



# COUNTY OF UNION

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*Robert E. Barry, Esq., County Counsel*

June 4, 2009

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Mark Schwedes, CEBS  
Assistant Chief, Enrollment and Purchase Bureau  
Division of Pensions and Benefits  
P.O. Box 295  
Trenton, NJ 08625-0295

Re: Director of Public Safety of the County of Union

Dear Mr. Schwedes:

Thank you for your time, consideration and the opportunity to discuss the proposed appointment of Andrew Moran, currently a Captain in the Berkeley Heights Police Department to the position of Director of the Department of Public Safety for Union County. I request an opinion from your office as to whether the position of Director of Public Safety is not a PFRS position (and therefore N.J.S.A. 43:16A-3.1 and the six month waiting period contained therein would not apply). Toward that end I enclose the following documents:

1. Article XXI of the Union County Administrative Code creating the Department of Public Safety;
2. Organizational Chart for the County of Union;
3. Specific Organizational Chart for the Department of Public Safety.

There is no resolution appointing Directors to their positions because N.J.S.A. 40:41A-51(b) gives the power of appointment to the County Manager. However, Richard Childs was the immediate predecessor holding the position of acting Director since January 1, 2008. There has been no change in the duties of the Director as detailed in Article XXI during Mr. Child's tenure. His predecessor was Harold Gibson, who was a retired police officer and former PFRS member, not enrolled in any pension system during his tenure.

Nor has there been any relevant amendment to the Organizational Chart. As you can see, Mr. Moran, if appointed, will be Director of a Department and have indirect supervisory responsibility over four (4)

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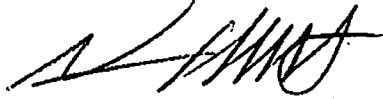
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divisions. Three of those Divisions (Medical Examiner, Weights and Measures, and Environmental Health and Emergency Management) have civilian Division Heads and employees (members of PERS or DCRP). One Division (Police) is run by a Chief and is comprised of PFRS members.

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The County has a need to fill the position expeditiously and desires to employ Mr. Moran but wishes to avoid any finding that his hiring would violate any ruling or relevant statute and seeks to avoid creating an untenable position for Mr. Moran wherein he accepts a position under a set of assumptions that are incorrect. We respectfully request a ruling from you on this issue. If you have any further questions or require additional information, please feel free to contact me at the above number or on my cell phone at (908) 578-4650. Thank you again for time and consideration.

Very truly yours,



NORMAN W. ALBERT, ESQ.  
First Deputy County Counsel

B. The County Manager may, pursuant to the relevant portions of *N.J.S.A.* 30:8-20, *N.J.S.A.* 40:41A-27a and *N.J.S.A.* 40:41A-51b, appoint the Director of the Department of Correctional Services for a term not to exceed two years. Such appointment for a term shall not nullify or eliminate the authority of the County Manager to remove the Director of the Department of Correctional Services at any time during the term, without cause, pursuant to *N.J.S.A.* 40:41A-51c. However, such removal shall be subject to the right of the Director of the Department of Correctional Services to request a public hearing on such removal before the Board of Chosen Freeholders in accordance with the provisions of *N.J.S.A.* 40:41A-87b. [Amended 12-19-1996 by Ord. No. 434]

**§ 1-120 through § 1-22. (Reserved)**

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## **ARTICLE XXI, Department of Public Safety**

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[Amended 10-30-1985 by Ord. No. 232; 9-10-1987 by Ord. No. 275; 8-2-1988 by Ord. No. 300; 7-18-1991 by Ord. No. 337; 7-22-1999 by Ord. No. 503; 6-20-2002 by Ord. No. 553; 2-5-2004 by Ord. No. 587; 9-14-2006 by Ord. No. 636; 3-27-08 by Ord. No. 667]

### **§ 1-123. General purpose; departmental organization.**

[Amended 11-12-1992 by Ord. No. 370; 4-14-1994 by Ord. No. 390; 8-21-1997 by Ord. No. 454; 12-11-1997 by Ord. No. 458; 9-14-2006 by Ord. No. 636]

