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**PUBLIC HEARING**

before

**SENATE TRANSPORTATION AND COMMUNICATIONS COMMITTEE**

to

(Receive testimony concerning excessive noise levels generated by air traffic over the Town of Kearny and vicinity)

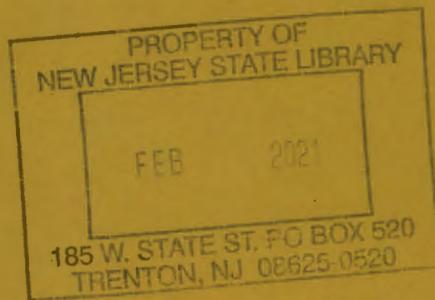
July 29, 1986  
Council Chambers  
Town Hall  
Kearny, New Jersey

**MEMBERS OF COMMITTEE PRESENT:**

Senator Walter Rand, Chairman  
Senator Thomas F. Cowan, Vice Chairman  
Senator S. Thomas Gagliano

**ALSO PRESENT:**

Laurence A. Gurman  
Office of Legislative Services  
Aide, Senate Transportation  
and Communications Committee



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New Jersey State Legislature

SENATE TRANSPORTATION  
AND COMMUNICATIONS COMMITTEE

STATE HOUSE ANNEX, CN-068  
TRENTON, NEW JERSEY 08625  
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Chairman  
THOMAS F. COWAN  
Vice-Chairman  
FRANCIS J. McMANIMON  
S. THOMAS GAGLIANO  
JAMES R. HURLEY

June 30, 1986

NOTICE OF A PUBLIC HEARING

The Senate Transportation and Communications Committee will hold a public hearing on Thursday, July 17, 1986 at 7:30 P.M., Council Chambers, Town Hall, 402 Kearny Avenue, Kearny, New Jersey.

The purpose of the hearing is to receive testimony concerning excessive noise levels generated by air traffic over the Town of Kearny and vicinity. The noise levels are occasioned by aircraft operations at Newark International Airport and Teterboro Airport.

Anyone wishing to testify should contact Peter R. Manoogian, Committee Aide, at (609) 984-7381.

\* Hearing rescheduled to July 29, 1986

Directions: From the south, take the New Jersey Turnpike to Exit 15W, follow sign to Kearny, go to first traffic light and onto Schuyler Avenue, and proceed along Schuyler for one mile to the Portugese Cultural Club. Turn left at the club onto Quincy Avenue, and at the second traffic light turn left onto Kearny Avenue. The Town Hall is one block on the left. Parking is at the rear of the Town Hall.



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**SENATOR WALTER RAND (Chairman):** Ladies and gentlemen, my name is Senator Walter Rand, and I am Chairman of the Senate Transportation and Communications Committee. I would like to welcome you here tonight. At this time, I would like to introduce the other members of the Committee who are present. On my left is Senator Tom Gagliano from Monmouth County; on my right, of course, Senator Thomas Cowan, who I will be introducing in a moment. On my extreme right is Mr. Gurman, who is the staff member to this Committee.

If you wish to speak today and have not notified the Committee staff, please give your name to Larry Gurman, who I just introduced and who is staffing this hearing, after the opening remarks are concluded.

I call this public hearing to order for the purpose of receiving testimony concerning excessive noise levels generated by air traffic over the Town of Kearny and vicinity. Since I have called this public hearing at the request of Senator Thomas F. Cowan, it is appropriate at this time to call upon him for his remarks. Senator Cowan?

**SENATOR COWAN:** Thank you, Senator Rand. I would also like to welcome those of you from the Town of Kearny and other localities in the area who have come here for this evening's hearing. Representatives of various levels of government -- be it Federal, State, or local -- are also extended a welcome. As Senator Rand has stated, the purpose of this hearing is to receive testimony concerning excessive noise levels generated by air traffic over the Town of Kearny and vicinity. These noise levels are occasioned by aircraft operations at Newark International Airport and Teterboro Airport.

The members of the Committee have received complaints that the level of aircraft noise has been increasing in this locality, and are interested in hearing firsthand from the citizenry and local officials as to the nature of this problem.

Secondly, we are interested in the response to these comments and complaints by the Port Authority of New York and New Jersey, the operator of the airports, and, also, by the Federal Aviation Administration, which has regulatory authority over these airports. An explanation of the legal and regulatory situation would be in order in this connection. We requested the Federal Aviation Administration to appear but, unfortunately, the F.A.A. indicated that it was short of personnel during the summer and would, therefore, be unable to participate at this hearing.

Finally, the Committee will use this forum to explore what practical actions might be taken to alleviate the noise problem, be it at the Federal, State, or community level.

We look forward to the comments and suggestions on this matter which will be presented by the speakers here tonight.

SENATOR RAND: Thank you, Senator Cowan. Now, Senator Gagliano.

SENATOR GAGLIANO: Thank you very much, Mr. Chairman. Good evening, ladies and gentlemen. I am happy to be here. The Transportation and Communications Committee of the New Jersey Senate has held hearings all over the State on many, many different issues. I just want you to know that I have served on this Committee with Senator Walter Rand, our Chairman, and Tommy Cowan, for several years now, and we do try to be responsive.

So, we will listen to your remarks -- I am here to listen -- and if there is anything we can do to be helpful, we certainly will. Thank you for inviting me here. I look forward to your testimony.

SENATOR RAND: Thank you, Senator Gagliano. The first witness tonight will be the Honorable Mayor Henry Hill.

M A Y O R H E N R Y J. H I L L: Thank you for taking time out to join us in a problem that we have had for a good

many years. As you know, the Mayor gets all of the calls when people are annoyed. Just before coming here -- in fact, I am two minutes late -- someone called and told me he saw a plane, well, he said at 300 feet. I'm sure it was higher than 300 feet, but it was low enough for him to be concerned about it.

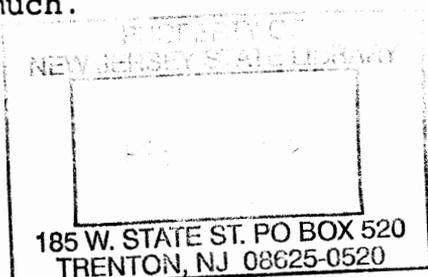
We are concerned because all of our efforts with the Port Authority, and also with the F.A.A., have been accepted by them, and I am sure consideration has been given to them, but the condition persists. Many people call me now and say, "When do we sleep?" because there are planes starting, particularly on weekends -- and I see many people nodding their heads-- After a day of high frequency planes, it starts around 10:30, and doesn't stop until about one, two, or three o'clock in the morning. So, I cannot answer the person who calls and asks me, "When do we sleep?"

Recently, we have had choppers going over. A helicopter has a different noise than a plane. So, if you have become accustomed to the plane -- the drone of the plane -- and can fall asleep, when a chopper goes over, it wakes you up because the noise is a little different.

I have had calls from women. One of the women who called me was in a closet during a real hectic day, because she couldn't hear on the telephone. Her children were outside the closet; she was giving me her complaints from the closet.

So, it is a problem. I certainly appreciate-- I know the Port Authority has a rough job. They might easily say, "Well, you don't want to stand in the way of progress," and I guess we don't want to, but as the planes increase, as the economy booms at Newark Airport, we get more boom in Kearny. It is getting to the point now where it is, I think, detrimental to the Town of Kearny from a physical standpoint.

So, thank you very much for coming here. I am sure you are going to hear many comments from the people. Thank you very much.



SENATOR RAND: Thank you, Mayor. Are there any questions for Mayor Hill? Senator Cowan?

SENATOR COWAN: No.

SENATOR RAND: Senator Gagliano?

SENATOR GAGLIANO: No questions.

SENATOR RAND: Mayor, thank you very much.

MAYOR HILL: You're welcome.

SENATOR RAND: The Honorable Mayor Leonard Kaiser, or his representative, from North Arlington? (no response) The Honorable Councilwoman Rosemary Robertson, from Kearny?

SENATOR COWAN: Mayor Rodgers (speaking to gentleman in audience), would you care to join us up here at the dais, please? (Mayor Rodgers complies)

SENATOR RAND: Please excuse us for the interruption. Councilwoman?

COUNCILWOMAN ROSEMARY ROBERTSON: Thank you. I want to thank you, Mr. Chairman, Mayor Hill, and Senator Cowan, for your interest in this very important topic that affects Kearny.

To reiterate some of the statements made by Mayor Hill, we all get those phone calls. I represent the people of the Second Ward. We live, geographically, in what I call the elbow of the pattern of the airplanes. They will start to make their veer to make their turn over the Town of Kearny right about over my house. Now, I live on Schuyler Avenue which -- for those of you who are not from here -- geographically is the last street actually running parallel to the main street in the Town of Kearny.

About two weeks ago, I sat, with my granddaughter, on the front porch, and we counted airplanes. She thought it was great fun; she is three years old. But, we counted at least -- within a period of 15 minutes -- 17 planes coming in to land. The very important problem seems to be -- which we noticed, and I'm sure many of the people who live in Kearny will agree with

me -- that within the last couple of years there has been a very, very obvious change not only in the volume of the air traffic -- which we know has increased, obviously -- but the pattern seems to have changed.

The last time we had a hearing here -- and I know the Mayor would agree with me -- one of the gentlemen told us that the plane rises so many feet-- What was it, Henry, 3000, 2000 feet?

MAYOR HILL: By the time they come over Kearny, it is around 3000 feet.

COUNCILWOMAN ROBERTSON: Right, by the time they turn. We were told that pilots are advised to go 3000 feet before they make that left to come over the Town of Kearny because they are then out over the meadows. Well, they are not at 3000 feet. I pointed that out to the gentleman at the time.

SENATOR RAND: It is more like 300, I hear.

COUNCILWOMAN ROBERTSON: Well, I don't know about 300, but I told him that evening that, going over Bergen Avenue, one went over my head, and I could literally see -- literally see -- the numbers on the plane. This was going over a hospital, I might add. So, where I am geographically, in my ward, they do cross over a hospital zone, and several school zones where there are young children. Not to even mention the noise, the safety factor is frightening. I mean, you look up, and there they are.

Now, I noticed that change seemed to take place when the people in the Ironbound section made a big fuss. Right after that, it seemed that we kept getting more and more, and they kept getting lower and louder. So, I think my ward is particularly affected, although I know the whole town is affected. I advised the gentleman that I could see the flight pattern from my home. I have lived there for about 15 years, and there has been a very, very big change.

We would appreciate anything you could do, because our constituents call us. They ask us, "What can you do to help us?" Our hands are tied, so we have to turn to someone above our level for assistance. Now, I don't know if the pattern has been changed within the last few years or not, but there definitely has been change. I don't know if something could be done so that one area could get a rest for a while. We know we live around an airport, and we realize that the planes have to fly. As the Mayor said, "That's progress." But, it would seem to me, in all fairness, that if the patterns could be adjusted to the extent that we could get some alleviation from the noise once in a while, it would be of some assistance to us.

Secondly, I would point out that whatever the pilots are told about this pattern -- and I am sure it is on the books -- it is not being followed. If these planes were as high as they are supposed to be when they cross over the town, I don't think we would have the noise volume we have. It's terrible.

One of the gentlemen, when I called to put my name on the list, asked me -- off the record, sort of -- "Are you really having problems?" I told him that when I campaign -- I always do a door-to-door campaign-- I would say that other than the obvious -- taxes -- this is the second most often received complaint. Many people are upset about it, so we do wish you would do something to help us.

Thank you.

SENATOR RAND: Thank you. Are there any questions?  
Councilwoman? (as Councilwoman walks away)

SENATOR COWAN: Rosemary?

COUNCILWOMAN ROBERTSON: Yes, sir?

SENATOR RAND: We are not finished yet.

COUNCILWOMAN ROBERTSON: Oh, okay.

SENATOR RAND: We like your company. Senator Cowan?

SENATOR COWAN: No, I didn't have any questions.

SENATOR RAND: Senator Gagliano?

SENATOR GAGLIANO: I don't have a question of the Councilwoman, but I was wondering if anyone from the Port Authority, or anyone representing Newark Airport, had brought a map with them, or something we could put up on an easel, where we could see exactly the way the patterns go, as the testimony goes forward, because I am not familiar with it except as a passenger once in a while out of Newark Airport. I would appreciate it if I could see exactly the patterns -- the various patterns that are used. So, if there is anyone here who has something like that, I would appreciate it.

MARGARET HOLLOWAY (speaking from audience): I have the flight patterns from 1973 on.

SENATOR RAND: We're foreigners, and when you said "Ironbound," I had to lean over and ask Senator Cowan--

SENATOR GAGLIANO: Oh, not me; I know where that is.

SENATOR RAND: I am from the deep South.

COUNCILWOMAN ROBERTSON: Oh, I see. Well, I should have been more specific.

SENATOR RAND: The reason I am here -- outside of my deep respect for Senator Cowan -- is that my town is right across from Philadelphia Airport.

COUNCILWOMAN ROBERTSON: Oh, okay; I understand then.

SENATOR RAND: So, I have great sympathy. If we do get--

MS. HOLLOWAY: I do have the patterns. I also have the dates we were working on it from 1973. The patterns are definitely coming right over Kearny, especially since they put the new beacon in. It was supposed to protect us, but it does not. It is guiding them closer to our homes and our recreation facilities.

COUNCILWOMAN ROBERTSON: Margaret, do you have something there that might be helpful to them?

MS. HOLLOWAY: Yes.

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COUNCILWOMAN ROBERTSON: Gentlemen, I didn't realize, when I mentioned our last meeting on this, that you didn't have that information. I apologize. If I had known that, I would have made sure you had it. However, I was giving you the main thrust of the argument we were given, and we were all there. So, I will give these to you. I don't know if they will help. (passes materials to Committee)

SENATOR RAND: You made it very clear.

COUNCILWOMAN ROBERTSON: Okay.

SENATOR GAGLIANO: I'll take those. (Senator accepts materials from Councilwoman) Thank you, Rosemary.

SENATOR RAND: Thank you very much.

SENATOR COWAN: Thank you, Councilwoman. It is at the point now where there are a number of things we will be looking at, but I don't feel now is the time to get into looking at, you know-- It is good for us to be somewhat familiar but, basically, what we are looking for is a-- This is a very exploratory thing tonight. The Port Authority is here, and I assume they will describe those matters to us, and will give us the information. Okay?

