

**NEW JERSEY NOISE CONTROL COUNCIL (NCC)**  
**FEBRUARY 11, 2020**  
**MEETING MINUTES**

**ATTENDEES**

*NCC Voting Members:* Arnold Schmidt (Chairman, Public Member), Steve Szulecki (Vice Chairman, Public Member, Ecologist), Norm Dotti (Public Member, Industrialist), Randy Hauser (Department of Labor), John Kapferer (Public Member), Dr. Iris Udasin (Public Member, Medical Doctor)

*NCC Non-voting Candidate Members (Pending approval by the Governor's Office):* Jack Zybura (Public Member candidate to replace Jerry Feder), Mark Roskein (Public Member candidate to replace Nancy Tanella)

*Rutgers and NJDEP Representatives:* Eric Zwierling (Director of the Rutgers Noise Technical Assistance Center), David Triggs (NJDEP Liaison to the Council) and Michelle Feasel (NJDEP Co-Liaison to the Council).

*Public:* Scott Hendricks (Blairstown), Dan Aubrey (U.S.1 Newspaper), Matt Cott (Behrens & Associates)

**MEETING MINUTES**

The NCC did not have a quorum, so the approval of the Draft January Meeting Minutes was tabled.

**CHAIR REPORT**

- Both Chairman Schmidt and David Triggs reported no update on the NCC member appointments/reappointments.

**PUBLIC DISCUSSION**

With guests present, Norm Dotti motioned to open the meeting to the public and Randy Hauser seconded. All were in favor, so the motion carried.

Chairman Schmidt read the following opening statement to the public:

We are now open for public comment. For the public's clarification, The Noise Control Council welcomes written or in-person comments regarding noise issues from individuals and organizations who reside, work or do business in the State of New Jersey. Information presented to the Council will be taken under advisement and may be used to inform changes to the State Noise Code, the Model Noise Ordinance, and/or the Guidelines for the Investigation of Noise Complaints through recommendations to the New Jersey Department of Environmental Protection. The Council serves as an advisory board to the DEP. To the extent that Council members comment on issues presented to the Council, such comments are offered for general information purposes and should not be inferred to be technical or legal advice regarding specific or comprehensive matters.

So, please let us know what issue or issues you are bringing to us today. But first, if you would, please provide us with your name and address.

*Scott Hendricks* is an animal control officer as well as a noise control officer in Blairstown. He has been trying to get his town to adopt the Model Noise Ordinance (Model). They have two main issues, one is a juvenile who rides a motorcycle on his property, and the other is barking dogs. He stated that his town may be reluctant to adopt the Model because a lot of homeowners shoot their guns on private property. He would like his town to adopt the Model because it has permissible limits, whereas the nuisance code they are currently using to enforce relies on the plainly audible standard, which is subjective.

*Dan Aubrey* is a writer and editor for U.S. 1 Newspaper. He came to the NCC meeting to gain knowledge on noise control. He stated that noise and noise control are important issues, that the public is often unaware of. Eric Zwierling commented that Mr. Aubrey recently wrote a lengthy article about noise with a focus on the Rutgers Noise Technical Assistance Center's Noise Enforcement Certification Course.

*Matt Cott* is the Director of Sales at Behrens & Associates. They are acoustical consultants who provide permanent and temporary sound control measures. They are primarily located in Colorado but are expanding to the East Coast. They are working on a project in Pennsylvania and have found that differing state and local codes present challenges to finding noise control solutions.

Randy Hauser motioned to close the public session and Steve Szulecki seconded. All were in favor, so the motion carried.

### **OLD BUSINESS**

*ANSI vs. IEC References in 7:29:* As a result of a suggestion at the Stakeholder Meeting, it was voted on at the January meeting to add a new amendment to 7:29, which would include the IEC equivalent references to the ANSI standards. The draft proposal with this amendment added has not been submitted for DEP attorney review because the January meeting minutes haven't been approved. Further discussion revealed that since the wording and content of the amendment was voted on and approved by the NCC, it could in fact be sent to the attorney, even though the meeting minutes haven't been approved.

*Vehicles Entering and Exiting Facilities:* Norm Dotti and Steve Szulecki requested that this topic be tabled until they are ready to present something at the April meeting.

### **NEW BUSINESS**

*N.J.A.C. 7:29:* David Triggs handed out an email that the DEP attorney assigned to review 7:29 submitted asking why the NCC proposed to remove the definition for "electricity generation". While the rationale states that it was included in the definition for "industrial facility," it is not defined. The NCC agreed that the definition for "electricity generation" should therefore be left in 7:29.

Regarding some of the other comments the attorney posed about “commercial facilities”, it was discussed and ultimately decided that the NCC needed more information from her before replying. The NCC also offered to meet with the attorney in person to answer any questions she might have regarding all the draft amendments.

Eric Zwerling mentioned that he received correspondence regarding a reference that the DEP certifies sound level meter calibration, which is an inaccurate statement.

### **EXECUTIVE SESSION**

The NCC did not meet in Executive Session.

Randy Hauser motioned to adjourn the meeting and Steve Szulecki seconded. All were in favor, so the meeting ended.

### **NEXT MEETING**

The next meeting is scheduled for Tuesday, March 10<sup>th</sup> (pending weather) at 9:30 A.M.

Respectfully submitted by Michelle Feasel with edits by David Triggs, NJDEP Liaisons to the NCC.