

MUNICIPALITY OF NORRISTOWN
A HOME RULE MUNICIPALITY
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION NO. 21-70 of 2021

**A RESOLUTION OF THE COUNCIL OF THE MUNICIPALITY OF NORRISTOWN
MONTGOMERY COUNTY, PENNSYLVANIA, AUTHORIZING THE SALE and disposal OF
unnecessary MUNICIPAL PROPERTY with a value of less than \$2,000.**

WHEREAS, Article VI, § 4-36 of the Municipality of Norristown Administrative Code states that the Municipal Administrator shall have the authority to dispose of surplus personal property owned by the Municipality with a value of less than \$2,000, in the manner most beneficial to the Municipality with the prior approval of the Council.

WHEREAS, the Pennsylvania Borough Code also permits a waiver of formal sale procedures including legal advertising when the borough property to be sold has an estimated fair market value less than \$2,000 so long as such borough has adopted by resolution procedures for such sale, either individually or by lot, See 8 Pa. C.S.A. § 1201.2(b); and

WHEREAS, Municipal Council now desires to adopt procedures to permit the Municipal Administrator to sell or dispose of unused, surplus, inoperable, or outdated Municipal personal property valued at less than \$2,000 without the need for legal advertising or formal, separate approval resolutions.

NOW, THEREFORE, BE IT RESOLVED by the Members of Council of the Municipality of Norristown, that the Municipal Administrator at his discretion is hereby authorized to sell or dispose of unused, surplus, inoperable, or outdated Municipal personal property valued at less than \$2,000, pursuant to the following procedures:

SECTION I. SALE OR DISPOSAL OF SMALL VALUED MUNICIPAL PROPERTY PROCEDURES.

1. The Municipal Administrator or his/her designee shall first determine that the Personal Property to be sold is unused, surplus, inoperable, or outdated, which determination may include whether the Personal Property is no longer cost effective to operate.
2. The Municipal Administrator or his/her designee shall then reasonably estimate the fair market value of the personal property by using one of the following procedures:
 - a. Obtaining two estimates, whether verbal or written, from two independent vendors who sell similar or comparable products, with the average of the two estimates being considered the estimated fair market value; or
 - b. Obtain value from industry sources (i.e. Kelley Blue Book) or insurance claim information; or

c. Using current market information for similar items to estimate current value with further consideration and reduction given to existing conditions or useful life of personal property to be sold; or

d. Such other procedure or evaluation in Municipal Administrator or his/her designee discretion that may be employed to determine a reasonable estimation of fair market value taking into consideration the circumstances of the personal property to be sold including such things as age, use, and type.

3. If the personal property meets the requirements as set forth in Nos. 1 and 2 above, then it may be sold or disposed of either individually or by lot.

4. Municipal Council recognizes that unnecessary or surplus personal property that has met a useful lifespan or no longer holds competitive fair market value, such as certain electronic devices, may not be appropriate for even small sale procedures. Therefore, the Municipal Administrator may, in lieu of a sale, dispose of items that reasonable has no or little fair market value through a professional recycling or buy-back program without being advertised or receiving approval by Municipal Council.

5. Any person authorizing or conducting a sale or disposal pursuant to these regulations shall be subject to the Pennsylvania Ethics Act and the Code of Ethics as contained in the Norristown Home Rule Charter, §§41.9-901 *et seq.*

SECTION II. SEVERABILITY.

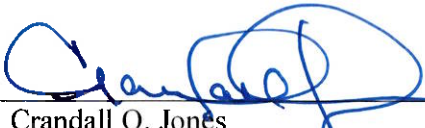
In the event any provision, section, sentence, clause, or part of this Resolution shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Resolution, it being the intent of Municipal Council that the remainder of the Resolution shall be and shall remain in full force and effect.

ENACTED and ORDAINED this 17th day of August 2021.

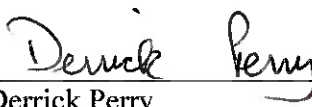
Seal:

Municipality of Norristown
Municipal Council

Attest:


Crandall O. Jones
Municipal Administrator
Municipal Secretary

By:


Derrick Perry
Council President