

**MIDDLETOWN BOROUGH**

**RESOLUTION NO. 2020-6**

**RESOLUTION TO EXTEND AND MODIFY  
DECLARATION OF DISASTER EMERGENCY  
RELATING TO COVID-19 PANDEMIC**

**WHEREAS**, the Borough of Middletown, Dauphin County, Pennsylvania (the “Borough”), is a body corporate and politic duly organized and existing as a political subdivision of the Commonwealth of Pennsylvania; and

**WHEREAS**, the COVID-19 virus threatens to cause injury, damage, and suffering to the persons of the Borough of Middletown; and

**WHEREAS**, the COVID-19 virus has the potential to endanger the health, safety and welfare of a substantial number of persons residing in the Borough of Middletown, and threatens to create problems greater in scope than the Borough may be able to resolve through traditional measures; and

**WHEREAS**, emergency management measures are required to reduce the severity of this disaster and to protect the health, safety and welfare of affected residents and the community at large in the Borough of Middletown; and

**WHEREAS**, on March 16, 2020, the Mayor, in accordance with Chapter 16 (Emergency Management) of the Code of the Borough of Middletown; the Pennsylvania Borough Code, 8 Pa. C.S. §10A06; and Section 7501 of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. §7501, issued a Declaration of Disaster Emergency with respect to the COVID-19 threat that, by law, is set to expire within seven days of such Proclamation unless extended by action of Borough Council; and

**WHEREAS**, Borough Council, finding that the threat posed by the COVID-19 emergency is not likely to be abated within seven days of the Proclamation, and finding that the duration of such threat and of the need for emergency procedures and measures to be in place is currently unknown, has determined that it is in the best interests of the Citizens of Middletown for the said Declaration of Disaster Emergency and certain procedures and measures relating thereto to be extended indefinitely until further action of Council, subject to any modifications provided for in this Resolution; and

**WHEREAS**, in view of such COVID-19 emergency, Borough Council also finds it to be in the interests of public health, safety and welfare to suspend for a period of sixty days any terminations of electrical service by the Borough for nonpayment.

**NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE BOROUGH, AS FOLLOWS:**

**Section 1.** The Borough approves, ratifies, and confirms all action heretofore taken by the Borough pursuant to the said March 16, 2020 Declaration of Disaster Emergency as issued by the Mayor.

**Section 2.** The Declaration of Disaster Emergency related to COVID-19 is hereby modified and extended, indefinitely, until rescinded or modified by further Resolution of Council.

**Section 3.** During the period of such Disaster Emergency, unless earlier modified by further Resolution of Council, the following shall rules and procedures shall apply:

- a) The Borough of Middletown Emergency Management Coordinator and response team shall coordinate the activities of the emergency response, take all appropriate action needed to alleviate the effects of this disaster, aid in restoration of essential public services, and take any other emergency response action deemed necessary to respond to this emergency.
- b) Borough Management, in coordination with Administrative Staff, of the Borough of Middletown is hereby authorized to act, under the Mayor's or designee's direction, as necessary to meet the current and ongoing demands of this emergency, namely: Borough departments may implement emergency assignments without regards to procedures required by other laws, except mandatory constitutional requirements, pertaining to performance of public work, entering into contracts, incurring obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, and expenditures of public funds. Notwithstanding the forgoing, or any other provision of this Proclamation, any overtime for the Police Department must be approved in advance by the Mayor, and any overtime for any other employees must be approved in advance by the Borough Manager.
- c) The provisions of any regulatory ordinance prescribing procedures for the conduct of Borough business, or the orders, rules and regulations of any Borough department are hereby suspended if strict compliance with the provisions of any ordinance, statute, order, rule or regulation would in any way prevent, hinder, or delay necessary action in coping with this emergency.
- d) Until further action of Council, the Middletown Borough Hall located at 60 W. Emaus Street, Middletown, PA 17057 will be closed to all public traffic. All payments of utility bills, permit fees, etc. will be handled through the secured drop box in the parking lot at the rear of the building or the US Postal Service. Credit card payment service is also available by internet via [www.middletownborough.com](http://www.middletownborough.com). Communications for the Borough Administration should take place via phone or email. The Borough Administration can be reached

at (717) 902-0706 or through our website ([www.middletonborough.com](http://www.middletonborough.com)). Please follow our website or Facebook page for updates and status changes.