COUNCILWOMAN ROBERTSON: Okay.

UNIDENTIFIED PERSON FROM AUDIENCE: I am a commercial pilot. I use the system, and that is what you are looking at. (Provides chart to Committee. At this point, there is an inaudible discussion among Senators and gentleman from audience.)

SENATOR RAND: Thank you very much.

MAYOR HILL: Senators, excuse me. We have had quite a few people just complaining, but we have also had quite a few people who have delved into this deeply, to a point where I am amazed at the information I get from them when they start discussing the flight patterns and all of the other regulations which I am not completely aware of.

So, I appreciate your jumping up and saying, "Yes, I have something." I see Mrs. Starfus (phonetic spelling) in the

audience. She has been doing a lot of work pertaining to just what we are speaking about.

SENATOR RAND: Thank you, Mayor. Now, the Honorable Mayor Frank Rodgers, from Harrison.

M A Y O R F R A N K E. R O D G E R S: Mr. Chairman, I appreciate your calling upon me now, but I am here until the end of the hearing, and I would like to hear some of the complaints because I have some complaints myself. I appear here tonight because of my friend, Mayor Henry Hill, and those he represents, and because I do have some things to say, but I would rather wait until later on so that I can get the input from the people of the Town of Kearny. We are neighbors, and have been for all these years, and their complaints are our complaints. So, I would like to be called upon at a later time.

SENATOR RAND: Mayor, we will certainly do that. Thank you. Dolores Kelly, representative of Congressman Frank Guarini, would you come forward, please?

D O L O R E S K E L L Y: I am not going to make a statement. I am just going to report on what is going on to the Congressman.

SENATOR RAND: Okay. Thank you very much. The Honorable Councilman James Clancy, from Secaucus? Good evening, Councilman.

C O U N C I L M A N J A M E S C L A N C Y: Good evening, Senator. How are you? Thank you, gentlemen, for having this hearing this evening.

We in Secaucus are, I guess, in the same situation as the Town of Kearny is as far as the air traffic that comes into Newark Airport. I know in the past I have seen the flow of airplanes pulling into Newark Airport usually swinging around from a westernly direction and coming down near the Turnpike.

I would say that in the last few weeks I have noticed a change. At times, they have been swinging around from the

east, and coming down, also, with the Turnpike. That is one thing I would just like to comment on.

The fact is, I know this hearing is geared toward the noise and so forth that takes place with the airlines. We get an awful lot of noise from the Teterboro Airport, in which the planes seem to be flying late at night. Many times -- let's say around 10 o'clock -- they seem to go -- the direction of the planes -- over the residential part of what is known as the Second Ward of Secaucus.

I just want to bring to your attention the awful amount of air traffic from Teterboro and Newark. I'm sure you realize the amount of planes that are up in the air. Fortunately, we have not run into a catastrophe yet, but some day there is going to be a possibility that that may happen, with the way the planes leave Teterboro and swing around the Kearny area and the Secaucus area flying into Newark.

I believe it was last fall, there was an unfortunate accident that took place over Cliffside Park. There was a small aircraft coming out and a large aircraft coming out. I forget exactly where it was, but that could happen in this area also, with the large airlines going into Newark.

I have one other thing I would like to mention to you as far as the noise is concerned, and that is the helicopter traffic that goes from Teterboro the other way, I presume to the heliport that is located in Weehawkin. Then they fly from New York into LaGuardia. It just seems as though the helicopters, at periods, fly late at night. They seem to fly awfully low. In some of the homes, they actually rattle the walls.

I wonder if it could be looked at that the helicopter traffic not be so much over the residential sections. We have open meadowland where they could fly from Teterboro Airport to their destinations -- whether it be LaGuardia or Kennedy Airport or the building on the waterfront there. Why can't

they go around the open meadows, rather than fly over the residential sections? If you could possibly arrange that--

Those are the only things I wanted to say, except that there is an awful lot of air traffic in this area, and it should be looked at before we have a catastrophe. Thank you.

SENATOR RAND: Just a moment, Councilman. Senator Cowan?

SENATOR COWAN: I have no questions, but I think Tom--

SENATOR RAND: Senator Gagliano?

SENATOR GAGLIANO: Councilman Clancy?

COUNCILMAN CLANCY: Yes, sir?

SENATOR GAGLIANO: Are there any restrictions with respect to time at Teterboro Airport? I was under the impression that at one time there were some restrictions on night flights. I don't know if I am just dreaming, or if that actually happened. Maybe someone from the Port Authority will know. Are you aware of any restrictions on flights at night?

COUNCILMAN CLANCY: No, I'm not.

SENATOR GAGLIANO: Would it be helpful if there were some restrictions with respect to nighttime flights after a certain hour?

COUNCILMAN CLANCY: I am sure it would be, due to the fact of the lowness that they are flying at, you know, some of these small jets. It seems like the flights have gotten bigger over the past few years flying into the Teterboro Airport.

Back a few weeks ago, I had the county clerk from Secaucus call up someone from Teterboto to check into the fact that it seemed like for, oh, about a period of two or three weeks, there had been an awful lot of helicopter traffic from nine o'clock to midnight for some reason. She was informed that there was a special program going on. That was the reason they were flying. I questioned, "Why does it have to be over the homes? Why can't it be over the open meadows, where dangers to homeowners could not happen?" At that particular

time, I believe it was in the same week I was questioning that, there were a number of helicopter accidents, one of them taking place up in Ridgefield; one, I believe, in Long Island; and one an emergency landing.

About, oh, the end of June, it seemed like it picked up again, also in the evening. I questioned it, and there was no answer at that time. At that particular time, if you recall from the newspapers, there was a helicopter flying over and, in the Town of North Bergen, one of the batteries from the helicopter fell through the roof of one of the residential homes. That happened the same week I was questioning the amount of traffic.

On July 14 or 15, I was sitting in my home, which is in the Second Ward of Secaucus, where the helicopters seem to be flying from Teterboro either to Weehawkin or LaGuardia or wherever they are going-- At 9:30 at night, on that Monday evening, I think it was, within a half an hour, there must have been six helicopter flights back and forth -- within a half hour's time. Again, over the residential section. It stopped at 10 o'clock, but at about 11 o'clock, it picked up again for the next half hour or so.

SENATOR GAGLIANO: Councilman, are you satisfied that with a little planning, the flight patterns for the helicopters could be changed somewhat, so that they would be over -- directly over non-residential areas, or areas in the Meadowlands where they would not have such a direct affect upon homes and people trying to sleep?

COUNCILMAN CLANCY: Well, as far as the helicopters go, yes. But, as I said to you before, with reference to the amount of these small business jets that are flying to Teterboro as the jets are circling for Newark -- the commercial airlines -- that should be checked also.

SENATOR GAGLIANO: Okay, thank you.

COUNCILMAN CLANCY: Thank you.

MS. HOLLOWAY: May we have the microphones turned up a little more because the air conditioning is interfering with our hearing.

SENATOR RAND: We will speak a little louder, how's that?

MS. HOLLOWAY: Thank you, sir.

SENATOR RAND: We will make sure that all of the Committee members, and we will try to get the witnesses, too, to speak up loudly.

MS. HOLLOWAY: Thank you.

SENATOR RAND: You're welcome. Senator Cowan, did you have any questions?

SENATOR COWAN: No, that's fine. Thank you.

SENATOR RAND: Councilman, thank you very much. Councilman Anthony Just, from Secaucus. Good evening, sir. If you will please speak up a little louder so that everyone can hear, we will appreciate it.

C O U N C I L M A N A N T H O N Y J U S T: I have a very loud voice anyway. I guess the microphone will help, but still--

I want to first say this: Taking on the Port Authority is like the David and Goliath story. I only know of one story. That's in the Bible. That is how old it is, and that is how we have succeeded since taking on a giant.

Thank you for having this hearing, because maybe somewhere along the line we will have a new story. We may take on the Port Authority, with the people who have come here to express their feelings, and maybe someday we may at least wound the giant -- the Port Authority. (applause)

I feel that we have to have these hearings. There was one held by Congressman Torricelli regarding the Teterboro Airport not too long ago. He has been very concerned -- as you gentlemen are -- about the traffic.

I have spent time, during the past few months -- for personal reasons -- in North Arlington. I have witnessed what you people have witnessed, even though I don't live in this area. I witnessed, by visiting, how the planes do take off from Newark Airport, and how they make that turn, as the Councilwoman said -- that elbow turn heading west. There was one particular day -- it must have been about four o'clock in the afternoon -- when the noise was tremendous. Then, all of a sudden, it seemed as if it just died out, and I said, "Oh, no, those engines went dead. There is going to be an air crash." It seemed that way. I don't know what caused that, but it frightened me because I thought there was going to be an air crash. I guess this is the thought that goes through the minds of many people who have to live under these conditions.

In East Rutherford, where the Giants Stadium is, last year when I was there for a Council meeting, I noticed a carnival -- I called it the "carnival of aircraft." There were dergibles, the Goodyear blimps, the Fuji blimps, and the McDonald blimps. There were small aircraft trailing advertisements like you see down the shore. And, they were all advertising their wares in the corridor of the heaviest air traffic that is going in and coming out of Newark.

I said, "Is the Sports Authority getting money from these people? Are they allowing them to fly over?" Well, it seemed maybe I was looked upon as if I had nothing better to talk about at the Council meeting. Two or three weeks later, there was a crash over Cliffside Park. It was two small crafts.

Now, this could happen over the Giants Stadium, so I wondered why they would tolerate this. Why would such responsible people tolerate this kind of additional traffic in this area? But, there you are. The Sports Authority is allowing it. Let's face it, they have the authority to shoo them away. They can get the numbers from the aircraft, and get in touch with those people about doing that. So, there must be

some kind of revenue that is coming out of that for the Sports Authority.

I have noticed also, that whenever there is a hotel being built, there is a request for a helipad -- a helicopter pad. I voted "no" on the most recent one in Secaucus, because I felt this way: The executives who like to fly around in helicopters should first realize what they did to our streets -- to our residential streets -- when they built up around us, and within us. Let them witness and suffer the consequences that we all have to suffer every day going in and out of work.

Then they fly over -- the people from Hartz Mountain and Leonard Stern-- They can fly over and sort of laugh at us peons, but they caused the problems with this so-called boom in the office buildings and the hotel buildings that we are experiencing in Secaucus. We are congested with traffic. I guess every one of us are. In the Hudson County area, we have been really deluged with traffic -- too much so -- and we wonder, "Is it all worth it?" I know your taxes didn't come down too much. We're not greedy. Ours haven't been coming down too much.

So, we are benefited to some degree, but we are also hurting to another degree. Right, Mayor Hill? You know that. I'm saying, "What can we really do about this?" I didn't want to be complacent and not come here. Again, I want to congratulate all of you for having this hearing. You have a full house. Congratulations to all of you people for coming here.

SENATOR RAND: Councilman, thank you very much. Mr. Bob Landolfi, Administrator of North Arlington. Good evening, sir.

R O B E R T M. L A N D O L F I: Gentlemen, thank you. My name is Robert Landolfi. I am the Administrator of North Arlington. I am here to represent Mayor Leonard Kaiser and the Municipal Council this evening.

First of all, I would like to thank you for this opportunity, Senators, and for convening the hearing this close to North Arlington. Thank you for the chance to appear before Mayor Hill. We are usually not on the same side of the microphone. (One complete sentence lost here because transcriber was unable to hear speaker.)

FROM AUDIENCE: We can't hear you.

MR. LANDOLFI: I will try to keep my remarks brief. I would like to apologize if my remarks are a little bit late, and some of this may be redundant.

SENATOR RAND: We don't mind you being brief, and we don't mind you being late, but just speak so that they can hear you in the back.

MR. LANDOLFI: Yes, sir, I will try to do that. As was just remarked by the Councilman from Secaucus, we have a full house here tonight, and I see some friendly faces from North Arlington. I think they will be able to graphically give you examples of why we are here, details of the noise pollution from Newark Airport and Teterboro Airport, and the helicopter traffic that we experience, so I am not going to sit here and go into examples.

What I am going to say is, starting in at least early 1983, we in North Arlington have documented numerous complaints dealing with noise pollution, particularly in evening hours, and particularly from Newark Airport. I am a resident of North Arlington, and I can personally verify that the situation exists.

Dating back to 1983, we have gone on record, both in writing and verbally, with numerous agencies -- some agencies within the Federal Aviation Administration, the Port Authority of New York and New Jersey, and Newark Airport itself. We have corresponded with the State of New Jersey, and until very recently, actually we feel until this hearing, there has been very little response.

We have attended meetings and made our complaints, but there has been no action. The point that North Arlington would really like to leave you with-- We are here in Kearny, and North Arlington is just over the border. The impact is real; it is very real. Again, I think the citizens here tonight will very graphically depict the environmental impact -- what noise is to them -- the impact on the quality of life. The impact is real to them.

The second point is, until tonight -- hopefully tonight -- there has been no agency that has been either willing or capable of dealing with the problem, or desirous of dealing with the problem. It is present; it is real. It begs to be dealt with. To this point in time -- I think we acknowledge that David and Goliath is very appropriate -- we have found nothing but Goliaths out here. Where are the Davids? Somebody has to come forth to deal with this problem in a meaningful manner.

We sincerely hope that tonight is the first step in mapping out a solution.

SENATOR RAND: Thank you very much, sir.

SENATOR COWAN: Mr. Landolfi, did you say you have documentation on this matter?

MR. LANDOLFI: Yes, sir.

SENATOR COWAN: Could you get that to the Committee Aide, please -- copies of what you have that exist?

MR. LANDOLFI: Absolutely. May I mail that in to Trenton?

SENATOR COWAN: Mail it to Mr. Gurman here -- Larry Gurman.

MR. LANDOLFI: Absolutely.

SENATOR COWAN: Okay; very good. Thank you.

SENATOR RAND: Thank you very much.

SENATOR GAGLIANO: Excuse me. Mr. Landolfi, with respect to the documentation, I don't know whether you have it,

but, of course, with progress comes fairly modern items-- I was just wondering if there is anyone either in the audience, or at some time in the future, who could do an audio tape, or a video tape -- or both -- at a point when the planes are the closest and the loudest and the most bothersome. I think that would be a graphic way of showing the people from the Port Authority, or ourselves, or anybody, how bad it really is. It is hard for us sitting here, unless we are there when it happens-- It is hard for us to convey that thought to the people who have to establish these patterns.

