



3/27/2008

UNION COUNTY BOARD OF CHOSEN FREEHOLDERS

ORDINANCE NO: 667-2008
DATE OF INTRO: 3/27/08
DATE OF ADOPTION: 4/10/08

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE ADOPTING A CODIFICATION OF THE LAW, ORDINANCES, POLICIES AND RESOLUTIONS OF UNION COUNTY, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; AND SAVING FROM REPEAL CERTAIN LEGISLATION NOT INCLUDED THEREIN", ADOPTED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION ON AUGUST 19, 1993

AN ORDINANCE TO AMEND THE "LAWS OF UNION COUNTY"

BE IT ORDAINED by the Board of Chosen Freeholders of the County of Union that the "Laws of Union County" are hereby amended as outlined in the attached Schedule A:

CONTINUED...

(See attached)

Note: All text that is underlined is inserted/new language.
All text that is struck through is deleted language

NO SUFFICIENCY OF FUNDS REQUIRED
Frank W. Robinson
3-26-08

Table with columns: INTRODUCTION, RECORD OF VOTE, FINAL ADOPTION. Rows list Freeholders: HOLMES, KOWALSKI, PROCTOR, SCANLON, SULLIVAN, VAN BLAKE, WARD, MIRABELLA VICE-CHAIRMAN, ESTRADA CHAIRMAN.

APPROVED AS TO FORM
COUNTY ATTORNEY

I hereby certify the above is an original ordinance adopted by the Board of Chosen Freeholders of the County of Union on the aforementioned date.
Clerk

I hereby certify this is a true copy of a ordinance adopted by the Board of Chosen Freeholders of the County of Union on the aforementioned date.
Clerk

## SCHEDULE A

### **PART I.- ADMINISTRATIVE CODE**

#### **Chapter 1, UNION COUNTY GOVERNMENT STRUCTURE**

[HISTORY: Adopted by the Board of Chosen Freeholders of the County of Union 4-28-1976 by Ord. No. 1; amended in its entirety by Ord. No. 9-1984. Subsequent amendments noted where applicable.]

#### **ARTICLE XIV, Departments; Divisions; Bureaus**

##### **§ 1-71. Departments enumerated.**

[Amended 7-7-1988 by Ord. No. 299; 7-18-1991 by Ord. No. 337; 6-20-02 by Ord. No. 553; 3-10-2005 by Ord. No. 611]

The following are hereby established as the departments of the government of the County of Union:

- A. Administrative Services.
- B. Finance.
- C. Runnells Specialized Hospital.
- D. Human Services.
- E. Public Safety.
- F. Engineering, ~~and~~ Public Works and Facilities. [Amended 6-20-2002 by Ord. No. 553 and Amended 12-20-2007 by Ord. No. 664]
- G. Parks and Community Renewal.
- H. Correctional Services

#### **ARTICLE XVII, Department of Administrative Services**

[Added 7-18-1991 by Ord. No. 337]

##### **§ 1-99.3. Division of Motor Vehicles.**

[Added 3-10-2005 by Ord. No. 611; Amended 12-20-2007 by Ord. No. 664]

- A. Under the direction and supervision of the Director of the Department of Administrative Services, the Division of Motor Vehicles' functions and responsibilities shall include the management, maintenance and repairs of all County-owned vehicles except the vehicles under the jurisdiction of the the Department of Engineering, ~~and~~ Public Works and Facilities.

- C. Division organization.

(3) The Division of Motor Vehicles' general functions shall include:

- (a) Controlling the inventory and issuing of passenger motor vehicles for the County, as well as other transportation services, as required except the vehicles under the jurisdiction of the Department of Engineering, ~~and~~ Public Works and Facilities.

- (b) Providing motor vehicles, storage and maintenance facilities and establishing and implementing procedures and uniform regulations relating to the motor pool facilities, equipment, safety, repairs and replacement of vehicles.
- (c) Having responsibility for performing repairs, maintenance and all service necessary to keep the motor vehicles in safe and readily usable condition except the vehicles under the jurisdiction of the Department of Engineering, ~~and Public Works~~ and Facilities.
- (d) Monitoring the usage of all vehicles and keeping records on all repairs, gas, oil, etc except the vehicles under the jurisdiction of the the Department of Engineering, ~~and Public Works~~ and Facilities.