- A. There shall be a Department of Public Safety for the purpose of planning and coordinating an effective administration of County safety and security operations. The Director of Public Safety shall be the head of the Department and shall be responsible to the County Manager for its operation. The office staff of the Director shall include, but not be limited to, criminal justice planning personnel and the Office of Consumer Affairs.
- B. The Office of Consumer Affairs functions shall include:
- (1) Investigating complaints of fraud in the marketplace on behalf of County residents.
  - (2) Mediating and resolving complaints and direct consumer complaints to the appropriate state and/or federal agencies.
  - (3) Monitoring and enforcing legislation to prevent fraud and insure consumer safety and satisfaction in the purchase and use of any product or service.
  - (4) Performing all functions relating to implementing a program design and suggested by the Division of Consumer Affairs of the State of New Jersey to provide aid and assistance to residents of the County of Union with respect to obtaining relief from fraudulent, deceptive or false business and/or commercial transactions.
  - (5) Providing a location for the public to contact to obtain advice and aid in matters relating to consumer fraud and other unlawful and/or unethical business or commercial practice.

- (6) Maintaining liaison with various municipal offices and citizen groups within the County of Union for the purpose of disseminating all available information and material relating to the reduction and elimination of fraudulent, deceptive or false business and/or commercial transactions committed against residents of the County of Union.

[Added 9-14-2006 by Ord. No. 636]

- C. The County of Union does hereby, pursuant to the provisions of *N.J.S.A. 26:3A2-35*, establish an Environmental Quality and Enforcement Fund (EQE Fund) to serve as a depository for any fees, fines or penalties collected pursuant to *N.J.S.A. 26:3A2-21 et seq.* The EQE Fund shall be dedicated to use in environmental enforcement, as specified under the CEHA. The Director of the Department of Public Safety shall be responsible for the management of the EQE Fund, to include all sub-accounts that are established.

[Added 9-14-2006 by Ord. No. 636]

- D. The Department of Public Safety shall include the following divisions:
  - (1) The Division of Police.
  - (2) The Division of Medical Examiner.
  - (3) The Division of Weights and Measures.
  - (4) The Division of Emergency Management.

#### **§ 1-124. Division of Police.**

[Amended 7-22-1999 by Ord. No. 503]

- A. Under the direction and supervision of the Director of Public Safety, the Division of Police functions and responsibilities shall include preserving order in County parks, facilities, parkways, and recreational places under its control and providing, pursuant to appropriate statutory authorization and approved requests, logistical support to the County Courts, County Prosecutor, County Sheriff and other law enforcement agencies throughout the County.
- B. The Division of Police's functions shall include:
  - (1) Acting as the County law enforcement agency for all County parks and providing security for all County-owned property and having all the powers conferred by law on police officers or constables in the enforcement of laws in this state and the apprehension of violators thereof.
  - (2) Arresting on view and without warrant and conducting before the municipal court of the municipality in which the arrest is made, or the municipal court of a neighboring municipality, any person found violating County rules and regulations enacted for the protection, preservation, regulation and control of park, parkways, playgrounds, and recreation places and all property therein.

(5) Maintaining a close liaison with the New Jersey Office of Homeland Security and Domestic Preparedness, State Police Office of Emergency Management and Domestic Preparedness and the Office of the Attorney General on issues relevant to homeland security and domestic preparedness grants and initiatives.

(6) Monitoring Federal and State legislation relative to Homeland Security and Domestic Preparedness and recommending policies and procedures for compliance.

[Added 9-14-2006 by Ord. No. 636]

G. The Bureau of Domestic Preparedness will have as its Bureau Chief the Domestic Preparedness Planner. The Bureau Chief shall head the Bureau and shall be responsible to the Director of the Division of Emergency Management for its operation.

[Added 9-14-2006 by Ord. No. 636]

### **§ 1-128. Office of Health Management.**

[Added 9-9-2007 by Ord. No. 655-2007]

A. There is hereby established the Office of Health Management, a certified local health agency pursuant to *N.J.S.A. 26:3A2-6(b)* for the purposes of serving as the certified local health agency that will receive delegated authority under the County Environmental Health Act (CEHA), *N.J.S.A. 26:3A2-21 et seq.*, the New Jersey Department of Environmental Protection (NJDEP) and the New Jersey Department of Health and Senior Services (NJDHSS).

