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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.

(7) 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. 1910.120-6(i)(iii) - "Training"; and shall have a certification as a Hazardous Materials On Scene Incident Commander pursuant to OSHA Regulations, 29 C.F.R. 1910.120-6 - "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.

(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. 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]

B. There is hereby established within the Division of Environmental Health and Emergency Management pursuant to N.J.S.A. 26:3A2-6(b), a local health agency to be known as the "Bureau of Environmental Health Enforcement" for the purposes of serving as the certified local health agency that will receive delegated authority under the County Environmental Health Act, N.J.S.A. 26:3A2-21 et seq. and the New Jersey Department of Environmental Protection.

(1) The Bureau of Environmental Health Enforcement will have as its Bureau Chief a licensed full-time health officer. The Bureau Chief shall be the head of the Bureau and shall be responsible to the Director of the Division of Environmental Health and Emergency Management for its operation.

(2) 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 to serve as a depository for any fees, fines or penalties collected pursuant to N.J.S.A. 26:3A2-21 et seq. The Environmental Quality and Enforcement Fund shall be dedicated to the use of the Bureau of Environmental Health Enforcement in carrying out its delegated responsibilities.

(3) The Bureau of Environmental Health Enforcement under the direction of the Division of Environmental Health and Emergency Management shall have the following functions and responsibilities:

(a) Implement 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.

(b) Investigate 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.

(c) 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.

(d) 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 etc., 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 New Jersey Department of Environmental Protection (NJDEP) Solid Waste Inspections and Compliance to obtain consistent enforcement and to preclude duplication of effort.

(e) Respond 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 Bureau of Environmental Health Enforcement (UGBOEHE) will enforce the State Noise Control Regulations following the guidelines outlined in this section and the County Environmental Health Act Work Program to control noise from commercial and industrial sources.

(f) Maintain an effective LINGS (Local Information Network Communications System) 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.

C. The Bureau of Environmental Services. Under the direction and supervision of the Director of Health and Emergency Management, the Bureau of Environmental Services' functions and responsibilities shall include:

(1) Promoting environmental health programs within the County, including but not limited to the Right-to-Know Law, safety, hazardous waste and OSHA compliance.

(2) Providing administrative support and assistance to all departments and agencies concerning the implementation of current federal and state environmental regulations;

(3) Providing information and technical assistance to municipalities, individuals and various agencies on environmental issues;

(4) Implementing the "New Jersey Worker and Community Right to Know Act" (P.L. 1983, c. 315, N.J.S.A. 34:5A-1 et seq.);

(5) Providing administrative and coordination assistance to municipalities in implementing the Clean Communities Program;

D. The Director of the Bureau of Environmental Services shall be the head of the Bureau and shall be responsible to the Director of the Division of Health and Emergency Management for its operation.

§ 1-128. Division of Health. [Added 9-14-2006 by Ord. No. 636]

A. There is hereby established the Division of Health, 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 Division of Health's functions and responsibilities shall include:

(a) Overseeing the administration of the Division of Health 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 etc., 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 Division of Health (UCDOH), Bureau 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 (LINGS) 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 (EQUE) under the CEHA, N.J.S.A. 26:3A2-21 et seq., including the conduct of compliance hearings.

B. Division head. The Director of the Division of Health, who will be a licensed full-time health officer, shall be the head of the Division and shall be responsible to the Director of Public Safety for its operation.

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

1) The Bureau of Environmental Health.

2) The Bureau of Public Health.

D. The Bureau of Environmental Health. Under the direction and supervision of the Director of Health/Health Officer, the Bureau 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 Division of Health (UCDOH) 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 Bureau of Environmental Health will have a licensed Health Officer as its Bureau Chief. The Bureau Chief shall be the head of the Bureau and shall be responsible to the Director of the Health for its operation.

