

BOROUGH OF WYOMISSING,
BERKS COUNTY, PENNSYLVANIA

PROCLAMATION OF LOCAL DISASTER EMERGENCY

WHEREAS, a novel coronavirus (now known as “COVID-19”) emerged in Wuhan, China, began infecting humans in December 2019, and as of March 23, 2020 has since spread to one hundred fifty-two (152) countries, including the United States; and

WHEREAS, the World Health Organization and the Centers for Disease Control and Prevention (“CDC”) have declared COVID-19 a “public health emergency of international concern,” and the U.S. Department of Health and Human Services (“HHS”) Secretary has declared that COVID-19 creates a public health emergency; and

WHEREAS, Donald J. Trump, President of the United States, by authority of the Constitution and the laws of the United States of America, including 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), declared that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020; and

WHEREAS, Thomas W. Wolf, Governor of the Commonwealth of Pennsylvania (“Commonwealth”), pursuant to the provisions of Subsection 730(c) of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. § 7101, et seq., proclaimed the existence of a disaster emergency throughout the Commonwealth on March 6, 2020; and

WHEREAS, the Commonwealth, in collaboration with the CDC, HHS and local health agencies, to monitor and plan for the containment and subsequent mitigation of COVID-19, activated its Department Operations Center and the Pennsylvania Emergency Management Agency’s headquarters to conduct public health and medical coordination for COVID-19 throughout the Commonwealth; and

WHEREAS, on March 4, 2020 the Director of the Pennsylvania Emergency Management Agency ordered the activation of its Commonwealth Response Coordination Center in support of the Department of Health’s Department Operations Center, to maintain situational awareness and coordinate the response to any potential COVID-19 impacts across the Commonwealth; and

WHEREAS, as of March 22, 2020 there are four hundred seventy nine (479) confirmed cases of COVID-19 in the Commonwealth; and

WHEREAS, while it is anticipated that a high percentage of those affected by COVID-19 will experience mild influenza-like symptoms, COVID-19 is a disease capable of causing severe symptoms or loss of life, particularly to older populations and those individuals with pre-existing conditions; and

WHEREAS, with four hundred seventy nine (479) confirmed and/or presumed positive cases of COVID-19 in the Commonwealth as of March 22, 2020, the possible increased threat from COVID-19 constitutes a threat of imminent disaster to the health of the citizens of the Borough; and

WHEREAS, this threat of imminent disaster and emergency has the potential to cause significant adverse impacts upon the population throughout the Borough; and

WHEREAS, this threat of imminent disaster and emergency has already caused schools, including but not limited to Wyomissing Area and Wilson School District, to close and will likely prompt additional local measures, including the declaration by other local municipal governments to declare local disaster emergencies because of COVID-19; and

WHEREAS, it is critical to prepare for and to be ready to respond to cases of COVID-19 in the Borough of Wyomissing, Berks County, Pennsylvania ("Borough") by implementing measures to mitigate the spread of COVID-19 and to permit the Borough to be eligible for any and all federal, state and county disaster emergency funds that may become available; and

WHEREAS, this threat of imminent disaster and emergency situation throughout the Borough is of such magnitude and severity as to require the activation of the Borough of Wyomissing Pandemic Response Plan and any and all other applicable Borough emergency management and emergency response plans.

NOW, THEREFORE, pursuant to the provisions of Subsection 10A06(b) of the Pennsylvania Borough Code, 8 Pa.C.S.A. §§101, et seq., as amended, and Subsection 7501(b) of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. § 7101, et seq., as amended, I do hereby authorize Pat Brandenburg, the Borough Manager ("Borough Manager"), or his designee, for a period of seven (7) days from the date of this Declaration, which period of time may be extended by resolution of Borough Council, to assume command and control of all Borough emergency operations and authorize and direct that all Borough departments and agencies utilize all available resources and personnel as is deemed necessary by the Borough Manager from time to time to cope with this emergency situation, for such length of time as may be necessary to respond to this emergency situation, in order to activate the response and recovery aspects of the Borough of Wyomissing Pandemic Response Plan and any and all other applicable local emergency management and emergency response plans and to authorize the furnishing of aid and assistance thereunder.

