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PUBLIC MEETING

before

ASSEMBLY AIRPORT NOISE ABATEMENT STUDY COMMITTEE

To gather information and take testimony on aircraft noise, its effects on New Jersey residents, and methods of abating aircraft noise

October 13, 1987
Freeholders Public Meeting Room
County Administration Building
Morristown, New Jersey

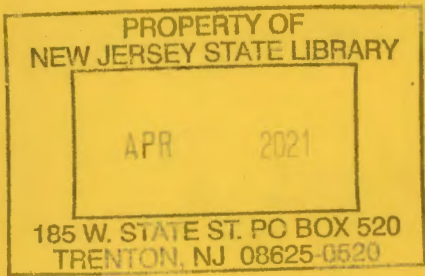
MEMBERS OF COMMITTEE PRESENT:

Assemblywoman Maureen B. Ogden, Chairwoman
Assemblyman Nicholas R. Felice
Assemblyman D. Bennett Mazur

ALSO PRESENT:

Assemblyman C. Richard Kamin
District 23

Amy E. Melick
Office of Legislative Services
Aide, Assembly Airport Noise
Abatement Study Committee



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Chairwoman
NICHOLAS R. FELICE
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D. BENNETT MAZUR

New Jersey State Legislature
ASSEMBLY AIRPORT NOISE ABATEMENT
STUDY COMMITTEE

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October 5, 1987

NOTICE OF A MEETING OF THE
ASSEMBLY AIRPORT NOISE ABATEMENT STUDY COMMITTEE

Assemblywoman Maureen Ogden, Chairwoman of the Assembly Airport Noise Abatement Study Committee, announced today that the committee will hold a committee meeting on Tuesday, October 13, 1987 at 7:00 p.m. in the Freeholders Public Meeting Room, County Administration Building, Ann Street, Morristown.

This meeting will be the second in a series of committee meetings to be held throughout the State to gather information and take testimony on aircraft noise, its effects on New Jersey residents, and methods of abating aircraft noise.

Anyone wishing to participate should contact Amy E. Melick at (609) 984-7381.

Directions: From Route 287 take Route 24W to the Green in the center of Morristown. Go three-quarters around the green, bear right onto Washington Street. Courthouse will be on the left, turn left onto Western Avenue. Go one block on Western (around Courthouse) turn left onto Ann Street. Parking is available in the County Parking Deck on the right. Enter Administration Building from Ann Street.

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ASSEMBLYWOMAN MAUREEN B. OGDEN (Chairwoman): I am Maureen Ogden, Chairwoman of this Assembly Airport Noise Abatement Study Committee. I still have to look at that title myself. I would like to introduce, on my left, Assemblyman Ben Mazur, who is from Bergen County. We are hoping to also have Assemblyman Nick Felice, from Bergen County. He told me at lunchtime he was coming, but we better get started, since so many people are already here. On my right is Amy Melick, who is the staff person from Legislative Services assigned to this Committee.

Just let me tell you that this Committee was established by a resolution of the General Assembly. It is charged with the duty to investigate the nature of aircraft noise throughout the State. When I introduced this resolution, my first thought was to deal specifically with the Expanded East Coast Plan, which we all know went into effect in the middle of February. However, when we discussed the resolution in the Committee -- my Committee on Energy and Natural Resources -- the feeling on the part of other members of the Committee was that we have problems not only with planes coming from Newark Airport and LaGuardia Airport, and potentially JFK, but also with regional airports. So, we have expanded our study to include those, as well.

This is the second of five hearings. We are going to hold one in two weeks in Bergen County; then in November in Trenton; and then down in Atlantic City. It is basically a fact-finding Committee. We are interested in what the public has to say. We are interested in all of the comments from those who are active in running airports, and from individuals or organizations throughout the State that have expertise in this area, to help us to seek some solutions in terms of the recommendations the Committee is going to be making to the Assembly for noise abatement. Probably we are going to be looking at the possibility of, say, maybe a master plan for the

State of New Jersey, in terms of where we're going as far as aircraft are concerned.

I think many of you probably read the front page of The Star-Ledger several months ago, in which it was predicted that aircraft traffic is going to increase tremendously here in the State of New Jersey in the years to come. Obviously, if that is going to happen, we are very concerned about what is going to happen to all of us who are on the ground below this increasing number of planes flying over our heads.

So, these are the general parameters of our effort in this task force -- this Assembly Committee. I would like to yield the floor for a few minutes to Assemblyman Mazur, who might like to make some comments.

