

**NEW JERSEY NOISE CONTROL COUNCIL (NCC)**  
**MARCH 8, 2016**  
**MEETING MINUTES**

**ATTENDEES:** Arnold Schmidt (Chairman, Public Member), Eric Lieberman (Department of Health), Randy Hauser (Department of Labor), John Lago (Department of Community Affairs), Salvatore Fama (Motor Vehicle Commission), Joseph Lepis (Public Member, Civil Engineer), Dr. Iris Udasin (Public Member, Medical Doctor), John Kapferer (Public Member), Jerry Feder (Public Member), Joseph DiFillippo (Public Member Candidate) Eric Zwerling (Director of the 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:**

The meeting minutes for January were again tabled due to Joseph Lepis's requested revisions to the New Business Section. The February minutes were approved with minor revisions (Randy Hauser moved and Salvatore Fama seconded).

**CHAIR REPORT:**

- Certificates of completion for the on-line ethics training are still needed from Dr. Udasin, Norm Dotti and Salvatore Fama.
- Chairman Schmidt converted the bios to third person. Joseph Lepis recommended that the length of time served on the NCC should be checked for some members who may have attended meetings for many years but were not officially appointed during that time. The membership start dates may have to be amended.
- Joseph Lepis did not contact the League of Municipalities (LOM) regarding the NCC representative for noise-related questions as requested and subsequently deferred the assignment to Chairman Schmidt. He will forward the e-mail with the contact information before the next meeting. Michael Darcy is the new Executive Director of the LOM, replacing Bill Dressel.
- The New Jersey Department of Environmental Protection (Department) has approved posting the NCC meeting minutes on the Rutgers Noise Technical Assistance Center's website with a link to the Department's noise website. Eric Zwerling has been given approval from Rutgers's to proceed. David Triggs will forward the meeting minutes that have not been posted, which includes all of 2015. Until technical issues are resolved, Mr. Zwerling could not commit to a timeline.
- A recent newspaper article was written about Jersey City adopting a new noise ordinance. David Triggs stated that it was not submitted to the Department for review. Joseph Lepis volunteered to obtain a copy to submit on behalf of the city. Mr. Triggs stated that new noise ordinances must be submitted by the municipality/city adopting it, not by a third party.

## **OLD BUSINESS:**

- *Motor Vehicles Entering/Exiting Facilities:* The discussion was tabled due to Norm Dotti's absence.
- *Penalty Assessments:* Suggested changes to the template included: 1. Point out that the penalty figures are suggested amounts. 2. Distinguish between non-minor and minor. 3. Add "Example Case" at the top of the first column. 4. Joseph Lepis wanted to add the language "not to exceed" for the penalty amounts and Chairman Schmidt felt that it would defeat the purpose of the document by making it too flexible. The guidance was modeled after other DEP enforcement templates which give specific penalty amounts without discretion. Keeping set amounts will help to assure consistency. A judge can then determine if the penalty is reasonable if it is challenged since it is only a guidance document. Eric Zwerling and Joseph Lepis will submit suggested wording for the heading for Chairman Schmidt to consider. Once the template is finalized, it can be added to the guidance document for noise investigators.
- *Emergency Generators:* The "Best Practices Document for Residential Consumers" should state what the current regulatory status is (Commercial exemption except for testing/residential use must meet the regulatory standards at all times). It should also point out that under no circumstances should generators be placed indoors (the word garage under "Location & Orientation" could imply setting it up indoors). It should specify that placement near a barrier (natural or manmade) should be according to the manufacturer's specifications.
- *Roundtable Part 150 Study:* The next meeting will be on March 9<sup>th</sup> at the Newark Liberty International Airport. Many of the new planes meet Stage 5 Protocol for aircraft sound which is much quieter than older models. Each stage increase can result in lowering the noise by 10 dB. Federal Express has a target of ten years to have their entire fleet meet the Stage 5 Protocol.
- *By-Laws:* No one can recall when the by-laws were originally adopted. The document only shows amendment dates starting in 1997. Revisions were made to pages 2, 3 and 10.

## **NEW BUSINESS:**

As a follow-up to a question asked by Joseph Lepis, Salavtore Fama informed the NCC that motor vehicle inspection stations only inspect "noisy" mufflers on commercial vehicles, not residential. He was unsure whether a vehicle would fail for having a damaged or altered muffler.

## **NEXT MEETING:**

The next meeting is scheduled for April 12th

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