(1) Under the direction and supervision of the Director of Public Safety, the Office of Health Management's functions and responsibilities shall include:

(a) Overseeing the administration of the Office of Health Management in carrying out its duties as the environmental health department receiving delegated authority under the CEHA, *N.J.S.A. 26:3A2-21 et seq.*, the NJDEP and the NJDHSS.

(b) Implement an air program concentrating on citizen's complaints and ensuring compliance with governing laws by all point source dischargers pursuant to the Air Pollution Control Act, *N.J.S.A. 26:2C-1 et seq.*

(c) Execute an effective Solid Waste Enforcement Program, including illegal dumping. Union County's Solid Waste Control Program is established pursuant to the provisions of the Solid Waste Management Act, *N.J.S.A. 13:1E-1 et c.*, the County Environmental Health Act, *N.J.S.A. 26:3A2-21 et seq.*, and the County Environmental Health Standards and Performance, *N.J.A.C. 7:1H-1.1 et seq.* The purpose of this enforcement program is to monitor compliance with the rules and regulations of the NJDEP concerning the operation of solid waste facilities and the activities of solid waste collectors and haulers in Union County. All enforcement efforts shall be done

in cooperation with the NJDEP - Solid Waste Inspections and Compliance agency to obtain consistent enforcement and to preclude duplication of effort.

- (d) Oversee investigation of all water pollution complaints and assist the New Jersey Department of Environmental Protection with compliance monitoring of all point source discharges. Under the auspices of the Environmental Health Performance Standards for Potable Water Supply, *N.J.A.C. 7:1H-3.6*, Groundwater Pollution Control, *N.J.A.C. 7:1H-3.7*, and Surface Water Pollution Control, *N.J.A.C. 7:1H-3.8*, implement a comprehensive Water Pollution Control Program.
- (e) Work in conjunction with the County Bureau of GIS to develop and maintain geographic information systems (GIS) data relative to CEHA initiatives. The goal is to develop and implement a comprehensive County-wide geographic information system (GIS) database and mapping program incorporating information from local, County, state and federal agencies to serve local municipalities, agencies and the County in making decisions which impact the environment of the area.
- (f) Ensure compliance and enforcement of applicable Recycling provisions under Union County's Solid Waste Control Program.
- (g) Ensure compliance with Noise Control Regulations pursuant to the Noise Pollution Control Act, *N.J.S.A. 13:1G-1 et seq*; *N.J.A.C. 7:29-1.1 et seq*. The Union County Office of Health Management, Office of Environmental Health will enforce the State Noise Control Regulations following the guidelines outlined in this section and the CEHA Work Program to control noise from commercial and industrial sources.
- (h) Providing administrative support and assistance to all Union County departments and agencies concerning the implementation of current federal and state environmental regulations.
- (i) Promoting environmental health and safety programs within the County, including but not limited to the provisions of the "New Jersey Worker and Community Right-to-Know Act", *N.J.S.A. 34:5A-1 et seq.*, hazardous waste, OSHA compliance and recycling regulations as specified in the Union County Solid Waste Management Plan.
- (j) Administer an effective Local Information Network Communications System (LINCS) operation to respond to public health threats and emergencies and provide central planning, coordination and delivery of specialized services within the County in partnership with all municipal health departments. Responsibilities will include establishing a public health surveillance and response network to ensure rapid detection and containment of conditions which threaten the public's health and safety, providing communications to key health and health-related participants, forming public-private partnerships for addressing health issues, and coordinating all relevant entities which

support and contribute to the public's health, local and state health departments, managed care, medical providers, laboratories, and emergency responders.

