

**RESOLUTION NO. 2020-07**  
**BOROUGH OF CLARKS SUMMIT**

**A RESOLUTION OF THE BOROUGH OF CLARKS SUMMIT  
PURSUANT TO 8 Pa. C.S. § 10A06(b)(4) RATIFYING AND EXTENDING THE  
DECLARATION OF DISASTER EMERGENCY ISSUED ON MARCH 25, 2020  
AND TO FURTHER DECLARE A DISASTER EMERGENCY UNDER THE  
PENNSYLVANIA EMERGENCY MANAGEMENT CODE**

WHEREAS, the Borough of Clarks Summit (the “Borough”) is a Borough in the County of Lackawanna and the Commonwealth of Pennsylvania and organized and governed according to 8 Pa. C.S. §101, *et seq.* (the “Borough Code”); and

WHEREAS, the Mayor of the Borough, pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code, 35 PA C.S. §7501, as amended, declared the existence of an emergency in the Borough arising from the spread of a novel coronavirus (now known as “COVID-19”) which the Mayor identified as an imminent threat to the health, safety and welfare of affected residents and businesses in the Borough; and

WHEREAS, pursuant to 8 Pa. C.S. § 10A06(b)(4), the Council desires to ratify and extend the Declaration of Disaster Emergency issued by the Mayor on March 25, 2020; and

WHEREAS, Council further desires to exercise the authority provided in the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code, 35 PA C.S. §7501, to declare a disaster emergency as result of COVID-19.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Council of the Borough, as follows:

1. The Declaration of Disaster Emergency issued by Mayor Herman Johnson on March 25, 2020, attached hereto and incorporated herein as Exhibit “A”, is hereby ratified and extended until: (a) June 3, 2020; (b) the Proclamation of Disaster Emergency issued by Pennsylvania Governor Tom Wolf on March 6, 2020 is lifted, nullified and/or rescinded; or (c) Council takes further action to rescind the Declaration of Disaster Emergency (whichever occurs first in time);
  
2. Council hereby declares a disaster emergency pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code, 35 PA C.S. §7501;

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**DECLARATION OF DISASTER EMERGENCY  
FOR BOROUGH OF CLARKS SUMMIT  
COUNTY OF LACKAWANNA  
COMMONWEALTH OF PENNSYLVANIA**

EFFECTIVE: MARCH 25, 2020

WHEREAS, the Borough of Clarks Summit (the "Borough") is a Borough in the County of Lackawanna and the Commonwealth of Pennsylvania and organized and governed according to 8 Pa.C.S. §101, *et seq.* (the "Borough Code"); and

WHEREAS, a novel coronavirus (now known as "COVID-19") has been declared a "public health emergency of international concern" by the Centers for Disease Control and Prevention ("CDC") and United States President Donald J. Trump has declared that the COVID-19 outbreak constitutes a national emergency, beginning March 1, 2020; and

WHEREAS, through a Proclamation of Disaster Emergency by Pennsylvania Governor Tom Wolf, the Pennsylvania Department of Health declared COVID-19 a public health emergency; and

WHEREAS, the spread of COVID-19 has the potential to place the Borough in a significant public health emergency; and

WHEREAS, the spread of COVID-19 has the potential to endanger the health, safety and welfare of a significant number of persons residing in the Borough and threatens to create problems greater in scope than the Borough may be able to address and resolve; and

WHEREAS, emergency management measures are required to reduce the severity of such disaster and to protect the health, safety and welfare of affected residents and businesses in the Borough; and

WHEREAS, the threat arising from the spread of COVID-19 is imminent and has the potential to cause significant adverse impacts upon the population, schools, businesses, local government services and others throughout the Borough;

NOW, THEREFORE, the Mayor of the Borough, pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code, 35 PA C.S. §7501, as amended, does hereby declare the existence of an emergency in the Borough;

FURTHER, the Mayor of the Borough hereby directs the Borough Manager and Chief of Police or their designee(s) to coordinate the activities of the emergency response, to take all appropriate actions needed to alleviate the effects of this emergency, to aid in the restoration of normal daily proceedings, and to take any other emergency response action deemed necessary to respond to this emergency.

