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NEW JERSEY NOISE CONTROL COUNCIL (NCC)
JANUARY 8, 2019
MEETING MINUTES

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<u>**ATTENDEES**</u>: Arnold Schmidt (Chairman, Public Member), Steve Szulecki (Vice Chairman, Public Member, Ecologist), Joseph Lepis (Civil Engineer, Public Member), Randy Hauser (Department of Labor), Eric Lieberman (Department of Health), Salvatore Fama (Motor Vehicle Commission), Norm Dotti (Industrialist, Public Member), John Kapferer (Public member), Jerry Feder (Public Member), Joseph DiFillippo (Candidate Public Member for Local Governing Body vacancy) Eric Zwerling (Director, Rutgers Noise Technical Assistance Center), David Triggs (NJDEP Liaison to the Council) and Michelle Feasel (NJDEP Co-Liaison to the Council).

<u>**MEETING MINUTES**</u>
Steve Szulecki and Eric Zwerling added comments to the December meeting minutes. Norm Dotti motioned to accept them with the changes and Steve Szulecki seconded. All were in favor, so the motion passed.

<u>**OLD BUSINESS**</u>
- *7:29 Proposed Amendments:*

Additional changes were discussed and made to the following sections of 7:29:

7:29-1.1 Definitions

"Maximum sound level"

To remove "on the "fast" or "impulse" setting" from the definition

Arnold Schmidt motioned to accept, and Norm Dotti seconded. All were in favor, so the motion passed.

"Stationary emergency signaling device"

To add "emergency services personnel or the public." To remove "local persons engaged in local emergency operations. These include, but are not limited to, fire-fighters, first aid squad members, and law enforcement officers, whether paid or volunteer" from the definition.

Steve Szulecki motioned to accept, and Norm Dotti seconded. All were in favor, so the motion passed.

"Z-weighted sound level"

To add "The level so read is designated dBZ." At the end of the definition.

Norm Dotti motioned to accept, and Joe Lepis seconded. All were in favor, so the motion passed.

7:29-1.4 Stationary emergency signaling devices

(b)

To remove "The ten second time limit on the electromechanical functioning of the signaling device <u>as provided for in (a)</u> shall not apply to such system testing." To add "The duration of the testing should be limited to the minimum time necessary to determine the system is operating properly."

Steve Szulecki motioned to accept, and Arnold Schmidt seconded. All were in favor, so the motion passed.

7:29-2.1 Definitions

"Noise" to remove "for purposes of this procedure"

Steve Szulecki motioned to accept, and Norm Dotti seconded. All were in favor, so the motion passed.

7:29-2.5 General requirements

iv.

To add "unless the meter is designed to operate at temperatures beyond this range."

Eric Lieberman motioned to accept, and John Kapferer. seconded. All were in favor, so the motion passed.

7:29-2.6 Equipment

For section (a.) subsections 1.(i), 1.(ii.) and (2), the quotations and capitalization of the ANSI titles were removed. They now read as follows;

i. specifications for sound level meters.

ii. specifications for octave band filters.

2. specifications and verification procedures for sound calibrators.

Eric Lieberman motioned to accept, and Norm Dotti seconded. All were in favor, so the motion passed.

In section 3. (iii) the words "alternately" and "suitable" were removed.

Steve Szulecki motioned to accept, and John Kapferer. seconded. All were in favor, except for Joseph Lepis who was opposed due to the inclusion of thermometers. The motion passed.

7:29-2.7 Reporting requirements

(b)8. was modified so that "or recalibrated by the manufacturer or other approved person" was removed and replaced with "as per 7:29-2.5(a)4;"

Steve Szulecki motioned to accept, and Eric Lieberman seconded. All were in favor, so the motion passed.

7:29-2.8 Preparation for testing

(b) Nature of sound: "While" and "the investigator is investigating the source(s) under investigation they shall ascertain whether the sound is continuous or impulsive. It shall be noted whether the sound under investigation is continuous or impulsive." was removed and the word "shall" was replaced with "may".

