

**BOROUGH OF NORTH YORK
YORK COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2023- 01

**A RESOLUTION OF THE NORTH YORK BOROUGH COUNCIL
PROVIDING FOR THE SALE OR DISPOSAL OF PERSONAL PROPERTY**

WHEREAS, North York Borough (hereafter, Borough) is a political subdivision of the Commonwealth of Pennsylvania, and it is governed in accordance with the Borough Code, which specifically provides that the Borough shall be governed by Borough Council (hereafter, Council), 53 P.S. §46006; and

WHEREAS, under the Borough Code, no personal property of the Borough shall be sold or disposed of without the approval of Council, 53 P.S. §46201.2; and

WHEREAS, no personal property owned by the Borough, the estimated fair market value of which is One Thousand (\$1,000.00) Dollars or more, shall be sold except to the highest bidder after due notice by advertisement for bids or for public auction in one newspaper of general circulation, 53 P.S. §46201.2(a)(1); and

WHEREAS, a public auction shall include an online or electronic sale, 53 P.S. §46201.2(a)(2); and

WHEREAS, the advertisement for bids or public auction shall be published once not less than ten days before the date set for the opening of bids or public auction, and the date for opening bids or public auction shall be announced in the advertisement, 53 P.S. §46201.2(a)(1); and

WHEREAS, Council may reject any bids received if the bids are believed to be less than the fair market value of the property, 53 P.S. §46201.2(a)(3); and

WHEREAS, if, after attempting to receive bids or if at public auction no bid was received, Council may by resolution adopt the procedure by which the personal property may be sold without further action of Council, 53 P.S. §46201.2(a)(3) and 73 P.S. §1641 et seq.; and

WHEREAS, with respect to personal property, either individual items or lots of items, the fair market value of which is estimated to be less than One-Thousand (\$1,000.00) Dollars, Council shall by resolution adopt a procedure by which the property may be sold without further action by Council, 53 P.S. §46201.2(b); and

WHEREAS, this Resolution is intended to, (a) approve the sale or disposal of personal property at public auction, and (b) authorize a procedure by which personal property may be sold without further action of Council.

NOW, THEREFORE, be it resolved by Council, as follows:

1. All surplus personal property owned by the Borough, the estimated fair market value of which is One-Thousand (\$1,000.00) Dollars or more, shall be sold to the highest bidder at public auction, after due notice by advertisement, as provided above.

2. With respect to surplus personal property, either individual items or lots of items, the fair market value of which is estimated to be less than One-Thousand (\$1,000.00) Dollars, but more than One-Hundred (\$100.00) Dollars, such personal property will be sold at public auction, if practicable. If not practicable, then such surplus personal property shall be disposed of by the Borough Manager who, in disposing of such property, shall consult with the Borough Solicitor.


3. If at public auction no bid is received, the surplus personal property described above at no. 1 may be sold to a purchaser of Council's choosing, for such value as Council determines to be in the Borough's best interest.

4. With respect to all surplus personal property, either individual items or lots of items, the fair market value of which is estimated to be less than One Hundred (\$100.00) Dollars, such personal property may be donated by the Borough Manager to any bona fide charitable organization, as determined by I.R.C. §501(c)(3).

5. The Borough Code's bidding and advertising requirements for surplus property do not apply if, (a) the Borough's surplus personal property is to be traded in or exchanged for new or used personal property being acquired by the Borough, 53 P.S. §46201.2(c), or (b) the sale or lease of such property is made to any of the purchasers identified at 53 P.S. §46201.3.

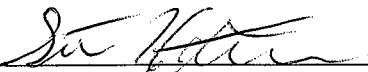
6. This Resolution was duly adopted by a motion of Council this 14th day of February 2023.

ATTEST



Sonya Grim
Borough Manager Secretary

BOROUGH OF NORTH YORK



Seth Hightman
Council President

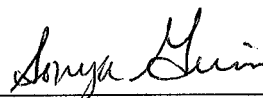
CERTIFICATE

2023- 01

I, the undersigned officer of the Borough of NORTH YORK, hereby certify that the foregoing Resolution was approved by majority vote of the entire Council at a meeting duly convened according to law and held on February 14, 2023, at which meeting a quorum was present; said Resolution has been recorded in the minutes of said Council; and said Resolution remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Borough of NORTH YORK met the advance notice requirements of the Pennsylvania Sunshine Act, 65 Pa. Cons. Stat. §701 et seq., by advertising the time and place of said meeting and by posting prominently a notice of said meeting at the principal office of the Borough or at the public building in which said meeting was held.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Borough of NORTH YORK this 14th day of February 2023.



Sonya Grim
Secretary

(SEAL)