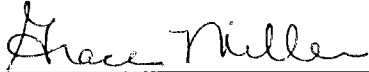
**Section 4.** In view of the COVID-19 virus emergency and the related need for uninterrupted essential utilities and services, electrical utility terminations by the Borough for nonpayment shall be prohibited for sixty (60) days from the effective date of this Resolution.

**Section 5.** In the event any provision, section, sentence, clause, or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this Resolution, it being the intent of the Borough that such remainder shall be and shall remain in force and effect.

**Section 6.** This Resolution shall become effective immediately, and all resolutions or parts of resolutions inconsistent herewith are expressly repealed.

ATTEST:

BOROUGH OF MIDDLETOWN,  
DAUPHIN COUNTY, PENNSYLVANIA

  
Borough Secretary

By:

  
Council President

# *P*roclamation

*Borough of Middletown, PA*

## **DECLARATION OF DISASTER EMERGENCY**

**Whereas**, as of March 16, 2020, the COVID-19 virus threatens to cause injury, damage, and suffering to the residents of the Borough of Middletown;

**Whereas**, the COVID-19 virus has the potential to endanger the health, safety, and welfare of a substantial number of people residing in the Borough of Middletown, and threatens to create problems greater in scope than the Borough may be able to resolve through traditional measures;

**Whereas**, emergency management measures are required to reduce the severity of this disaster and to protect the health, safety, and welfare of affected people and the community at large in the Borough of Middletown;

**NOW THEREFORE**, I, James H. Curry, III, the undersigned Mayor of the Borough of Middletown, pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code (35 PaCS 7501), as amended, do hereby proclaim the existence of a disaster emergency in the Borough of Middletown.

**FURTHER**, I direct the Borough of Middletown Emergency Management Coordinator and response team to 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.

**FURTHER**, I authorize Borough Management, in coordination with Administrative Staff of the Borough of Middletown to act, under the Mayor or his designee's direction, as necessary to meet the current and ongoing demands of this emergency, namely: Borough departments may implement emergency assignments without regard to procedures required by other laws, except mandatory constitutional requirements, pertaining to performance of public work, entering into contracts, incurring obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, and expenditures of public funds. Notwithstanding the foregoing, or any other

provision of this Proclamation, any overtime for the Police Department must be approved in advance by the Mayor, and any overtime for any other employees must be approved in advance by the Borough Manager.

**FURTHER**, I hereby suspend the provisions of any regulatory ordinance prescribing procedures for the conduct of Borough business, or the orders, rules, and regulations of any Borough department, if strict compliance with the provisions of any ordinance, statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with this emergency.

**FURTHER**, during this period, the Middletown Borough Hall located at 60 W. Emaus Street, Middletown, PA 17057 will be closed to all public traffic. All payments of utility bills, permit fees, etc. will be handled through the secured drop box in the parking lot at the rear of the building or the US Postal Service. Credit card payment service is also available by internet via [www.middletownborough.com](http://www.middletownborough.com). Communications for the Borough Administration should take place via phone or email. The Borough Administration can be reached at (717) 902-0706 or through our website ([www.middletownborough.com](http://www.middletownborough.com)). Please follow our website or Facebook page for updates and status changes.

This Proclamation shall take effect immediately, and shall expire in seven (7) days unless sooner rescinded, modified or ratified or extended by resolution of Council.

Dated in Middletown, Pennsylvania, this 16<sup>th</sup> day of March 2020.



JAMES H. CURRY, III, MAYOR