

**LOCAL LAW INTRO. NO. -2009**

A LOCAL LAW amending the procedures for the sale or lease of surplus property as set forth in Section 836.31 of the Laws of Westchester County by adding a new subsection 5 to provide the Purchasing Agent the power to sell up to eighty four (84) surplus transit buses to the MTA Bus Company, a corporate subsidiary of the Metropolitan Transportation Authority, a New York State public benefit corporation, at a price not to exceed Two Thousand Six Hundred (\$2,600) Dollars per bus.

**BE IT ENACTED** by the County Board of the County of Westchester as follows:

**Section 1.** Section 836.31 is hereby amended to read as follows:

1. Surplus, obsolete or unused supplies, materials, or equipment in any storeroom or warehouse or not required by any agency of the county, except: computers and computer equipment, shall be surrendered to the Purchasing Agent and shall be sold or leased by him as provided for in 836.31(2), (3), (4) and (5) of this section.
2. Such supplies, materials of equipment as set forth in 836.31(1) of this section may be sold or leased to the highest responsible bidder at public auction or after receipt of bids and after advertisement in at least two (2) successive issues of a daily paper published in the County of Westchester.
3. Whenever in the opinion of the Purchasing Agent, the value of such item as mentioned in 836.31(1) of this section does not exceed the sum of one thousand dollars (\$1,000.), he may sell or lease the same to the highest bidder without public advertisement. Bids on such items must be obtained from at least three (3) bidders, whenever possible. If, however, only one (1) bid is

submitted to the Purchasing Agent, the sale or lease shall be made at a price not less than the value fixed by the Purchasing Agent.

4. All surplus, obsolete or unused materials, supplies and equipment, which, in the opinion of the Purchasing Agent and the head of the department involved, are not salable, may be destroyed or otherwise disposed of under the direction of the Purchasing Agent. This provision shall not apply to public records or computers and computer equipment.

5. Notwithstanding the above, the Purchasing Agent is hereby authorized to sell to the MTA Bus Company, a corporate subsidiary of the Metropolitan Transportation Authority a New York State public benefit corporation, up to eighty-four (84) transit buses acquired by the County in 1995 and 1996. Each bus shall be made available for sale only when and if the County Commissioner of Transportation determines that it is no longer required for public transit service and is surplus to the needs of Westchester County. The MTA Bus Company shall pay to the County a price not to exceed Two Thousand Six Hundred (\$2,600) Dollars for each bus accepted.

**§2.** The Clerk of the Board, as soon as practicable after the adoption of this Local Law, shall cause a notice of this Local Law to be published at least once in one or more newspapers published in the County of Westchester, selected by the Clerk for that purpose, said notice to contain the number, date of adoption and a true copy of the Local Law, and a statement that this Local Law changes a provision of law relating to the sale, exchange or leasing of County property and is therefore subject to the provisions of Section 209.171(7) of the Westchester County Administrative Code and New York State Municipal Home Rule Law §24(2)(g), providing for a permissive referendum.

**§3.** This Local Law shall take effect sixty (60) days after its adoption.