



MINUTES
BOROUGH OF EMERSON
MAYOR & COUNCIL
March 16, 2026
8:00 PM
BOROUGH HALL COUNCIL CHAMBERS
1 Municipal Place, Emerson, NJ 07630



I. CALL TO ORDER

Mayor DiPaola welcomed everyone to the March 16, 2026 Regular Meeting of the Emerson Governing Body. She said the meeting was being videotaped and could be viewed from a link on the Borough website. The meeting was also being live-streamed on YouTube.

This meeting of March 16, 2026 was adequately noticed and in compliance with the provisions of the Open Public Meetings Act on February 26, 2026 and noticed to The Record and Ridgewood News newspapers; posted on the bulletin board in the Municipal Building and remained continuously posted as required under the Statute.

Councilman Timmerman led those present in the Pledge of Allegiance.

Mayor DiPaola asked for a moment of silence for the service men and women overseas.

II. ROLL CALL

Present: Mayor Danielle DiPaola, Councilwoman Ashley Sayers, Councilman O'Neil Ellis, Councilman Michael Timmerman, Councilwoman Megan Ciolino

Also Present: Borough Attorney John McCann, Borough Administrator Michael Carelli, Borough Clerk Triessa DeSimone

III. EXCUSED ABSENCE OF THE GOVERNING BODY

Motion to excuse Council President Rice and Councilwoman Argenzia from tonight's meeting was moved by Councilwoman Ciolino, **seconded** by Councilwoman Sayers. Carried by a roll call vote of 4-0.

Roll Call:

YES: Ciolino, Ellis, Timmerman, Sayers

IV. PROCLAMATIONS & CITATIONS

None.

V. APPOINTMENTS

None.

VI. MINUTES FOR APPROVAL

Motion to table the March 3, 2026 Regular Meeting Minutes and Closed Session Meeting Minutes made by Councilman Ellis, **seconded** by Councilman Timmerman. Carried by a roll call vote of 4-0.

Roll Call:

YES: Ciolino, Ellis, Timmerman, Sayers

VII. CORRESPONDENCE

None.

VIII. FINANCIAL BUSINESS

Motion to approve Resolution 102-26 Approval of March 16, 2026 Bills List was moved by Councilman Timmerman **seconded** by Councilman Ellis. Carried by a roll call vote of 4-0.

Roll Call:

Yes: Ciolino, Ellis, Timmerman, Sayers

IX. UNFINISHED BUSINESS

None.

X. NEW BUSINESS

None.

XI. INTRODUCTION OF ORDINANCES

None.

XII. ADOPTION OF ORDINANCES

Mayor DiPaola introduced Borough Planner, Caroline Reiter and asked her to speak about the ordinances to be adopted this evening.

Ms. Reiter began by recognizing the Borough of Emerson for being very proactive with respect to the topic of affordable housing. Ms. Reiter explained that affordable housing in New Jersey is handled in periods of years that are known as "Rounds". Round Four, began in July of 2025 which pertains to the ordinances on tonight's agenda. Rounds One, Two and Three are often referred to together as "Prior Round". Previous to this, there were a series of lawsuits, known as Mount Laurel, which refers to the municipality of Mount Laurel in New Jersey. Many people refer to Affordable Housing as Mount Laurel Housing because of the litigation. Mount Laurel One was in 1975. Mount Laurel Two was in the 1980's which established the Fair Housing Act and subsequently the Council on Affordable Housing (COAH). COAH established affordable

housing obligations for each town as well as the affordable housing rules. In Round Three, COAH proposed rules which contained a concept known as Growth Share which were overturned twice in court. COAH attempted to adopt another set of rules but this also did not pass. Then there was a motion to advance litigants rights lead by the Fair Share Housing Center. Affordable housing obligations were removed from COAH, COAH was declared moribund and the obligations were returned to the court. The Borough achieved settlement with Fair Share Housing Center in Round Three and did adopt a plan in Round Three as well. In March of 2024, new affordable housing legislation amended the Fair Housing Act and created the Fair Housing Act Two which changed certain aspects of the rules, completely eliminated COAH and also established very aggressive deadlines with respect to municipalities needing to complete certain tasks. Tonight, marks one of these deadlines. The requirements were that by June 30, 2025 the municipality had to adopt the Housing Element and Fair Share Plan and then the Governing Body endorses it. Emerson's plan was adopted on June 19, 2025 but the Land Use Board and endorsed on June 24, 2025 by the Governing Body. Failure to do this would have resulted in the loss of the Borough's immunity from Builder's Remedy Litigation. After submission of the endorsed plan, there was a challenge period during which time Emerson received one challenge from the Fair Share Housing Center. Emerson had no challenges from developers. All challenges had to be settled by December 31, 2025. Then by March 15, 2026, which is a Sunday and moves the deadline to Monday, March 16, 2026, all ordinances that implemented the plans had to be adopted.

