

**A RESOLUTION OF THE
BOROUGH OF CHAMBERSBURG
FRANKLIN COUNTY, PENNSYLVANIA,
TO RESPOND TO THE 2020 CORONAVIRUS HEALTH EMERGENCY
(COVID-19)**

**BY RATIFYING THE ADMINISTRATIVE ACTIONS
TAKEN BY THE MAYOR & BOROUGH MANAGER
AND AUTHORIZING THE CONTINUATION OF
A LOCAL STATE OF EMERGENCY**

WHEREAS, the Borough of Chambersburg is authorized under the Borough Code Section 3301.1 to adopt ordinances and resolutions for any purpose and as deemed beneficial to the borough, 8 Pa C.S. § 3301.1, and to make regulations as may be necessary for the health, safety, and general welfare of the borough, 8 Pa. C.S. § 1202(5); and

WHEREAS, on March 6, 2020, pursuant to Section 7301(c) of the Emergency Management Services Code, 35 Pa. C.S. § 7101, et seq., Governor Tom Wolf issued a Proclamation of Disaster Emergency, proclaiming the existence of a disaster emergency across the Commonwealth of Pennsylvania as a result of the spread of coronavirus or COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

WHEREAS, on March 13, 2020, President Donald J. Trump issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak, pursuant to Sections 201 and 301 of the National Emergencies Act (50 U.S.C. § 1601, et seq.); and, consistent with Section 1135 of the Social Security Act as amended (42 U.S.C. § 1320b-5). Finding and proclaiming that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020; and

WHEREAS, on March 18, 2020, Mayor Walter Bietsch proclaimed the existence of a local disaster emergency in the Borough of Chambersburg as a result of the COVID-19 virus; and

WHEREAS, the Borough of Chambersburg is required to staff all operations of the Borough of Chambersburg, 24 hours a day every day of the year, and all employees are designated life sustaining and mission critical pursuant to Federal and State guidelines; and

WHEREAS, the Borough of Chambersburg has adopted and is currently following a Pandemic Response Plan, under the management of the Emergency Management Coordinator and the supervision of the Borough Manager; and

WHEREAS, the COVID-19 virus has the potential to endanger the health, safety, and general welfare of a substantial number of persons and businesses in the Borough of Chambersburg; and

WHEREAS, as of today, the COVID-19 pandemic threatens to cause injury, damage, and suffering to the citizens and visitors within the Borough of Chambersburg, Franklin County, Pennsylvania; and

WHEREAS, the continuation of public services, utility services, emergency services, and civil society, is paramount during a crisis; and

WHEREAS, the Borough of Chambersburg is the local government authorized to enforce laws, promulgate policies, establish rules, and to provide for the general welfare during a crisis or emergency; and

WHEREAS, the Mayor, President of Town Council, Vice President of Town Council, and Borough Manager, together have established a working group to evaluate the impact of the emergency and collectively recommend actions that are necessary to protect the public safety and general welfare of the community;

NOW THEREFORE BE IT RESOLVED, in consideration of the aforementioned, the Town Council of the Borough of Chambersburg, having been authorized pursuant to the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. § 7101, et seq., do hereby proclaim the existence of a local disaster emergency in the Borough of Chambersburg (this “Resolution”); and further be it

RESOLVED, that the Town Council of the Borough of Chambersburg, pursuant to the Borough Code of the Commonwealth of Pennsylvania do hereby ratify and extend the declaration of a local disaster emergency; and

RESOLVED, that the Town Council of the Borough of Chambersburg due hereby authorize and direct the following actions:

1. The Mayor, President of Town Council, Vice President of Town Council, and Borough Manager, together shall continue as a working group established to review and advise on administrative actions necessary during this local disaster emergency
2. The Borough of Chambersburg’s Emergency Management Coordinator and administrative staff shall coordinate the activities of the emergency response, to take all appropriate action needed to alleviate the effects of this disaster, to aid in restoration of essential public services, and to take any other emergency response action deemed necessary to respond to this emergency
3. The Borough of Chambersburg’s Administrative Staff, under the direction of Borough Manager Jeffrey Stonehill, as necessary, shall meet the current and ongoing demands of this emergency as provided for in State and Local Law
4. Further, the Borough Manager in his role as Chief Administrative Officer of the Borough of Chambersburg, is directed to promulgate those policies and make those administrative decisions necessary to protect the health, safety, and general welfare of the citizens, visitors, and businesses of the Borough of Chambersburg
5. The Borough Manager may implement emergency assignments without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) pertaining to the performance of public work, the

entering into contracts, the incurring of obligations, the assignment of workers, tools, and equipment, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes and fees, and the appropriation and expenditure of public funds