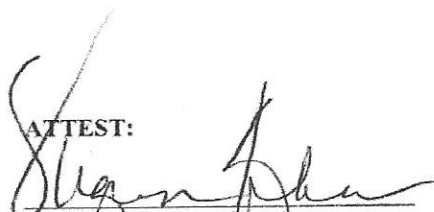
FURTHER, the Mayor of the Borough, pursuant to 35 Pa. C.S. §7501(d), hereby authorizes officials of the Borough to act as necessary to meet the current demands of this emergency, namely: by the employment of temporary workers, by the rental of equipment, by the purchase of supplies and materials, and by entering into such contracts and agreements for the performance of public work as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.


FURTHER, the Mayor of the Borough hereby declares that all non-essential hearings and meetings, including for boards, commissions and authorities under the jurisdiction of the Borough shall be cancelled during this period of emergency declaration, unless arrangements and accommodations may be made and available to attendees in compliance with the directives issued by the Pennsylvania Office of Open Records.

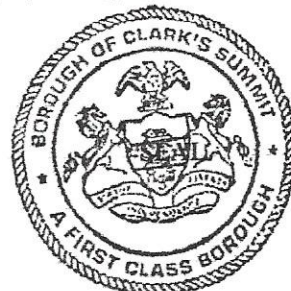
FURTHER, during this period of emergency declaration, all Borough residents, businesses, organizations and visitors are urged to abide by the recommendations made by the CDC, as well as the directives of the President of the United States, the Governor of the Commonwealth of Pennsylvania and the Pennsylvania Department of Health, and to refrain from all unnecessary travel, gatherings and business activity so as to mitigate the spread of COVID-19 and, in turn, this public health emergency.

AND FURTHERMORE, this Declaration shall take effect immediately and remain in effect for a period of seven (7) days unless sooner rescinded, modified, ratified or modified by resolution of the Borough's Council pursuant to 8 Pa. C.S. § 10A06(b)(4).

ISSUED this 25th day of March, 2020

ATTEST:  
  
VIRGINIA KEHOE  
Borough Manager/Secretary

  
HERMAN JOHNSON  
Mayor, Borough of Clarks Summit

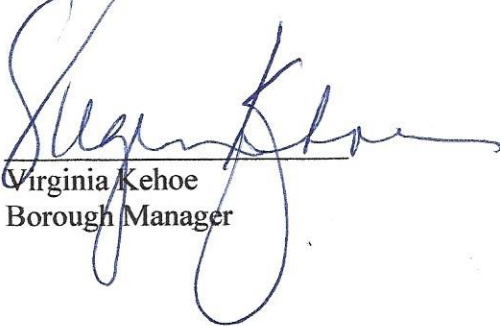


3. Council authorizes the Borough Manager to further act as necessary to protect the health and safety of Borough employees during the disaster emergency declared herein by implementing precautionary measures, including limiting public access to Borough offices, limiting the interaction between and among Borough employees and furloughing Borough employees; and

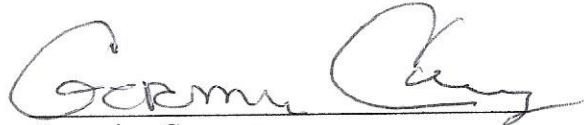
4. Council authorizes the Chief of the Borough's Police Department to further act as necessary to protect the health of the officers and staff of the Borough's Police Department during the disaster emergency declared herein by implementing precautionary measures, including limiting access to the Police Department's offices.

**RESOLVED** by the Council of the Borough of Clarks Summit this 1st day of April, 2020.

ATTEST:


  
Virginia Kehoe  
Borough Manager

**BOROUGH OF CLARKS SUMMIT**

  
Germaine Carey  
Council President

Approved this 1st day of

April 2020

  
Herman Johnson  
Mayor