Ms. Reiter commended the Borough's proactive approach throughout the entire process and continued to explain further. The Round Four obligation was 174 units. Affordable housing obligations in NJ are cumulative which means that Rounds One and Two obligations were 74 units, Round Three was 234 units, Round Four 174 units which totals 482 units. In 2035 when Round Five starts, Emerson will have another obligation of affordable housing. The Round Four plan recognized that Emerson did not have enough land to build or to zone for its total obligation so it went through a process known as a Vacant Land Adjustment. A Vacant Land Adjustment utilizes certain analysis and calculations which results in a Realistic Development Potential (RDP). This is not an elimination of the obligation, it is an adjustment of the obligation. In the process of preparing this plan the obligation was adjusted from 174 to zero. The 174 is now called an unmet need which needs to be captured in overlay zoning to provide an opportunity for the provision of affordable housing. The Borough truly does not have vacant land and the system worked for Emerson.

Mayor DiPaola thanked everyone who worked on this process including Ms. Reiter, Special Council Brian Giblin, Councilmembers and all of the professional who participated in the effort.

Ms. Reiter gave an overview of each ordinance.

Ordinance 1712-26: The Borough had an unmet need obligation of 174 units that has been reduced to 170 units with the four units counted at the veteran's housing. This project is currently under construction. The requirement is that 25% of the unmet need needs to be addressed via realistic zoning which equals 43 affordable units in the Borough. After much discussion and analysis, the determination was made to create an overlay zone on block 1301, lots 101 and 102. Currently, these are the Shoprite properties with acreage under about 7.8 acres. Since there can be 30 units per acre there is a potential for 234 units and 25% of that will bring

the Borough over the requirement of 43 affordable units. This ordinance is the rezoning of this property to meet this requirement.

Ordinance 1713-26: This is the new affordable housing and development fee ordinance which also contains the mandatory set-aside. On December 15, 2025 the State adopted new rules known as UHAC [Uniform Housing Affordability Controls] and 599 rules. This ordinance must be passed to comply with the aforementioned new State rules.

Ordinance 1714-26: This ordinance takes the overlay zones from Round Three and changes the 15% set aside for rentals to 20% set aside regardless of whether the property is for sale or a rental. The density and other items in those overlay zones did not change from what was negotiated in the Round Three Plan or previous Round Three ordinances.

Second Reading and Public Hearing

Mayor DiPaola announced that all ordinances are posted on the Borough website and are on file in the Office of the Borough Clerk in Emerson Borough Hall, Municipal Place, Emerson, NJ. Should a hard copy be needed, please contact the Borough Clerk

1712-26: AN ORDINANCE AMENDING BOROUGH CODE TO INCLUDE A NEW ZONE DISTRICT, THE RC OVERLAY ZONE

Motion to open the meeting for public comment on Ordinance **1712-26** only was **moved** by Councilwoman Ciolino, **seconded** by Councilman Ellis and carried unanimously.

With no requests from the public a **Motion** to close the meeting to public comment on Ordinance 1712-26 only, was **moved** by Councilwoman Ciolino, **seconded** by Councilman Ellis and carried unanimously.

Motion to adopt **Ordinance 1712-26** on the second reading was **moved** by Councilwoman Ciolino, **seconded** by Councilman Ellis and carried by a roll call vote of 4-0:

Roll call:

YES: Sayers, Ellis, Timmerman, Sayers

1713-26: AN ORDINANCE AMENDING BOROUGH CODE TO INCLUDE A NEW AFFORDABLE HOUSING AND DEVELOPMENT FEE ORDINANCE

Motion to open the meeting for public comment on Ordinance **1713-26** only was **moved** by Councilman Ellis, **seconded** by Councilwoman Ciolino and carried unanimously.

With no requests from the public a **Motion** to close the meeting to public comment on Ordinance 1713-26 only, was **moved** by Councilman Ellis, **seconded** by Councilman Timmerman and carried unanimously.

