

NEW JERSEY NOISE CONTROL COUNCIL (NCC)
JULY 14, 2015
MEETING MINUTES

ATTENDEES: Arnold Schmidt (Chairman, Public Member), Joseph Lepis (Vice Chairman, Public Member), Randy Hauser (Department of Labor & Workforce Development), Eric Lieberman (Department of Health), Dr. Iris Udasin (Public Member, Medical Doctor), Eric Zwerling (Director of the Rutgers Noise Technical Assistance Center) and David Triggs (Department of Environmental Protection, Noise Control Council Liaison). **Member Candidate:** Joe DiFillippo

I. MEETING MINUTES

The meeting minutes were not reviewed or approved since the NCC did not have a quorum.

II. CHAIR REPORT

- Chairman Schmidt handed out a draft letter he prepared to send to the Department of Community Affairs, requesting that NCC Ex Officio member Drake Rizzo be replaced. The attending members had one minor comment before approving it.
- Due to vacations and nothing pressing, the NCC has decided not to meet in August. Chairman Schmidt will confirm with an e-mail prior to the date of the meeting.
- Chairman Schmidt emphasized that interaction between members via e-mail regarding important issues may be inappropriate and in violation of the Sunshine Rules. Future exchanges should not be done with a quorum and no vote should take place. The by-laws should be amended to clarify member e-mail usage.
- An e-mail was forwarded to the NCC members from the NJDEP regarding a State Ethics Commission (SEC) requirement that state board and committee members must complete “Ethics Training.” Board and committee members are considered Special State Officers and are therefore subject to the State’s Uniform Ethics Code. As such, members must complete full ethics training every three years. New members must complete training within 120 days of commencement of their appointment. Chairman Schmidt instructed the NCC members to follow the link in the forwarded e-mail and watch the brief training module. Members should print out a certificate of completion and return it to David Triggs. Ex-Officio members likely already took the training as part of their departmental requirements.

III. OLD BUSINESS

- *Council Member Appointments:* A memo was sent to the Commissioner of the DEP requesting that Joe DiFillippo’s name be submitted to the Governor’s Office to replace John Surmay’s “Public Member” position on the NCC.
- *Stakeholders Meeting:* The stakeholders’ meeting on emergency generators was considered a success. The PowerPoint presentations will be available on the CEHAN Portal and the NCC’s website. The NCC must decide what to do with the information gathered. It was agreed that the consensus opinion from the attendees was that the residential use of emergency generators should not be regulated. Joe Lepis volunteered to draft a “Best Management Practices Guide” on generator usage that could be made available to the public.

- *Bylaws Review/Revisions:* Most of the discussion pertained to the section on “Nominations.” Chairman Schmidt e-mailed his recommended changes prior to the meeting. Joe Lepis also submitted comments. Other minor changes were discussed for other sections. Chairman Schmidt will amend the document and make it available to the NCC for further discussion before the next meeting.

IV. NEW BUSINESS

- *Noise Complaint Advice:* David Triggs asked for the NCC’s opinion regarding a noise complaint in Cranford. The complaint involves a residential neighborhood located adjacent to a Garden State Parkway rest stop. The rest stop has been converted into a staging/storage area for heavy road construction equipment which is active during the day and night. A township commissioner called the DEP on behalf of her constituents to determine whether the source of noise was enforceable since Cranford has an approved noise ordinance. The NCC felt that the rest stop falls under the source category of “public space” since it is not being used for its intended purpose. They advised the township to take sound level measurements and if a violation is recorded, issue an enforcement action and let the court decide on how to proceed.

V. OPENING OF THE MEETING TO THE PUBLIC

No one from the public was in attendance.

VI. NEXT MEETING

The next meeting date is scheduled for September 8th (pending the cancellation of the August meeting)

Respectfully submitted:

David E. Triggs, NJDEP, Liaison to the NCC