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## **ARTICLE XX, Department of Correctional Services**

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### **§ 1-119. General purpose; departmental organization**

- A. There shall be a Department of Correctional Services in which the the Director of Correctional Services shall be the head of the Department and shall be responsible to the County Manager for its operation. The Department of Correctional Services is established for the following purposes:
  - (1) Developing and administering appropriate plans and programs to coordinate and improve criminal justice activities within the County;
  - (2) Studying and analyzing the programs and activities of federal, state and local agencies within the County relating to the administration of criminal justice.
  - (3) Operating and maintaining the County jail in a safe, efficient, sanitary and humane manner.
  - (4) Exercising custody, rule, keeping and charge of all prisoners in the County jail pending court action, the serving of sentences to the County jail and their transportation to state correctional facilities or otherwise detained within the jail pursuant to law.
  - (5) Protecting the public by securely detaining individuals who present a danger to the community.
- 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 § 1-122. (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;]

### § 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]

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.
- ~~(5) The Division of Health [Deleted 9-9-2007 by Ord. No. 655-2007]~~
- ~~(6) The Division of Correctional Services.~~

### ~~§ 1-129. Division of Correctional Services.~~

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

~~A. Under the direction and supervision of the Director of Public Safety, the Division of Correctional Services functions and responsibilities shall include:~~

- ~~(1) Developing and administering appropriate plans and programs to coordinate and improve criminal justice activities within the County.~~
- ~~(2) Studying and analyzing the programs and activities of federal, state and local agencies within the County relating to the administration of criminal justice.~~
- ~~(3) Operating and maintaining the County jail in a safe, efficient, sanitary and humane manner.~~
- ~~(4) Exercising custody, rule, keeping and charge of all prisoners in the County jail pending court action, the serving of sentences to the County jail and their transportation to state correctional facilities or otherwise detained within the jail pursuant to law.~~
- ~~(5) Protecting the public by securely detaining individuals who present a danger to the community.~~

~~B. Division head. The Director of the Division of Correctional Services shall be the head of the Division and shall be responsible to the Director of Public Safety for its operation.~~

~~C. 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 Division 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 Division 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 Division 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]~~

§§ 1-130 through 1-131. (Reserved)

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## ARTICLE XIX, Department of Engineering, and Public Works & Facilities

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**§ 1-111. General purpose; departmental organization.**

- A. There shall be a Department of Engineering, ~~and Public Works~~ and Facilities for the purpose of planning, constructing, repairing and maintaining all property and infrastructure owned and operated by Union County.
- B. Department head. The Director of the Department of Engineering, ~~and Public Works~~ and Facilities shall be the head of the Department and shall be responsible to the County Manager for the Department's operation. The Director of the Department of Engineering, ~~and Public Works~~ and Facilities may also be the director of a division within the Department Engineering and Public Works.
- C. The Department of Engineering, ~~and Public Works~~ and Facilities shall include the following divisions:
  - (1) The Division of Public Works.
  - (2) The Division of Engineering.
  - (3) The Division of Facilities Management

**§ 1-112. Division of Public Works.**

- A. Under the direction and supervision of the Director of the Department of Engineering, ~~and Public Works~~ and Facilities, the Division of Public Works' functions and responsibilities shall include: road construction and maintenance, bridge maintenance and public works, shade tree and conservation and mosquito control.
- B. Division head. The Director of the Division of Public Works shall be the head of the Division and shall be responsible to the Director of the Department Department of Engineering, ~~and Public Works~~ and Facilities for its operation. The Director of the Division of Public Works may be the Director of the Department of Engineering, ~~and Public Works~~ and Facilities.
- C. Division organization.
  - (1) Within the Division, there shall be the following bureaus:
    - (a) Bureau of Roads and Bridges.
    - (b) Bureau of Shade Tree and Conservation.
    - (c) Bureau of Mosquito Control.
    - (d) Bureau of Inspections.
    - (e) Bureau of Heavy Equipment and Truck Repair

(7) The Bureau of Heavy Equipment and Truck Repair

- (a) Having responsibility for performing repairs, maintenance and all service necessary to keep the County's Heavy Equipment and Truck in safe and readily usable condition.