So, I was just thinking that if that is a possibility, it wouldn't be very expensive if someone had the equipment, to videotape those when they were very close by. Also, you could use a regular tape deck, because if it is that loud on a tape deck, then obviously it would be of interest to everybody. That is just a thought, as part of the documentation, for maybe some time in the future, if it hasn't been done already.

MR. LANDOLFI: I know that North Arlington has not done that. Certainly, that is something that we can attempt to do. You know, I think to give you an example of how loud loud is, you could be sitting in front of a television, with normal audio, and have it completely blotted out for a period of 15, 20, 30 seconds. That certainly is a loud noise. It is certainly an invasion of your rights as a homeowner and it certainly has a very negative environmental impact.

I know we have not personally tried to measure it, but once you experience it -- I understand what you're saying -- it is so very real, that measuring it is really inconsequential. But, we will try to do that. At my place, with any equipment we have available, we will certainly try to do that.

SENATOR GAGLIANO: Thank you.

SENATOR RAND: Thank you very much.

MAYOR HILL: Excuse me. There is someone here who may have an answer to the question you asked, Senator.

UNIDENTIFIED PERSON FROM AUDIENCE: Regarding recording the decibel levels of low-flying aircraft, I come from the Ironbound section of Newark. We are all living in the same area, regardless of what the name of our town is. Those decibel levels were recorded five years ago. We do have records of that stuff. It was not done by an average lay person, but by people from the Environmental Protection Agency. So, I believe we can get that information to you, just to show you how long this fight has been going on in this area.

SENATOR RAND: For the benefit of everyone here, we do have someone from the Office of Noise Control, Department of Environmental Protection. That individual will be testifying in a few moments. So, you will be hearing from them.

Thank you very much, Mr. Landolfi.

MR. LANDOLFI: Thank you, Senator.

SENATOR RAND: The Reverend Robert Iaquinto, Our Lady of Sorrows Church, Kearny. Good evening.

REVEREND ROBERT IAQUINTO: Good evening, gentlemen. I represent Our Lady of Sorrows School. It is a Roman Catholic school right here in town. I am the School Administrator.

I have been battling with the State of New Jersey, the Federal government, the Department of Transportation, and the Port Authority over problems with the noise level. We have two curses, not only Newark Airport. We have the completion of Interstate 280, with truck traffic.

Many times I have complained. We have brought in-- The State Department of Environmental Protection has brought their noise study teams in. This was done two years ago, just on truck traffic alone. Okay? Our school is located at the intersection of Schuyler Avenue and Bergen, at the elbow that Ms. Robertson was speaking about before. When the readings were taken -- those are the B and E levels, if you know anything about noise abatement -- okay? -- the LEQ levels--

What is allowed by the Federal government, and what was read in our school, with closed and open windows, were 50% to 20% above what is allowed by the Federal government.

In the past three years, the air traffic over Newark Airport -- from Newark Airport coming over Kearny -- has made it totally impossible, at certain hours of the day, for teachers to teach. The children cannot even hear the teacher speaking, nor can she hear them replying. We have contacted the Port Authority. We get a deaf ear from them. It seems to be that they just give us a run-around and jogging over what is available and what isn't. They won't even tell us what criteria and standards are acceptable. This is during the day.

I live in a building two blocks away from the school which is a solid brick building, and normally, at hours between 10:30 at night and midnight, I have had occasions where my bed has rocked from airplanes coming in -- 747s -- to Newark Airport. I just happen to have a radio which can pick up the air traffic controllers. I know what size planes are coming in, and they are 747s. Again, one of the problems is-- One of the main airlines giving us problems, of course, is Peoples Express. Okay? That airline is expanding. Six months ago, there were articles in The New York Times saying that within 10 years, Newark Airport's capacity will surpass that of Kennedy Airport. It is going to be a nightmare; it is becoming a nightmare.

I was dealing with 20% levels above the Federal standards which are allowed for children in schools three years ago. Now, with the air traffic, we can't even get them to come in to do noise abatement any longer -- to see what it is. It is just impossible to teach. It is almost to the point where in the future it is going to force us to close the school because we cannot teach. It is just impossible. We get deaf ears from the Department of Transportation. We get the run-arounds referred to. Other agencies-- The Port Authority

is giving us a jogging. We have letters which we can show you that have come from them that just run in circles; give us no answers. Something has to be done.

I think we have the right to educate. Our children have a right to the education. Something has to be done, but we get no answers from anyone.

SENATOR RAND: Thank you very much, Reverend. Mr. Vincent Bonaventura, General Manager, Newark International Airport. Good evening, sir. You are the most popular man here this evening. Ladies and gentlemen, please let Mr. Bonaventura speak.

V I N C E N T B O N A V E N T U R A: I will try to speak loud enough. My name is Vincent Bonaventura. I am General Manager of the Newark International Airport for the Port Authority of New York and New Jersey.

Recognizing the concerns of the residents of the Kearny area with respect to the levels of aircraft noise generated by the operations at Newark Airport, I welcome the opportunity to testify before the New Jersey Senate Transportation and Communications Committee here in Kearny.

I would first like to assure this Committee that the Port Authority clearly recognizes its obligation to reduce aircraft noise to the extent possible, consistent with our legislative mandate to provide superior air transportation services and to assure the continued economic benefits which Newark Airport provides to New Jersey and the regional economy.

I would also like to stress to the Committee that airport providers such as the Port Authority are limited by Federal law both from regulating aircraft noise at its source and from regulating aircraft in flight. It is the Federal Aviation Administration which sets standards for aircraft engine noise, and which controls the altitude and direction of aircraft. Pilots are individually responsible for adhering to published noise abatement procedures adopted by the F.A.A.

The Port Authority, over the past 25 years, has pursued a number of initiatives to reduce aircraft noise in the communities surrounding Newark, as well as at our other airports. I would like to briefly mention just a few of these initiatives:

In the late '50s, when jet transport aircraft were being introduced, the Port Authority was the first airport operator to establish "noise limits" at its airports, and to install a noise monitoring system to assure compliance. These limits led to design modifications in the first generation jet transports, and resulted in the development of noise abatement procedures designed to reduce noise levels in communities immediately adjacent to the airport.

The Port Authority took the lead in lobbying the U.S. Congress and the International Civil Aviation Organization for the establishment of aircraft noise certification standards, and for a regulatory timetable that would force the retirement or retrofit of noisy so-called Stage 1 aircraft. The better regulations in place today are a result of that lobbying effort.

We now believe that these regulations should be further straightened to accelerate the retirement of Stage 2 aircraft equipment, which meets present Federal standards, but not the more stringent criteria applicable to newer models. These types, such as the Boeing 757 and the Boeing 767 and the McDonnell Douglas 80, are designated as Stage 3 airplanes. We have made a number of proposals to do just that and, in fact, earlier this month we testified before Representative James Howard's House Subcommittee on Aviation, advancing specific regulatory initiatives.

The support of your Committee, and that of affected airport neighbors, in this effort would certainly be helpful and welcome. Additionally, working with the F.A.A., the airlines, and the pilots, within the framework of the Aviation

Development Council, an organization unique to this region, we were able to devise and implement a large number of noise abatement procedures which avoid overflying residential areas at low altitude to the extent feasible.

The Meadowlands approach procedure, which attempts to minimize the noise impact north of Newark Airport, is but one of these procedures. Furthermore, within the last five years, the Port Authority established local airport noise regulations which were more stringent than the F.A.A. noise rules in requiring that each carrier conduct specific portions of their flight activity in Stage 2 or Stage 3 aircraft. The regulations further require that only noise-complying aircraft may be used during nighttime hours.

These rules were challenged in the courts by both the Federal government and a number of affected airlines. The court, however, rejected such challenges, and sustained the validity of the Port Authority's rules. Also, although the Federal government granted waivers to a number of certified aircraft operators, permitting them to operate at a number of U.S. airports until the hush kits were installed on their aircraft, the Port Authority refused to allow these excepted aircraft at our airports. Once again the Port Authority was challenged in the courts, and once again, our position was upheld.

Within the last three years, we have embarked on a program to soundproof noisy impacted schools in close proximity to our airports. This program, which is supported by F.A.A. grants, at present includes 19 school projects, eight of which are included in New Jersey. And, yes, we recently received a request from the Town of Kearny to consider Our Lady of Sorrows School for inclusion in possible future programs, and we certainly will do so.

We are currently developing a new concept in aircraft noise monitoring systems. The new system will extract flight

track information from the F.A.A. radar system and combine this with noise level information reviewed from a number of sites around the airport. The resulting data will then be used to improve the effectiveness of existing noise abatement procedures. The Newark Airport portion of this system is expected to be in place in mid-1987.

In addition to these initiatives, which have had an undeniable benefit to the communities affected by the aircraft noise from Newark Airport, specific measures have been instituted to reduce aircraft noise in Kearny. All aircraft departing Newark Airport in a northerly direction, which includes about 45% of the takeoff traffic, must turn to the west shortly after takeoff to avoid LaGuardia Airport air space. The majority of these turns occur approximately six miles from the airport in the Kearny area. Working through the Aviation Development Council, we are now evaluating a procedure which, during late-night, low-activity periods at LaGuardia Airport, would permit these turns to the west to be made even further to the north, at higher altitudes, hopefully over undeveloped sections of the Meadowlands.

Kearny is similar, in some respects, to the area south of Newark Airport, where the Port Authority recently contracted with an outside consultant in an effort to attempt to find an improved noise abatement takeoff procedure. Given the possibility of helping Kearny residents by sending the takeoff flight path to the north during certain operating conditions, we have decided to undertake a similar consultant study covering the northbound departures from the airport, to determine if Newark and LaGuardia patterns can be modified to provide a greater level of relief for Kearny, over a wider range of operating conditions. We anticipate that a study of this type could be initiated quickly and completed within a year, and we are prepared to review the request for proposals for the staffs of Senator Cowan, Mayor Hill, and anyone else who cares to participate.

Finally, I would like to stress that we have been, and will continue to make every effort, consistent with our basic mission and within the limits of our power, to reduce aircraft noise in the communities around our airports.

I appreciate your giving me the opportunity to address this important issue. Thank you.

SENATOR RAND: Senator Cowan?

SENATOR COWAN: Thank you very much, Mr. Bonaventura. I appreciate the offer for the cooperative effort as you proposed in your testimony here this evening, including the Mayor of Keanry and my own staff. You can rest assured that we will have the aides and OLS put the Transportation and Communications Committee in direct contact with you, along with this, because, as you indicate, you are talking about a year's study, if I understood you.

MR. BONAVENTURA: It will take about a year to complete this.

SENATOR COWAN: Okay. Thank you very much. We will be in contact on that.

SENATOR RAND: Senator Gagliano?

SENATOR GAGLIANO: Yes. Mr. Bonaventura, I have a couple of questions. The first question, I guess, is, what is the current situation with respect to the number of flights in a typical 24-hour-a-day period going in and out of Newark Airport, in any direction, or in all directions? How many flights are there, say, in the middle of the week, a Tuesday or Wednesday, in a 24-hour period?

MR. BONAVENTURA: Including all flights -- large aircraft, small aircraft, helicopters, general aviation aircraft -- we are running about 1200 flights in a 24-hour period. That is both arrivals and departures.

SENATOR GAGLIANO: Mr. Bonaventura, of that 1200, approximately how many of those flights, or what percentage of those flights, would you say are the larger planes, either the 727s or larger?

MR. BONAVENTURA: About 800.

SENATOR GAGLIANO: So, about two-thirds of the flights are the larger planes.

MR. BONAVENTURA: About 400 arrivals and 400 departures, yes.

SENATOR GAGLIANO: You're talking about Stage 1 aircraft. I presume they are the noisiest jets.

MR. BONAVENTURA: Yes, the 707 is the very early model. The DC-8 early models that were never retrofitted are no longer flying our airports.

SENATOR GAGLIANO: And the Stage 2-- You said there were certain of those that you would like to see retired. What is a reasonable expectation for the Stage 2 aircraft types to be retired from this area?

MR. BONAVENTURA: Well, sir, I am not a noise expert. We do have a noise expert with us, if he may come up here.

SENATOR GAGLIANO: That would be fine with us.

MR. BONAVENTURA: Mr. Muldoon is the General Manager of the Aviation Technical Services Division, and he is the expert in this area.

SENATOR GAGLIANO: Okay. I think as long as we are on the subject, if you don't mind, Mr. Chairman, I would like to pursue it just a bit, because I was not aware of the various stages or types of aircraft that cause the problem.

Mr. Muldoon, if you could respond to that, please, I would appreciate it.

J A M E S P. M U L D O O N: The question, if I recall it, was: What would be the natural life expectancy of Stage 2 aircraft -- typical Stage 2 aircraft -- 727s, 737s, DC-1s? In testimony that we offered before Representative Howard's Committee last week, we quoted from Federal statistics which indicated that these aircraft would not be naturally retired until beyond the year 2005. The proposal that we offered for consideration by the U.S. Congress was that these aircraft be

mandated retired by 1995. Now, while 1995 sounds like quite a distance down the road, steps would have to be taken almost immediately by the airlines to position themselves so that those aircraft could, and would be retired.

SENATOR GAGLIANO: Now, I presume that since People Express is a fairly new company, that they have a certain number of Stage 3 aircraft which would not be as noisy. I think they are the-- Or, am I wrong on that?

MR. MULDOON: No, the vast majority of People Express' fleet is Stage 2. They may have a 747 that is Stage 3, but I would say that 90% of their fleet is Stage 2.

SENATOR GAGLIANO: Therefore, the law that we have read -- and I know our Committee has had hearings on this issue-- People Express Airlines, continuing to grow in the area, will continue to have a noise impact, I presume, in this immediate area near Newark Airport. I mean, it will continue to increase. I guess that is what I am saying, because I recall some testimony we heard at one time that they were buying a plane or two a month. I am not sure of their number of flights, but of the 800 flights of the larger planes, I am wondering what the percentage is of People Express flights, and what we can look forward to -- maybe the neighbors don't look forward to it -- in the future with respect to that airline.

MR. BONAVENTURA: People Express flights are a very large percentage of the jet traffic. Of those 800 movements I mentioned, about 40% are People Express. While they are Stage 2 today, that doesn't necessarily mean that in the future there won't be a gradual conversion to Stage 3 aircraft.