F. The Bureau of Public Health. Under the direction and supervision of the Director of Health, the Bureau 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 LINGS 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 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 Bureau of Public Health will have as its Bureau Chief the LINGS Coordinator. The Bureau Chief shall be the head of the Bureau and shall be responsible to the Director of the Health for its operation.

§ 1-129, § 1-128. 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 1-129 through 1-131. (Reserved)

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UNION COUNTY BOARD OF CHOSEN FREEHOLDERS ORDINANCE NO.633-2006 INTRO 7/20/2006 FINAL ADOPTION: 8/17/2006

was introduced and passed on first reading by the Board of Chosen Freeholders at a REGULAR MEETING on, July 20th, 2006 and said Ordinance has been published with Notice of Introduction thereof and of the time and place fixed for its further consideration and the Board has duly held a hearing thereon and has given all persons interested an opportunity to be heard. NOW, THEREFORE, BE IT RESOLVED, by the Board of Chosen Freeholders that said Ordinance be and the same hereby is finally passed and adopted, and be it FURTHER RESOLVED, that the Ordinance published herewith has been finally adopted on August 17th, 2006, and the 20 day period of limitations within which a suit, action or proceeding questioning the validity of such Ordinance can be commenced has begun to run from the date of first publication of this statement.

Nicole L. Tedeschi, Clerk of the Board of Chosen Freeholders

GUARANTY ORDINANCE OF THE COUNTY OF UNION, NEW JERSEY REGARDING THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON CERTAIN REVENUE BONDS, SERIES 2006 (CITY OF LINDEN - LINDEN THEATER REDEVELOPMENT PROJECT) OF THE UNION COUNTY IMPROVEMENT AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$1,425,000 FOR THE PURPOSE OF PROVIDING ADDITIONAL SECURITY IN CONNECTION WITH THE AUTHORITY'S PROJECT

WHEREAS, the Union County Improvement Authority (the "Authority") has been duly created by an ordinance of the Board of Chosen Freeholders (the "Board of Freeholders") of the County of Union, New Jersey (the "County"), as a public body corporate and politic of the State of New Jersey (the "State") pursuant to and in accordance with the County Improvement Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, as amended and supplemented from time to time (the "Act"); and

WHEREAS, the Authority is authorized by law, specifically Section 11 of the Act (N.J.S.A. 40:37A-5), to, among other things, provide planning and initiate and carry out redevelopment projects for the elimination and prevention of the development or spread of blighted, deteriorated or deteriorating areas and the disposition, for uses in accordance with the objectives of the redevelopment project, of any property or part thereof acquired in the area of such projects; and

WHEREAS, the City of Linden (the "City") has designated the Authority as its "redevelopment entity" for purposes of implementing the hereinafter defined Project;

WHEREAS, the City has requested that the Authority provide financial assistance for the hereinafter defined Linden Theater Redevelopment Project (the "Linden Theater Redevelopment Project");

WHEREAS, the Authority issued its "Revenue Bonds, Series 2004" (City of Linden - Linden Theater Redevelopment Project) (the "2004 Bonds") to finance the Linden Theater Redevelopment Project; and

WHEREAS, the 2004 Bonds have such other terms as set forth in that certain resolution authorizing the issuance of the "Union County Improvement Authority Revenue Bonds, Series 2004 (City of Linden - Linden Theater Redevelopment Project) of the Union County Improvement Authority and any Additional Bonds or Notes of the Union County Improvement Authority" adopted by the Authority prior to the issuance of the Bond (the "Initial Bond Resolution"); the Initial Bond Resolution, and any amendments or supplements thereto in accordance with the terms thereof may be collectively referred to as the "Bond Resolution"; and

WHEREAS, the payment of the principal of and interests on the 2004 Bonds are secured by a Deficiency Agreement by and among the County, the Trustee for the 2004 Bonds and the Authority (the "Linden Theater Redevelopment Project Deficiency Agreement"); and