**§ 1-113. Division of Engineering.**

- A. Under the direction and supervision of the Director of the Department of Engineering, ~~and Public Works~~ and Facilities, the Division of Engineering's functions and responsibilities shall include:
- B. Director of the Division of Engineering.
  - (1) Division head. The Director of the Division of Engineering shall be the head of the Division and shall be responsible to the Director of the Department of Engineering, ~~and Public Works~~ and Facilities for its operation. The Director of the Division of

Engineering shall be a duly licensed professional engineer in the State of New Jersey. The Director of the Division of Engineering may be the County Engineer.

**§ 1-115. Division of Facilities Mangement.**

- A. Under the direction and supervision of the Director of the Department of Engineering, ~~and Public Works~~ and Facilities, the Division of Facilities Management's functions and responsibilities shall include providing general building maintenance to all County buildings, with the exception of Runnells Specialized Hospital, including the functions of stationary engineers, custodial maintenance and general trades, construction management services, and printing and signage services.
- B. Division head. The Director of the Division of Facilities Mangement shall be the head of the Division and shall be responsible to the Director of the Department of Engineering, ~~and Public Works~~ and Facilities for its operation.

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**ARTICLE I, Noncontractual Employees & Division and Department Heads**

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[Adopted 5-14-1987 as Res. No. 396-87]

**§ 26-1. Adoption of benefit policy.**

The Board of Chosen Freeholders of the County of Union does hereby adopt the following policy regarding benefits for all noncontractual employees and division and department heads.

A. Additional benefits for noncontractual employees.

- (3)(a) A policy for payment of authorized overtime worked under conditions set forth herein is hereby established and shall be applicable to all noncontractual supervisory employees below the position of department head or division head in the following departments and/or divisions:

- [1] Department of Engineering, ~~and Public Works~~ and Facilities;
- [2] Department of Parks, Recreation, and Facilities;
- [3] Division of Emergency Management (Department of Public Safety);
- [4] Division of Motor Vehicles (Department of Administrative Services);
- [5] Division of Hospital Maintenance (Department of Runnells Spec. Hospital).

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**Chapter 26, BENEFITS**

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[HISTORY: Adopted by the Board of Chosen Freeholders of the County of Union 11-25-1986 as Res. No. 845-86]

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**ARTICLE V, Retiree Health Insurance Benefits Package**

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[History: Adopted 11-25-1986 as Res. No. 845-86]

**§ 26-8. Retiree subsidy.**

A) Accidental Disability Pension Retiree

Subject to eligibility criteria and conditions set forth below, the County shall remove the existing cap on the retiree health benefits for Accidental Disability Pension Retirees. The eligibility criteria and conditions are as follows:

- a. Eligibility is limited to individuals and their dependents who have retired from the County of Union on an Accidental Disability Pension authorized by the New Jersey Division of Pension & Benefits under either the Police and Firemen's Retirement System or the Public Employees Retirement System.
- b. The health benefit plan provided herein including co-pays and participant contribution toward premium shall be the same as the basic plan provided to active incumbent employees in any given year and is subject to amendment and change including changing the service provider, at the County's discretion.
- c. Prescription benefits shall be provided in a manner deemed most cost effective by the County at any given time based on existing market conditions and shall be subject to amendment and change including changing service provider, solely at the County's discretion.
- d. At such time as the eligible retiree becomes Medicare eligible, the eligible retiree will assume the cost of any Medicare Coverage; and it is expressly understood that the County will provide only supplemental coverage to Medicare.
- e. In order to maintain and/or continue eligibility for the health benefits contained herein, Accidental Disability Pension Retirees must:
  - i. Not receive payments or stipends of any kind for premiums, charges or the like for medical benefits coverage from any employer, or receive payments or stipends in lieu of health benefits;
  - ii. Not be eligible to receive fully paid active employee or retiree health benefits from any other Union County health benefit program or Collective Bargaining Agreement;
  - iii. Not receive health benefits coverage from a source other than Union County;
  - iv. Not be eligible to receive health benefits coverage from a source other than Union County expressly including eligibility for such coverage from another employer or a spouse's employer; and
  - v. Provide an annual certification to the County verifying a) through d) above.