ASSEMBLYMAN MAZUR: Thank you. It is a great pleasure to be here in Morris County tonight. Coming from Fort Lee, as I do, we are usually preoccupied with traffic problems, rather than jet noise -- aircraft noise -- but we do have quite a bit. Since they have adopted this new plan, we find ourselves besieged by aircraft taking off from LaGuardia, from Newark, from Teterboro -- just a barrage of aircraft. It is hardly possible over there to not look up in the sky and see jets taking off and struggling to go on up at a sharp angle.

Back in the 1960s, when I was Director of the Bergen County Board of Freeholders, I served on the Metropolitan Regional Council, on its Jet Noise Abatement Committee. In other words, this is a problem that is not particularly new, but it has grown enormously in intensity. At that time, the FAA had worked out a very careful plan for aircraft taking off, to make sure that they flew over the lowest population densities and at the highest possible altitudes. If possible, for instance, approaching LaGuardia Airport, they would cross Westchester at considerable altitude, and then turn south along Long Island Sound, and then come down over City Island, and descend that way into LaGuardia Airport.

So, they were all very carefully worked out to create the least havoc possible. In addition, on the ground, they urged, and successfully achieved, in getting New York City to adjust, or adapt its zoning and building codes, so that apartment houses, and hi-rises, and new construction taking place in those patterns, or under those patterns in the immediate vicinity of airports, were soundproofed; that something was done to try to absorb and accommodate the shock, the impact, of those aircraft. I know now that this new plan is in, everything seems to have gone out the window, and we want to explore, in this fact-finding research activity, the possibilities of some remedial action on the part of the State. I hope we will get some information under the very able leadership of a fellow planner, I might add. We are both graduates of the same Graduate School of Urban Planning, and we hope we can come up with some good solutions.

ASSEMBLYWOMAN OGDEN: Thank you very much, Ben. In having people speak before the Committee, what I would like to do is first is have elected officials, if there are any elected officials here. I know there are a number of members of the Assembly and the Senate who are at a Medical Society dinner. They had committed to that before they knew about this meeting. Are there any State representatives here? (no response)

I would like, then, at this time, to read a statement that has been sent to us by Assemblyman Loveys and Assemblyman Martin. After that, I would like to go to elected officials at the county level, or municipal level, and representatives of organizations or agencies.

"Dear Assemblywoman Ogden, Freeholders, and friends: Our past experience as representatives of Florham Park and Morris Plains have given us a great deal of insight into the problems experienced by those enduring inordinate airplane noise. We have personally spent many hours working toward

resolution of such problems, and we commend the efforts of the Study Committee and of the citizens who are working for solutions.

"While we can, and do understand the increasing demand for flights, as well as for less airport delay, there must also be a concomitant concern for the folks on the ground. Their rights should not, and cannot be overlooked, and their complaints must be investigated. For those who are indeed suffering from undue noise levels, action must be taken.

"We support fully the efforts of the Assembly Airport Noise Abatement Study Committee to help such people, and we also stand ready to help in any way we can." That is signed by Ralph A. Loveys and Robert J. Martin, for which we thank them.

I understand that Mr. Felix Auer is here, a representative for Senator John Dorsey.

F E L I X A U E R (speaking from audience): On behalf of Senator Dorsey--

ASSEMBLYWOMAN OGDEN: You will need to sit so that you speak in front of the microphone, Mr. Auer, so it will be in the transcript.

MR. AUER (complying with Assemblywoman Ogden's request): On behalf of Senator Dorsey, who could not make it, I want to extend my greetings to the Committee and to the members of the public who are here tonight.

Senator Dorsey introduced a companion resolution -- or co-sponsors a companion resolution -- in the State Senate, conforming to your resolution. In this, as in all other environmental issues, he is deeply concerned. He has probably one of the most outstanding records in the State Senate on environmental issues, of which this is one.

ASSEMBLYWOMAN OGDEN: Thank you, Mr. Auer. So, Senator Dorsey has introduced a resolution to establish a similar Senate Committee.

MR. AUER: That is correct.

ASSEMBLYWOMAN OGDEN: Do you have any questions, Ben?

ASSEMBLYMAN MAZUR: No, thank you.

ASSEMBLYWOMAN OGDEN: Thank you very much, Mr. Auer.

For anyone who has not signed up to speak, if you wish to, we have papers right there. It would be helpful for us in arranging who speaks when.

