

**NEW JERSEY
NOISE CONTROL COUNCIL (COUNCIL)
MAY 9, 2023
DRAFT MEETING MINUTES**

ATTENDEES

Council Voting Members: Arnold Schmidt (Chair, Public Member), Steve Szulecki (Vice Chair, Public Member, Ecologist), Randy Hauser (Department of Labor), Daniel Lefkowitz (Department of Health), Jack Zybura (Public Member), Joseph DiFillippo (Public Member, Local Governing Body), and Dr. Iris Udasin (Public Member, Medical Doctor), Salvatore Fama (Motor Vehicle Commission), and Norm Dotti (Public Member, Industrialist),

Council Candidate Members (Pending confirmation from the Governor's Office): Philip Makrelis (Public Member, Local Governing Body Candidate), Christopher Bergacs (Public Member Candidate), David Triggs (Public Member Candidate)

Rutgers and NJDEP Representatives: Michelle Feasel (NJDEP Liaison to the Council)

PUBLIC DUSCUSSION

*Randy Hauser **motioned** to go into Public Session with Jack Zybura seconding. All were in favor, so the meeting was now open to the public. There was no one from the public present to comment. Randy Hauser **motioned** to close the Public Session, with Jack Zybura seconding. All were in favor, so the meeting was closed to the public.*

MEETING MINUTES

*April 2023: Jack Zybura **motioned** to accept the meeting minutes as they were written with Dr. Iris Udasin seconding. All were in favor, except Daniel Lefkowitz who abstained due to not being present at the April meeting, the motion carried.*

EXECUTIVE SESSION

*Joe DiFillippo **motioned** to go into Executive Session with Jack Zybura seconding. All were in favor, so the motion carried. This meeting is closed to the public and candidate members. Jack Zybura **motioned** to approve the April Executive Session meeting minutes, with Joe DiFillippo seconding. All were in favor, except Daniel Lefkowitz who abstained due to not being present at the April meeting, the motion carried. Jack Zybura **motioned** to leave Executive Session with Daniel Lefkowitz seconding. All were in favor, so the motion carried.*

CHAIR REPORT

Chairman Schmidt stated that the Council's appointment memo was sent to the Governor's Office last May and was amended in March to replace Lynette Dooley with Philip Makrelis as a candidate. He added some additional appointments expired in January, and David Triggs has now retired from the DEP. He asked if it was possible to send a second letter to the Governor's Office for these additional members. Michelle Feasel stated that she spoke with her contact from the Governor's Office and was advised that they could not submit a second letter, if they wanted to include everyone, they will have to draft a new memo. She added that her contact stated that there are numerous appointments pending at the Governor's office, so the Council's appointment memo may not be approved anytime soon. Chairman Schmidt asked the Council if they would prefer to leave the appointment memo at the Governor's Office until it is approved and then send a second memo with the rest of the appointments, or pull back the original and submit a new one?

Steve Szulecki stated that the Governor's office probably approves all Council appointment memos as a whole and not by who's was submitted first. David Triggs stated that the original memo sent to the Governor's office was confusing because it had position titles shuffled. Steve Szulecki read statute 13-1G which states the Council just needs to have the required titles on the Council, he suggested that maybe we don't tie those titles to a specific seat. Mr. Szulecki also stated that they could wait to pull the original memo from the Governor's Office until the new memo has made its way through the DEP's chain of approval. *Chairman Schmidt **motioned** to have Michelle Feasel draft a new appointment memo with all the re-appointments and appointments. Sal Fama seconded. All were in favor, so the motion passed.* Chairman Schmidt asked that Ms. Feasel send the drafted memo to him, Steve Szulecki and David Triggs before submitting it.

COMMUNICATIONS

There was no new Communications.

OLD BUSINESS

N.J.A.C. 7:29 (Response to DEP attorney's comments): The Council continued to discuss the comments made by the DEP's attorney in response to their proposed amendments. They discussed the definition of "Residential Property" and updating the reference the Cook College in Section 2.11. A detailed accounting of the responses and votes is being prepared in a separate document. The Council then continued to the Justification portion of the document and assigned sections for members to draft. The Council ended at the beginning of the "Exceptions" section.

NEW BUSINESS

No new business was discussed.

ADJORNMENT

*Randy Hauser **motioned** to end the meeting with Steve Szulecki seconding. All were in favor, so the motion carried.*

NEXT MEETING

The next meeting is scheduled for Tuesday, June 13th at 9:30 A.M.

Respectfully submitted by Michelle Feasel, NJDEP Liaison to the Council.