- (k) Act as lead public health official under the provisions of the Emergency Health Powers Act.
- (l) Enhance and integrate local public health agencies' state of preparedness for, response to, and recovery from acts of terrorism and other public health emergencies by minimizing, to the fullest extent possible, the human health consequences associated with the emergence of a novel strain of influenza virus (Flu Pandemic Planning), and expanding capacity to expeditiously and efficiently distribute/administer antibiotics and/or vaccines to our entire population at community-based points of distribution or through other supplemental delivery modalities.
- (m) Work in conjunction with Union County OEM to enhance the existing Public Health Annex of the Emergency Operation Plan.
- (n) Participate as a member of the Local Emergency Planning Council (LEPC) in the periodic review of updates and modifications to the County Emergency Operation Plan.
- (o) Coordinate with representatives from all local health departments and acute-care facilities in Union County to establish and review protocols to ensure the mutual investigation of diseases of public health importance, including potential bioterrorism incidents.
- (p) Participate in increasing the availability of worker crisis counseling and mental health and substance abuse behavioral health support, in conjunction with the County OEM and the County Mental Health Administrator, and in collaboration with the New Jersey Division of Mental Health Services Disaster and Terrorism Branch as well as the New Jersey State Police's Disaster Critical Incident Response Program.
- (q) Participate, in conjunction with NJDHSS, County OEM and the Local Health Departments, in the development of a business continuity-planning element as a component of a county-level all-hazards preparedness plan.
- (r) Exercise plans to test horizontal and vertical integration with response partners at the State, County and Local level.
- (s) Perform duties as assigned by the Director of Public Safety in the enforcement, collection and management of fees, fines or penalties pursuant to Environmental Quality and Enforcement Fund (EQEF), under the CEHA, *N.J.S.A. 26:3A2-21 et seq.*, including the conduct of compliance hearings.

- B. Office head. The Director of the Office of Health Management, will be a licensed full-time health officer, shall be the head of the Office and shall be responsible to the Director of Public Safety for its operation.
- C. Office organization. Within the Office there shall be the following Offices:
- 1) The Office of Environmental Health.
  - 2) The Office of Public Health.
- D. The Office of Environmental Health. Under the direction and supervision of the Director of the Office of Health Management, the Office of Environmental Health's functions and responsibilities shall include:
- 1) Investigating all water pollution complaints and assist the NJDEP with compliance monitoring of all point source discharges. Under the auspices of the Environmental Health Performance Standards for Potable Water Supply, *N.J.A.C. 7:1H-3.6*, Groundwater Pollution Control, *N.J.A.C. 7:1H-3.7*, and Surface Water Pollution Control, *N.J.A.C. 7:1H-3.8*, implementing a comprehensive Water Pollution Control Program.
  - 2) Responding to noise complaints and enforce State Noise Control Regulations pursuant to the Noise Pollution Control Act, *N.J.S.A. 13:1G-1 et seq*; *N.J.A.C. 7:29-1.1 et seq*. The Union County Office of Health Management will enforce the State Noise Control Regulations following the guidelines outlined in this section and the CEHA Work Program to control noise from commercial and industrial sources.
  - 3) Providing information and technical assistance to municipalities, individuals and various agencies on environmental issues.
  - 4) Promoting environmental health and safety programs within the County, including but not limited to the "Right-to-Know" law, safety, hazardous waste and OSHA compliance.
  - 5) Implementing the provisions of the "New Jersey Worker and Community Right to Know Act", *N.J.S.A. 34:5A-1 et seq.*
  - 6) Ensuring compliance with Recycling Regulations as stated in the Solid Waste Management Act.
  - 7) Implementing an air program concentrating on citizens complaints and ensuring compliance with governing laws by all point source dischargers pursuant to the Air Pollution Control Act, *N.J.S.A. 26:2C-1 et seq.*
- E. The head of the Office of Environmental Health shall be responsible to the Director of the Office of Health Management for its operation.



F. The Office of Public Health. Under the direction and supervision of the Director of the Office of Health Management, the Office of Public Health's functions and responsibilities shall include:

1. Providing guidance and support for the development of an "All Hazards Public Health Plan" for all local health agencies within their jurisdiction, in accordance with a NJDHSS template.
2. Maintaining 24/7/365 communications capabilities in order to respond to infectious disease outbreaks and public health threats due to acts of terrorism and/or natural emergencies.
3. Providing local and regionally generated disease data, such as the number of emergency department visits and admissions, sources and volume of influenza-like illness and other information that may be indicative of potential public health threats and/or emergencies to the NJDHSS.
4. Conducting Hazard and Vulnerability Analysis and initiate a review and update of the county/municipal hazard vulnerability assessment, specific to chemical plants (SARA/TCPA), hazardous waste plants, retail establishments/businesses with chemical and pesticide supplies and sewer treatment plants.
5. Collecting and analyzing communicable disease data from available surveillance systems to monitor disease trends and communicate any significant findings to NJDHSS and local public health partners within their jurisdiction.
6. Establishing and reviewing protocols to ensure the investigation of diseases of public health importance, including potential bioterrorism incidents.
7. Managing and operating the Public Health Emergency Communication System to ensure the timely dissemination and exchange of public health information to all key stakeholders within the LINCS agency region on a 24/7/365 basis.
8. Developing and delivering risk communication resources for local public health agencies and elected officials.
9. Reviewing procedures, protocols, statutes and regulations and other directives related to the Emergency Health Powers Act, in particular, as related to Isolation and Quarantine (Sections 14, 15 and 16 of the Act).
10. Expanding the mass prophylaxis plan to include alternative methods of medication delivery based on NJDHSS guidelines (when available) and provide training, as required.
11. Identify, recruit and train a pool of volunteers and staff to assist with any public health threat/emergency, including but not limited to, conducting epidemiologic investigations and supporting mass prophylaxis activities.
12. Conducting a business continuity-planning element as a component of a county-level all-hazards preparedness plan; develop protocols to expedite the implementation of

