

# **Borough of Tenafly**

## **MAYOR AND COUNCIL**

### **SPECIAL MEETING MINUTES**

**TUESDAY, JANUARY 4, 2022**

**PRESENT:** Mayor Zinna and Councilmembers Lauren Dayton, Jeffrey Grossman, Adam Michaels, Venugopal Menon, Julie O' Connor and Daniel Park

**ABSENT:** None

**ALSO PRESENT:** Borough Administrator Jimmy Homsi  
Borough Clerk Omar Stovall  
Borough Attorney Wendy Rubinstein  
Chief Financial Officer Susan Corrado

At 6:00p.m. Mayor Zinna read the Open Public Meetings Act Statement: ""In compliance with the Open Public Meetings Act P.L. 1975, chapter 231, the notice requirements have been satisfied. Meeting dates for the year are listed in the Annual Agenda; copies are sent to the Record, Suburbanite, and Northern Valley Press and posted on the bulletin board in the lobby of the Municipal Center. The notice of this Special Meeting via the January 2, 2022 Sunshine Notice has been sent to the Record, Suburbanite, and Northern Valley News, has been posted on the bulletin board in the lobby of the Municipal Center and Borough Website"

### **TO BE CONSIDERED**

#### **Instituting a Mask Mandate**

C. Dayton voiced that that mask mandate and COVID Testing are an immediate need has an urgency to act upon. C. Dayton she added that she is looking to reduce the strain of those who are on the front line. Dayton asked for a mask mandate to try curbing the rise of COVID -19 transmission and to ensure the community is safe. She added that she went to local stores and seen patrons not wearing mask. She added that other communities have instituted a mask mandate and that she is not looking to shut down businesses but would like to see the Borough thrive and would like to reduce the spread.

M. Zinna asked if the Governing Body had questions.

C. Park expressed that he would like to see outdoor and signage provisions in the resolution removed. C. Dayton explained that she would like to have the provisions remain for visitors and to stop community transmission. C. Grossman questioned the reasoning of wearing a mask outdoors. He continued that it an issue due to not adhering to the CDC guidelines.

C. Menon believed that public health concerns will be recurring and cannot legislate every virus away. He added that the Mayor's message should be used as an educational tool and an advisory. He added that businesses should put up signs and create on their own. He added not much could be done from an enforcement standpoint with the proposed resolution.

C. Dayton replied that in provision one, the Borough could provide signage that unformed and would offer notice of the resolution. She added that the Board of Health would provide enforcement.

C. Michaels expressed that something should be done to address stopping the spread. He expressed concern of what does mandate do. He added that he would like to see standardization with the businesses. He added that if does not want to do something for the sake of doing it. He added to continue to educate the public about the importance of wearing mask and washing hands.

Borough Attorney Wendy Rubinstein expressed that the resolution gives the businesses the opportunity to enforce.

C. O'Connor expressed she is not interested in items that would make the Governing Body feel good and not have an impact. She continued that most people in the northeast understands that masking prevents the spread. She expressed that she does not see how the resolution would stop the impact of COVID.

Chief Chamberlain expressed that a resolution is not enforceable and summonses cannot be issued. He added that most businesses would be reluctant to approach patrons in addressing mask. He added that he did not see store owners addressing patrons. Chief Chamberlain explained what constituted trespassing, a trespassing notice, and defiant trespassing. He closed by saying the resolution is not a police matter.

C. Dayton asked how the resolution could be become enforceable. Borough Attorney Wendy Rubinstein explained an ordinance could be adopted. Borough Attorney Wendy Rubinstein explained that in other municipalities it enforceable through executive order but Tenafly does not have that form of government.

C. Michaels suggested to change the resolution from a mandate to a recommendation. The Governing Body agreed. C. Grossman suggested using the term prescribe throughout the resolution. The Governing Body agreed

The Governing Body voted on the following items to be place in the mask resolution:

On a roll call, the vote on prescribing mask wearing indoors was recorded as follows:

C. Dayton:	aye	C. Michaels:	aye
C. Grossman:	aye	C. O'Connor:	aye
C. Menon:	aye	C. Park:	aye

On a roll call, the vote on prescribing mask wearing outdoors was recorded as follows:

C. Dayton:	aye	C. Michaels:	aye
C. Grossman:	nay	C. O'Connor:	nay
C. Menon:	nay	C. Park:	nay

On a roll call, the vote on providing signage to businesses was recorded as follows:

C. Dayton:	aye	C. Michaels:	aye
C. Grossman:	aye	C. O'Connor:	aye
C. Menon:	nay	C. Park:	nay

The Governing Body voted on proceeding with mask wearing indoors and for the Borough to provide signage to businesses to be reflected in a mask prescription resolution.

### **On-site COVID Testing**

Borough Administrator Jimmy Homsi explained that a vendor is looking to set-up a mobile vendor using the Borough hall parking lot. He added that the only caveat is the need for the vendor to use the Borough electricity set up near the snack shack. He continued that traffic pattern would be set up through the recommendation of the police. C. Grossman asked does the vendor take insurance or charge a fee. Ms. Rubinstein explained that the providers would bill the insurance company and not charge up front. She added that reason being brought forth to council is due to the timing. She continued that the items could go to procurement, but due to the surge in cases the item could be brought before the Governing Body as an emergency contract vs a no cost procurement. C. Menon asked who is allowed and how many people would be serviced. Ms. Rubinstein explained that it open to the public. Mr. Homsi explained that it is first come first served by scheduling online. Mr. Homsi added he would look into how many are being served per day.

C. Park asked about the hours of operation. Mr. Homsi answered from 9 am -6 pm and six days a week. C. Park asked if the Borough chose to charge rent for the parking lot would it slow down bring in the company. Ms. Rubinstein answered yes.

C. O' Connor asked if there was a way to prioritize Tenafly residents. Mr. Homsi expressed no.

On a roll call, the vote on making arrangements with the On-site COVID Testing vendor was recorded as follows:

C. Dayton:	aye	C. Michaels:	aye
C. Grossman:	aye	C. O'Connor:	aye
C. Menon:	aye	C. Park:	aye

Proceeding making arrangements with the On-site COVID Testing vendor was approved.

### **PUBLIC COMMENTS:**

None.

### **ADJOURNMENT**

As there was no further business to come before the Council, on a motion by C. O' Connor, second by C. Dayton and unanimously carried, to adjourn this meeting. The meeting was adjourned at 7:17 p.m.

Respectfully submitted,

Omar Stovall, MPA, RMC  
Borough Clerk