SENATOR GAGLIANO: I understand that. Getting to another point-- Here we are in Kearny -- I am looking at the map, and I appreciate having this map here -- but whether we are in Kearny, North Arlington, Secaucus, Lyndhurst, or Harrison, we are in the flight path that is northeast, shall we

say north-northeast of Newark Airport. You indicated that planes now have a turning point above Kearny, and you talk about maybe having the planes go further north, which I guess would make them higher before they make the turn.

What are the reasonable chances of that happening, so that the people in Kearny will not have to have both the flight and the turn, which I guess generates more noise?

MR. MULDOON: It really, probably, would be preferable if the F.A.A. were to respond to that question, because it is basically an air space question. If the air space and the routes between LaGuardia and Newark can be rearranged to the point that aircraft can go further north from Newark and turn in the vicinity of Route 3, I think we could have a very high expectation that that study would be successful. We will have to hire a consultant who is an expert in air space matters and see if this can be worked out.

SENATOR GAGLIANO: Well, knowing that you can't speak for the Port Authority -- the Commissioners on the Port Authority -- could you specifically request, if we suggested it, that the necessary study be made so that maybe the airplanes would not be turning in this immediate area, would, therefore, turn further to the north, be at a higher elevation, and maybe cause less noise pollution?

MR. MULDOON: We are initiating that study right now, and the final word won't be with the Port Authority. We are certainly willing for the aircraft to turn at whatever point gives the most relief to people on the flight paths. It is a matter of whether or not that can be done without interfering with LaGuardia traffic. And that would be a call that the F.A.A. would eventually make.

SENATOR GAGLIANO: One or two last questions-- When a plane is coming out to the north-- Let's say a plane is right over Kearny, and let's say it is a 747. What is the elevation of that plane? How high is it from ground level?

MR. MULDOON: Well, there are really only a few 747 planes a day. The more typical plane would be a 727 or a 737.

SENATOR GAGLIANO: Right.

MR. MULDOON: And those altitudes would be in the vicinity of 2000 feet. (extremely negative response from audience)

SENATOR GAGLIANO: Excuse me. Ladies and gentlemen, please-- Mr. Muldoon, I think what you are saying is, the rule is that the planes should be at 2000 feet. Obviously, from the reaction of the audience, they do not believe they are at 2000. We don't know.

MR. MULDOON: There really is not a rule. There is a standard instrument departure that calls for the aircraft to climb through the meadows at a prescribed heading. At the point that the aircraft is 2000 feet, or some time before that, the radio controllers in Garden City direct the pilot to turn to the left and overfly Kearny, North Arlington, and those communities. The altitude is not likely to be greater than 2000 feet, but I have no data that it is much less than that. That would be something that would come out of the study that I just mentioned we have kicked off. We will get information on the flight tracks as they exist today, and try -- as I said earlier -- to make changes consistent with LaGuardia patterns that will permit those aircraft to climb further to the north.

SENATOR GAGLIANO: One last question-- Would the logs of the air traffic controllers indicate the actual height of that aircraft at the point where they are ordered to make the westerly turn?

MR. MULDOON: Not directly, but I think one could infer, if radar contact was made 35 seconds into the flight and the aircraft was turned to the left-- One could certainly infer that that aircraft was at less altitude than 2000 feet. If the aircraft was not contacted until a minute and a half into its flight, it is more likely that it is at 2000 feet.

But, there are no paper records that would give you altitudes directly.

SENATOR GAGLIANO: With respect to Newark Airport itself, which of the landing strips, or whatever you-- What do we call those?

MR. MULDOON: Runways.

SENATOR GAGLIANO: The runways. Which of the runways -- I was thinking of Casablanca-- Which of the runways impact most heavily on the Kearny/Harrison/North Arlington area?

MR. MULDOON: Kearny's problem is essentially a takeoff problem. It is aircraft taking off from either runway -- four left or four right -- which are heading, generally, in a northerly direction. Because of the LaGuardia air space restrictions, every aircraft that takes off from Newark Airport must turn to the west, even if it is going to Boston or to Europe. They gain altitude until they are at the point where they are encroaching or about to encroach on LaGuardia air space, and then they all turn to the left -- turn to the west -- and gain additional altitude. If they were then headed to Boston, they would go over the top of LaGuardia.

So, it is aircraft taking off to the north, and virtually all aircraft taking off to the north overfly either Kearny, North Arlington, or the other communities north of there.

SENATOR GAGLIANO: Thank you, Mr. Muldoon. Thank you very much, Mr. Chairman.

UNIDENTIFIED PERSON FROM AUDIENCE: Senator, may I ask one question?

SENATOR RAND: No, no. You will have an opportunity to get up here, but there is going to be no cross-interrogation.

UNIDENTIFIED PERSON FROM AUDIENCE: It will be of no value later.

SENATOR RAND: This is not a debate, sir.

Let me just ask you one question, Mr. Muldoon. If a formal resolution were presented by this Committee, not only to you, because you are already asking to do that, but to our

congressional delegation, and to our two Senators, would that, in any way, help to convince the F.A.A. that maybe they ought to study the recommendations?

MR. MULDOON: Oh, sure. I'm sure that would help. It would impress upon them the seriousness of the matter.

SENATOR RAND: Mr. Gurman, will you memo that down, please?

SENATOR COWAN: Following through, Mr. Chairman, if I may, please-- Following through on some of Senator Gagliano's questions, when we were talking about this westerly turn and the restriction because of LaGuardia air space, am I to understand that the flights coming out of Newark have to fly at a lower altitude than the ones coming out of LaGuardia? Is that the restriction, or what is the restriction? What do you mean when you say restriction?

MR. MULDOON: Again, I don't speak with great authority in this area. This is a F.A.A. province, and I wish they were here. There is a buffer zone between two airports approximately three miles wide. A northbound Newark flight is turned before the aircraft gets into that buffer zone. So, given that the turn has to be made within six or seven miles of the airport, that basically restricts the altitude of the aircraft as it comes over the populated areas. But, no, there is nothing that says that Newark flights must be at a lower altitude. It is just that circuitous procedures are required to avoid that buffer zone.

SENATOR COWAN: Not meaning to-- Maybe I better rephrase the question. Are the planes coming out of Newark flying at a lower altitude than the ones coming out of LaGuardia?

MR. MULDOON: No. They are virtually--

SENATOR COWAN: They are both flying at about the same level of altitude?

MR. MULDOON: Well, no. They are gaining altitude

every moment of flight.

SENATOR COWAN: No, I understand that. I understand that.

SENATOR GAGLIANO: We hope.

SENATOR COWAN: They better be. We understand that, but the matter is, when you talk about this buffer zone -- which is three miles apart -- are the planes flying at the same altitude, so to speak, or is LaGuardia-- Do they get their turn at a further distance? Ours are shorter, so they are at a higher altitude than ours are.

MR. MULDOON: No, if you listen to--

SENATOR COWAN: Because you are controlling both airports.

MR. MULDOON: The F.A.A. is.

SENATOR COWAN: Yes, I understand that they are the regulatory body, but you must have some indication as to what the altitude is of the planes coming out of LaGuardia on the same -- not the same flight patterns, but going in the same direction because of the turn they have to make, or going in another direction.

MR. MULDOON: Yes, I certainly do. The aircraft coming out of Newark overfly areas such as Kearny to the north, Staten Island and Linden to the south, at altitudes between 1500 and 2000 feet. During the summer, those altitudes may be lower. There are areas around LaGuardia where simple procedures are in place to separate the aircraft from Kennedy and LaGuardia, where people are overflown at altitudes of 1500 to 2000 feet. The same thing occurs at Kennedy. In many cases, it is simply a relationship between the populated area and the airport. There are no buffers involved. It is strictly the performance of the airplane. I hope I haven't confused the matter further.

SENATOR COWAN: No, no, I don't think you have confused it, but I still don't understand the patterns.  
(laughter)

MR. MULDOON: It's a shame we didn't bring the expert.

SENATOR COWAN: I think we are going to have to get into it a little bit further, in order for us -- particularly this lay person -- to understand it a little bit better than -- you know, than the way you tried to present it. And I believe you are trying to present it in a very knowledgeable way.

The other thing is, you mentioned People Express, which is a growing airline carrier. They represent -- as I understand it -- 400 of the flights coming out of Newark today. Now, this is a growing airline as it exists, exclusive of their last quarterly report. Where do you stand now-- First, let's say, five years ago, before People Express reached its peak, what was the flight pattern -- or the number of flights out of Newark then, dealing with the heavy commercial flights? What I mean by that is what the normal -- the 727s and the average carriers-- What is it today -- which you have indicated already -- and what do you anticipate, as the fastest growing airport in the area? What do you anticipate two to five years from now?

MR. BONAVENTURA: I would say about two or three years ago, we were running at approximately 1000 flights a day. Now we are 1200 flights a day. We expect, in about the next 10 years, to have 25%, or perhaps 30% more activity than today. Of course, at the same time, the fleets are getting larger.

SENATOR COWAN: Now, Terminal C -- is that open yet?

MR. BONAVENTURA: No. One-third of Terminal C the Port Authority is using as an international facility. But the two-thirds that will be occupied by People Express-- They are going to move in there in the second half of 1987 -- next year.

SENATOR COWAN: Now, you are anticipating a growth from approximately 1200 to 1600 within-- How long a period of time?

MR. BONAVENTURA: About 10 years.

SENATOR COWAN: Ten years?

**New Jersey State Library**

MR. BONAVENTURA: Yeah.

SENATOR COWAN: Thank you.

SENATOR RAND: Mr. Bonaventura, thank you very much. Mr. Muldoon, thank you very much. We appreciate your testimony. We may be back in touch with you gentlemen to take you up on your offer to show us some flight patterns a little later on. We may request you to come down and give us that information in Trenton. Thank you very much.

Mr. Edward DiPolvere, Office of Noise Control, Department of Environmental Protection. Good evening, sir.

E D W A R D D i P O L V E R E: Good evening. Thank you very much for having me.

I would like to talk about the role of the Office of Noise Control within the Department of Environmental Protection, as well as noise control in general, and then noise control of aircraft.

We primarily have in New Jersey, one of the broadest statutes that was created by the Noise Control Act of 1971, to give New Jersey broad authority in the control of noise. However, there are some places where we can't use this, and one of them -- as a result of Federal regulations -- is aircraft noise. There is a minor role that we do play. We presently have a regulation -- besides the statute -- that allowed us to generate, or promulgate, the regulation which we did in 1974. It controls noise from any stationary industrial or commercial source -- every factory, discotheque, supermarket, gas station, dry cleaning establishment, doctor's office, dentist's office, etc. Particularly excepted from that is anything that has to do with aircraft operations.

However, we feel that we have a very minor role; that is, besides actual takeoff conditions, there is a thing called "run-up." In the old days they used to use it for propeller craft, but it is still used to kind of check the planes before they take off. When that happens as a course of the actual

flight, preparatory to flight, with passengers in the plane, on the runway, it cannot be controlled by the State of New Jersey. But, we feel that when that is a process to test aircraft some hours before a plane is to take off, then that, indeed, is under our present control. Now, there is some dispute, of course, by the Port Authority, and others. We presently have this up for opinion by the Office of Regulatory Services within DEP, which, of course, is backed up by the New Jersey Attorney General.

I don't want to mislead you. We don't think the problem in Newark is a (indiscernible) problem. In fact, we have never pushed, in the almost 12 years of our regulation-- We have never sought to deal with that particular narrow window in any airport in New Jersey, simply because it hasn't been a problem. There have been, in the last year or two, some allegations that that is a problem. We are presently evaluating it, and are kind of waiting for the Attorney General's opinion. But, we don't think that is a problem. We think the actual operations are where the problem is.

Our role in that -- as I indicated -- is very narrow. But if it were on the run of testing, then there are things that can be done. Presently, the Port Authority is being somewhat responsive to that. They are minimizing it, making it at certain hours, and as far away from the neighborhoods as possible, because there are steps that can be taken more than that, if that gets to be a big problem, but I don't know the percentage it is.

I should also say that almost all of our effort in the 14 years, or 13 years that we have been in business, has been other than aircraft. We are not experts in the aircraft field, although in the last couple of months we have begun to do some work in it. But, if it were (indiscernible), there are things that can be done in addition to what the Port Authority is

doing. For example, the Munich Airport has a specific place where they have run-up tests. It is the same place all the time. It is designated; it has barriers built around particular areas so the run-up noise is not a problem to the neighborhood.

One of the things we are trying to do now is to explore what our role in aircraft noise is. You may be aware of the fact that the Federal government is no longer in noise control. This is the one area of pollution that is no longer part of EPA. As one of the roles EPA had-- They had a relationship with the F.A.A. They could not counter any F.A.A. regulation, but they were a watchdog over the F.A.A. They could kind of look over their shoulder and make comments, and then within a certain time frame, the F.A.A. had to respond to that, what they were going to do, whether they were going to do anything, whether the rules would change, or whatever. But at least EPA -- their Office of Noise Abatement Control -- was there. They are no longer there. They have not been in existence since about 1982.

What New Jersey is going to try to do -- and that would be with the help of our Congress people -- is convince the Federal government that since they are no longer in EPA looking over F.A.A.'s shoulder, perhaps the states should have that role. This is another opinion we are presently trying to get from the attorney people within our Department and in the Attorney General's office, so that we will have some kind of a role to look over the F.A.A.'s shoulder. Whether that role could be expanded to any kind of regulatory thing, I don't know, and I seriously doubt, because it would be hard to move Congress to do something like that.

One of the things we are also doing, as a result of an initiative by our Assistant Commissioner, Dr. Deieso, is to try to sort of look at the enforcement at Kennedy through the Port Authority. We are just getting into this, and, as I say, we

are not currently experts in aircraft noise, so we do see some problems. We see some problems with the way the monitoring is done, particularly when you are talking about the turning during takeoff. If I may indicate that to you, the whole idea of the monitoring has bothered me, as somewhat of a lay person -- an expert in noise in general, but not particularly in aircraft -- in the way noise monitoring is done for aircraft. If I were to try to draw a very rough analogy, I could say that-- If I were to measure the amount of water that was coming out of a garden hose, but I was not going to measure it right there in the garden hose; rather, I was going to put the bucket at the end of the room -- in a corner of the room-- If I took that spray and just opened it up a little bit -- not to a full spray, but to about a half spray -- you can imagine that that bucket is not going to catch all of the fluid.