recovery risk communication plans; develop protocols to expedite the implementation of recovery risk communication plans.

13. Developing plans for the rapid distribution of medications for first responders, fixed facilities, and the public within 48 hours; develop a local SNS assessment tool and review and update SNS plans to ensure that the grantee can receive and distribute medications for all Union County jurisdictions.

14. Operating with federal, state and local authorities using a unified command structure, under the Incident Command System / National Incident Management System (ICS / NIMS).

G. The Office of Public Health will have as its Head the LINCS Coordinator. The Coordinator shall be the head of the Office and shall be responsible to the Director of the Office of Health Management for its operation.

**§§ 1-129 through 1-131. (Reserved)**

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## **ARTICLE XXII, Department of Runnells Specialized Hospital**

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[Amended 11-17-1986 by Ord. No. 257; 9-10-1987 by Ord. No. 275; 7-14-1988 by Ord. No. 301; 7-18-1991 by Ord. No. 337; 6-20-2002 by Ord. No 553]

### **§ 1-132. General purpose; Administrator; Associate Administrator; departmental organization.**

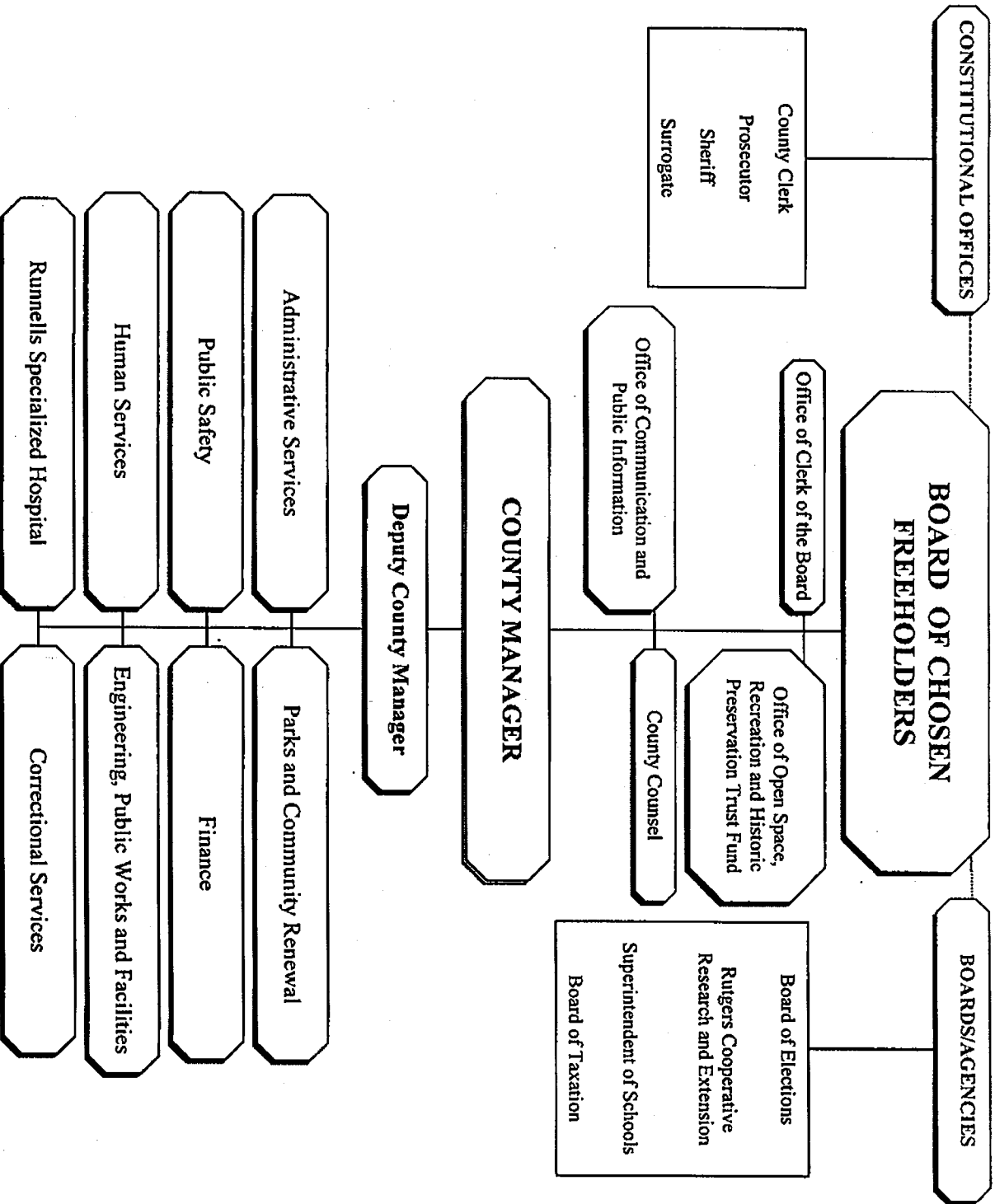
A. Runnells Specialized Hospital shall be and shall constitute a Department of the County of Union for the purpose of planning, coordinating and supervising the administration of medical services, nursing services and professional/support services as hereinafter provided. The Director shall be the head of the Department and shall be responsible to the County Manager for its operation. The Director of the Runnells Specialized Hospital shall also be known as the "Administrator."

