

**NEW JERSEY NOISE CONTROL COUNCIL MEETING
SEPTEMBER 9, 2014
MINUTES**

MEETING ATTENDEES: Arnold Schmidt (Chairman, Public Member), Joseph Lepis (Vice Chairman, Civil Engineer), Drake Rizzo (Department of Community Affairs), Randy Hauser (Department of Labor), Susan Debiec (Motor Vehicle Commission), Steven Szulecki (Public Member, Ecologist), Dr. Iris Udasin (Public Member, Medical Doctor), Norm Dotti (Public Member, Industrialist) Dr. John Kapferer (Public Member), Carl Accettolla (Public Member) and David Triggs (Department of Environmental Protection, Noise Control Council Liaison) **GUEST:** Joseph DiFillippo (Middlesex County Public Health Department).

I. NOISE CONTROL COUNCIL (NCC) INVITED GUEST

Invited guest Joseph DiFillippo of the Middlesex County Public Health Department (MC) was introduced to the NCC members in attendance. Mr. DiFillippo is a candidate to replace John Surmay as the “Local Governing Body” member of the NCC. Mr. DiFillippo has been enforcing the State Noise Code since 1988 and has coordinated the MC noise program since 1998. He is a Rutgers University graduate with a degree in physics.

II. MEETING MINUTES

The draft minutes for the June 10, 2014 meeting were approved with minor changes. The minutes for the July 8, 2014 meeting were reviewed and approved by the members who attended, which did not amount to a quorum.

III. CHAIR REPORT

- Chairman Schmidt presented a letter that the NCC was copied on. The letter pertained to an amendment to the Township of Pequannock’s noise ordinance that proposes to exempt “excessive noise where it is produced by the Township in public projects.” Mr. Triggs indicated that the DEP has no record of having reviewed or approved any noise ordinance from Pequannock. The letter does not ask the NCC to comment or provide guidance.
- The NCC was sent a letter from DEP Compliance and Enforcement Assistant Commissioner John Giordano, instructing them to amend the Model Noise Ordinance (Model) by reducing the maximum penalty from \$3,000 to \$2,000. Since the Model has not been updated since 2010, the Assistant Commissioner recommended addressing any other amendments that the NCC deems necessary.

IV. OLD BUSINESS

- *Council Member Appointment:* No other candidates were introduced at this time although the NCC would like to seek potential members with a police background. Eric Zwerling may be the best resource to provide names from his noise certification courses where many police officers attend.
- *Website Update Regarding Municipal Model Noise Ordinance:* The maximum penalty in the Model needs to be updated and posted on the DEP website. A paragraph should be added to the noise website clarifying that previously approved noise ordinances will be grandfathered by the DEP.
- *Meadowlands Commission Noise Standards:* There is no update from the DAG. The NCC may draft a letter to Assistant Commissioner Giordano requesting that he approach the DAG’s Office for clarification.

V. GUIDANCE DOCUMENT

- Most of the recommended changes/amendments were grammatical and/or the rearrangement of sections.
- Norm Dotti has agreed to provide the section on C-scale measurements.
- David Triggs recommended adding language to the motor vehicle section regarding easements.

VI. PART 150 NOISE STUDY

NCC Vice Chairman Joseph Lepis and Secretary Jerome Feder attended a Port Authority roundtable meeting on June 30th at Newark Liberty International Airport regarding the Part 150 Noise Study (Study). Mr. Lepis indicated that the members of the roundtable have not ruled out the Study at New Jersey's airports. A "multitask committee" is being formed to get input from the communities surrounding Newark International and Teterboro Airports. Mr. Lepis recommended Norm Dotti as a committee member representing the NCC as he has extensive experience with evaluating noise at airports. Jerome Feder serves on the committee as a representative from the New Jersey Coalition Against Aircraft Noise (NJCAAN). There will be approximately four meetings per year. Mr. Lepis also presented the Port Authority with proposed by-laws based in part on the NCC by-laws.

VII. NEW BUSINESS

- Joe Lepis handed out an article regarding concert noise from a New York City pier impacting New Jersey residents. While there are examples of some New Jersey counties cooperating with cross-border noise issues, the NCC agreed that little can be done when noise crosses state boundaries due to the extensive differences in their regulations.

VIII. AGENDA ITEMS NOT DISCUSSED

Bylaws review/revisions

Model Noise Ordinance review and update

Stakeholders meeting on emergency generators

IX. NEXT MEETING

The next meeting is scheduled for Tuesday October 14, 2014 at 9:30 AM.

Respectfully submitted in Secretary Jerome Feder's absence:
David E. Triggs, NJDEP, NCC Liaison