

RESOLUTION 34

BE IT RESOLVED BY THE COMMISSIONERS OF THE TOWN OF DEWEY BEACH THAT THE POSITION OF TOWN ADMINISTRATOR IS HEREBY CREATED. AND THAT THE QUALIFICATIONS, POWERS, DUTIES, COMPENSATION, AUTHORITY, AND REMOVAL FROM OFFICE OF SAID POSITION IS DEFINED HEREWITH. BE IT FUTHER RESOLVED THAT THE QUALIFICATIONS, POWERS, DUTIES, COMPENSATION, AND AUTHORITY OF THE TOWN ADMINISTRATOR, AS HEREIN STATED, BE COMBINED WITH THOSE DUTIES AND POWERS OF THE TOWN CLERK AND TOWN TREASURER, AS DEFINED BY THE TOWN CHARTER.

**Town Administrator**

1. Appointment. The Town Administrator shall be appointed by the Commissioners for an indefinite term. At the time of the Town Administrator's appointment, he need not be a resident of the Town, but while serving as Town Administrator he shall become domiciled within such radius of the Town Hall as determined by the Council at the time of appointment to the position.

2. Qualifications. The Town Administrator shall be chosen by the Commissioners on the basis of his executive and administrative qualifications in respect to the duties of his office hereafter set forth.

3. Bond Requirement. The Town Administrator shall give bond to the Town for the faithful performance of his duties in the amount, form and with surety as the Commissioners shall approve. The premium of the bond shall be paid by the Town.

4. Compensation. The annual compensation of the Town Administrator shall be fixed by the Commissioners and approved in conjunction with the Commissioners adoption of the annual budget.

5. Designation of replacement During Temporary Absence or Disability of Town Administrator. In the event of a temporary absence or disability of the Town Administrator, the Commissioners may designate a qualified administrative officer to exercise the powers and perform the duties of the Town Administrator during his temporary absence. The Commissioners may revoke such designation at any time.

6. Filling Vacancy in Office of Town Administrator. Any vacancy in the office of Town Administrator shall be filled promptly by the Commissioners and within 60 days after the effective date of such vacancy, if feasible.

7. Term of Town Administrator; removal from Office. The Town Administrator shall hold office for an indefinite term and may be removed or suspended from office by the Town Commissioners for whatever reason whatsoever.

8. Town Administrator to Deliver Official Documents to Commissioners on Resignation or Removal. The Town Administrator shall give over to the Commissioners in case of his resignation, removal or suspension from office all books, papers, vouchers, money and other property of whatever kind belonging to the Town which are in his possession.

9. Interference of Commissioners with Town Administrator, Appointment, Removal or Direction of Personnel Prohibited. Except for the purpose of inquiry, The Commissioners shall deal with that portion of the administrative service for which the Town Administrator is responsible solely through the Town Administrator.

10. Powers and Duties Generally. The Town Administrator shall have the power and it will be his duty to:

a. Subject to the approval of the designated Commissioner who has overall departmental responsibility, direct, coordinate and supervise the administration of the Administrative and Treasurers department.

b. To attend all meetings of the Commissioners and have the right to take part in discussion, but he may not vote.

c. To see that all laws, provisions of the Town Charter, franchises and acts of the Commissioners, subject to enforcement by him or employees subject to his direction and supervision are faithfully executed.

d. To prepare and submit the annual budget and capital program to the Commissioners in conjunction and with the approval of the Department Head and Commissioner with Department authority.

e. To submit to the Commissioners and make available to the public a complete report on the finances and administrative activities of the Town as required by the Charter.

f. To make such other reports as the Commissioners may require concerning the operation of the Administrative and Treasurer's Department.

g. To keep The Commissioners fully advised as to the financial condition and future needs of the Town, and make such recommendations to The Commissioners concerning the affairs of the Town as he deems desirable.

h. to perform such other duties as are or may be specified in the Town Charter or as may be required by the Commissioners in the legal exercise of its duties and functions.

i. To supervise the purchase of all materials, supplies and equipment for which funds are provided in the budget; make contracts necessary for operation or maintenance of Town services for amounts up to and including \$500.00; any contracts as aforesaid

between Five Hundred Dollars (\$500.00) and Two Thousand Dollars (\$2,000.00) must be approved by the Mayor. No contract in excess of Two Thousand Dollars and no contract for new construction shall be let except by the Commissioners. However the Commissioners are allowed to adjust line items in their budgets except for salaries and related fringe benefits.

j. To devote the time designated by the commissioners in the discharge of his official duties.

k. Whenever necessary to fill vacancies in administrative or other positions that are required by law or charter to be appointed by the President (Mayor) of the Board of Commissioners and/ or the Commissioners, the Town Administrator shall submit the names of qualified individuals with his recommendations to the President(Mayor) of the board of Commissioners and/or the Commissioners for consideration. The Town Administrator may recommend the removal or suspension of any appointee when it would be in the best interest of the Town, and the President and/or The Commissioners shall consider his recommendations. All recommendations for appointment or removal shall be based solely on the merit, qualifications, or disqualifications of the official concerned without regard to his political beliefs or affiliations.

l. Recommend to the Commissioners a standard schedule of pay for the administrative and treasurers departments.

m. Recommend to The Commissioners from time to time adoption of such measures as he may deem necessary or expedient for the health, safety or welfare of the Town for the improvement of administrative services. To consolidate or combine offices, positions, departments or units under his jurisdiction with approval of The Commissioners.

11. Emergency Contracts and Purchases Authorized. In case of accident or emergency, the Town Administrator may, with the consent of the President (Mayor) of the Board of Commissioners, award contracts and make purchases for the purpose of repairing damages caused by the accident or meeting the public emergency; but he shall promptly file with The Commissioners a certificate showing the emergency and the necessity for such action, together with an itemized account for all expenditures.

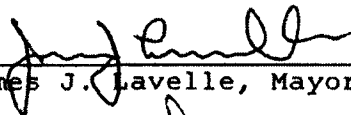
12. Power of Town Administrator to Appoint, Suspend and Remove Town Employees. The Town Administrator may, with the consent of the President (Mayor) of the Board of Commissioners, and the designated Commissioner who has overall responsibility for that department, appoint, suspend and remove temporary and summer employees under his supervision.

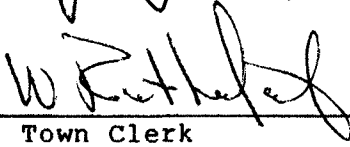
13. Savings clause If any section, subsection or sentence, clause or phrase of this ordinance is for any reason held invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance. all ordinances of the Town

describing the duties of the heads of departments shall remain in full force and effect except in so far as they conflict with the provisions of this ordinance in which case the provisions of this ordinance shall govern and prevail.

14. The Town Administrator shall coordinate with the other department heads all administrative/treasury activity.

15. The current Town Clerk /Town Treasurer position description is herewith incorporated into this job description.

  
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James J. Lavelle, Mayor

ATTEST:   
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Town Clerk