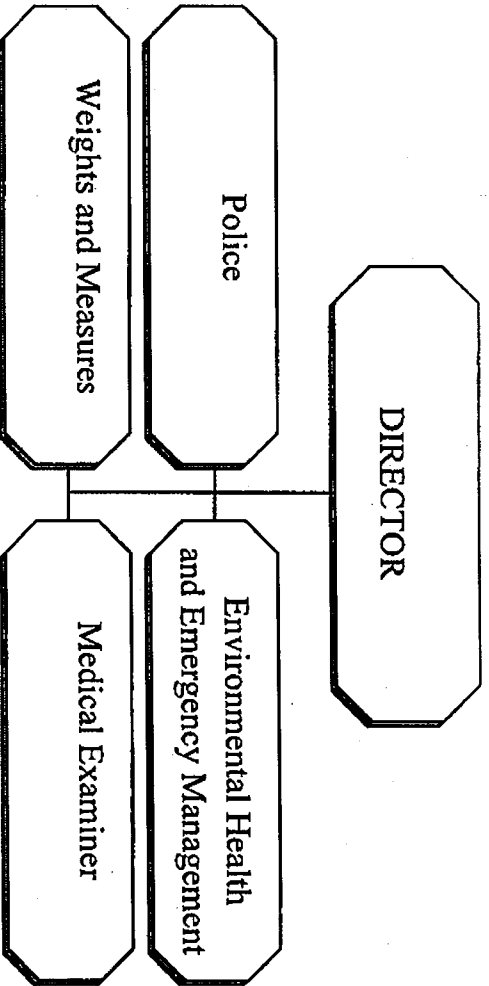
B. In matters relating to hospital governance, the Board of Chosen Freeholders shall be construed as the governing body of the Runnells Specialized Hospital of Union County. To assist the Board to discharge its responsibilities therein, an Advisory Board of Managers may be appointed in accordance with the provisions of Article 25 of this Code.