WHEREAS, the Authority had determined that in order to complete Linden Theater Redevelopment Project the Authority will issue not to exceed \$1,425,000 of its "Revenue Bonds, Series 2006" (City of Linden - Linden Theater Redevelopment Project) (the "2006 Bonds"), and to induce the prospective purchasers of the 2006 Bonds of the Authority issued for the Linden Theater Redevelopment Project to purchase the same, it will be necessary that payment of the principal of (including sinking fund installments, if any) and interest on the herein defined 2006 Bonds be secured by a full faith and credit, unconditional and irrevocable guaranty of the County in accordance with a guaranty ordinance to be finally adopted by the governing body of the County and a guaranty certificate executed on the face of each Bond upon the issuance thereof by an authorized officer of the County (the "Guaranty"), all in accordance with Section 37 ("Section 37") of the Act (N.J.S.A. 40:37A-80) and other applicable law; and

WHEREAS, the Authority will issue its "Revenue Bonds, Series 2006 (City of Linden - Linden Theater Redevelopment Project)" to provide additional financing for the Linden Theater Redevelopment Project; and

WHEREAS, the 2006 Bonds have such other terms as shall be set forth in that certain Supplemental Resolution authorizing the issuance of the "Union County Improvement Authority Revenue Bonds, Series 2006 (City of Linden - Linden Theater Redevelopment Projects) of the Union County Improvement Authority and any Additional Bonds or Notes of the Union County Improvement Authority" adopted by the Authority prior to the issuance of the Bond (the "Supplemental Bond Resolution"); the Supplemental Bond Resolution, and any amendments or supplements thereto in accordance with the terms thereof may be collectively referred to as the "Bond Resolution"; and

WHEREAS, the payment of the principal of and interests on the 2006 Bonds are secured by a Deficiency Agreement by and among the County, the Trustee for the 2006 Bonds and the Authority (the "Linden Theater Redevelopment Project Deficiency Agreement, Series 2006 Bonds"); and

WHEREAS, the Authority has made application, on behalf of the County, to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey (the "Local Finance Board") for a review of the financing, including, *inter alia*, the Linden Theater Redevelopment Project Deficiency Agreement, and the Guaranty; and

WHEREAS, in accordance with the terms of Section 37 of the Act (N.J.S.A. 40:37A-80) and the Guaranty, the County shall be obligated, if necessary, to levy *ad valorem* taxes upon all the taxable property within the County without limitation as to rate or amount to make the timely payment of the principal of (including mandatory sinking fund installments, if any) and interest on the 2006 Bonds; and

WHEREAS, in order to market and sell the 2006 Bonds, (i) the Authority shall issue a Preliminary Official Statement (the "POS") and a final Official Statement (the "OS"), (ii) the Authority shall enter into a negotiated sale of the 2006 Bonds with one or more underwriters (collectively, the "Underwriter") pursuant to the terms of a bond purchase agreement (the "BPA"), (iii) the Authority and the Trustee for the 2006 Bonds, or any successor thereto in accordance with the terms of the Bond Resolution (the "Trustee") shall enter into a Continuing Disclosure Agreement (the "Continuing Disclosure Agreement") upon the issuance of the 2006 Bonds if necessary, convenient, useful or desirable in connection with Rule 15c2-12 promulgated by the Securities and Exchange Commission Act of 1934, as amended, or any successor rule or regulation thereto ("Rule 15c2-12"), and (iv) the County and the Authority shall take such actions and shall authorize, execute or acknowledge, as the case may be, and deliver such other documents, instruments or certificates as Bond Counsel to the Authority and to the County deem necessary, convenient, useful or desirable in order to issue the 2006 Bonds (collectively, the "Certificates"); and

WHEREAS, in order to induce the prospective purchasers of the 2006 Bonds to purchase same, the 2006 Bonds shall otherwise be secured by this ordinance unconditionally and irrevocably guaranteeing the principal of and interest on the 2006 Bonds, all pursuant to Section 37 of the Act (N.J.S.A. 40:37A-80)

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring) as follows:

Section 1. Revenue Bonds, Series 2006 (The Linden Theater Redevelopment Project) are sometimes collectively referred to herein as the "2006 Bonds".

