

**NEW JERSEY NOISE CONTROL COUNCIL MEETING
DECEMBER 9, 2008
MINUTES**

NCC Attendees: D. Triggs (DEP), N. Dotti, R. Hauser, A. Schmidt, J. Feder, J. Kapferer, J. Surmay, S. Szulecki, T. Pitcherello, M. Klewin, I. Udasin, J. Soporowski (Chairman Emeritus).

Administrative

Since Chairman Lepis could not attend, Vice Chairman, J. Kapferer, ran the meeting. The minutes of June 12 and October 14 meetings were reviewed and adopted, with minor corrections for June 12. The status of NCC appointments was reviewed and it was noted that many appointments were either expired or would expire shortly. However, it was noted that appointments could remain in place until a replacement was appointed, which should allow the NCC to continue to function, pending the new appointments. Steve Szulecki has been nominated to replace Dr. Joe Soporowski. Joe has stepped down as a regular member to assume the position of Chairman Emeritus. Jerome Feder has still not been officially appointed. Resumes from two new Council candidates were circulated. One NCC member expressed the view that it would be good to have someone with enforcement experience to complement the skills of others currently comprising the NCC.

Historical Review and Honoring of Dr. Joe Soporowski

In conjunction with the review of his resignation letter, which recommended Steve as his replacement, Joe provided a brief overview of the history of the NCC, including his role in its establishment. Support and attention given to the activities of the NCC have varied over the years. Joe was pleased at the number of people attending the December 9 meeting. Joe's past activities were recognized and applauded by the members present. An Award Certificate for Joe is pending the return of Chairman Lepis to sign it.

League of Municipalities Meeting

The events of the League of Municipalities Meeting were reviewed, which included a Seminar participated in by Joe Lepis, David Triggs and Norm Dotti, plus a Round Table participated in by Joe Lepis, John Surmay, and Joe Soporowski. These activities helped educate the attendees on the role of the NCC, the New Jersey state noise ordinance, various "model" ordinances, and enforcement responsibilities.

Engine Braking/Motor Vehicle Regulations Update

Activities on truck noise were briefly reviewed. Measurements by Mike Klewin, Norm Dotti and Eric Zwerling had done measurements that showed that with unmodified mufflers in place, trucks tended to comfortably meet noise regulations. However, there remain problems in cases where the muffler has been removed or tampered with. Enforcement based on simply observing whether a muffler is present is problematic due to

the presence of mufflers in non-obvious places on certain vehicles and the possibility of tampering with a muffler in a non-obvious way to render it ineffective.

Mike Klewin discussed the status of changes to motor vehicle regulations proposed by the NCC. Changes to remove the language requiring both noise and smoke to be excessive were favorably received by the Department of Motor Vehicles and being recommended to the NJ legislature. However, the NCC proposal to raise the fine from the current \$25, an amount formulated in the distant past and currently far too low to be effective, has met resistance. Mike did not know the legislative status of the proposals.

Model Noise Ordinance

David Triggs had incorporated and circulated previously discussed changes to the Model Noise Ordinance. Work on the Model Ordinance was continued and progress was made in refining additional sections. However, more work remains.

NEXT MEETING

Although in previous years, a January meeting has frequently not been held, there is sentiment amongst some NCC members to hold a meeting in January to accelerate work on the Model Ordinance. This meeting would fall on January 13. However, whether or not to hold a January meeting continued to be discussed via email following the meeting, and it was ultimately decided that this meeting would be held, weather permitting.

Respectfully submitted:

Jerome Feder