

NEW JERSEY NOISE CONTROL COUNCIL (NCC)
JANUARY 10, 2017
MEETING MINUTES

ATTENDEES: Arnold Schmidt (Chairman, Public Member), Steve Szulecki (Vice Chairman, Public Member, Ecologist), Randy Hauser (Department of Labor), Salvatore Fama (Motor Vehicle Commission), John Lago (Department of Community Affairs), Dr. Iris Udasin (Public Member, Medical Doctor), Joseph Lepis (Public Member, Civil Engineer), Norm Dotti (Public Member, Industrialist), John Kapferer (Public Member), Jerry Feder (Public Member), Joseph DiFillippo (Public Member Candidate, Local Governing Body), Eric Zwerling (Director of the Rutgers Noise Technical Assistance Center) and David Triggs (Department of Environmental Protection, Noise Control Council Liaison).

PUBLIC: Jack Zybura (Lewis S. Goodfriend and Associates) and Mark Roskein (Retired Somerset County Department of Health)

MEETING MINUTES:

The November meeting minutes were reviewed and approved with Salvatore Fama motioning to accept with one minor change regarding the Part 150 Study and Jerry Feder seconding. All were in favor so the motion passed.

CHAIR REPORT:

- Chairman Schmidt received a phone call from a resident in Colonia who was upset over airplanes flying over their house. He gave NCC member Jerry Feder the resident contact information because of his aircraft expertise. Mr. Feder phoned and spoke to the caller and encouraged her to attend a Roundtable meeting at EWR. The complainant lacked an e-mail address so details regarding the meeting such as directions and an agenda were difficult to convey. With aircraft traffic controlled by the FAA, preventing flights from occurring over her house was unlikely.
- The NCC schedule for 2017 has been posted on their website.
- Chairman Schmidt emphasized that the NCC should begin reviewing N.J.A.C. 7:29 to discuss potential changes to the regulations once they sunset in November 2019. Some important issues to consider include landscaping equipment (leaf blowers), motor vehicles entering and exiting facilities and emergency sirens. He encouraged every member to look over the regulations and to start submitting amendments. Eric Zwerling mentioned antiquated language in Section 2 and inconsistencies in the section on weather reporting.

NCC COMMUNICATIONS/CORRESPONDENCE:

There was no correspondence to the NCC.

OLD BUSINESS:

- *Emergency Generators:* The updated consumer guidance document was handed out again and more changes were recommended. Salvatore Fama will incorporate those changes into a new document before the next meeting. The final document will be posted on the noise website. It will also be provided to the League of Municipalities and sent to municipal clerks and building officials. The NCC is still uncertain how to get box stores to distribute it.
- *Motor Vehicles Entering and Exiting Properties:* Norm Dotti and Steve Szulecki will meet after the regular NCC meeting to discuss how to proceed. No meeting with people outside of the NCC has been scheduled.

- *Roundtable Part 150 Study:* Joseph Lepis described a presentation that was given by a consultant to the EWR Technical Advisory Committee (TAC). Noise contour maps for the three runways varied from day and night. The need for sound proofing nearby churches and schools was considered but Mr. Lepis stated that they only operate predominantly during the day. One of the biggest sources of noise is arriving planes. Air traffic seems to have increased above the 5-year projection. The next TAC meeting is scheduled for January 26th.
- *Penalty Assessment Matrix:* The subcommittee met on December 13th. Changes made to the template will be e-mailed to the CEHA coordinators to get some feedback from the counties before presenting it to the NCC. This includes adding wording to the NOV regarding a violator's option to request additional noise readings during the grace period after a good faith effort has been made to reduce the noise.
- *7:29 Revisions:* This was discussed during the Chair report.
- *Model Ordinance Wording:* Norm Dotti handed out recommended changes to Table III in the Model by adding the same note under Table II. The change should also be made in the guidance document. Eric Zwerling mentioned that the note was not meant to apply to indoor commercial-to-commercial businesses in a strip mall.

NEW BUSINESS:

Model Adoption: Joseph Lepis sent an e-mail to the NCC members requesting that meeting time be set aside to discuss whether or not revisions to the Model were ever completed because the NCC's focus was diverted by changes to N.J.A.C. 7:29. While the NCC never voted on a resolution to approve the Model revisions in 2010 and 2014, the Model was reviewed and approved by DEP's upper management before being posted on the Department's noise website. A letter from Assistant Commissioner John Giordano to Chairman Schmidt dated September 8, 2014 specifically requests that the NCC reduce the penalty amount in the Model from \$3,000 to \$2,000, as well as make any other needed changes to the Model. While confirming the completion of Model revisions with a resolution is recommended, it is not required, nor is a public hearing as the Model is for guidance purposes only and it is not a requirement for municipalities to adopt it. It does not have to follow the same stringent guidelines as amendments to the regulations. It was agreed that it's time to begin looking at updating the Model and to confirm its completion with a resolution and written approval by DEP's upper management.

PUBLIC DISCUSSION:

There was no public discussion.

EXECUTIVE SESSION:

There was no business to discuss.

NEXT MEETING:

The next meeting is on February 14th at 9:30 a.m.

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