Now, I believe that is the kind of a problem you have with airport monitoring in general, particularly when you have only one monitor. You can't tell whether that man took off and made a turn or went straight. One of the things that we are beginning to learn is that pilots do not like to turn. One of the things they learn when they are learning how to fly, is that the best way to go is straight up. They don't like to turn. Now you are telling them that they have to turn, and you really have no way to check whether they do or they don't. I think they are indicating that there will be a time in the future -- with radar information -- when we will be able to tell whether they turn or not. So, you have a good reason for these people not to want to turn. We really don't know how many of them are turning, or how many are not.

Now, in some airports -- down in San Diego in particular -- they have 24 monitors, as opposed to -- four did you say?

MR. BONAVENTURA: Three.

MR. DiPOLVERE: Three. They had four, but because of lack of utilization they dropped one. What that would do for you would be-- It would give you an idea as to how much of a turn they were making, so that you would have a little bit of a better feel for what noise the aircraft was really generating, whether that spray was a big spray or a little spray, or how much it was.

We are beginning to see-- I should stress that this evaluation we are making is very preliminary. We don't have the expertise yet, but we do see things from the enforcement point of view that do not seem to be as aggressive as the Department of Environmental Protection likes to do within our own agency. That is, when there is a violation, it appears that a form letter goes out notifying the airlines that they are in violation. When the second violation happens, a form letter goes out informing them that they are in violation. And when the third violation occurs, a letter goes out informing them. That is what we believe is happening. We want to see what the second step is.

That is not the characteristic format within the Department of Environmental Protection. If there is a violation, there is a notice, and they have a certain amount of time to do something. If there is a second violation, there is a-- I should have said that the first thing is called an Administrative Order, which puts them on notice. The second thing is a Notice of Prosecution, which has a fine attached to it. The third thing is another Notice of Prosecution, which has a much heavier fine. Then they are notified that if that continues, they can be fined continually, you know, on a daily basis. We have not seen -- and I don't know if they are not doing it, or if they just haven't given us the data -- that those kinds of stiffer enforcement actions are being taken when there are violators.

The other thing I just wanted to mention, you know, in passing, is that the problem is different depending on where you are coming from -- which side of the issue. To the operators, to the airlines, to the carriers, the problem is the people complaining about the noise; to the people, it is the noise.

Oh, one more thing I better not forget. The New Jersey Department of Environmental Protection has an advisory body called the New Jersey Noise Control Council. They are very much aware of this problem. One of the things they are mandated to do every year is to hold a public hearing. They are contemplating a public hearing on October 8 at the State Museum on the title: "Aircraft Noise: What Can Be Done About It in New Jersey." This body is 13 members appointed by the Governor. They advise the Department, and they also have a consent role in any regulations the Department promulgates. The hearing should be a day-long hearing; an informational session in the morning, to which representatives from DEP, the F.A.A., the Port Authority, Federal and New Jersey DOT, New Jersey congressional delegations, EPA, the Attorney General, and the Public Advocate have been invited. The morning will be informational, and the afternoon will be testimony from the public.

SENATOR RAND: Mr. DiPolvere, thank you very much. I just want to-- I don't want you to think, in any way, that I am not impressed with DEP, but let me say this to you: From what I gather from what you have testified before us -- what you have told us -- and having been very well acquainted with DEP, you are telling me that we really need some Federal intervention if we are going to have quality control over the boomers and everything else over these communities. Am I correct in that, sir?

MR. DiPOLVERE: Aircraft noise is the one area where we have a very, very limited role. We neither own the

airports-- You know, the Port Authority is really a two-state situation -- it is semi-autonomous -- and we, as a zone state, can't do anything. We do not own the airports, so we can do nothing with the control of the way planes are made. The F.A.A. makes the rules.

SENATOR RAND: I thank you for your candor, because that is the first thing that DEP said they never had any control over. At least you are honest with us. Of course, that is what I wanted to elicit from you, that we have a problem that we certainly have to handle with our congressional delegation and our senatorial delegation. Thank you very much.

SENATOR COWAN: Thank you very much, Mr. DiPolvere.

SENATOR GAGLIANO: Excuse me, Mr. DiPolvere. One question: Do you have logs of measurements of noise emanating from aircraft in the immediate area of the municipalities we are talking about tonight?

MR. DiPOLVERE: Yes, we have the daily logs from March through June, and we are right now starting to go through them. This is all takeoff--

SENATOR GAGLIANO: Can you make those logs available to the Committee -- copies of them?

MR. DiPOLVERE: I can, but so can the Port Authority. They are the ones who gave them to me.

SENATOR GAGLIANO: Okay, whoever has them. What we would like to do is have copies of those logs for the Committee records. We would also like to have whatever standards there are with respect to noise pollution coming from airplanes, if you follow me. If there is a reading of 20 -- whatever that number is -- that is acceptable, generally, with respect to aircraft at a certain distance from a home, for example, or a school, then I think the Committee would like to know whether the noise levels are higher than that 20 or lower than that 20, and by how much.

So, if we can ask that of the Port Authority, or DEP-- I think it is important that we know what those measurements are. Thank you.

SENATOR RAND: Just one moment, Mr. DiPolvere. Senator Cowan?

SENATOR COWAN: You mentioned in your testimony-- This will be very brief. You did mention in your testimony about monitors at San Diego Airport, as compared to what you have here in Newark Airport.

MR. DiPOLVERE: Right.

SENATOR COWAN: What is the difference in size, or is there any difference in size between-- Are you familiar--

MR. DiPOLVERE: I am not certain. As I said, we are just beginning to--

SENATOR COWAN: --with the flight patterns, the number of flights that--

MR. DiPOLVERE: Well, they have a little tougher thing. They have a terrain--

SENATOR COWAN: I just asked a question. If you do not have the knowledge, we can get it. I just thought you may have it.

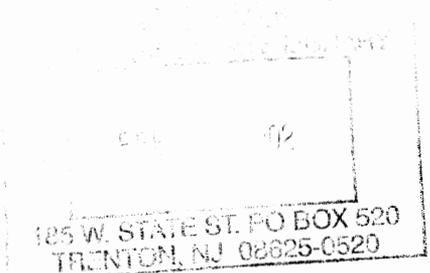
MR. DiPOLVERE: I do not have, but I know it is much more comprehensive.

SENATOR COWAN: Okay. Thank you.

SENATOR RAND: Thank you very much, sir. The Reverend Monsignor Hugh O'Donnell. Good evening, Monsignor.

**M O N S I G N O R H U G H O ' D O N N E L L:** Good evening. Senator Rand, Senator Gagliano, Senator Cowan, Mayor Hill, and Mayor Rodgers: I want to thank you gentlemen for calling this hearing. As you can see from the attendance tonight, it is certainly a concern to a great many people.

First of all, I think Harrison was mentioned once or twice. I am the Pastor of Holy Cross Church in Harrison. The planes are flying over Harrison just as well as Kearny, North



Arlington, and all of the other areas, and it is of great concern to all of us.

On Sundays, during Mass, very often the planes are taking off, and there is great noise as we are preaching or saying the Mass. The same with our school. Some of the teachers must stop talking when the planes are taking off because of the loud noise.

Senator Gagliano asked before if we had any records, or if someone could make a videotape or a tape recording of it. On May 25, we had a special Mass in Holy Cross Church. At that Mass, while the priest was preaching during the sermon of the Mass, we heard one of the planes taking off. If you look at the videotape, the voice is completely drowned out because of the noise of the plane taking off practically right over Holy Cross Church. So, you said you wanted something, and we have something for you.

We are not only concerned about the noise -- it is certainly bothersome to many people -- but we must also be concerned about other things, too. We are concerned for the safety of all the people living in the area with so many planes flying over. One of the reasons I am concerned about the noise and the safety is because I am a native of Elizabeth, New Jersey, and maybe some of you can recall that around 35 years ago, there were three plane crashes in a period of 45 days, within a mile, in the City of Elizabeth, New Jersey. One plane crashed into the Elizabeth River on a Sunday afternoon. The second one flew over two high schools -- Patton High School, which at that time was an all girls' school, and St. Mary's Grammar and High School across the street. It just missed both of those schools at 3:15 in the afternoon. The third crash was a few weeks later. That one just missed an orphanage home in the western section of Elizabeth. The three accidents were all in a period of 45 days, about 35 years ago.

So, we are concerned with the noise and with the safety factor. We certainly congratulate you gentlemen for taking a stand tonight to listen to us, and we hope that something can be done in the future. We hope we can get some help, and get some relief for all of the people here in West Hudson. Thank you.

SENATOR RAND: Thank you. Margaret Everett, Co-Chairperson, Noise Control Council? (Ms. Everett not present) If I am not pronouncing this name correctly, please tell me. Louis Schindel, Noise Control Association? (Mr. Schindel not present) Steve Ferguson, Assistant Airport Manager at Teterboro Airport? Good evening.

S T E V E F E R G U S O N: Good evening, residents of Kearny, Mayor Hill, and distinguished members of the Committee. Teterboro Airport is a designated reliever airport under the National Plan of Integrated Airport Systems and serves the vital interests and general aviation requirements of northern New Jersey and the New York metropolitan area. Because of the airport's convenient location and accessibility to the business and financial districts, the facility is used primarily by corporate and other business operators.

Teterboro Airport is owned by the Port Authority of New York and New Jersey, and is operated under a long-term agreement by Pan American World Airways. Since Pan American assumed the operational responsibility for Teterboro in 1970, the company has developed and implemented a comprehensive program for noise abatement. As, at their very closest points, Kearny and Teterboro Airport are at least six miles apart, we were a bit surprised to hear that claims had been made concerning Teterboro aircraft generating noise concerns in that area.

We have, however, with the cooperation and assistance of the Federal Aviation Administration, performed a review of the arrival and departure procedures utilized by Teterboro

aircraft, in order to precisely determine any impact on the residents of Kearny. This review of the procedures has confirmed to us that Teterboro's traffic predominates to and from a westerly direction. Established procedures dictate that aircraft operating to and from Teterboro do not normally overfly the Town of Kearny.

Because of the location of the airport relative to the Town of Kearny, the information we have been provided has shown that should Teterboro aircraft occasionally overfly this area, they would be at altitudes that should be high enough so that no adverse noise impacts on the residents would be likely.

We fully appreciate your concerns in this matter. Although our findings indicate to us that there has been no adverse noise impacts from Teterboro aircraft on the residents of Kearny, you may be assured that, as part of our continuing noise abatement procedures for the communities that border Teterboro, we will continually monitor the arrival and departure procedures utilized by Teterboro aircraft. It has been, and will continue to be a longstanding policy of Pan Am and Teterboro Airport that with the exception of safety, noise abatement is our highest priority.

I am available, as are members of the airport staff, to answer further questions on this matter should the need arise. Thank you for giving me the opportunity to address you this evening.

SENATOR RAND: Thank you. Senator Gagliano?

SENATOR GAGLIANO: Yes. Mr. Ferguson, I think your testimony was mainly oriented toward the people in Kearny, but there are people here tonight from other towns in the area. One was a councilperson from Secaucus, who complained about the overflights of helicopters on their way to Weehawken. What is your response to that, because that is to the east -- to the northeast of Kearny, closer to Teterboro, and certainly would appear to be between Teterboro and Weehawken? Would you please respond to that?

MR. FERGUSON: Sure. We have a helicopter arrival and departure path. A lot of the helicopter traffic is to the southeast toward Manhattan. We have prescribed routes that we distribute to helicopter pilots. They pretty much know the routes. Their major complaint is that at nighttime it is hard to see the highways, and sometimes the communities, but to my understanding, they make every effort to get up as fast as possible and not to fly over residential areas.

SENATOR GAGLIANO: Is there, or has there been an increase in the number of helicopter flights in the evening in the past couple of years, to the best of your knowledge?

MR. FERGUSON: I don't have any records of an increase in helicopter traffic. I think the F.A.A. can supply you with that information.

SENATOR GAGLIANO: No, but there are records available, I assume, of all takeoffs and landings?

MR. FERGUSON: Sure.

SENATOR GAGLIANO: That is also the case with respect to the corporate jets. The testimony tonight, as I recall it -- and I think the Committee members heard the same thing I did -- was that there has been a substantial increase in nighttime traffic, which interferes with people's rest.

MR. FERGUSON: I understand their concerns. The traffic at Teterboro in the past three years has not increased, but decreased.

SENATOR GAGLIANO: Overall?

MR. FERGUSON: Overall.

SENATOR GAGLIANO: And nighttime traffic? The same thing?

MR. FERGUSON: Nighttime traffic has stayed pretty much the same at Teterboro.

SENATOR GAGLIANO: How many flights a day would you say you handle on a 24-hour basis, typical middle of the week?

MR. FERGUSON: Okay. Yesterday was Monday, and our operations -- takeoffs and landings -- were 440. On a good day, when there is fair weather, the little airplanes are out flight training, and you can expect between 650 and 700 takeoffs and landings at Teterboro.

SENATOR GAGLIANO: So, on a good day for air travel, we are talking about somewhere in the neighborhood of 2000 flights between the two airports -- Newark and Teterboro.

MR. FERGUSON: Correct.

SENATOR RAND: Senator Cowan?

SENATOR COWAN: No, that's fine.

MAYOR HILL: Mr. Ferguson-- Excuse me, Senator, I have a question. Mr. Ferguson, I am pleased that you are saying you are checking your flight patterns. You said that normal flight patterns should not pass over Kearny or some of the other areas. Our findings -- at least my findings -- are that if everyone pays attention to the flight patterns -- and I have always yelled for monitoring the flight patterns -- we will have a minimum -- not a minimum amount, but less noise. If you are going to study the flight patterns and determine whether they are following the normal or prescribed patterns, of course this will help tremendously. That goes for the Port Authority and for Newark. If they follow their flight patterns, we will have less noise.

When we start talking 800 planes in 24 hours, we come up with 33 planes per hour. There are many, many hours that the planes do not take off. There are many days we have a frequency of maybe-- Councilwoman Robertson mentioned 17 planes in 15 minutes. That figure is not exaggerated at all; in fact, it may be understated. You can appreciate the constant drone over our schools -- particularly our schools. I am very disappointed that the Board of Education of Kearny is not here to voice their opinion, because they have the same problem as Our Lady of Sorrows.

