated Plan, including preliminary assessment of project scope and budget requirements, is made available by the Town's Department of Community Development staff to any interested residents or organizations. To request technical assistance, contact the Department of Community Development using the contact information listed in the Introduction.

Complaints

All complaints related to any phase of the programs covered under the Consolidated Plan should be delivered in writing to the Attention of the Director, Department of Community Development of the Town of Babylon at 47 West Main Street, Babylon, NY 11702. All complaints will be given consideration and responded to within 15 days of their receipt by the Department of Community Development.

OR

Any person that feels that the Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and Executive Order 13166 regulations were not complied with may file a complaint directly to the Assistant Secretary for Fair Housing and Equal Opportunity at the following address (or as otherwise directed by HUD):

Assistant Secretary for Fair Housing and Equal Opportunity
Department of Housing and Urban Development
Regional Field Office
Jacob K. Javits Federal Building
(Broadway - between Duane & Worth Streets)
26 Federal Plaza, Suite 3541
New York, NY 10278-0068

Consultation

The Town of Babylon will consult with public agencies including government departments, health departments, public housing agencies, and community action agencies in the development of the Consolidated Plan. Additionally, the Town will also consult with private agencies including advocates of special needs persons, senior citizens organizations, and faith based organizations.

Displacement

Displacement occurs when an individual, family, partnership, association, corporation, or organization moves from their home, business, or farm, or moves their personal property as a direct result of a federally-funded acquisition, demolition or rehabilitation. Generally, displacement does not include persons displaced temporarily from their dwelling for less than 12 months while it is being rehabilitated. Displaced persons and entities are eligible for relocation assistance under federal law.

As a part of this plan, the Town of Babylon is required to describe its plans to minimize displacement of persons and to specify the types and levels of assistance the Town will

make available to persons displaced. To minimize displacement, the Town of Babylon will avoid the acquisition and demolition of occupied structures. The Town will make every attempt not to displace individuals or families as a result of projects that are funded with CDBG and HOME funds. When displacement is necessary and unavoidable, the Town of Babylon will offer the following types of assistance.

For Residential Displacements (projects funded with CDBG or HOME funds)

- Provide relocation advisory services to displaced tenants and owner occupants
- Provide a minimum 90 days written notice to vacate prior to requiring possession
- Reimburse for moving expenses
- Provide payments for the added cost of renting or purchasing comparable replacement housing.

For Nonresidential Displacements (businesses, farms, and nonprofit organizations) (projects funded with CDBG funds or HOME funds)

- Provide relocation advisory services
- Provide a minimum 90 days written notice to vacate prior to requiring possession
- Reimburse for moving and re-establishment.

The Town of Babylon Department of Community Development Division affirmatively furthers Fair Housing and does not discriminate against any person because of race, color, ancestry, national origin, creed, religion, sex, disability, familial status, or marital status.

LIMITED ENGLISH PROFICIENCY (LEP) POLICY

Town of Babylon will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs, and other benefits. The Town is obligated to reduce language barriers that can preclude meaningful access by LEP persons in regards to the Town's federal grant programs, which include the Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships Act (HOME) Program.

The policy of the Town of Babylon is to ensure meaningful communication with LEP citizens and their authorized representatives. This policy also provides for communication of information contained in planning documents, including but not limited to, the Consolidated Plan, Annual Action Plan, Substantial Amendments, waivers of rights and consent forms, etc.

All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served. Language assistance will be provided through use of competent bilingual staff, staff interpreters, contracts or formal arrangements with organizations providing interpretation or translation services, or technology and telephonic interpretation services. The Town of Babylon staff shall be trained annually in the LAP Protocols for implementation of this Plan. Additionally, staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

The Town of Babylon will retain copies of this policy and procedure, and maintain notices on its website of the availability of translation and interpretation services. The Town of Babylon will monitor, maintain and update LEP requirements as required by HUD at least annually and/or as changes occur.

The Town of Babylon will ensure all grant subrecipients are provided technical assistance regarding their responsibilities to provide Language Access Services in compliance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and Executive Order 13166.

The Town of Babylon will conduct annual reviews of the language access needs of our service population, as well as update and monitor the implementation of this policy and these procedures, as necessary. If the need for access services is identified either by phone, email, or in person, the Town of Babylon staff shall immediately take appropriate action to ensure meaningful communication. The Town of Babylon shall use its existing Subrecipient Database System to document all requests for reasonable accommodation and actions taken to address those requests.

This Language Access Plan (Plan) defines the actions undertaken by the Town to ensure meaningful access to agency services, programs, and activities on the part of persons who have limited English proficiency. This Plan also represents the Town's administrative role in providing access to services, programs and activities on the part of LEP individuals and outlines the tasks the Town will undertake to meet this objective.

LANGUAGE ACCESS PLAN IMPLEMENTATION PROCEDURES

1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

The Town of Babylon will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card (or "I speak cards") or posters to determine the language. In addition, when records are kept of past interactions with individuals or their family members, the language used to communicate with the LEP person will be included as part of the record.

2. OBTAINING A QUALIFIED INTERPRETER

The Town of Babylon will be responsible for:

- (a) Maintaining an accurate and current list showing the name, language, phone number and hours of availability of bilingual contacts.
- (b) Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret;
- (c) Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

The Town of Babylon will allow LEP persons to refer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and **after** the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the department or agency. Such an offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children (e.g. persons under the age of 18) will **not** be used to interpret, in order to ensure confidentiality of information and accurate communication.

3. PROVIDING WRITTEN TRANSLATIONS

- (a) When translation of vital documents is needed, the Town of Babylon will submit documents for translation into frequently encountered languages. Original documents being submitted for translation will be in final, approved form.
- (b) The Town of Babylon will set benchmarks for translation of vital documents into additional languages over time.

4. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION

On an annual basis, the Town of Babylon will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, the Town

of Babylon will annually assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, equipment used for the delivery of language assistance, complaints filed by LEP persons, and feedback from the public and community organizations.

5. PROVISIONS FOR LIMITED-ENGLISH PROFICIENCY AND HEARING IMPAIRED RESIDENTS:

LEP or hearing impaired residents can contact the Town of Babylon by calling (631) 587-3752 or prior to any public meetings so that adequate arrangements can be made. Such requests should be made at least seven (7) days prior to the meeting date.