I would like to begin with Mr. William Barkhauer, Manager of the Morristown Airport. I believe he is also representing the town of Morristown.

W I L L I A M B A R K H A U E R: Madam Chairman, I would first like to thank the Committee for the invitation to speak here tonight. I am Bill Barkhauer. I have been the Manager of the Morristown Airport since 1982, and I represent the private operators of the airport tonight, as well as the town of Morristown.

I understand that this Committee was formed primarily, as you alluded to earlier, in response to the implementation of the Expanded East Coast Air Space Plan that was put into effect a number of months ago. Because this plan deals primarily, as you know, with air carrier traffic into and out of the three New York area air carrier airports, its effect on our airport in Morristown has not been as direct, or as dramatic. However, I would make two comments concerning things that we have observed at our airport, which we believe are most likely attributable to the plan. One I guess is a plus, and one is probably a minus.

We have observed, since this plan went into effect, less ground delays taking place at our airport for instrument traffic. Although the arrival routes to and from Morristown per se were not changed as a consequence of the plan, we understand that one of the purposes of it was to improve the flow of air traffic in the New York (indiscernible) region in general, and we feel that the plan has had a positive effect on reducing overall delays that our tenants have experienced.

Another thing we have noticed, however, is that we have become acquainted with a lot of people on the telephone who we weren't too well acquainted with prior to the plan coming into effect. These are from communities that are located primarily to the south and to the east of Morristown, outside of our normal traffic pattern. We have grown accustomed to receiving a certain number of complaints -- which I will address later -- from communities in immediate proximity of the airport, but around the time the plan was implemented, we did make a lot of new friends on the other end of the telephone.

On the list that was handed out earlier, I was noting with some interest the various communities that are a part of this group that has been formed, and many of them are familiar. We have received quite a few calls from those folks. We do our best to respond to all noise complaint calls, and when we have received calls from those areas, areas that we have not been accustomed to hearing from in the past, two things have stood out in those calls, for the most part: The aircraft involved are air carrier size and type aircraft and, for the most part, people have indicated to us that the reason they never called us, or for that matter any airport, before was that they were not accustomed to aircraft flying over their areas. Of course, the Expanded East Coast Plan, from our knowledge, did change some routes rather dramatically. So, even though it is not our aircraft that were directly affected by the plan, we, nevertheless, have noticed a definite uptick in that type of noise complaint activity since that time.

These observations are not really intended to editorialize for or against the plan, but merely to share with you some observations we have made. The FAA, of course, has a difficult mandate, in terms of safely and efficiently handling air traffic. That is one of their mandates. They also, of course, have a mandate to consider the impact the things they

do can have on the general public. It is a difficult balancing act. Overall, they probably do a pretty good job, but they are certainly not always perfect.

But, those are the two main things I would say that we have observed, reference the Expanded East Coast Plan. I also understood, when I got the call from your staff, that the Committee is interested -- as you also mentioned -- in addition to the East Coast Plan, in learning a little bit about the noise situation in other parts of the State, especially around our airport in Morristown, and perhaps a little information on the steps we have taken at our airport to deal with the problem.

I think it is probably appropriate to begin by saying that our airport has long been a major regional aviation facility in our part of the State. It is a reliever airport for Newark. It is home to a number of Fortune 500 corporations, as well as a number of other companies that base their aircraft at the airport. In the past several years, the number of operations at our airport has increased modestly, and this year will probably run about 10% to 15% above the levels of a few years ago, but actually still below the levels of the late 1970s, when activity peaked. Slightly higher air traffic, of course, is not a local phenomenon. When economic times are relatively good in the country, as they are now, air traffic, in general, will tend to increase.

The actual physical growth at our airport in the past 10 years has actually been fairly modest. There have only been two major construction projects at our airport in the past 10 years. In 1983, Nabisco Brands, based in East Hanover, constructed a corporate hanger, and in 1986, the Linpro Company, a Morristown developer, opened a fixed base operation, which included a new hanger for the AT&T Flight Department. It is interesting to note that of the aircraft that have moved into these new facilities, most of them were already based at the airport anyhow, operating out of other facilities. Thus,

we did not experience much of an increase in traffic, even though we did have a growth in some of our facilities.

Since the airport became privately managed in 1982, many safety-related operational improvements have been made at the airport, including rebuilding runways, taxi-ways, parking aprons, as well as the lighting systems and navigational aids at the airport. Some of this money has been provided by the FAA through the AIP Grant Program; some has been provided by the State of New Jersey, under a similar program; and a lot of it has been put up by the airport itself. I think it is safe to say that in making and paying for these various improvements to the airport, we have had basically one objective only: To make our airport into a first-class modern facility that is second to none in both its safety and its operational standards, and one that provides aviation services that this region can rely on and be proud of.

