

**NEW JERSEY NOISE CONTROL COUNCIL MEETING
MAY 14, 2013
MINUTES**

NCC ATTENDEES: J. Lepis (Chairman, Civil Engineer), A. Schmidt (Vice Chairman, Public Member-Registered Environmental Health Specialist), J. Feder (Secretary, Public Member-pending confirmation, Adjunct Advisory Committee -AAC), I. Udasin (Public Member – Medical Doctor), R. Hauser (DOL, Member), J. Kapferer (Public Member), Drake Rizzo (Member-NJDCA), S. Szulecki (Public Member-pending confirmation, AAC, Ecologist), Eric Zwerling (RNTAC), D. Triggs (NJDEP).

I. ADMINISTRATIVE

Draft minutes of the April 9, 2013 meeting were reviewed and approved with minor corrections. It was reported that the Department of Motor Vehicles had appointed an NCC representative, Ms. Susan Debiac, who is expected to attend the next meeting. No response has yet been received from the Department of Health and Senior Services. Mr. Triggs informed that the NJDEP had submitted nomination letters for Secretary Feder, Mr. Accettola, and Mr. Szulecki to the Governor's office on May 15, 2013.

II. GUIDANCE DOCUMENT ON DETAILS OF MEASUREMENT AND ENFORCEMENT OF NOISE REGULATIONS

Mr. Szulecki stated that there were a number of important details regarding measurement and enforcement of noise, extending beyond the details of NJAC 7:29, that were taught as part of the noise enforcement training course, yet were not otherwise documented. Examples are details regarding measurement of ambient noise and selection of measurement sites. A number of others were raised in the ensuing discussion, including letters issued by the NJDEP in specific situations clarifying enforcement details. Mr. Szulecki agreed to accept topics from other members of the NCC and make a start on creating this document. Mr. Triggs agreed to collect and email to the group previous NJDEP clarification letters.

III. EMERGENCY GENERATORS – STAKEHOLDERS MEETING

There was additional discussion of emergency generators during review of the minutes. NCC members present felt that emergency generators might be a good topic for a Stakeholders Meeting, during which the views of various interested parties as well as the public could be presented and heard. A tentative date of October, 2013 was suggested for such a meeting and steps were initiated to make this meeting happen, including preparation of a list of organizations, agencies, and people who should be sent notification and information pertaining to the meeting. Mr. Zwerling agreed to prepare a list of emergency generator manufacturers and organizations representing emergency generator installers. Mr. Triggs agreed to assemble a NJDEP contact list. In addition, it was agreed that members of the general public who had previously complained or had issues with emergency generators should be included, as should be representatives within the League of Municipalities, local and county health officers, CEHA contacts, and the DCA.

IV. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) NOISE EVALUATIONS

Mr. Triggs reported that no further requests had been made for help by the NCC with the HUD noise evaluations.

V. PART 150 LEGISLATION WITHIN NEW YORK STATE

Secretary Feder informed the group of an initiative within the New York State legislature to formulate legislation that would force the Port Authority of New York and New Jersey (PANYNJ) to initiate Part 150 studies for its airports. These studies require the airport agencies to prepare noise impact maps and to examine measures, including route alterations and sound insulation, for minimizing population noise impacts. Federal funding is available for noise mitigation measures. Although PANYNJ airports are responsible for 1/3 of the noise impacted population in the United States, PANYNJ is almost unique in ignoring Part 150 opportunities and obligations. Since PANYNJ is a bi-state agency, the New York State initiative would need to be joined by a parallel one from New Jersey to form legislation that would be binding on PANYNJ. Secretary Feder informed that some 28,000 people in New Jersey alone are impacted at the federal significance level (65DNL) by noise from Newark Airport, and that his own review of the situation indicated that a significant reduction in total noise impacted population in New York and New Jersey could be achieved by departure route alterations. Since this was a new topic, NCC members asked if Secretary Feder to supply additional background material at the next meeting, with a goal of identifying possible members of the NJ legislature who might support this initiative.

VI. RESOLUTION REGARDING NCC MEMBERSHIP

A prior meeting had reviewed a draft resolution that would move to full member status candidates whose names and qualifications had been properly submitted but for which no response had been received from the Governor's office for six months. Chairman Lepis questioned whether a Resolution was the proper method for addressing this, and suggested that this be the subject of a Bylaws revision. Secretary Feder stated this has been a critical issue affecting the the NCC's ability to function as designated in the 1971 Noise Control Act. The NCC has been intending to perform a Bylaws revision for a long time, but this had been deferred many times due to more pressing business, and that a Bylaws revision would introduce numerous additional issues requiring extended discussion, and slow the process down by many months, if not effectively halting it entirely. Secretary Feder stated that only minor issues had been identified in the draft Resolution that likely could be rapidly fixed, allowing the Resolution to be completed and adopted without consuming significant NCC meeting time. Corresponding changes in the Bylaws could then be adopted upon the next revision.

VII. NEXT MEETING

The next meeting scheduled for June 11, 2013.

Respectfully submitted:
Jerome Feder, Secretary

Attested by: J. Lepis, Chairman