B) Constitutional Officers, Department Directors and Division Heads

C) Consistent with the State of New Jersey's policy and criteria for health benefits for state employees who have served twenty-five years in the State pension system, the County shall remove the existing cap on the retiree health benefit subsidy to provide health benefits consistent with the health benefits provided to state employees who have served twenty-five (25) years in the state pension system, excluding Medicare premiums, for all individuals holding the position of Constitutional Officer, Department Director or equivalent, or Division Head or equivalent at the time of retirement and who a) have retired on a disability pension; b) retire on or after January 1, 2008 ~~who~~ and have twenty-five (25) years or more of service in either the Police & Firemen's Retirement System or the Public Employees Retirement System with a minimum period of five (5) years of service with the County of Union with no age limitation; or c) retire on or after January 1, 2008 and ~~who~~ have reached the age of 62 years or older with at least 15 years of service in either the Police & Firemen's Retirement System or the Public Employees Retirement System with a minimum period of five (5) years of service with the County of Union. If a Constitutional Officer's, Department Director's or equivalent or Division Head's or equivalent (hereafter employee) spouse is retired and has, in effect, benefits coverage for

herself/himself and employee for life, the employee may opt to participate in the Voluntary Health Benefit Buyout Program and for a family plan receive a payment of \$5,000.00 per annum, reduced to \$2,500.00 per annum upon employee reaching Medicare eligibility; and for a single plan receive a payment of \$1,800.00 per annum which shall continue up to and beyond employee reaching Medicare eligibility.

#### Exclusionary Employees

There shall be provided a subsidy toward health benefits insurance premiums for all retirees who are exclusionary employees and who have retired from and after January 1, 1986, said subsidy to be consistent with the subsidy schedule for retirees as negotiated with Retirees Council No. 8 through the collective bargaining procedure.

## **Chapter 139, VEHICLES, COUNTY-OWNED**

### **ARTICLE I, Assignment and Use Guidelines**

[Adopted 9-11-1975 by Res. No. 806-75; amended 1-26-1978 by Res. No. 79-78]

- B. The following plan will be implemented by the ~~Bureau~~Division of Motor Vehicles of the ~~Division of Operations~~ Department of Administrative Services in accordance with the Administrative Code of the County of Union [Amended 9-14-2000 by Ord. No. 515; amended 6/20/02 by Ord. No. 553]:
- (1) When an individual leaves the employment of Union County, the motor vehicle will not be automatically reissued to his/her replacement; at that particular time, the ~~Bureau~~Division of Motor Vehicles will determine the merits of reassigning the vehicle.
  - (2) When an individual who is assigned a motor vehicle requests that his/her vehicle should be replaced, he/she must apply to the ~~Bureau~~Division of Motor Vehicles for reconsideration of the assignment of the motor vehicle.
- D. The entire motor pool management will be assigned to the ~~Bureau~~Division of Motor Vehicles of the ~~Division of Operations~~ Department of Administrative Services in accordance with the Administrative Code of the County of Union (i.e., insurance, license plates, maintenance, assignment of motor pool vehicles and replacement plan). [Amended 9-14-2000 by Ord. No. 515; amended 6/20/02 by Ord. No. 553]
- E. All presently issued and valid gasoline credit cards shall be immediately recalled by the ~~Bureau~~Division of Motor Vehicles and, where approved, reissued with the specific license plate number embossed onto said gasoline credit card, for the purpose of permitting examinations of charges thereon by license number and driver assigned and to prevent any abuses thereof. [Amended 9-14-2000 by Ord. No. 515]
- F. Where determined by the ~~Bureau~~Division of Motor Vehicles to be appropriate, economy cars will be utilized by the County of Union. [Amended 9-14-2000 by Ord. No. 515]
- G. This Board directs that, commencing on December 31, 1977, and continuing on a semiannual basis thereafter (June 30 and December 31 each year), the County Manager shall submit a written and detailed report concerning the motor vehicles owned by the County of Union. The County Manager may, in order to assist in preparing said report, request the ~~Bureau~~Division of Motor Vehicles to provide an overall evaluation of the vehicle fleet, its usage and recommendations for improvements to the present system. [Amended 9-14-2000 by Ord. No. 515]