Eric Lieberman motioned to accept, and Steve Szulecki seconded. All were in favor, so the motion passed.

7:29-2.9 Procedure

(a) Field Calibration of Sound Measuring Equipment: the word "Field" was added in front of "Calibration of Sound Measuring Equipment" and the sentence "The meter shall be calibrated as prescribed by the manufacturer." Was added to the beginning of the paragraph.

Sections 1-8 under (a) were removed.

Steve Szulecki motioned to accept, and Norm Dotti seconded. All were in favor, except for Joseph Lepis who was opposed because he stated that the majority of inspectors don't have the manuals for their meters. The motion passed.

(b) It was motioned that unweighted {"Flat", "Lin" (linear), or "Z-scale"} be changed to {"Flat-scale", "linear-scale", or "Z-scale"

Eric Lieberman motioned to accept, and Steve Szulecki seconded. All were in favor, so the motion passed.

(b) iii. The phrase "if necessary" was added.
 Norm Dotti motioned to accept, and Steve Szulecki seconded. All were in favor, so the motion passed.

(b)iv. It was motioned that unweighted {"Flat", "Lin" (linear), or "Z-scale"} be changed to {"Flat-scale", "linear-scale", or "Z-scale"

Eric Lieberman motioned to accept, and Steve Szulecki seconded. All were in favor, so the motion passed.

v. To add "if the meter is so equipped." To the definition.

Steve Szulecki motioned to accept, and Norm Dotti seconded. All were in favor, so the motion passed.

Joseph Lepis proposed adding the following language:

vii. to add "Alternate locations, different from the property line will be based on either a location that the affected party states to be actively used or on locations on the receptive property that would be dangerous for investigations to access. In the alternative, a reading may be taken at the property line of the source."

Joseph Lepis motioned, and Salvatore Fama seconded, Jerry Feder, Joe Lepis and Salvatore Fama voted in favor and Randy Hauser, Arnold Schmidt, Eric Lieberman, and Steve Szulecki motioned against. The motion did not pass.

ix. to remove "that begin after at least one hour of measurements shall not invalidate measurements already collected." And "shall not invalidate measurements that are taken at a time when wind speeds are less than 12 miles per hour." was added.

Steve Szulecki motioned to accept, and Eric Lieberman seconded. All were in favor, so the motion passed.

CHAIR REPORT/COMMUNICATIONS
- No news to report on NCC appointments and re-appointments.
- NCC member Jerry Feder, will resign after Mark Roskein and Joe DiFillippo are appointed. His replacement could be Jack Zybura. Mr. Feder has graciously agreed to attend the meetings so the NCC can have a quorum.
- David Triggs explained the initial rule making process for re-adopting 7:29.
  - Communicate the need for Rule Making
  - Assemble a Rule Team
  - Request that an attorney and DAG be assigned
  - Draft and submit a Decision Memorandum to the Commissioner
  - Schedule a stakeholders meeting
  - The proposed filing date is May 20, 2019
- The schedule for the New Jersey Noise Council's 2019 meeting dates was discussed, which includes January 8th, February 12th, March 12th, April 9th, May 14th, June 11th, July 9th, August 13th, September 10th, October 8th, November 12th, and December 10th. Steve Szulecki motioned to approve the schedule and Joseph Lepis seconded. All were in favor, so the motion passed.
- A woman named Julie contacted David Triggs asking for the subcommittee notes regarding leaf blower noise. He recommended that she wait for the December 11th regular meeting minutes to be posted, as they would give her a more comprehensive explanation of where the NCC stands on this issue.

PUBLIC DISCUSSION
There was no public discussion.

NEW BUSNESS
The NCC meeting schedule was discussed under the Chair Report.

EXECUTIVE SESSION
The NCC did not meet in Executive Session.

NEXT MEETING
The next meeting is scheduled for Tuesday, February 12th (weather permitting) at 9:30 A.M.
Respectfully submitted by Michelle Feasel with edits by David Triggs, NJDEP Liaison to the NCC