Motion to adopt **Ordinance 1713-26** on the second reading was **moved** by Councilwoman Ciolino, **seconded** by Councilwoman Sayers and carried by a roll call vote of 4-0:

Roll call:

YES: Sayers, Ellis, Timmerman, Sayers

1714-26: AN ORDINANCE TO REVISE THE REQUIRED AFFORDABLE SET ASIDE IN THE MULTIFAMILY RESIDENTIAL AFFORDABLE HOUSING OVERLAY ZONE

Motion to open the meeting for public comment on Ordinance **1714-26** only was **moved** by Councilman Ellis, **seconded** by Councilman Timmerman and carried unanimously.

With no requests from the public a **Motion** to close the meeting to public comment on Ordinance 1714-26 only, was **moved** by Councilwoman Ciolino, **seconded** by Councilman Timmerman and carried unanimously.

Motion to adopt **Ordinance 1714-26** on the second reading was **moved** by Councilwoman Ciolino, **seconded** by Councilwoman Sayers and carried by a roll call vote of 4-0:

Roll call:

YES: Sayers, Ellis, Timmerman, Sayers

Ms. Reiter exited the meeting at 8:32 p.m.

XIII. REPORTS

Mayor DiPaola reported:

- Last week, at the Pascack Valley Mayor's meeting a representative from the Governor's office came to speak about the flooding in the area. The mayors asked for some relief from the Governor's office.
- Last Monday, Congressman Gottheimer held a Legislative Day to talk about federal funding and different programs that can help with the budget. Mr. Carelli also attending this informative program
- I attended a boys' varsity basketball game and unfortunately the kids did not win but they played a great game and had a great season overall. Congratulations again to John Picarillo on his 1,000 points for the season.
- Emerson Junior/Senior High School presented "Godspell" the past 2 weekends, and it was a wonderful performance. The Junior/Senior High School students and the Ullmans truly put on an excellent show.
- There will be a food drive run by the Oradell – Emerson Rotary Club on March 28th, from 9:30 AM to 3:00 PM at the Volk-Lebber Funeral Home at 268 Kinderkamack Road in Oradell. If you are able to, please donate to help local food pantries.
- Applications for the Community Garden are now being accepted by the Environmental Commission through April 1st. All plots will be assigned on a first-come, first-serve basis and are strictly limited to Emerson residents. A donation of \$20.00 along with the completed application can be dropped off at the Clerk's Office. Applications are available on the Borough website and in the Clerk's Office.
- The Philip Morgan Blood Drive is being held at the Senior Center on April 12th from 9:00 AM to 2:00 PM. To schedule a donation appointment, please call 1-800-RED CROSS (1-800-733-2767) or visit RedCrossBlood.org and enter: "PhilipMorgan" to schedule an appointment.
- The senior bus is available to residents age 55 and up and to those with special needs. It runs each week on Tuesday, Wednesday and Thursday. Please call Samantha at 201-262-6086 x1201 to book a ride. In addition, the County of Bergen offers senior van services for

doctor's appointments outside of our coverage area. The coverage area is Emerson, Westwood, Oradell, and Paramus. Please call 201-368-5955 to learn more about their services.

- The next regular meeting of the Governing Body will take place on Tuesday, April 7th at 7:30 PM.

Borough Administrator reported:

- The Finance Committee met and continued deliberation on the municipal budget.
- The budget introduction is tentatively scheduled for April 7, 2026.
- The Finance committee discussed a new item for the public hearing and adoption of the budget which will be a PowerPoint presentation.
- We have a new Purchasing Policies and Procedures Manual that the CFO, Lauren Roehrer and I put together for the Borough staff and volunteers. Thank you, Lauren, for working on developing this new policy.
- There are four resolutions on Consent Agenda for grant requests through Senator Booker's and Senator Kim's offices for the Fire Department Elevator project and the West End Drainage Phase 2 Improvement project.
- The Borough's Grant Manager has submitted the applications through Congressman Gottheimer's office early last week. We are monitoring those applications.
- The Borough was awarded \$2,500 grant through the Bergen County Arts Regrant Program which will fund art classes through the Mayor's Wellness Campaign this year.
- We had a meeting with MRC Recreation, otherwise known as Game Time, to discuss the Improvements to Ackerman Park Project. The Parks Committee has a meeting scheduled this Friday to review conceptual plans and cost estimates for the playground portion of the project. We are currently waiting on a response from the State regarding the Local Recreation Improvements Grant for the FY2025 Bergen County local match that is required for this part of the project. The Committee is looking into phasing this project with the playground installation in 2026 and a potential new pavilion in 2027. We are preparing a letter of intent and grant application through Bergen County Open Space Trust Fund for the pavilion.
- The digital sign in the center of town is in disrepair and has been turned off. We have a few punch list items to work on with the vendor but look forward to getting this project off the ground and replace the old sign with the new one soon.