Section 2. This guaranty ordinance shall be adopted by the governing body of the City in the manner provided for adoption of a bond ordinance as provided in the Local Bond Law, constituting Chapter 169 of the Pamphlet Laws of 1960 of the State, as amended (the "Local Bond Law"), codified as N.J.S.A. 40A:2-1, et seq.

Section 3. Pursuant to and in accordance with the terms of the Act, specifically Section 37 of the Act (N.J.S.A. 40:37A-80), the City is hereby authorized to and hereby shall unconditionally and irrevocably guarantee the punctual payment of the principal of (including sinking fund installments, if any) and interest on the Bond in an aggregate principal amount not exceeding \$1,425,000, which series 2006 Bonds are to be issued to finance the Linden Theater Redevelopment Project as described in the preamble hereof, on such terms and conditions as may be agreed to by and between the County and the Authority. Upon the endorsement of the 2006 Bonds referred to in Section 3 below, the County shall be unconditionally and irrevocably obligated to pay the principal of (including sinking fund installments, if any) and interest on the 2006 Bonds, when due, in the same manner and to the same extent as in the case of bond issued by the County and accordingly, the County shall be unconditionally and irrevocably obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment thereof without limitation as to rate or amount when required under the provisions of applicable law.

Section 4. An authorized representative of the Board of Chosen Freeholders ("Authorized Officer") of the County shall, by manual or facsimile signature, execute an endorsement on each of the 2006 Bonds evidencing this guaranty by the County as to the punctual payment of the principal of and interest thereon. The endorsement on each 2006 Bonds shall be in substantially the following form, and absent the fully executed

endorsement in such following form on any such 2006 Bond, such 2006 Bond shall not be entitled to the benefits of this guaranty ordinance:

GUARANTY OF THE COUNTY OF UNION OF THE STATE OF NEW JERSEY

The payment of the principal of and interest on the within Bond is hereby fully, unconditionally and irrevocably guaranteed by the County of Union of the State of New Jersey (the "County"), and the County shall be unconditionally and irrevocably obligated to pay the principal of (including sinking fund installments, if any) and interest on this Bond, when due, in the same manner and to the same extent as in the case of bond issued by the County and accordingly, the County shall be unconditionally and irrevocably obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment hereof without limitation as to rate or amount when required under the provisions of applicable law.

IN WITNESS WHEREOF, the County of Union of the State of New Jersey, has caused this Guaranty to be executed by the manual or facsimile signature of an Authorized Officer

COUNTY OF UNION STATE OF NEW JERSEY

By: Title:

Section 5. It is hereby found, determined and declared by the governing body of the County that:

(a) This guaranty ordinance may be adopted notwithstanding any statutory debt or other limitations, including particularly any limitation or requirement under or pursuant to the Local Bond Law, but the aggregate principal amount of the Bond which shall be entitled to the benefits of this guaranty ordinance, being an amount not to exceed \$1,425,000, shall, after their issuance, be included in the gross debt of the County for the purpose of determining the indebtedness of the County under or pursuant to the Local Bond Law.

(b) The principal amount of the 2006 Bond entitled to the benefits of this guaranty ordinance and included in the gross debt of the County shall be deducted and is hereby declared to be and to constitute a deduction from such gross debt under and for all the purposes of the Local Bond Law (i) from and after the time of issuance of the 2006 Bonds until the end of the fiscal year beginning next after the completion of the Linden Theater Redevelopment Project, and (ii) in any annual debt statement filed pursuant to the Local Bond Law as of the end of said fiscal year or any subsequent fiscal year if the revenues or other receipts or moneys of the Authority in such year are sufficient to pay its expenses of operation and maintenance in such year and all amounts payable in such year on account of the principal of and interest on all such guaranteed 2006 Bonds, all bonds of the County issued as provided