FURTHER, I hereby transfer to the Borough Manager, or his designee, such amounts of Borough unused funds as may be approved by Borough Council from time to time during this emergency situation for Emergency Management Assistance expenses related to this emergency, as conditions require. The aforementioned funds shall be used for expenses authorized by Borough Council and incurred related to this emergency. I hereby direct that any funds transferred herein that remain unused after all costs related to this emergency have been satisfied shall be returned to the Borough's general fund. This Proclamation shall serve as the written determination of the basis for such emergency.

FURTHER, I hereby authorize the Borough Manager to coordinate with Thomas M. Bausher, Emergency Management Coordinator of the West Side Regional Emergency Management Agency which serves the Boroughs of Sinking Spring, West Reading, Wyomissing, and the Township of Spring, or his designee, in order to coordinate the activities of the emergency response, to take all appropriate actions necessary to alleviate the effects of this emergency, to aid in the continuation of essential public services, and to take any other emergency response action deemed necessary to respond to this emergency.

FURTHER, I hereby authorize the Borough Manager to coordinate with Anthony Tucci, the Executive Director of the Western Berks Ambulance Association, or his designee, in order to coordinate the activities of the emergency response affecting the Ambulance Association, to take all appropriate actions necessary to alleviate the effects of this emergency, to aid in the continuation of essential public services, and to take any other emergency response action deemed necessary to respond to this emergency.

FURTHER, I hereby suspend all or any provisions of any Borough ordinance or resolution if strict compliance with the provisions thereof would in any way prevent, hinder or delay necessary action in coping with this emergency. The Borough Manager may implement emergency assignments without regard to procedures required by other Borough ordinances or resolutions, except mandatory constitutional requirements, pertaining to performance of public work, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, and expenditures of Borough public funds, as may be necessary to meet this emergency, all without regard to those time consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

FURTHER, I hereby authorize the Borough Manager to use all available Borough resources, personnel and contracted services in whatever manner the Borough Manager reasonably deems necessary during this emergency to assist in addressing the consequences of this emergency for such length of time as may be necessary to respond to this emergency and as authorized by this Proclamation, as may be extended by Borough Council. To the extent the services of non-employee public officials or contractors are required to assist the administration of the Borough in maintaining essential public services during the emergency, such as the Borough Solicitor and Borough Engineer, such non-employee public officials or contractors may operate their private offices located in the Borough to the extent necessary to provide such assistance.


FURTHER, I hereby authorize Jeffrey R. Biehl, the Borough of Wyomissing Chief of Police ("Police Chief") to use all available Borough Police Department resources and personnel in whatever manner the Police Chief reasonably deems necessary during this emergency to assist the actions of the Borough Manager in addressing the consequences of this emergency for such length of time as may be necessary to respond to this emergency and as authorized by this Proclamation, as may be extended by Borough Council.

FURTHER, I hereby authorize Colin Hackman, the Fire Chief of the Borough of Wyomissing Fire Department ("Fire Chief") to use all available Borough Fire Department resources and personnel in whatever manner the Fire Chief reasonably deems necessary during this emergency to assist the actions of the Borough Manager in addressing the consequences of this emergency for such length of time as may be necessary to respond to this emergency and as authorized by this Proclamation, as may be extended by Borough Council.

FURTHER, I hereby direct that the Borough of Wyomissing Pandemic Response Plan and any and all other applicable Borough emergency management and emergency response plans be activated and that any and all actions be taken as may be authorized by Section 10A06(b) of the Pennsylvania Borough Code, 8 Pa. C.S.A. Sections 101, et seq., as amended, necessary to implement such plans, including but not limited to implementing curfews, closing Borough-owned properties and Borough parks, restricting entry or departure of persons into or from any restricted area of the Borough designated by the Borough Manager, prohibiting the sale, purchase or dispensing of any commodities or goods as shall be designated by the Borough Manager, prohibiting any other activities as the Borough Manager reasonably believes should be prohibited to help preserve life, health, property and the public peace, all of which shall be coordinated and implemented through the Borough Manager.

GIVEN under my hand and the seal of the Borough of Wyomissing, in the Borough of Wyomissing, Berks County, Pennsylvania, this 23rd day of March, 2020.

BOROUGH OF WYOMISSING,
BERKS COUNTY, PENNSYLVANIA

By:  _____
Fred Levering, Mayor

[SEAL]