

CHAPTER 247
FORMERLY
SENATE BILL NO. 172

AN ACT TO AMEND THE CHARTER OF THE TOWN OF HENLOPEN ACRES RELATING TO TOWN OFFICIALS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend Section 15 of the Charter of the Town of Henlopen Acres, by making deletions as shown by strike through and insertions as shown by underline as follows:

Town Manager

Section 15.

- (c) The Town Manager shall not be a member of the Town Commissioners. ~~He shall give corporate bond to the corporation in an amount fixed by it conditioned for the faithful performance of his duties, the payment to the Town of all money coming into his hands as Town Manager from whatever source derived, and in the event of death, resignation or removal from office, the delivery to his successor of all papers, books, records and other property of the Town in his hands or under his control.~~
- (d) He shall receive as compensation for his services an annual salary to be fixed, from time to time, by resolution of Commissioners payable in twelve installments.

Section 2. Amend Section 16 of the Charter of the Town of Henlopen Acres, by making insertions as shown by underline and deletions as shown by strikethrough as follows:

The Treasurer

Section 16.

- (a) A Treasurer of the Town of Henlopen Acres shall be appointed by the Town Commissioners of Henlopen Acres at their annual meeting hereinbefore provided. He shall hold his office for the term of one year from the date of his appointment at such annual meeting or if he be appointed to fulfill an unexpired term, his appointment shall expire one year from the date of the annual meeting immediately preceding his appointment.
- (b) The Treasurer must be a resident Commissioner of the Town of Henlopen Acres.
- (c) The compensation, if any, to be received by the Treasurer of Henlopen Acres shall be fixed by the Town Commissioners of Henlopen Acres.
- ~~(d) The Treasurer shall file with the Town Commissioners of Henlopen Acres, a Bond with corporate surety, approved by the Commissioners in the sum of not less than \$25,000 to be paid for by the Town Commission. The Bond shall be conditioned upon the faithful performance of his duties of his office and the restoration to the Commissioners of Henlopen Acres in the case of his death, resignation or removal from office of all books, papers, vouchers, and other property of whatever kind in his possession belonging to the Town of Henlopen Acres.~~
- ~~(e)~~(d)The Treasurer or the Treasurer's designated agent shall be the custodian of all the funds of the Town. ~~He~~ The Treasurer or the Treasurer's designated agent, shall deposit them in banking institutions prescribed by the Town Commissioners and the Treasurer shall maintain an accounting system in the form required by the Commissioners.
- ~~(f) The Treasurer shall promptly deposit in such bank or trust company doing business in Lewes and Rehoboth Hundred as may be designated as depository by ordinance or resolution of Commissioners all money received by him, and, as directed by ordinance or resolution keep and maintain separate accounts of moneys received from taxes, water rentals, sewer service charges, or otherwise.~~
- ~~(g) At a regular monthly meeting of the Commissioners he shall be prepared to render to the Commissioners a true and detailed account of all money collected or received by him in the performance of his duties, and of all moneys disbursed for and on account of the Town and its agencies and departments; and all books, records and documents showing the receipt and disbursement of money shall be open to inspection by the Mayor and any member of the Commission at any time.~~

~~(h)~~ At least thirty (30) days prior to the municipal election he shall prepare and post in his office a list of all taxables who are then in arrears in the payment of taxes.

~~(i)~~(e) He shall perform such other duties as may be provided by this Charter, or as prescribed by ordinance or resolution of the Commissioners.

~~(j)~~(f) ~~The Treasurer shall pay out no money except upon check or warrant countersigned by the Mayor of the Town of Henlopen Acres and authorized by the Commissioners of Henlopen Acres.~~ The Treasurer shall supervise the disbursement of all monies and have control of expenditures to assure reasonable compliance with budget estimates.

~~(k)~~(g) He shall ~~keep~~ cause to be kept a true, and accurate and detailed account of all monies received and of all monies paid out by him. He shall preserve all vouchers for monies paid out by him and his books and accounts shall, at all times, be open to inspection by the Commissioners. He shall make such reports and at such times as the Commissioners shall direct.

~~(l)~~(h) He shall prepare, in conjunction with the ~~Secretary~~ Mayor and the Town Manager, an annual ~~report of the financial condition of the Town~~ budget to be submitted to the Commissioners.

Section 3. If any provision of this Act shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Act which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Act are hereby declared to be severable.

Approved June 10, 2014