

**NEW JERSEY NOISE CONTROL COUNCIL (NCC)**  
**JUNE 9, 2015**  
**MEETING MINUTES (Including)**  
**STAKEHOLDERS MEETING**  
**ON EMERGENCY GENERATORS**

**NCC ATTENDEES:** Arnold Schmidt (Chairman, Public Member), Joseph Lepis (Vice Chairman, Public Member), Randy Hauser (Department of Labor & Workforce Development), Eric Lieberman (Department of Health), Norm Dotti (Public Member, Industrialist), Dr. Iris Udasin (Public Member, Medical Doctor), Steve Szulecki (Public Member, Ecologist), Dr. John Kapferer (Public Member), Jerome Feder (Public Member), Carl Accettola (Public Member) Eric Zwerling (Director of the Rutgers Noise Technical Assistance Center and David Triggs (Department of Environmental Protection, Noise Control Council Liaison).

**OTHER ATTENDEES:** Chatam Township Board of Health, Somerset County Department of Health, East Brunswick Police Department, Rahway Health Department, Woodbridge Health Department, Cape May County Department of Health, Burlington County Health Department, Middlesex County Public Health Department, Generac Power Systems Inc., Bernardsville Planning Board, Mercer County Division of Public Health, Essex County Regional Health Commission, Monmouth County Health Department, Lewis Goodfriend & Associates, Cumberland County Health Department, Cooper Power Systems, Ocean County Health Department, North Brunswick Emergency Management, Princeton Borough, Linden Health Department, Hunterdon County Health Department, South Brunswick Health Department and Ostergard Acoustical Associates.

**INTRODUCTION:** Chairman Arnold Schmidt welcomed the attendees and gave a brief introduction, purpose of the meeting. He stated that the NCC was seeking input to determine whether it was necessary to amend the Noise Control regulations when it sunsets in 2019 to address emergency generators. The role of the New Jersey Noise Control Council was also explained.

**PRESENTATIONS:** All PowerPoint presentations will be made available on the Noise Control Council's website and the CEHAN Portal.

*Eric Zwerling, Director of the Rutgers Noise Technical Assistance Center:* Mr. Zwerling gave an overview of the noise impacts from emergency generators and the structure of the New Jersey Noise Control Regulations under N.J.A.C. 7:29-1 et seq. as it applies to emergency, stand-by and portable generators.

*Steven Szulecki, NCC Member:* Mr. Szulecki spoke about local noise ordinances and the guidelines that address the installation and use of generators within New Jersey and in other states as it applies to noise.

*Dr. Iris Udasin, Medical Doctor and NCC Member:* Dr. Udasin discussed the health impacts from exposure to generator emissions. While not directly related to noise, the NCC felt that it was important, since many people move generators inside their homes (mainly garages) to reduce the effects of noise on their neighbors when in use. Hundreds of people were hospitalized during Hurricane Sandy due to exposure to generator emissions.

*Robert Cramer, Technical Applications Manager for Generac Power Systems:* Mr. Cramer gave an overview of Generac's current product sound levels and the methodology for testing them. A Generac sound engineer

also discussed noise mitigation techniques currently used on residential models, as well as the challenges of translating the rated values to on-site measurements.

*Norm Dotti, NCC Member:* Mr. Dotti discussed data schemes for noise abatement enclosures and the procedures for gaining approval from local planning boards.

## **OPEN FORUM:**

*John Nachtigal, Chatham Township Board of Health:* How can the manufacturer make generators quieter?

Response by Generac: It depends on the unit, size, use, type and the distance of the complainant.

*Mark Roskien, Somerset County Department of Health:* Noise problems often arise from poor installation choices by local officials.

*Robert Uhrlik, South Brunswick Township:* Towns provide multiple benefits during an emergency, such as shelters and medical needs. He cautions about putting restrictions on the use of generators that are needed to ensure that these services are provided to the public.

*Jay Mikula, Cooper Power Systems:* Towns are trying to establish local regulations by using the best available technology. Please keep that in mind if you amend the state regulations.

*Bob Graham, Chair, Bernardsville Planning Board:* Any change to the regulations should identify the class of generators. He feels that it is unreasonable to require residents to shut generators off at night since they might power phones and security systems during an emergency. There is no entitlement to the peaceful use of property.

*Kristin Reed, Mercer County Division of Public Health:* People with medical needs should be a priority. Either have a clear exemption or don't have one. Putting specific restrictions on generators would make it too complicated for local responders.

*Joseph Lepis, NCC Vice Chairman:* The NCC should draft a best management practices document for generators and make it available to the public.

*Matt Murello, Lewis S. Goodfriend & Associates:* His firm is hired by manufacturers to comply with the DEP noise code. If the NCC makes changes to the exemption, he urges them to keep in mind that generators are the new air conditioners. Adding restrictions would make it difficult for businesses to install new systems. Leave residential issues to the municipalities.

*Bob Graham, Chairman, Bernardsville Planning Board:* Barriers and soundproofing for portable generators should be considered and implemented when noise issues arise.

*Eric Zwerling, Director of the Rutgers Noise Technical Assistance Center:* The New York City Construction Code includes incentives for using quieter equipment as well as restricting the hours of use. New Jersey should consider something similar. It would be helpful if products came with a label that recommended checking with local noise codes before using them.

**The Stakeholders portion of the meeting ended at 12:00**

**HIGH SCHOOL MARCHING BAND PRACTISE (RAHWAY N.J.):**

Neighbors have been complaining about noise during marching band practice at a local high school in the City of Rahway (Rahway). While Rahway has an approved noise ordinance, it does not specifically exempt marching band practice. High schools are considered “Community Services Facilities” and are therefore subject to the noise regulations as a source. The NCC members agreed that while bands playing during a football game are covered under the “public celebration” and “government permitted” exemptions, practices are not. The City of Rahway sought legal interpretation and the advice was that band practice is also exempt. The health officer for Rahway, Warren Hehl, attended the meeting and indicated that Rahway may amend their noise ordinance based on this. The Union County Office of Health Management had previously sent the Rahway Health Officer a 2008 e-mail correspondence from the DEP that contradicts Rahway’s legal interpretation by indicating that the marching band should relocate their practices to a more suitable location. Any amendment to the previously approved noise ordinance without DEP review and approval would make it invalid.

The next NCC meeting is scheduled for July 14<sup>th</sup>

Respectfully submitted:

David E. Triggs, NJDEP, Liaison to the NCC