

NEW JERSEY NOISE CONTROL COUNCIL (NCC)
NOVEMBER 14, 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), Eric Lieberman (Department of Health), Dr. Iris Udasin (Public Member, Medical Doctor), Joseph Lepis (Public Member, Civil Engineer), Jerome Feder (Public Member), Joseph DiFillippo (Candidate Member), Eric Zwerling (Director, Rutgers Noise Technical Assistance Center) and David Triggs (Department of Environmental Protection, Noise Control Council Liaison).

PUBLIC: Jack Zybura (Lewis S. Goodfriend and Associates)

MEETING MINUTES

Salvatore Fama motioned to accept the September meeting minutes with minor changes. Jerome Feder seconded. All were in favor so the motion passed.

CHAIR REPORT

- Chairman Schmidt congratulated NCC members Steve Szulecki, Norm Dotti, John Kapferer and Dr. Udasin for their re-appointment. John Surmay, who officially resigned in 2013 and hasn't attended a meeting since, was also re-appointed. Chairman Schmidt contacted the Governor's Office to point out the error and seek the status of the other re-appointments and appointments to fill two vacancies. His contact gave assurances that the recommendations outlined in the memo from the NJDEP will be corrected. Dr. Udasin's re-appointment was mentioned in the Home News and News Tribune.
- The Mercer County Division of Public Health (Mercer) measured sound level exceedances at an October concert at Mercer County Park in West Windsor. As a result of the advice given by a DAG on the issue, the NJDEP requested that Mercer issue a Notice of Violation. Eric Zwerling indicated that he was contacted by park officials who want to send some of their employees to the next Noise Certification Training Course.
- The Operator Training Center has been reserved through December 2018 for the NCC meetings. A schedule for 2018 was handed out. There may be a problem with the September 11th meeting, so it will be moved to the 17th if the room is available. Joseph Lepis motioned to accept the amended schedule and Eric Lieberman seconded. All were in favor so the motion passed.

NCC COMMUNICATIONS/CORRESPONDENCE

- There was no correspondence.

NOMINATIONS AND ELECTIONS FOR NCC CHAIRMAN AND VICE CHAIRMAN

Chairman Schmidt read the NCC By-laws election procedures before asking for nominations for Chairman and Vice Chairman. Randy Hauser nominated Arnold Schmidt for Chairman and Dr. Udasin seconded it. Chairman Schmidt accepted the nomination. Closed ballots were cast by the NCC members and read by David Triggs. Chairman Schmidt chose not to vote. Chairman Schmidt was unanimously confirmed for another term as Chairman. Randy Hauser then nominated Steve Szulecki for Vice Chairman and Eric Lieberman seconded it. Mr. Szulecki accepted the nomination. Another closed ballot vote was conducted

with David Triggs again reading the votes. Mr. Szulecki was unanimously confirmed for a second term. Both terms are for two years.

OLD BUSINESS

- *Round Table Part 150:* Traffic at area airports is trending substantially higher. The FAA has changed slotting as a result. TAC can't use the noise contour modeling data if it is significantly higher. Since key baseline data has been pushed back several years, data from earlier years may be needed to determine noise mitigation measures. It has been recommended to move air traffic further east but there are boundary lines with other airports that can't be crossed and Staten Island's high density population might be impacted. Elizabeth is currently impacted by DNL 65 but Staten Island does not exceed DNL 60. Joseph Lepis is Chairman of the Roundtable group. They are reducing the frequency of meetings from four to three times per year with a possibility of two. A study is being conducted on nighttime landings but not takeoffs. The main source of noise is from package carriers. The use of "crosswind runways" may be considered, which could reduce noise. Data for "Dwelling Unit and Population Analyses" was handed out.
- *Motor Vehicles Entering/Exiting Facility Properties:* Planning and zoning boards often approve projects that will inevitably lead to noise complaints. Just because a facility is approved by local boards, doesn't make them immune to state and federal regulations as well as local codes. N.J.A.C. 7:29 indicates that it regulates "Stationary Sources" of noise. This contradicts the ability to enforce against vehicles in transit at a facility or operational equipment such as forklifts. The wording may have to be removed from the regulations, which would allow all equipment used on site, including mobile, to be regulated. This is something the newly-created subcommittee will have to discuss.

NEW BUSINESS

Salvatore Fama recommended removing topics from the agenda if no tangible progress is made over a period of time. Chairman Schmidt felt that all topics should remain as long as we are revising N.J.A.C. 7:29, as the discussion could pertain to the current amendments

N.J.A.C. 7:29 AMENDMENTS

- Chairman Schmidt requested that someone on the subcommittee volunteer to be Chairman. Both Joseph Lepis and Eric Zwerling volunteered. Chairman Schmidt appointed Mr. Zwerling. The first meeting is scheduled for November 30th at 10:00 A.M. at the Operator Training Center.
- There was a limited discussion regarding the definitions for Affected Person and Person. It was agreed that the wording "political subdivision, department or bureau of the State and municipality" be removed from the definition of Person as "government agency" adequately covers them all.
- Mr. Zwerling has not heard back from the Department of Agriculture regarding a definition for "Agriculture."

PUBLIC DISCUSSION

There was no public discussion.

EXECUTIVE SESSION

There was no need to go into Executive Session.

NEXT MEETING

The next meeting is on December 12th at 9:30 A.M.

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