Thank you very much, Mr. Ferguson.

SENATOR RAND: Joseph Mackle? We are going to try to move along as quickly as we can, in order to get to everybody who has asked to testify.

J O S E P H M A C K L E: Joseph Mackle, private citizen, and resident of Kearny. Earlier this evening, Mayor Hill mentioned the calls from the residents of Kearny about them not being able to get any sleep. What I have tonight is just a suggestion, but I think your Committee could do a lot to take it to the F.A.A.

As you are probably aware, at the National Airport in Washington, the last takeoff at night is 9:15. The first one in the morning is at 10 of seven. There is nothing in-between. So, what I am suggesting is, why not-- First, let me just give a few items as far as Newark is concerned.

Newark has departures at 11:12 and 11:50. Then they have one called the "Moonlight Special" at 1:40 in the morning. This is given as a low rate for the people who fly, but it is not very nice for us on the ground. Senator Cowan mentioned the People Airline. They have one leaving Newark at 2:45 in the morning. Also, out at LaGuardia and Kennedy, there are no flights leaving-- Now, I have to admit on this, that when I was looking up my facts, I only looked at domestic flights. There may be late flights going out of Kennedy, but right now domestic flights in those two airports-- The last ones they have are-- Eleven o'clock at night is about the last flight going out of the New York airports.

So, it would seem to me that it wouldn't be too much trouble to change the schedule to prohibit flights departing during the hours of 11 at night until seven in the morning. That is what I would recommend for your consideration.

SENATOR RAND: Thank you very much.

MR. MACKLE: Thank you.

SENATOR RAND: Barbara Phillips? (Ms. Phillips not present) Charles Russo? (Mr. Russo not present) William Brown? (affirmative response) Good evening, sir.

W I L L I A M R. B R O W N: Good evening. My name is William R. Brown. I live at 25 Avon Place in North Arlington. I am a parent of three; I am a homeowner; I am a taxpayer; and, I am an aggrieved citizen.

I sit before you tonight to add my voice to the growing ranks of those who will no longer accept the role to which we have been arbitrarily assigned. What role am I speaking of? I am speaking of the role of the expendables. As fortune and geography and sound realism have had it, we here -- the uninvited vassals of the Port Authority -- are the expendables, and although such a label is strong indeed, such a label is, in fact, accurate. With your indulgence, I will address myself to what being an expendable really means in flesh and blood terms.

Generally, the quality of life for an expendable is dependent upon the arbitrary and unmonitored machinations of some remote agency, which cares little for the real life impact of its activities. Friends, there is history here, too. The Hebrews were sacrificed for the pyramids of the Pharaohs. They were expendable. The chained oarsmen who sank with the Roman warships were expendable. The peasants and peons who expired in the mud fields of the manor -- they were expendable. The Irishmen and Chinamen whose lives delivered the great railways were expendable. The soldiers ordered to witness atomic explosions were expendable. The families of Love Canal were expendable.

We at this meeting -- families and children, and the elderly -- are the expendable around here. The quality of our lives, the simple quiet moments -- whether those moments mean reading a storybook to a three-year-old daughter, or whether those moments mean speaking intimately on the midnight pillows

of our master bedrooms -- those moments are continually violated by gigantic, unmitigated, roaring monsters that careen -- sometimes every three-quarters of a minute -- through our lives.

The children at their studies are expendable. Second graders struggling to make a recording of their Christmas play, who must huddle in a dusty basement of a school so that the recording is not violated by the roar of low jets -- they are expendable. The infant of 11 months, extricated from her midnight slumber and rendered screaming is another expendable. Seven-year-old Wyatt Brown, who while learning to ride a bicycle, unable to hear my warning about a rut in the street, and whose subsequent fall leaves some of his elbow on the macadam -- he is expendable. The older homeowner, who, after years of productive citizenry and faith in the value of his or her major investment -- the home -- now finds that the real estate value may be threatened because of the diminishing quality of life, that homeowner is expendable. The two elderly widows, friends for nearly 75 years, who can no longer engage in audible phone conversations so as to keep their sense of connectiveness, and so as to ward off their loneliness, they are expendable.

The list goes on and on. Each of us knows scores of such not-so-humorous anecdotes. Each of us copes daily, knowing moment by moment that with the continual rumbling and soot-laden reality, nobody who is anybody really gives a good God damned about our expendability. And why? Well, the answers are not so mysterious.

Several months ago, the nation read a Time Magazine cover article about the wonder boy who has created People Express. Among the laudatory phrases was personal information. Well, you can bet that he doesn't live anywhere near the airports with the insulting and deafening noise. No, up in the hills of Jersey life is tranquil. You can bet that

his kids don't have their studies and playground games interrupted by the deafening thunder of these oh-so-huge, but oh-so-profitable monsters that we endure moment after moment. You can bet that the serenity of his family life is not expendable. And, it is safe money that very few among the cadre of lawyers, money-counters, and policymakers who operate the Port Authority are residing anywhere near Kearny Avenue or Avon Place.

No, you see the din and danger are only vaguely inconsequential by-products of their lucrative careers. All that crap that is concomitant -- that follows from this unregulated travesty-- Well, all that crap is the problem of the expendables. And, friends, do you know what the most pernicious tragedy that results from being treated as an expendable is? Sometimes, if people are not articulate, or they are not powerful, or if they feel unheard, sometimes people begin to treat themselves as expendable.

How does one teach youngsters that cigarette smoking or alcohol abuse is a violation committed to his or her self-esteem and well-being, when the civilization in which they are growing up continues to bombard their sensibilities with rumbling monsters that rupture normal daily routine with deafening and insulting regularity? Why wouldn't such ones get the message that he or she is expendable and of low status? People are fragile, but they are not stupid. How do we teach that ours is a civilization owned by its people, no matter what their status or income, when our government body creates, and then renders unaccountable, a private government such as the Port Authority? How do we teach that freedom to swing one's arm ends at the other fellow's nose, when we here know full well that the freedom of the airline and airport industry doesn't end even when our noses are rubbed in it?

The stated purpose of this gathering is the discussion of airplane noise levels. I would be remiss to let this

meeting become simply a debate revolving around jargon related to noise measurement, noise monitors, and altered flight paths. I refuse to frame my comments around the question of whether or not there is or is not excessive noise. Let's bury the digression right now. The noise is excessive; it is blatant; and, by any sane standards, it is intolerable.

This must be a discussion of expendables, not decibels. Neither let us be taken in by the crumbs of quietude that have been thrown over us in the past five days. We must appear abysmally stupid to the master planners out at the airport. Do they really think we can be fooled or lulled into passivity simply because they have concocted a special routing for five days prior to this public hearing? As you well know, that has been provided for the last five days around here. How insulting, how obvious is their contempt for our intelligence?

We know, as do the unelected managers of our lives over at the airport, and in the air carrier industry, that the only real solution to this problem is legislation. There must be laws made for the restriction of those parties, be they industrialists or bureaucrats, who defile our lives for random expansion and short-term profit. They fear legislation. That is why they have been wary enough to keep their landing lights off our chimney tops for the last five days.

There must come, one way or another, enforceable statutes that will compel these casual commissars to stop treating several hundred thousand people as expendable nonentities, so that conglomerates may glut. I am embarrassed for the spokesmen for these agencies, who have been audacious enough to posture some transparent concern with some conciliatory rhetoric designed to make us believe that we really don't see the big picture, or that progress is being made. They know as well as I do that unless real legislation -- legislation with teeth -- is enacted, they can tie up this issue in administrative exceptions and judicial labyrinths until the year 2000. (applause)

But, Senators, let's be first. Let New Jersey be the pioneer. Let us be the ones to begin the process that will evade these travesties, for this problem is not unique to our community alone. Nationwide, and world-wide, the growing air carrier industries are wrecking the same havoc and obnoxious plight upon expendables. They know that it is just a matter of time. They know that the technology exists right now, today, to abate the noise and clamor and danger. I have a copy of an article published in Aviation Week and Space Technology in April, 1984. The article recounts the efforts of local groups to get aircraft to use technology which existed then for noise abatement -- two and a half years ago. No dice. It is a very profitable stall. It is easier to grab short-term profits on the backs of the expendables than it is to retool immediately and offer long-term growth under conditions that are amendable to all parties involved.

I do not feel for them, Senators. I insist only that the airline industry, and those who give them bed and board, be compelled to invest the same proportion of their moneys that we -- the expendables -- must invest, so that our neighbors can have a decent quality of life. For us, the expendables, that investment includes catalytic converters, automobile mufflers, regulations on the use of power tools, etc., etc.

Let's be the model. Let's have other states and other regions and other nations look at us for the leadership that you will demonstrate. Let's say to the mega-industry, "We will let you live with us" -- after all, it is the expendables who built the very airstrips from which they launch these monsters -- "but you must respect us, too. Our children, our families, our homes, our communities are no longer expendable."

Thank you, gentlemen. (applause)

SENATOR RAND: Thank you very much, sir; thank you.

UNIDENTIFIED PERSON FROM AUDIENCE: That's what it's all about.

SENATOR RAND: Mr. Joseph Lepis, Hudson Regional Health Commission.

J O S E P H L E P I S: My name is Joseph Lepis. I am an Environmental Specialist and Noise Control Officer for the Hudson Regional Health Commission, and this evening I am also representing the Town of Kearny and the Kearny Health Department.

Some of my remarks may appear to be basic and educational, but I think, at some point, to get a hold of exactly all of the perimeters that are involved in this problem, I beg your indulgence in allowing me to be basic for a short period of time.

The main dilemma of the problem is that most commercial airports serve areas of high concentrations of population, but should ideally be located in sparsely populated areas. Since most airports are located in close proximity to the population centers they serve, the land use compatibility problem is immediately evident. Although there has been increased awareness of noise problems from the airports in the last few years, the majority of airports are in place, operating, and considering expansion very close to major population centers.

Further aggravating the problem is the fact that the noise problem is multi-jurisdictional. The host city of the airport -- that being the town where the airport is located -- may not be the municipality most severely affected by the noise produced, as evidenced by the number of municipalities that are represented here tonight. In addition, some municipalities may be forced to suffer increased noise levels in order to reduce noise in other affected municipalities. The problem is that a single plane overflight can affect thousands of households on its path to and from the airport. The character of the noise is such--

I'll give you an example. The levels reached in this particular area are in the neighborhood of 55 to 75 decibels. Speech interference begins at 65 decibels. That is the level

at which if you were trying to converse in a normal voice in a room with someone else, that plane passing over would force you to shout in order to be heard. However, the characteristic of the noise overflight is strange in two regards. The first thing is, if you were asleep in a quiet room and someone dropped keys in that room and caused an impact noise of 70 decibels, it would awaken you immediately. If you were in a room where a plane was approaching from a distance, and it had a long set time and then reached a plateau of that 70 decibels and then decreased again, there is a good chance that you might not be awakened by that noise because you were prepared for it by the slow onset, and you were prepared not to be awakened by its decline. But, in this particular area, where we have overflights anywhere from every one to five minutes, and generally on certain days the levels are indeed in the high 70s, the sound is certainly upsetting.

I will give you another example of airport noise as compared to automobile noise. An automobile will reach basically the same sound level -- 65 to 75 decibels -- driving down your block. But, because the noise comes from the muffler, the carburetor, the tires, and everything else, it is something called a wide band of noise. It is not all concentrated in low frequency, as a plane roaring overhead is, sounding like thunder. Therefore, when the noise of the automobile attempts to pass into your house, and because of the noise problem in your house, a lot of it is rejected by the structure of the house. It doesn't pass through the windows or the walls. But the low frequency vibration of the airplane noise causes it to pass through walls, through windows, and the majority of the noise that is generated by a plane -- even though it is still the same 60 to 70 decibels -- is going to pass through the house into your living quarters.

The sound produced at an airport varies from day-to-day, according to wind patterns, according to levels of

activity, and according to safety considerations. A lot of people think that because they are located maybe 5, 10, or 20 miles from an airport that they are safe from noise problems. There are a number of municipalities located in Monmouth County and in Bergen County -- fully 20 or 30 miles from the airport -- that have almost as severe sound problems. They have overflights every minute and a half to three minutes. They have sound levels at least in the 50 -- in about the 60-decibel range, because the real function of how loud a plane is going to be is not how far you are from the airport; it is how far you are from the plane, which, in most cases, is less than a mile up, even in the communities that are 20 or 30 miles away.

Some of the areas, like Matawan and Aberdeen, and areas like Mahwah in Bergen County, have expressed similar concerns to the municipalities closer to the airport about airport noise. The solution to the noise problem is not going to be the absence of sound produced by that particular source. But, in the case of a normal noise problem, where there are predetermined standards, it is going to be in compliance with that standard. In the case of noise, except for the standard that states that a plane, on takeoff, has to be 112 decibels where the monitors are set up at the airport, there seems to be a number of Federal preemptions that preclude a municipality from setting up a sound level, per se, to measure noise. At some point, what is technologically achievable by the airplane is going to meet what is acceptable to people in areas that are exposed to the noise, and hopefully there can be some forcing mechanisms, either by way of providing hush kits or phasing out certain types and categories of aircraft, in order to reduce the levels of noise we are exposed to.

What we are saying, though, in addition, is that if these -- either the hush kits or the retrofitting of vehicles or the use of Stage 3 instead of Stage 1 aircraft, do not occur immediately, if we can identify certain operating conditions,

such as geographical locations, altitudes, and flight patterns that will have beneficial noise reduction effects, they should be addressed and suggested and pushed by the affected municipalities, which should express their concerns to the Port Authority, to the F.A.A., and to their own legislators by supporting them in their proposals for noise control from airports.

There are a number of actors involved, including airport proprietors, the carriers and other operators, aeronautical manufacturers, State and local governments, and private citizens themselves. The Federal government recommends at some point that the problem not be solved by any single one of them, but by a consort of all of them getting together on the same specific concern.

On January 14, 1986, representatives of the Federal Aviation Administration and the Port Authority met with the Noise Control Council at Rutgers University. At that time, a number of statistics and points were brought out, some of which were mentioned by the Port Authority people, but I will just restate them. At that meeting, they represented that approximately 1200 to 1400 plane movements per day were taking place at the airport, which were 700 takeoffs and 700 landings -- that range of activity at the airport -- Newark Airport itself.

