

NEW JERSEY NOISE CONTROL COUNCIL (NCC)
APRIL 14, 2015
MEETING MINUTES

ATTENDEES: Arnold Schmidt (Chairman, Public Member), Joseph Lepis (Vice Chairman, Public Member), Randy Hauser (Department of Labor & Workforce Development), Susan Debiec (Motor Vehicle Commission), Norm Dotti (Public Member, Industrialist), Dr. Iris Udasin (Public Member, Medical Doctor), Dr. John Kapferer (Public Member), Jerome Feder (Public Member), Carl Accettola (Public Member) and David Triggs (Department of Environmental Protection, Noise Control Council Liaison). **Member Candidate:** Joseph DiFillippo.

I. MEETING MINUTES

The March meeting minutes were approved with minor changes (Norm Dotti motioned, Joe Lepis seconded with all in favor). The February meeting minutes were not approved. Significant amendments need to be made before the minutes can be reviewed based on Vice Chairman Lepis's request to have personal comments regarding his conduct removed. The NCC voted and agreed to remove the comments which will subsequently be memorialized in a "Memo to the File" to be kept at the DEP with the NCC's other records.

II. CHAIR REPORT

- Based on Joe Lepis's recently submitted bio, which refers to him as "Co-Chairman" of the NCC, Chairman Schmidt asked Mr. Lepis if he ever misrepresented the NCC outside of their regular meetings. Mr. Lepis stated that "Co-Chairman" was added in error and that he meant it to be Vice Chairman. He apologized and did not mean for it to imply that he was trying to share power.
- Chairman Schmidt asked Vice Chairman Lepis if he wanted to apologize for contacting the Assistant Commissioner of the DEP without consulting with the NCC first. Mr. Lepis declined and further stated that he might do it again if he felt that there was a significant environmental issue that he felt strongly about.
- Chairman Schmidt reported that he contacted NCC Ex Officio Member Drake Rizzo (Department of Community Affairs) regarding his absence. Mr. Rizzo indicated that he had been transferred to another group and his new supervisor would not allow him to attend the NCC meetings. Chairman Schmidt will send a letter to the Department of Community Affairs requesting that he be replaced.

III. COMMUNICATIONS TO THE COUNCIL

There was nothing to report.

IV. OLD BUSINESS

- *Council Member Appointments:* The NCC went into executive session to discuss Joseph DiFillippo's candidacy for membership.
- *Stakeholder Meeting (Emergency Generators):* The stakeholder meeting is scheduled for the NCC's regular June 9th meeting. On April 7,th Eric Zwerling sent an invitation that he drafted to generator manufacturers and vendors. He will also include an article or announcement in the Rutgers Noise

Technical Assistance Center Newsletter. David Triggs will notify the counties and municipalities. Dr. Udasin offered to be a presenter on the health impacts of breathing emissions if there is room on the agenda.

- *Part 150 Noise Study*: The Newark Liberty International Airport Community Roundtable Committee (Roundtable) by-laws were approved but not publicized. Joe Lepis was elected as chairman and Jerome Feder was elected as vice chairman. The NCC still has to submit Norm Dotti's name to represent it on the Roundtable. A vote was taken to submit his name and he received a unanimous endorsement. The Roundtable is scheduled to meet four times a year. The next meeting is on June 10th.
- *Council Member Biographies*: The only members that haven't submitted bios are Drake Rizzo and Susan Debiec.
- *NCC By-laws Review/Revisions*: The only discussion was to suggest forming a subcommittee to evaluate the by-laws. No subcommittee was created.

V. NEW BUSINESS

- *Opt-out Clause*: Vice Chairman Joe Lepis distributed an "opt-out clause" that he was proposing to present to noise complainants when an investigator uses the "recreation, repose and conversation" criteria when taking a noise level measurement within a complainant's property line. Norm Dotti made the following motion: "*The concept of an opt-out clause when enforcement is made on a property undergoing a noise investigation should be rejected.*" All of the members except for Mr. Lepis voted in favor of the motion.

VI. OPENING OF THE MEETING TO THE PUBLIC

No one from the public was in attendance.

VII. EXECUTIVE SESSION

The NCC went into executive session to discuss membership.

VIII. NEXT MEETING

The next meeting date is scheduled for May 12th.

Respectfully submitted:

David E. Triggs, NJDEP, Liaison to the NCC