But, as we all know, despite the many tangible benefits an airport provides -- which I could go on a long time about -- there are a few drawbacks to having an airport as one of your neighbors. The primary one, of course, is your main subject tonight, and that is aircraft noise. Aircraft, no matter how large or small, need power to get into the air and stay there and, unlike Star Wars or Star Trek, no one has yet invented a silent method of aircraft propulsion. If someone ever does, I guarantee you that he or she will not only become one of my personal heroes overnight, but will probably be one of the wealthiest, as well.

Although every airport has its own particular set of noise problems, we in the airport industry believe that these problems at any airport usually have a number of things in common. For one thing, most airports are built in areas that were at the time relatively sparsely inhabited. When Morristown was built, for example, in the early 1940s, there was very little residential development in close proximity to

the airport. But, as years go by, and regions grow economically, two things generally grow along with them: residential areas and the area's airports. As Morris County began to really grow, especially in the '60s and into the '70s, so did communities like Hanover Township, our nearest neighbor. As a consequence of this growth, residential development increased, and much of it occurred very close to the airport, even though the airport was already a large, busy facility. Much of the economic growth that took place during the period was fueled by the arrival into the area of many corporations and businesses. These companies, which were welcomed into the communities because of the economic growth and tax ratables they provided, also became active users of the airport. In many cases, companies from outside the area also became airport users when they came to do business with the corporations located in nearby communities.

I think the point here is clear and important, and does not need to be belabored. Airports play a major role in the development and growth of their communities and regions, and the two will invariably always grow together.

But, back to noise. Another thing that airport professionals believe is that the best way to control airport noise problems in immediate proximity to the airport, at any rate, is through restrictive land use and, of course, the main tool for that is zoning. Here is one of the major frustrations that face airport managers nationwide. While zoning is probably the best noise control tool available, the airport rarely, if ever, has direct control over land use on property outside of its boundaries. If the airport owner and the surrounding community are one and the same, this may help to facilitate sensible zoning around an airport. Light industry, agriculture, and in some cases even golf courses, make good neighbors. Apartment buildings, condominiums, and dense residential development less than one-quarter of a mile from a busy runway, such as is our case in Morristown, do not.

In our case, the airport owner -- the town of Morristown -- could not control land use outside of its airport borders, since the surrounding land was all part of another township. People have, therefore, always been free, and still are, to buy or build homes as close to the airport as they wish, and then to complain about the noise after they move in.

The New Jersey law that was passed several years ago that mandates some restrictive zoning in immediate proximity to airport clear zones, was a positive step, we believe, but in many respects for airports like Morristown, it may have been too little, too late, when the residential development was already as extensive as it was.

There are also a couple of other problems that this development close to airports can create. First of all, it is a problem for both airport operators and the local government, and it is a problem that has to be dealt with. It doesn't do much good to argue whether someone's house should have been built there or not if it is there, and you have a disgruntled person. So both, obviously, have responsibilities.

Secondly, neither homeowners or realtors are very anxious, we find, to let on to prospective buyers that there is a noise problem in the area, since it could have a negative impact on property values. In five years of managing the airport, I have come to learn that many of the people who call us with noise complaints honestly and genuinely had no idea that they were moving into a noise sensitive area, and were genuinely shocked to learn that they had. Realtors have told people some incredible stories over the years. "This airport is only used when Morristown is closed. They only use that runway when it rains. The airport isn't open on weekends." We have been told these stories so many times that we know that at least a high percentage of them are probably true. And, of course, the problem that we as airport operators have with all of this, is that the frustrated homeowner, who has just

discovered for the first time that jet aircraft are flying over his house, tends to blame the whole problem on the airport. We think, frankly, that is at best an oversimplification of what is actually happening.

At Morristown, we take our responsibility in the area of noise abatement seriously. After all, we feel that we are one of the parties that clearly has an obligation to deal with it. We have taken a number of positive steps, as have some of our aircraft operators at the airport, to try to deal effectively with the problem. Some of these methods may be somewhat unique to Morristown, but many others have been used successfully at other airports around the country.