Councilwoman Ciolino reported:

- The Emerson Fire Department will be holding the annual Easter Egg Hunt on March 28th at the Firehouse at noon. The rain date is April 4th. This is a free event for the community.
- The Environmental Commission is taking applications for the Community Garden until April 1st. Plots are assigned on a first come first serve basis. Applications can be dropped off at the Clerk's office with a \$20 donation.
- The EEC is taking the next step in advancing the pollinator protection initiatives and applying for a certification through Bee City USA, a national program that recognizes communities committed to protecting pollinators through education, habitat creation and sustainable practices. There are currently only six towns in NJ with this designation.
- DPW is working on spring clean-ups for the parks and ball fields.
- Yard waste will resume on April 6th but as a reminder the DPW collects branches all year long, just call and schedule a pick up.

- DPW scored 98% on the annual environmental inspection and we have already remedied one of the issues by installing a link to the homepage of the website to the Storm Water Information Page.

Councilman Ellis reported:

- Shade Tree Commission is holding the Arbor Day Ceremony on April 25th at 10:00 a.m. If you would like your loved one to be remembered please contact the Borough Clerk at 201-262-6086 extension 1200 or clerk@emersonnj.gov. A flyer is forthcoming.

Councilman Timmerman reported:

- The Library has a full calendar of events for everyone from young children to adults. Mahjong has become very popular now. Please check out the Emerson Library website for more information.
- The Recreation Commission's spring sports are underway. Opening Day for softball and baseball is April 25, 2026 in the afternoon.
- The Flag Football and Cheer Boards are looking for volunteers. Please consider signing up.

Councilwoman Sayers reported:

No Report.

Borough Engineer reported:

- **CDBG Grant for Senior Center Doors:** Neglia is working with the contractor related to the shop drawings and getting sign off on all the materials and products. The critical path item is the automatic sliding glass door which was finalized and we anticipate arrival within 6-8 weeks' time. Contractor will push the supplier as much as possible to advance the delivery time.
- **Vivian-Dorchester Area Drainage Study:** The analysis of the existing system has been completed and it demonstrates that there are some issues within the current system. We are presently analyzing some alternatives to improve the system and should have a report completed by the end of the month.
- **West Side Drainage Study (Jordan/Forest):** The analysis of the existing system has been completed and it demonstrates that there are some issues related to undersized pipes, back pitched pipes, etc which is reducing the capacity within the system. We are presently analyzing several alternatives to improve the system and should have a report completed early April.
- **MS4 Tier-A Permitting/SPPP Update:** Neglia will be providing a proposal to assist the borough with submission of your annual report and updates to the SPPP. The documents are due to be submitted to the state by the May 1st deadline. It should also be noted that the state has made some additional revisions to the stormwater regulations which the borough will need to adopt by the end of the year as well as update to your Stormwater Management Plan.
- **MS4 Watershed Inventory Report Phase 2:** The state is requiring all Tier-A municipalities to continue the momentum from last report and is requiring the phase 2 report to be completed by the end of 2026. Phase 2 will utilize the data from the first report to develop potential projects and programs to help address the stormwater management within the borough. This report will require public input as well as develop potential projects, project costs and timelines to see the projects through. Neglia to submit a proposal to assist the borough with this report.

- **2026 Municipal Road Program:** Neglia is working with your administrator and public works on developing your 2026 road program and will be submitting a proposal to carry out the preparation of construction plans for your roads.

Borough Attorney reported:

- In 2023 the Borough began discussions about the next round of affordable housing. Emerson was prepared and hired appropriate and qualified professionals, such as Caroline Reiter and Brian Giblin. Less than a year ago, there was a lawsuit that was that was put together that Emerson and other municipalities were invited to join. At my recommendation, for many reasons including the high cost potential, Emerson declined to participate. That lawsuit ultimately has been thrown out of every court its been tried into including the United States Supreme Court. Congratulations to the Borough Professionals, Mayor DiPaola, past and current Councilmembers for staying the course and doing the right thing for the town. You have done an effective job of communicating to the town since 2023 when this all began.