Secondly, they went through the types of aircraft -- Type 1, Type 2, Type 3 -- and represented at this time that approximately 70% to 75% of the flights are Type 2 planes, and only about 20% to 25% of the flights are in the Type 3 category. I don't know how much that has changed in the past six months.

Their main considerations, again, are safety and congestion, and secondarily, noise, but noise, according to them, is their secondary motive for creating flight paths and flight patterns. Because of the existence of three major airports in the New York/New Jersey metropolitan area, the

movement of a flight pattern that has already been established would have much difficulty finding space available from the other airports, which have also established their flight patterns. It might have a domino effect, affecting two or three airports, just to create some sort of relief for one particular airport. They could also be involved in causing noise problems at some of the other airports.

The activity at Newark Airport has increased nearly 40%, mostly through People Express and overnight letter and package carriers. Most of these airlines operate Type 2, or Stage 2 aircraft which, again, as stated, are the noisier type of crafts, but not the most noisy. The most noisy have been banned from use at Newark Airport.

The Port Authority expects an increase of from 25% to 40% in ridership up to 1995, but they say that will not translate into 40% in flights because larger planes are the trend -- the larger capacity planes. Evasive takeover procedures are already in effect whereby populated areas are avoided as much as possible, and the Meadowlands, waterways, and existing roadways are used to shield residential communities from the highest noise levels.

At that particular meeting -- and I don't know what the result was -- the State Noise Control Council itself attempted to gain representation on the Aviation Development Council, which includes the F.A.A. and the Port Authority, and which is the agency that recommends primarily noise control functions for Newark Airport.

Also, the Port Authority, at that particular time, stated they had three permanent noise monitors, and would be willing -- or would possibly be willing -- to come and monitor sites in Hudson County that could be identified as high noise areas. At that time, the municipalities that were most affected were Kearny, Bayonne, Jersey City, and Harrison -- out of the 12 municipalities in Hudson County that I represent.

The basic tool that the Hudson Regional Health Commission has available to it is a section of the model Noise Control Code that the State DEP promulgated, and which the Hudson Regional Health Commission has adopted. Section 421 of our Noise Control Code reads as follows: "The noise control officer shall consult with the airport proprietor to recommend changes in airport operations to minimize any noise disturbance which the airport operator may have the authority to control in his capacity as proprietor."

At the time the meeting occurred in January, I came up with three suggestions consistent with that particular section. The first suggestion was the creation of meetings with Port Authority and F.A.A. personnel, at which face-to-face explanation of the problem and an immediate response from the Port Authority and the F.A.A. could be elicited. The suggestion was that as opposed to being done on a town-by-town basis, it should be done on a regional basis by a number of municipalities affected by the same airport. This particular meeting we are all present at now is obviously an example of that.

Secondly, a meeting with the Noise Control Council, which would begin involvement in the issue in terms of getting copies of flight data from the Port Authority, and attempting to get representation on the Aviation Development Council. Again, I don't know what the results of the Noise Control Council were with regard to getting representation.

The third thing would be to assist citizens and governmental agencies which are attempting to get alterations in aircraft elevations above the communities and geographical displacement to less populated areas for both takeoff and landing approaches. There is a feeling that those activities would provide some relief in the neighborhood of anywhere between two and eight or two and ten decibels. At that particular point, we were still talking about 76- or 78-decibel

flights as opposed to 68-decibel flights, but at least at that point there would be no flights in excess of the 70 decibels.

These, again, are some of the things that should be pursued, including attempting to make the flights that are taking off from four left and four right make their final takeoff turns in the area of Route 3, instead of over the Town of Kearny.

I made the suggestion that all three strategies should be pursued and, in addition to that, the fact should be pursued that if the Port Authority-- If they are willing to come in to monitor, they should at least also have a set of readings to realize that the flights going over the town are, number one, in excess of the levels that involve speech interference -- this is the 65-decibel level -- and also are largely in excess of the levels that involve speech interference in the neighborhood of around 50 decibels.

Again, in conjunction with some other readings that are taken in the field for other violations at night, we must monitor what additional noises are interfering with our taking a reading of a particular site. At those particular times, there was evidence that the airplane overflights on different days were in the mid-50s in decibels, and in the mid-60s and the mid-70s in decibels, according to the location within the county and the pattern the plane was following. These occur anywhere from every minute to every three minutes, which, especially in the case of the 70 decibels, are in the area of speech interference, and possible sleep interference.

SENATOR GAGLIANO: Excuse me, Mr. Lepis. I wonder, for the benefit of the Committee-- I am really saying this for Senator Rand; he has the longest distance to go. He has about a two-hour ride before he gets home tonight, and we have another meeting tomorrow. I would suggest that you direct a letter to us, maybe through Senator Cowan, or through our Committee Aide, and give us the recommendations you have and

that you have talked about with your health board. I think we would like to follow up on them. I think they are extremely important. Since you are right here on the site, I think you can help us a lot more.

MR. LEPIS: Okay. I just have one short paragraph, and one announcement.

SENATOR GAGLIANO: Sure.

MR. LEPIS: I think that in conjunction with the recommendations, the fact that the Port Authority, the Transportation Committee, and the F.A.A. officials can hear firsthand -- very eloquently put -- the complaints of the people with regard to the noise and the dramatic effect on their life style and the quality of their lives, is a very good idea.

Secondly, I pledge the efforts of the Commission to be available in an advisory capacity to the citizens and to other governmental entities and, also, to continue in its own efforts with regard to noise from the airport.

I have, in the course of this evening, discussed with the health officer, Ed Grovenor (phonetic spelling), the possibility of our agencies getting together to create -- as your Committee suggested -- a videotape with sound levels of the aircraft that are passing over the Town of Kearny. We have reached the conclusion that our agencies would be able to put together the manpower and the time to create this videotape in the very near future, and provide it to the Committee and to anyone else who would like to have that information available.

Again, the Commission stands available either to the citizens-- Because we are a Hudson County agency, we will have to limit ourselves mostly to the residents of Kearny and Harrison, but we are available to provide them with some information we have. Again, we will present your Committee with this videotape which we will prepare in the near future.

SENATOR RAND: Thank you very much, Mr. Lepis. Mr. Walter Castle? Mr. Castle, if you would please testify on some of the things that maybe we didn't hear, we would appreciate it very much, and we will try to get everybody in before the evening is over.

W A L T E R C A S T L E: My name is Walter Castle. I live in the Fourth Ward. I am a homeowner, and I have lived over 50 years in this town. I am a commercial pilot, and I probably make some of the noise.

I have listened to the histrionics, and I have listened to Mr. Brown's articulate, impassioned plea. I get the feeling I am the only one in here who flies. Everybody hates aircraft. The next time you are on your way to Washington, or Florida, or wherever you are going, remember there are people down there.

I am a little more familiar with the very sophisticated standard instrument departures, and they are very technical. Mr. Muldoon was in error on a couple of his statements, but I am not going to go into them. The bottom line is noise. These different agencies justifying their existence is not going to solve the problem. We know the noise is there. I live off of Schuyler Avenue -- the Fourth Ward -- and my biggest gripe, Mr. Ferguson, is with Teterboro helicopters flying at levels that are patently unsafe. As a pilot, I know, because Federal air regulations state that if a helicopter pilot loses his engine, he should be at an altitude where he can safely rotate toward the ground in a safe way. And when I see them going over, I know they can't. This could be avoided if they would stay a little bit closer to the left side of town on the way to Newark, and on the right side back. They are flying between Teterboro and Newark.

However, I understand they don't want to get too close to the approach -- the localizer approach -- to Newark, so they are probably crowding on certain days, and are coming a little bit closer to stay away from Newark's approach.

Ironbound had a problem, and they printed out a new approach -- which was mentioned here tonight -- the meadow legal approach. These are actual approaches that we have to use. Someone here tonight said -- I think it was the fellow up from DEP -- "We don't know if they make those turns." Gentlemen, that is ridiculous. Certainly we make the turns. We don't like to make turns, as someone stated, because if you are turning left and lose a left engine, where do you think the airplane is going to go? Okay? It is going to go in to the left. We don't like them, but they are printed, and this is the way we have to do them at Newark every time, runway four left or four right.

Four means 40 degrees or northeast 040. The aircraft must take off, turn right to a heading of 060, and climb, and then maintain 2500. Here is the catch. The pilot only has to do this for 28 nautical miles, all the way out to Sparta. Everybody knows where Lake Mohawk is out in Sparta. That is where the navigation is. They are not required to go over 2500 feet. And they only have to do this in the event they lose communications. Therefore, if he says to the controller, "May I have Sparta direct?" the guy will say, "Yeah, it's a nice day; go ahead." He winds up over Kearny.

I think what we have to do is have the F.A.A. here, and I think it's impossible for the F.A.A.-- I don't care about Gramm-Rudman or anything else. Why isn't there someone here from the F.A.A. who we can question, and say, "Look, it's printed; it's law; why don't they stick to it?" The same way on approaches. On good days, the pilot may request what is called a "contact approach," or he can be given what is called a "visual approach" from Newark. Or, he doesn't have to go over Teterboro and down the localizer to the runway. He can come right across Kearny. But, descending aircraft do not make as much noise as the ones taking off.

Here is the problem. When they leave and they turn to 060, intercepts and radio out of Kinnarcy (phonetic spelling), which is another navigation aid, and turn left-- No controller has to tell them when to turn left. You will see them turn around every time in the exact, same place because they are doing it by radio -- a navigation aid. From that point on, they go across Kearny at 2500 feet.

So I suggest that these aircraft are capable of much higher rates of flying. They are stuck at 2500 feet because it says so. Now, if an aircraft can climb at 3000 feet per minute -- a general aircraft -- or 2000 feet per minute -- it stands to reason that in three minutes it can be at 6000 feet, and all those decibels and all that flowery rhetoric about the noise-- It wouldn't be there. They have the rules now. You've got to keep them high. I have seen aircraft out over Sullivan County and Sparta coming into Newark on standard terminal arrival routes, at 3000 feet. In God's name, what are they doing down there? They should be up at 6000, because one thing big airplanes will do is come down fast if we can keep them high.

As far as going out to Route 3 on the takeoff, they could probably make the 060 turn and then fly direct to Teterboro BOR and then en route. But now we happen to be -- all of us here -- homeowners and listening to noise because this is the way it is. Changing the patterns is going to put it closer to Secaucus, or some other community, and we are going to be sitting at a meeting like this in some other town.

I went to a hearing one time. Some people bought a home at the end of a runway, and by God, gentlemen, two weeks after they moved in they were calling the airport screaming about the low airplanes. There was a hearing. The airport license was coming up. I went to it just to be an observer. The judgment was that if you live next to a railroad, you've got to expect to hear locomotives.

With our technology of aircraft today, we have to put up with some things, but we don't have to put up with what we are putting up with down here in Kearny. Mayor Hill, I live in town. I have all of the approach lanes. I have everything on these -- they keep referring to them as patterns -- but, they show road maps.

MAYOR HILL: Thank you.

MR. CASTLE: I've got all the stuff right here in town if you need it.

MAYOR HILL: Thank you very much.

SENATOR RAND: George Beck?

G E O R G E B E C K: My name is George Beck. I have been a resident of this town for 74 years. I was just going to mention a few things; however, the gentleman over there explained it better than I could ever possibly do. I think starting tonight, we will no longer be stupid.

I would like to mention one thing. I had a friend who was a pilot, and we happened to be speaking about the planes flying low over Kearny. He brought up the point-- To quote him, he said, "By the way, at the height at which they fly over Kearny, there is no way in hell, if they ever have a power shortage, that they are ever going to be able to get back toward the airport. We will have what we had in Elizabeth all over again."

I want to thank you, gentlemen. I hope this is fruitful. I also want to say to all of the people who are here, I am real proud of a lot of our citizens in town, and I want to thank them all for coming out.

SENATOR RAND: Jon Dolberg, from Newark?

J O N D O L B E R G: My name is Jon Dolberg. I live in the Ironbound section of Newark. The only reason I am here tonight -- I didn't really plan to speak -- is because I had hoped that certain officials would have something to say to the residents of Kearny and the surrounding communities. The only thing I

want to say to the officials -- and I say the same thing to the residents of Kearny -- is, be alerted that they are not saying the same kind of crap that the people in the Ironbound section of Newark were fed at the beginning of 1979.

I have a statement that was made -- and I will give this to whomever wants it; they can keep it -- at a meeting that was held on April 29, 1980 at St. Benedict's Church in the Ironbound section of Newark. This is only part of the meeting. Many of the things that were said by certain officials here tonight about trying to help, were said back in 1980. One of the people who was there was a man named Marcus Reasoner (phonetic spelling), who happens to be sitting right here in the front row and, Marc, you can listen to this, too. It is all legit; it's no lie.

The promises that they gave to the people in the Ironbound then are the same things that I am hearing now -- the dumbfoundedness, "We don't know what is going on," "Let's try this." First it was the philosophy approach; then it wound up to be the Meadowlands approach. The officials were scratching their heads. They are going to try to study the problem and, of course, hopefully they will do something to alleviate the problem.

I think the major problem is something that a lot of us really don't want to see, but then again we do understand it, and that is this. (Mr. Dolberg holds up a dollar bill in front of the audience.) (applause) The Port Authority is a moneymaking organization, and I don't think that there is anything that they will not do to make a buck.

Years ago -- going back about five or six years ago -- it was announced that a big expansion was going on at Newark Airport. We were all alerted about the planes that were going to happen and, of course, we are now -- most of us who live in the area of the Newark Airport -- living with the great expansion that has happened at Newark Airport. Those of us in

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the Ironbound section said years ago that we were not against airport expansion -- because many of us do use the airport, including myself -- but we do think that the surrounding people have the right to live with some kind of freedom that somehow has been designated under our Constitution and, of course, that certainly has been brought home to us recently in celebrations of the Statue of Liberty -- which is not too far from here.

Airport officials do not think of that. Their main goal is airport expansion, and I certainly hope that the residents of Kearny and the other surrounding communities will stick together and fight this, even when you hear the same bull that was fed us over the last five or six years. Stick together and fight it. The residents of the Ironbound will give you some kind of support, as best we can. We are fighting all kinds of other things now, but this fight has to continue; otherwise, we are going to find one of these big babies lying in our backyards with thousands of people killed.

If you would like what is on the side of this tape from the hearing-- On the back is some very good opera.

SENATOR RAND: Thank you, sir. Margaret Holloway?