First and foremost, we have a policy of preferential runway usage. We have two runways at Morristown. The orientation of the runway is such that one of them impacts residential areas far more than the other one. When it is necessary to use it, the residential encroachment is much greater on one of the runways. Therefore, we have established policies that dictate that the runway that is more noise sensitive, will only be used at times when wind conditions or other safety factors necessitate its use. Otherwise, we restrict aircraft to using the longer runway. This has been effective, and has reduced considerably the noise complaints from people impacted by the other runway.

We have also put touch and go restrictions on our secondary runway, the runway, once again, that generates the most noise complaints. We have not absolutely prohibited them. They are necessary, but at certain times of the day, night, weekends, and so forth, we have imposed some restrictions, so that touch and goes, which can be an annoyance, are not going on, on an ongoing basis.

We have also established a policy regulating engine run-ups. Engine run-ups are done for maintenance purposes, and may last as long as 15 or 20 minutes sometimes. To areas close

to the airport, they can be an annoyance, so we have thus limited them to certain times of the day, so that in the evening -- at night -- when they would be more of a disturbance to people, we do not permit them.

A lot of our corporate tenants who operate jet aircraft have spent substantial amounts of money to retrofit their aircraft with quieter engines. Of course, there has been a lot of publicity about how the airlines have done this and are moving toward the Stage 2 and Stage 3 standards, and so forth. What isn't quite as well-known is that a lot of corporate operators have done the same thing. There are smaller engines available for their type of aircraft that not only make the aircraft more efficient to operate, but make it a lot quieter as well.

We have also experimented with some modifications to our traffic pattern. When you are as encroached upon residentially as our airport is, it is somewhat difficult to find places to take planes off where they don't fly over someone's house or place of business and disturb them, but in a couple of instances, where we have some areas that are somewhat less sparsely populated around the airport, we work with the FAA to modify those patterns so that the aircraft use them whenever possible.

A lot of aircraft manufacturers, in recent years, have also developed noise abatement takeoff procedures for their airplanes, which involve different combinations of power, flap settings, rate of climb, and that type of thing. Our tenants at Morristown, I know, use those procedures whenever it is feasible under certain wind and other conditions. It is not always feasible to use them, but in many cases it is.

We have frequently sat down with the FAA when our noise complaints indicated a particular pattern of complaint -- or a particular type of problem -- in order to bring the resources of the FAA to bear on some type of solution, as

well. I think it is important to note that a lot can be done by the airport. They are one of the key players in any noise problem. But, realistically, when you have residential areas that are located a quarter of a mile, a half mile, or even less than that, from the end of busy runways at an airport, it is impossible to tiptoe the airplanes out totally quietly so that they do not disturb anyone. The key is to find a reasonable compromise and intelligent solutions that make the problem as bearable for everyone as possible.

In closing, let me say that our airport is an important facility. We think we provide a vital service to this entire region in operating the airport. Our goal is to run it capably and professionally. Maintaining good community relations is a top priority for any airport, and ours is certainly no exception. Noise abatement is a crucial part of that process.

You can count on us to continue to use our utmost efforts in that area to meet that goal, and if this Committee feels that we can be of any assistance in your deliberations and study of the problem, we would certainly be glad to do so.

ASSEMBLYWOMAN OGDEN: Thank you very much.

ASSEMBLYMAN MAZUR: Do you mind if I ask him a question?

ASSEMBLYWOMAN OGDEN: No, you may ask him.

ASSEMBLYMAN MAZUR: Mr. Barkhauer, I would like to ask you, what percentage of the takeoffs are jets?

MR. BARKHAUER: At our airport--

ASSEMBLYMAN MAZUR: On an average day?

MR. BARKHAUER: I would say probably, at our airport, about 25%, in the absence of hard statistics.

ASSEMBLYMAN MAZUR: Is that number increasing?

MR. BARKHAUER: It has probably not increased as a total percentage. As operations overall have gone up a little bit, so have the number of jet operations, but the number of non-jet has probably gone up by an equal amount.

ASSEMBLYMAN MAZUR: Are these mostly daytime or nighttime operations?

MR. BARKHAUER: The vast majority of them are daytime operations. The airport is open 24 hours a day. Some of our jet operators occasionally utilize the facility at night. That is legal and permitted. But I would estimate that of our jet operations, probably about 98% of them would operate during daytime hours. The nature of corporate travel is such that they don't normally have a lot of reason to be flying in the middle of the night, just as the airlines often do not either.

ASSEMBLYMAN MAZUR: Of that approximate 20%, is that increasing? Has it increased, that percentage of jet takeoffs -- or jet aircraft using your airport?