Borough Clerk reported:

- Residents should sign up for Rave Alerts to receive emergency notifications and other borough announcements. The easiest way to create an account is to go to the Borough's website and click the "notify me" button at the top of the home screen. If you need assistance, please contact my office at clerk@emersonnj.gov and either myself or Samantha can get you set up with the alerts.
- As always, all of our news and current events are posted on the website at www.emersonnj.gov/news as well as Facebook, X and Instagram.
- Also, a reminder that Borough Hall is closed in observance of Good Friday on Friday, April 3rd. Emergency services are always available 24/7

XIV. PUBLIC COMMENT

Motion to open the meeting to comments from the public was **moved** by Councilwoman Ciolino, **seconded** by Councilman Timmerman and carried unanimously.

With no requests from the public, **Motion** to close the meeting to comments from the public was **moved** by Councilwoman Ciolino, **seconded** by Councilman Ellis and carried unanimously.

XV. RESOLUTIONS ON CONSENT AGENDA

Matters listed below are considered routine and will be enacted by one motion of the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item be removed for consideration.

103-26: Authorize Shared Services Agreement with the Borough of Westwood for Emerson Volunteer Ambulance Corps Ambulance

104-26: Appointing Mechanics for the Emerson Volunteer Fire Department

- 105-26:** Adopt Purchasing Policies and Procedures Manual
- 106-26:** Authorize Grant Submittal to Senator Andy Kim for the FY 2027 Congressionally Directed Spending Program for the Borough of Emerson Volunteer Fire Department Elevator Installation Project
- 107-26:** Authorize Grant Submittal to Senator Andy Kim for FY 2027 Congressionally Directed Spending Program for the West End Drainage Phase II Improvements Project
- 108-26:** Authorize Use Agreement Between the Borough of Emerson and Church of the Assumption for Use of Facilities for Summer Camp Program
- 109-26:** Appointment of Ian Murphy as Probationary Firefighter for the Emerson Volunteer Fire Department effective March 16, 2026
- 110-26:** Waive Emerson Health Department Special Event/Temporary Food License Fee for the 2026 Mayor's Wellness Campaign Events and Programs
- 111-26:** Approve Usage of the Emerson Senior Center on April 12, 2026 for the Philip Morgan Foundation/American Red Cross Blood Drive
- 112-26:** Authorize Grant Submittal to State of New Jersey Department of Community Affairs Local Efficiency Achievement Program (LEAP) Grant for the Department of Public Works Fuel Tank Replacement Project
- 113-26:** Authorize Grant Agreement with Bergen County for Local Arts Regrant Program
- 114-26:** Authorize Grant Submittal to Senator Cory Booker for FY 2027 Congressionally Directed Spending Program for the West End Drainage Phase II Improvements Project
- 115-26:** Authorize Grant Submittal to Senator Cory Booker for the FY 2027 Congressionally Directed Spending Program for the Borough of Emerson Volunteer Fire Department Elevator Installation Project
- 116-26:** Adopt Fourth Round Affordable Housing Spending Plan
- 117-26:** Adopt Affirmative Marketing Plan for Affordable Housing Units

Motion to approve Consent Agenda Resolutions **No. 103-26** through **117-26** was **moved** by Councilwoman Ciolino, **seconded** by Councilman Timmerman. Carried by a roll call vote of 4-0:

Roll call:

YES: Ciolino, Ellis, Timmerman, Sayers

XVI. CLOSED EXECUTIVE SESSION

Motion to enter closed executive session at 8:55 pm to discuss matters exempt from the public as duly noticed by Resolution **No. 118-26** was **moved** by Councilwoman Sayers, **seconded** by Councilwoman Ciolino and carried by a roll call vote of 4-0:

Roll call:

YES: Ciolino, Ellis, Timmerman, Sayers

Personnel
Contract Negotiations

N.J.S.A. 10.4-12b (8)
N.J.S.A. 10.4-12b (4)

Litigation/Redevelopment Update/Attorney-Client Privilege N.J.S.A. 10.4-12b (7)

The Borough reserves the right to return to Open Session and, if appropriate, take formal action.

XVII. RECONVENE

Motion to reconvene was **moved** by Councilwoman Ciolino, **seconded** by Councilwoman Sayers and **carried** unanimously at 9:44 p.m.

XVIII. ADJOURNMENT

With no further business, at the request of Mayor DiPaola a motion to adjourn was **moved** by Councilman Ellis **seconded** by Councilwoman Ciolino and carried unanimously at 9:44 p.m.

Respectfully submitted,



Triessa DeSimone, RMC
Borough Clerk