C. The policies of the hospital will be proposed and approved periodically in a manner consistent with the provision of this Code. The Board shall promote cooperation with health services, planning agencies, community agencies and community services. [Amended 9-14-2000 by Ord. No. 515]

D. The Administrator shall be directly responsible for the following functions:

# RESIDENTS OF THE COUNTY OF UNION





of investigating, mitigating and preventing releases, spills or other discharges into the air, water or soils within Union County. These procedures will be implemented according to the Union County Emergency Operations Plan and in compliance with CEHA performance standards, *N.J.A.C. 7:1H-3 et seq.*

- (2) Coordinating and implementing all necessary response, assistance, training and related services for the identification of hazardous materials and appropriate cleanup and disposal of hazardous materials caused by an accident or otherwise.
- (3) Operating with federal, state and local authorities using a unified command structure, under the Incident Command System / National Incident Management System (ICS / NIMS).
- (4) Maintaining capabilities as a Type 1 hazardous materials team as delineated by the U.S. Department of Homeland Security.
- (5) Complying with the New Jersey State Police Hazardous Materials Response Unit Standards for Operations and Training.
- (6) Preparing and Disseminating all mandated statistical programmatic reports to appropriate agencies and officials.

[Added 9-14-2006 by Ord. No. 636]

E. The Deputy Coordinator of Emergency Management shall serve as the Chief of the Bureau of Hazardous Materials. The Bureau Chief shall be a Certified Hazardous Materials Specialist pursuant to OSHA Regulations, 29 *C.F.R.* 1910.120-120.6(iii) – “Training”; and shall have a certification as a Hazardous Materials On Scene Incident Commander pursuant to OSHA Regulations, 29 *C.F.R.* 1910.120-120.6 – “Training”. The Bureau Chief shall be the head of the Bureau and shall be responsible to the Director of the Division of Emergency Management for its operation. [Added 9-14-2006 by Ord. No. 636]

F. Bureau of Domestic Preparedness. Under the direction and supervision of the Director of the Division of Emergency Management, the Bureau of Domestic Preparedness’ functions and responsibilities shall include:

- (1) Management of the County’s Homeland Security Grant Program, Urban Area Security Initiative, Critical Infrastructure and other similar homeland security and domestic preparedness programs.
- (2) Staffing and assisting the Freeholder Committee on Homeland Security on domestic preparedness issues.
- (3) Providing technical assistance to the County Working Group, Urban Area Security Initiative Regional Working Group and other agencies/municipalities on applications and grant management pertaining to homeland security and domestic preparedness.
- (4) Providing support and assistance to all Departments and agencies concerning current Federal and State Homeland Security and Domestic Preparedness programs and regulations.

C. Division head. The Chief of Police shall be the head of the Division and shall be responsible to the Director of Public Safety for its operation.

**§ 1-124.1. Reserved.**

[Division of Security - Added 7-22-1999 by Ord. No. 503; Deleted 2-5-2004 by Ord. No. 587]

**§ 1-125. Division of Medical Examiner.**

[Amended 9-23-1999 by Ord. No. 507]

A. Under the direction and supervision of the Director of Public Safety, the Division of Medical Examiner's functions and responsibilities shall include:

- (1) Determining the cause, manner and mechanism of death in the cases investigated by the Division (homicides, accidents, suicides, suspicious and unexpected deaths, threat to public health cases and death within 24 hours of admission to a hospital) and reporting the findings to the appropriate offices.
- (2) Performing autopsies and/or external examinations according to New Jersey medical examiner statutes.
- (3) Visiting and photographing the scenes of homicides, accidents, suicides, suspicious and unexpected deaths.
- (4) Supervising the operations of the County morgue.
- (5) Keeping appropriate files in all cases and reported to the Division.
- (6) Testifying in Superior Court as expert witnesses for the prosecution.
- (7) Making funeral arrangements for unclaimed bodies and indigent persons.

B. Division head. The Chief Medical Examiner shall be the head of the Division and shall be responsible to the Director of Public Safety for its operation, subject to the general supervision of the State Medical Examiner and the provisions of *N.J.S.A. 52:17B-78 et seq.*

**§ 1-126. Division of Weights and Measures.**

[Amended 9-23-1999 by Ord. No. 507]

A. Under the direction and supervision of the Director of Public Safety, the Division of Weights and Measures functions and responsibilities shall include:

- (1) Protecting the consumer through:
  - (a) Calibration of commercial weighing and measuring devices.
  - (b) Weighing commodities in transit or exposed for sale.

(2) Investigating complaints.

(3) Enforcing Title 51, Chapter 1 of the Laws of the State of New Jersey.

