



TOWN OF DEWEY BEACH

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Gordon E. Elliott
Town Manager

RESOLUTION NO. 81

**A RESOLUTION OF THE COMMISSIONERS OF THE TOWN OF
DEWEY BEACH, DELAWARE TO RECOMMEND THE
NOMINATION AND TERM OF SERVICE OF THE ALDERMAN
AND ASSISTANT ALDERMAN OF THE TOWN OF DEWEY
BEACH, DELAWARE TO THE HONORABLE RUTH ANN
MINNER, GOVERNOR OF THE STATE OF DELAWARE**

WHEREAS, on June 23, 2004, the 142nd General Assembly of the State of Delaware enacted Senate Bill No. 228 entitled "An Act To Amend Title 10 Of The Delaware Code Concerning The Appointment Of Judges" which states the following:

"Section 1. Amend Title 10, Delaware Code, by adding a new section 1909, to read as follows:

1909. Appointment of Judges.

All judges of this State or any of its subdivisions shall be appointed by the Governor, by and with the consent of a majority of all Members elected to the Senate, for such terms as shall be fixed by the Constitution or by State law.

Section 2. The effective date of this Bill shall be one year after its enactment."

and,

WHEREAS, Chapter 17, Section 1702 of the Municipal Code of the Town of Dewey Beach provides as follows for the nomination and service of Alderman of the Town of Dewey Beach:

1702.QUALIFICATION OF ALDERMAN AND ASSISTANT ALDERMAN

"The Mayor shall nominate some qualified and suitable person to act as Alderman and may nominate some qualified and suitable person to act as Assistant Alderman. Any person nominated by the Mayor to serve as Alderman or Assistant Alderman shall be at least Twenty-one (21) years of age, shall be of good character and reputation, and shall not be a member of the Commissioners of Dewey Beach or otherwise employed by the Town. Any person nominated by

the Mayor to serve as Alderman or Assistant Alderman shall be nominated to serve for a term not to exceed two years and any such nomination shall be confirmed by a Resolution of a majority of all members of the Commissioners of Dewey Beach. In accordance with the provisions of Title 10, Delaware Code, Section 1909, such Nomination Resolution shall be forwarded to the Governor of the State of Delaware as a suggested candidate and the Governor may appoint said candidate, by and with the consent of a majority of all Members elected to the Senate. The Alderman or the Assistant Alderman shall not serve beyond the appointed term unless re-nominated and re-confirmed in accordance with this Section. The salary of the Alderman and Assistant Alderman shall be set by the Town Commissioners.”

And,

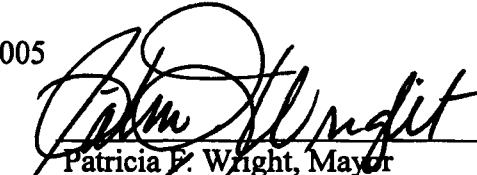
WHEREAS, Mayor Patricia Wright has presented the preliminary nominations of Marvin Guberman, the present Alderman and Barry R. Hickman, the present Assistant Alderman, to the Town Commissioners for preliminary confirmation.

NOW, THEREFORE THE COMMISSIONERS OF THE TOWN OF DEWEY BEACH, DELAWARE DO HEREBY RESOLVE BY MAJORITY VOTE OF THE TOWN COMMISSIONERS THAT:

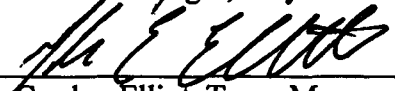
Marvin Guberman is recommended to the Governor as a suggested candidate to be appointed as Alderman of the Town of Dewey Beach, Delaware for a term of two years from the date of confirmation, and

Barry R. Hickman is recommended to the Governor as a suggested candidate to be appointed as Assistant Alderman of the Town of Dewey Beach, Delaware for a term of two years from the date of confirmation.

SO RESOLVED, this 3rd day of June, 2005



Patricia F. Wright, Mayor



Gordon Elliot, Town Manager