MS. HOLLOWAY: I'll tell you, I sure appreciate the Ironbound people coming because I know what they are living with.

Good evening, gentlemen. My name is Margaret Holloway. I am President of the Kearny Environmental Committee of Concerned Citizens, and a resident of the Town of Kearny for 55 years. I have been worried as to what is going to finally happen to completely destroy Kearny, with the radon, with the jail, with the incinerator, with the airport coming down on top of us.

I gave Senator Gagliano all the maps, all the correspondence I have had with the airport, the flight patterns, and everything. Now, those flight patterns have increased. They have caused us chaos. And, Father, I

know what happened to your school because I spoke to all of the past people there. The pattern of the planes there-- The children absolutely cannot hear. The teacher cannot talk loud enough. The hazardous condition has caused the children not to be able to accept what they are being taught, and I think that is dangerous.

The people of Kearny started -- and you have the letters to prove this -- fighting this hazard in 1972. Up to this date, nothing has happened for us. I feel that all of the correspondence I have done for the people since 1972 should be some proof that Kearny has been fighting, as have the people of the Ironbound section been fighting. We have not gotten to first base in protecting our right to a free, quiet environment. I live right across the street from a big county park, thank God, and there are youngsters fishing, playing softball, whatever they want, and senior citizens sitting on benches. However, we cannot converse with each other, because every two minutes the planes are down. We can see the people's faces; that is how low they are. One day they are going to hit the trees, and we are going to be missing several senior citizens and children.

I feel we better get on the ball. Our Senator Cowan, and the people who are working for us, must work harder. I feel that somehow we will come to a decent environment, where the airport people are not going to be king any longer. The garbage people are king; the radon people are king; and, the little people get nothing but poopy in the basket, and we are sick and tired of it.

We need the people who are sitting up here doing their job. We have a Mayor who has tried his heart out, sometimes against great odds, because there are some people who do not appreciate a person just because he is from a different party. I believe in both parties. I believe in all the men and women who are sitting up there who are doing their best for

us, not for their politics. This is why we asked for this hearing. As I showed you on the map, everything in that flight pattern is completely over Kearny and over North Arlington. Our school areas are all in the line of that flight pattern, and when they decided they wanted to put the special equipment in Kearny, off the Belleville Turnpike, I told you people that that was going to be a dangerous thing because they are not going to fly the way that pattern said they should. They are coming, instead, right over Kearny. When I questioned that at the Meadowlands Commission, they said, "Margaret, they can't fly the other way because they will all be killed with the gulls that are flying all over creation."

Now, we have to do something on this situation. Also, I am concerned. Hartz has got the money. They are loaded from one end to another. I am concerned that Hartz is not going to come up with a plan, that they want a Stolport type thing in the Meadowlands, and they want it closer to my Town of Kearny and North Arlington. We are not going to allow that by Hartz because they are a moneybag. They have taken over the Meadowlands Commission completely. The people who are in that Commission area don't have a say in anything. We don't want Hartz to go through with their plan of putting a Stolport into our Meadowlands either. I want protection for our people in Kearny. They are paying through the nose for everything they get in this town from the county and from the State.

So, we must protect them. We've got to make sure that the Federal Aviation Administration is doing the job of protecting the people, not their money. Their money is killing us, if they don't do it the right way to protect the lives of the people on the ground.

Thank you.

SENATOR RAND: Thank you very much.

MS. HOLLOWAY: I am asking you people to please look into that flight pattern. What do you call that thing that

they put out in the Meadows -- on Belleville Turnpike? The signals?

MAYOR HILL: Beacon.

MS. HOLLOWAY: Beacon, right. Please check that out, because since that beacon was put there, we have 50% more hazard coming in. Please check it out. Thank you.

SENATOR RAND: Thank you very much, Margaret. Mayor Rodgers?

MAYOR RODGERS: Thank you, Senator Rand, Chairman of this Committee, Senator Tom Gagliano, Senator Tom Cowan, and Mayor Hill. I appreciate your giving me the privilege of being here tonight to speak on behalf of the noise pattern that the Town of Kearny -- under Mayor Hill's administration, and the Council's -- is complaining about. I join with you, as a neighbor, because I feel exactly as you do. Of course, I enjoyed Mr. Castle's remarks here tonight. I think we have all learned from them. I would ask the Senators on the dais here tonight to close their eyes a bit, because they know me, but I want them to know that I am as mad as Mr. Brown, who so eloquently reduced the psychological effect that is taking place upon the people of the North Arlington, Kearny, Harrison, East Newark, and Ironbound sections.

As I look out over the crowd tonight, I am well aware of the fact that Our Lady of Sorrows Church, and my pastor, Monsignor O'Donnell from Harrison and the school that he represents, and the schools I represent-- We have a situation down there the same as you people have up here. I think our problem is a little noisier because we are in closer proximity than you people are. There is a warming up problem down there, as you know -- down at the airport -- and, of course, we hear that at night -- late at night.

Looking over the crowd here tonight, I am reminded again that I held, some 25 years ago, about the same identical thing you are confronted with here tonight. And, of course,

those who were in authority at that time changed the patterns so they would satisfy us, to a degree. But, as you heard here tonight in testimony, there are 1200 flights a day, so I'm sure since 25 years ago, when I protested, it has increased to this proportion.

I think the bottom line, as Mr. Castle said, is noise. I know that when I am in my home at night, I hear these airplanes coming over, and sometimes I feel as though they are going to come in through my front window and go out my back window, it is so noisy.

I think if this Committee -- with Senator Rand, Senator Gagliano, and Senator Cowan -- would do some sort of a study to have some money spent by the State of New Jersey, so that we could have some sort of an investigation of the things that we spoke about here tonight-- I think we need some money to find out whether the Port Authority is telling the truth or not -- and I don't say they're not -- about the Newark Airport, which has grown to the Newark International Airport. Of course, they have to have their representatives in Trenton, too.

I do think we -- when I say "we," I mean the State, the Legislature -- should take this into consideration. I think there should be some sort of a rebuttal on what has been presented here by the people who are in authority, so that we can find out if it is so. I think Mr. Castle gave a very intelligent account of the patterns that must be used here. Perhaps that is one point we may be able to rectify. I don't know how it can be done; I am not familiar with it. I am not familiar with the noise patterns or anything else, but I do know that the bottom line is that we are sick and tired of the noise in our communities, and I think it is about time that the State of New Jersey, under the leadership of these gentlemen and, also, the Governor of the State of New Jersey, provide some relief.

Thank you very much.

SENATOR RAND: Thank you, Mayor Rodgers. Senator Cowan?

SENATOR COWAN: Thank you very much. I just want to commend the attendance here this evening from the various localities. As I indicated in my opening remarks, it is our intention, with the guidance of our Chairman on the Senate Transportation and Communications Committee, to pursue this further than we have this evening. Of course, this evening was just an exploratory session to try to get as many facts and as much information as possible. We will be looking at that and certainly looking further into seeing if we can address some of the problems with the noise in the area, particularly the noise from Newark Airport.

Not to reiterate too much on what Mayor Rodgers has said, but certainly listening to Mr. Castle and Mr. Brown -- particularly Mr. Castle, with his technical knowledge of airflights and air altitudes, and the acceleration to that altitude -- is something I think we should be looking at very keenly. I thank him for that.

SENATOR RAND: Thank you, Senator Cowan. Senator Gagliano?

SENATOR GAGLIANO: Yes. Mayor, thank you very much for your hospitality tonight. We appreciate it. We appreciate being able to see old friends from the Senate who are not at the Senate any more, but who are still on the job.

Ladies and gentlemen, I think there are some things we have to think about. First of all, I am really not happy with the fact that the F.A.A. is not here tonight. Whether that was an oversight, whether it was truly a matter of money, or maybe they weren't so interested-- I don't know what the issue was, but I certainly feel -- and we know this, because they have preempted the field under the law -- the F.A.A. should be directly involved in any hearings such as this. That is number one.

Number two, certainly I would think that the Port Authority has to look into more noise barriers during warm-up. I have seen these things, and I am sure they work. If some of the municipalities around here, the people who are neighbors, have problems during warm-up, they should be protected from that. There is no question about it.

The third thing, of course, is the possibility of a limitation on late-night flights. I think that within reason, the Port Authority could negotiate this. I am not sure how it would be done. I am not sure who has jurisdiction, but I really don't see why we need flights at 2:45 a.m. Maybe it saves a few dollars to a few of the passengers, but I'll bet you that more often than not, those flights are half empty. I would certainly think that a limitation on late-night flights could be a big help to the neighbors of the Newark Airport.

I do think -- and I said this in the beginning -- it is the fourth item I would like you to consider. I really believe that the local people should take measurements. I think it is very important that you have audio and visual measurements, so that these can be shown to people, and there will be no question that they get the question because it would be hard copy, so to speak.

Then, of course, the last thing I think, based on what I heard tonight, is the higher altitude levels before the turns are made. I think it was Mr. Castle who basically said that. I guess it makes sense. It would put the plane that much further away from your neighborhoods and, therefore, would cut down on the noise levels.

Lastly, I can assure you, knowing Walter Rand, our Chairman, and our Vice Chairman, Tommy Cowan, that we will be following up on this, and we will help in any way we can. Understand, it is a Federal Aviation Administration basic problem, and they should be involved. I am not quite sure how we can involve them, but that is something we will look at.

Thank you very much, Mr. Chairman.

SENATOR RAND: Thank you, Senator Gagliano. Mayor Hill?

MAYOR HILL: Thank you very much. I spoke to Jack Shelly (phonetic spelling) of the F.A.A. this morning, thinking that he was well aware of the hearing. He said, "Well, I am not available tonight, but I could be available tomorrow." I said, "We just couldn't call a meeting for tomorrow." But, Mark Reasoner from the Port Authority is here. He has been working with us; he has worked with us many times. From what I heard today, sometimes against us -- but you would have to prove that to me. Mark, you have a good relationship with Jack Shelly, and I would appreciate some kind of a report from you and Jack Shelly on the hearing we had today. You have gotten sufficient knowledge from the people to come up, in some way, with an answer to the flight patterns, as Walt Castle has pointed out.

We have been doing that right along, and just about two years ago we had a similar meeting. My question was, how do we monitor that? Senator Gagliano said that he wants some kind of a record, or some kind of a tape made of the flight patterns, and I think that would help tremendously in our playing it for someone and saying, "You listen to it, and see whether we are crying about it, or whether it is a justified complaint."

I would also like to charge Senator Rand, because I have heard only good things about him tonight, to have him come back with some kind of a report to us, within a reasonable period of time, and I don't know what a reasonable period of time would be. Could you give me a reasonable period of time, Senator?

SENATOR RAND: I certainly could.

MAYOR HILL: What is a reasonable period of time?

SENATOR RAND: We have only one or two more meetings in the Senate, but I can assure you that when we come back in September for the fall session, that we will be taking some action immediately.

MAYOR HILL: Okay. Please keep us posted, so that for the many people who are saying that nothing is being done, we can say, "Yes, we found some people who will do something." Hopefully, you will give us something we can show them and say, "Finally, we are moving in the right direction."

I want to thank everyone--

J E A N C A M P I O N: Mayor Hill?

MAYOR HILL: Yes?

MS. CAMPION: I am sorry to disturb this proceeding, but I will only be a minute. I was a late arrival; I worked late, so I couldn't get my name on the list. But, I just want to make one comment.

As this gentleman so eloquently put it, we are the peons. We pay the taxes. We send our children to school. We do the best we can, so we, in a way, feel that we are contributing to whatever God's plan was when we were born.

Now, we have no one to turn to but you learned gentlemen. We elected you, regardless of party. We come to you for help. You must help us. We have no place else to go. You've got to help us. Who else will? If our own Senators in our own State won't help us, who the heck will? Who will hear us? You are our voice. We elected you. For heaven's sake, do something for us.

MAYOR HILL: Would you state your name for the record, please?

MS. CAMPION: Senator Cowan knows me. My name is Jean Campion, Chestnut Street.

MAYOR HILL: We all know you, but I wanted the people to know who you are.

SENATOR COWAN: Thank you, Jean.

MAYOR HILL: I know you. You have spoken to me many, many times.

SENATOR COWAN: Thank you very much, Jean. I think, as you are well aware, we would not be here tonight as a Committee, without first an appeal from such people as yourselves who are here tonight, and from the Town Council and the Mayor, who passed a resolution requesting some action be taken. The first individual was an individual from the Town of Kearny by the name of Stockus (phonetic spelling), and I don't believe the gentleman is here this evening. Are you here this evening?

MAYOR HILL: John, stand up. (speaking to Mr. Stockus)

SENATOR COWAN: He was the first one who contacted me on this. I believe that was last November, if I remember correctly, Mr. Stockus. I don't have the letter with me.

J O H N S T O C K U S: That's correct.

SENATOR COWAN: Following that, I received a resolution passed by the Town Council and the Mayor here, requesting that some action be taken. That is when we instituted this. If you would just be indulgent with me for two more minutes, I would like to thank my colleagues here, particularly, of course, the two Mayors, but my colleagues, and our Aide, who sits with us this evening, because as you have heard, Senator Rand, who is the Chairman -- and I have had the pleasure of serving as his Vice Chairman now for three years -- comes all the way from Camden County. Senator Gagliano, who happens to be a Republican -- and a very good member, and a very good individual -- also comes from down in Monmouth County. The two of them came up from Trenton, where we met today at a session -- we had a quorum call -- to this hearing.

So, I certainly want to thank them publicly for addressing the question at your request.

SENATOR RAND: Thank you, Senator Cowan. Mayor Hill, may I thank you; thank you, Mayor Rodgers. Senator Cowan, I

want to compliment you for asking me to call this hearing.

Mayor Hill, may I also compliment your citizens. They were respectful of even those people who they didn't agree with, and that kind of position only enhances their position, and only enhances their concern. So, I compliment them and thank them, because you know, questions of tranquillity are emotional, and emotional you should get. But I will tell you this: We will do the very best we can. I will personally contact Congressman Howard, and at least express the concerns of this Committee formally. We will attempt, in every way, to do something, whether we form a commission to study your problem, whether we can enact legislation, or whether we, by formal resolution, will notify our congressional delegation.

I can assure you, Mayor, that we will have some action.

MAYOR HILL: Thank you very much.

SENATOR RAND: Thank you very much.

(HEARING CONCLUDED)