6. The Town Council herein suspends the provisions of any regulatory ordinance prescribing procedures for the conduct of the Borough of Chambersburg's business, or the orders, rules, and regulations of any Borough of Chambersburg Department, if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with this emergency; and further authorizes the Borough Manager to waive any administrative enforcement or regulations necessary
7. The Borough of Chambersburg services and employees shall be designated as life sustaining, critical to health, safety, and the general welfare of the municipality, and this designation of emergency responders shall extend to all employees of the Borough of Chambersburg
8. The Borough of Chambersburg herein adopts the U.S. Department of Homeland Security guidance, MEMORANDUM ON IDENTIFICATION OF ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS DURING COVID-19 RESPONSE, as published by the Cybersecurity and Infrastructure Security Agency (CISA) on March 19, 2020, as the guidance for the identification of mission critical employees and operations
9. The Borough of Chambersburg shall voluntarily comply with the March 13, 2020 PUC Emergency Order prohibiting utility termination during the pendency of the Proclamation of Disaster Emergency proclaimed by Governor Tom Wolf on March 6, 2020
10. The Borough of Chambersburg shall institute, effective with the issuance of April 2020 utility invoices, a system by which all utility usage, unless specifically exempted by the Borough Manager, shall be "estimated usage"; and further, utility invoices issued thereafter shall be calculated upon "estimated usage"; and further, such invoices shall be due and owing the same as if they were calculated on "actual usage"; and further, the Borough Manager shall adopt a system by which customers' accounts shall be reconciled, as of a date of his choosing, between "estimated usage" and "actual usage"; and further, overpayments shall result in a credit on an account (unless the account has been closed) and underpayments will be due within fifteen (15) days of reconciliation
11. Temporary parking restrictions and rules adopted as a result of the COVID-19 crisis are herein extended for a 90-day review period
12. For the duration of the emergency hereby declared, all persons are hereby ordered and directed to obey all lawful orders and directives of Borough of Chambersburg Police Department police officers, State police officers, and all other duly constituted peace officers, regarding routes for vehicles and pedestrian traffic; and

further, if necessary, pursuant to the Borough Code, the Mayor may declare certain streets and thoroughfares closed to public traffic

13. The Mayor of the Borough of Chambersburg is herein authorized to direct the response and enforcement of any lawful stay-at-home, quarantine, or shelter-in-place, order as may be given by local, state, or federal authorities
14. Citizens, businesses, establishments and other organizations are directed to comply with the orders as issued by the Commonwealth of Pennsylvania, including but not limited to a temporary suspension or modification of any business or occupancy license issued by the Borough of Chambersburg; and/or liquor and retail food service permits as issued by the Chambersburg Board of Health
15. The Chambersburg Board of Health is herein authorized to communicate and inform the citizens and businesses of the Borough of Chambersburg with practices to lessen or end this health emergency; this can extend to any area of public health activity necessary to combat this pandemic
16. The Families First Coronavirus Response Act (FFCRA or Act) requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. While the Federal Law indicates that these provisions will apply from April 1, 2020, through December 31, 2020, the Borough of Chambersburg's payroll period encompassing April 1, begins Wednesday, March 25, 2020, and therefore, by order of the Town Council, the provisions of the FFCRA shall be available to Borough employees beginning on March 25, 2020. The Borough Manager shall be delegated the authority to designate employees as "emergency responders" thereunder
17. The Council President is herein authorized to execute any side agreements with the various labor unions of the Borough of Chambersburg necessary to address staffing and overtime during the State of Emergency, subject to ratification by Town Council
18. Effective at 5:01 p.m. on March 20, 2020, and for the balance of the State of Emergency, City Hall and the Utility Department Addition are closed to all members of the public unless a staff member escorts them; and further, any public meeting of Town Council shall have limited ADA access to the public through the Queen Street entrance to Council Chambers only
19. While public parks are open for passive and solo recreation, please be conscious of social distancing and respect that all "in-park" facilities (tennis courts, picnic pavilions, basketball courts, athletic fields, the Recreation Center, etc.) are closed to the public effective 12:01 am on March 21, 2020; and further, Park Guards will be dispatched to remind visitors
20. All other Borough buildings are closed entirely to the public (unless you are an approved contractor or supplier) effective at 5:01 p.m. on March 20, 2020
21. Chambersburg utility workers will be asking a prepared set of simple questions about household health before entering into a private and/or confined space to

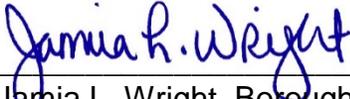
address utility repairs; and further, Town Council respectfully requests that the public cooperate with this new protocol or workers may be prohibited from assisting customers utility needs in a timely manner

22. Any Utility Billing Flier or other public information necessary to be disseminated may be approved by the Borough Manager, with consultation of the President and Vice President of Town Council, during the pendency of the State of Emergency
23. This state of emergency hereby declared by this Resolution shall remain in effect beginning immediately on Tuesday, March 31, at 12:01 a.m., is retroactive to the declaration by the Mayor of Chambersburg on Wednesday, March 18, at 12:01 a.m., and shall end when declared over by action of Town Council

NOW THEREFORE, On a motion by Council Member Chaudhry, seconded by Vice President Herbert, by a vote of 6-0-4 (Council Members Huber, Beattie, Bigler and Talhelm were absent), it was resolved by the Town Council of the Borough of Chambersburg to adopt this resolution the 30th day of March, 2020.

CERTIFICATION

I, Jamia L. Wright, Borough Secretary of the Borough of Chambersburg attest that this Resolution was officially adopted by the Mayor and Town Council of the Borough of Chambersburg at a duly-called meeting held March 30, 2020.



Jamia L. Wright, Borough Secretary