

RESOLUTION NO. 708

**BOROUGH OF MALVERN
CHESTER COUNTY, PENNSYLVANIA**

A Resolution for the Borough of Malvern, Chester County, Pennsylvania, establishing the procedure for the sale of surplus personal property of the Borough.

BACKGROUND

WHEREAS, pursuant to Section 1201.2(b) of the Borough Code, 8 Pa.C.S.A. §§ 101 et seq., the Borough Council, by resolution may adopt a procedure for the sale of individual items of, or lots of, surplus personal property, of an estimated fair market value of less than one thousand dollars (\$1,000.00); and

WHEREAS, Section 1201.2(a.1) of the Borough Code permits the sale of certain personal property of the Borough to be sold via electronic auction; and

WHEREAS, the Borough does now have, and from time to time comes to be in possession of and title to, such surplus property; and

WHEREAS, Section 25-21 of the Administrative Code of the Code of Ordinances of the Borough of Malvern grants to the Borough Manager the authority to dispose of surplus equipment or supplies with a sale value of less than \$500 in the manner most beneficial to the Borough.

MATTERS RESOLVED

NOW THEREFORE, Borough Council hereby RESOLVES as follows:

1. The Borough Council of the Borough of Malvern hereby authorizes the disposition, sale, and conveyance of the Surplus Personal Property described in Exhibit "A" attached hereto.
2. The Borough Manger, in his or her discretion, is hereby authorized to electronically advertise and offer for purchase the Surplus Personal Property as he or she deems appropriate and in the best interest of the Borough.
 - a. The foregoing shall include, without limitation, the direct sale of any item of Surplus Personal Property via an online store or such other electronic means as the Borough Manager deems appropriate. The price for such items, exclusive of shipping costs to the buyer, shall be less than the maximum fair market value authorized under the Borough Code, or the Code of Ordinance of the Borough of Malvern, whichever is less (to wit, as of the date of this Resolution, \$500).

- b. The foregoing shall include, without limitation, the authority for the Borough Manager to conduct an online auction via the standard terms and conditions of sale of eBay.com and its affiliates as may be amended from time to time. In the case of any online auction, the Borough Manager shall be authorized to establish a minimum bid or reserve price, provided that such reserve or minimum bid shall be less than the maximum fair market value authorized under the Borough Code, or the Code of Ordinance of the Borough of Malvern, whichever is less (to wit, as of the date of this Resolution, \$500).
3. The Borough Manager is hereby authorized, in the course of the sale of Surplus Personal Property as described herein, to incur such costs as are reasonable and ordinary for the type of such electronic sales, including, without limitation, the payment of listing fees, premium placement fees, commissions, shipping costs, and account maintenance fees.
4. The Borough Manager is hereby authorized to establish one or more online accounts in the name of the Borough of Malvern with PayPal or similar providers, for the receipt by and payment of funds in connection with the sale of Surplus Personal Property as described herein.
5. The Borough Manager is hereby authorized to establish and maintain a means for the Borough to accept credit card payments in person or online in order to conduct the sale of Surplus Personal Property, including the establishment of a merchant credit card processing account.
6. The Borough Manager shall assure that records of each auction or sale as permitted herein are maintained by the Borough, including the full record of bids received, and shall make such records available for public inspection upon request.

Passed by Borough Council,

this 15 day of March, 2016.



David G. Bramwell, President

Approved by the Mayor,

this 15 day of March, 2016.



David B. Burton, Mayor

Enacted,

this 15 day of March, 2016.



Christopher Bashore, Secretary

EXHIBIT A

To Resolution No. 708

List of Surplus Personal Property to be Sold

Items [†]	Fair Market Value (ea.)
<u>A Century in Malvern</u> by Nancy B. Schmitt	\$35.00
<u>Malvern Items</u> by Nancy B. Schmitt	\$25.00
<u>Malvern Treasures</u> by Nancy B. Schmitt	\$40.00
Malvern Borough 100 th Anniversary Posters	\$10.00
Malvern Borough 125 th Anniversary Commemorative Coins	\$2.00
Malvern Borough 125 th Anniversary Outdoor Banners	\$75.00
Miscellaneous Postcards	\$0.50
Hires Building Postcards	\$0.50
Malvern Inn Postcards	\$0.50
Malvern Train Station Postcards	\$0.50
Coloring Books by Unknown Willistown Author	\$7.00

[†] The Borough is in possession of an unknown quantity of each of these items.

