

NEW JERSEY NOISE CONTROL COUNCIL (NCC)
JANUARY 12, 2016
MEETING MINUTES

ATTENDEES: Steve Szulecki (Vice Chairman, Public Member, Ecologist), Eric Lieberman (Department of Health), Joseph Lepis (Public Member, Civil Engineer), Dr. Iris Udasin (Public Member, Medical Doctor), John Kapferer (Public Member), Jerry Feder (Public Member), Joseph DiFillippo (Public Member Candidate) Eric Zwerling (Director of the Rutgers Noise Technical Assistance Center) and David Triggs (Department of Environmental Protection, Noise Control Council Liaison).

PUBLIC GUESTS: Jack Zybura (Lewis S. Goodfriend and Associates) and Kristen Ecklund (citizen).

MEETING MINUTES:

The meeting minutes for December were not approved since the NCC did not have a quorum. Copies were distributed and no comments were submitted by the six members present.

CHAIR REPORT:

- Mr. Triggs has received certificates of completion for the required ethics training from NCC members John Kapferer, Joseph Lepis, Arnold Schmidt, Steve Szulecki, Randy Hauser, Eric Lieberman, Jerry Feder and John Lago. Norm Dotti took the training but could not print the certificate of completion.
- Bios for the NCC website have been submitted by Arnold Schmidt, Dr. Udasin, Eric Lieberman, Jerome Feder, Joseph Lepis, John Kapferer, Norm Dotti, Randy Hauser and Steve Szulecki. The bios will not be posted until they are submitted by all of the members.
- The NCC is waiting for a letter from the Commissioner of the Motor Vehicle Commission before acknowledging Donald Dinsmore's appointment as Susan Debiec's replacement. Neither has attended a meeting since November.
- Guest Jack Zybura from Lewis S. Goodfriend and Associates introduced himself and expressed his interest in filling the vacancy left by former member Carl Accettola.

OPENING OF THE MEETING TO THE PUBLIC:

Citizen Kristen Ecklund asked for the NCC's advice on noise from her condominium complex. The primary source is footfalls in the unit above her, which became more intense after a wooden floor was installed. Even dishes clanging can be heard which may point to structural deficiencies. Another source of noise is from a neighbor's air conditioner, which might have been installed closer to her bedroom window than the construction codes allow. Apparently two other units have made similar complaints. The NCC explained that the counties do not investigate resident-to-resident complaints and her township, Chatham, does not have an approved Model Noise Ordinance. In addition, any noise study would require access to the unit above her. The best advice is to file a nuisance complaint in small claims court which may initiate action to grant her access to the upstairs unit. Important information needed to support her case includes the master deed, condominium by-laws and the square footage and carpet coverage of the unit above her. The Department of Community Affairs (DCA) has a "Common Interest Community Complaint Form" online that she could fill out. She could also contact NCC member and DCA employee John Lago for advice. In the interim, there are "white noise

generators” available, including some phone apps, that might help mask the primary source of noise while sleeping.

OLD BUSINESS:

- *Motor Vehicles Entering/Exiting Facilities:* Tabled due to Norm Dotti’s absence.
- *Penalty Assessments/Matrix:* Tabled due to Arnold Schmidt’s absence.
- *Roundtable (Part 150 Study):* The draft noise contour maps should be available soon. It appears that some aircraft may be “taking shortcuts” after takeoff which may raise the DNL for urban areas such as the City of Elizabeth. The next quarterly meeting, which is open to the public, is on March 10th at Newark Liberty International Airport.
- *Stakeholders Meeting on Emergency Generators:* Joseph Lepis is still working on the statement summary. The NCC should start planning for a stakeholders meeting for the fall of 2016. A potential topic might be noise from vehicles entering and exiting a facility.
- *NCC By-laws:* The review of the by-laws was tabled.

NEW BUSINESS:

Guest Jack Zyburra requested information on where noise measurements should be taken at night as he was informed that readings could be measured at the base of an exterior bedroom window of a complainant’s house. He heard that changes may have been made to the regulations but he hadn’t seen anything published. He was instructed that a guidance document was created by the NCC to assist noise inspectors and that Section D describes the proper procedures for where to take a sound level measurement based on the ability to recreate, sleep and converse on the receiving property. While readings can be taken just outside of the complainant’s home (bedroom window), under certain circumstances (i.e. an unusable portion of the property, such as wetlands, acts as a barrier between the property line and the home), most sound level measurements are taken at the property line. The guidance was designed to give noise inspectors the discretion to choose the ideal location. The document is available online at the DEP’s noise website.

NEXT MEETING:

Pending the weather, the next meeting is scheduled for February 9th

Respectfully submitted by: David E. Triggs, NJDEP Liaison to the NCC