B. Division head. The Superintendent of Weights and Measures shall be the head of the Division and shall be responsible to the Director of Public Safety for its operation.

C. There shall be such Assistant Superintendents of Weights and Measures as shall be appointed by the County Manager and authorized by resolution of the Board.

**§ 1-127. Division of Emergency Management.**

[Amended 8-21-1997 by Ord. No. 454; 7-23-1998 by Ord. No. 479; 1-21-1999 by Ord. No. 490; 9-23-1999 by Ord. No. 507; 9-14-2006 by Ord. No. 636]

A. There is hereby established the Division of Emergency Management whose functions and responsibilities shall include:

(1) Under the direction and supervision of the Director of Public Safety, the Division of Emergency Management's functions and responsibilities shall include:

- (a) Planning, developing, coordinating and activating County-wide mutual aid and emergency management operations, to include preparedness and mitigation efforts and the integration of preparedness and response elements of the County Division of Health and Department of Human Services into the County Emergency Operations Plan.
- (b) Making available to the County and activating such emergency management facilities and services as are available from the resources of County government.
- (c) Keeping the County advised of current and potential disaster situations.
- (d) Coordinating and implementing all necessary response, assistance, training and related services for the identification of hazardous materials and appropriate cleanup and disposal of hazardous materials caused by accident or otherwise.
- (e) Providing for the appropriate training of fire personnel from the municipalities of the County of Union, continuing education in the field of fire science and such other assistance in fire-science-related matters that may be deemed appropriate through the Fire Service Training Academy.
- (f) Maintaining a fully certified and operable hazardous materials response team to serve as agents of the New Jersey Department of Environmental Protection for the purposes of investigating, mitigating and preventing releases, spills or other discharges into the air, water or soils within Union County. These procedures will be implemented according to the Union County Emergency

Operations Plan and as required by CEHA performance standards, *N.J.A.C. 7:1H-3 et seq.*

- (g) Maintaining the Union County Fire Investigation Task Force established within the Division of Emergency Management. The Union County Fire Investigation Task Force will provide assistance to local police and fire departments in determining the origin and cause of suspicious fires. The Union County Fire Investigation Task Force will consist of municipal police and firefighters assigned to the unit. [Added 4-13-2000 by Ord. No. 512; Amended 2-15-2001 by Ord. No 526; 9-14-2006 by Ord. No. 636]
- (h) Perform duties as assigned by the Director of Public Safety in the enforcement, collection and management of fees, fines or penalties pursuant to Environmental Quality and Enforcement Fund (EQE Fund) under the CEHA, *N.J.S.A. 26:3A2-21 et seq.* [Added 9-14-2006 by Ord. No. 636]
- (i) Performing the duties and the functions and responsibilities of the office in accordance with the rules and regulations promulgated by the Governor.

(2) Deputy Coordinator of Emergency Management. There shall be a Deputy Coordinator of Emergency Management appointed by the County Manager, subject to the approval of the State Director of Emergency Management and subject to his orders, as required by law.

(3) State Director to exercise supervision and control. The State Director of Emergency Management shall exercise supervision and control of the Coordinator of Emergency Management and Deputy, who may be removed by the State Director for cause. The Coordinator of Emergency Management and Deputy shall perform their duties in accordance with the provisions of Title App. A: Ch. 9, and rules and regulations promulgated by the Governor.

B. Division head. The Coordinator of Emergency Management shall be the head of the Division and shall be responsible to the Director of Public Safety for its operation, subject to the approval of the State Emergency Management Director and subject to his orders, as required by law.

C. Division organization. Within the Division there shall be the following Bureaus:

- (1) The Bureau of Hazardous Materials.
- (2) The Bureau of Domestic Preparedness.

[Added 9-14-2006 by Ord. No. 636]

D. The Bureau of Hazardous Materials. Under the direction and supervision of the Director of Emergency Management, the Bureau of Hazardous Materials functions and responsibilities shall include:

- (1) Maintaining a fully certified and operable hazardous materials response team to serve as agents of the New Jersey Department of Environmental Protection for the purposes



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*Norman Albert, Esq.*  
TELEPHONE 808-527-4280  
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DIVISION OF PENSIONS & BENEFITS  
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United Parcel Service, Louisville, KY

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