MR. BARKHAUER: No. Overall, I feel it has probably remained fairly constant in the time that I have been there.

ASSEMBLYMAN MAZUR: Are you able to attribute complaints to specific takeoffs?

MR. BARKHAUER: Sometimes we are; most of the time we probably are not. It depends on a number of factors. One is, of course, how quickly the complaint is received. The quicker we receive it, the quicker we can look into it and examine it. Also, if the complaint involves an aircraft that did not originate from our airport, which is often the case, it is very difficult for us to run that down. Of course, we have found the FAA, and the control tower especially, quite cooperative with us. When we have received a number of complaints about a particular aircraft, they can usually be of assistance to us in running down whoever the offender might have been.

ASSEMBLYMAN MAZUR: At what time of day do most of your complaints come in?

MR. BARKHAUER: Overall, there is probably a fairly equal distribution throughout the day, but they are, in most cases, more prevalent in the evening. I might add that on a seasonal basis, they are much more prevalent in the summer,

when people begin spending time outdoors, opening their windows, and so forth. I don't usually gauge the arrival of summer by the weather; I usually gauge it by the activity on the telephone. We are usually fairly accurate.

ASSEMBLYWOMAN OGDEN: Mr. Barkhauer, I live in Millburn Township, and we have been told-- Well, we were first told by the Port Authority -- the administration at Newark Airport -- that we were basically hearing corporate jets and helicopters. We decided, subsequently, that we were hearing both traffic from Newark Airport, as well as corporate jets and helicopters.

Have you found that corporate jets are now flying lower than they used to as a result of the Expanded East Coast Plan?

MR. BARKHAUER: Not to my knowledge. Of course, I can only speak authoritatively to the patterns and arrival procedures in my fairly limited area, which is right around Morristown. Once the planes are through 2000 feet, they are under the traffic control system, and not under the control of our control tower. But I do know that in the takeoff and landing patterns, the ones that are flown in immediate proximity to our airport during the final stage of flight, the air space plan should have made no difference in that. That is basically a local flight pattern you are referring to. When you get some distance out further from the airport, my familiarity with the plan is more general, rather than specific, so I really couldn't say, when they have been 10, 15, 20 miles out, but eventually heading for Morristown, whether there would be an altitude difference or not.

One thing that is, I am sure, understood by the Committee and many of the people here, but often misunderstood by a lot of people, is that once the plane leaves the ground and the wheels go back into the plane, the plane is under the jurisdiction of the Federal government -- under the FAA or

traffic control system. Believe me, I wish I had the power sometimes to make the planes go where everybody who calls me would like them to go, but, obviously, if every airport could do that, we would have a lot of chaos. So that has been a function that has been entrusted to the Federal government.

But, in terms of activity immediately around our airport, the plan should not have made any difference, that I am aware of.

ASSEMBLYWOMAN OGDEN: Do you have any monitoring devices on your runways?

MR. BARKHAUER: Noise monitoring devices?

ASSEMBLYWOMAN OGDEN: Yes.

MR. BARKHAUER: No.

ASSEMBLYWOMAN OGDEN: Roughly how many flights would you say you handle in a 24-hour period?

MR. BARKHAUER: It probably-- Since I don't have a calculator here, it might be easier to relate it another way. This year, we will probably have about 225,000 operations at Morristown. An operation, of course, is a takeoff or a landing. So another way of looking at it, is 125,000 in and back out again, or out and then back in again, if they are based at the airport. We used to find that our traffic was somewhat seasonal, and that we were busier during the summer months than the winter months. But one trend we have noted in recent years is for the traffic to be a little bit lighter in the winter, but otherwise fairly constant throughout the year.

ASSEMBLYWOMAN OGDEN: Do you have an overall master plan for the airport?

MR. BARKHAUER: Yes.

ASSEMBLYWOMAN OGDEN: Where would you say you are now in terms of its development?

MR. BARKHAUER: We're tracking fairly well along with it. The document was written-- Most of it was written in 1983; it has a date of 1984 on it. We are--

ASSEMBLYWOMAN OGDEN: I mean, is it like three-quarters, or one-half, or--

MR. BARKHAUER: Well, it's a 20-year plan, as most of those documents are, and we are basically tracking along at about where we anticipated being at year four -- or year five in the life of the plan.

ASSEMBLYWOMAN OGDEN: How much expansion do you envision between now and the end of your 20-year plan?

MR. BARKHAUER: We really do not envision dramatic expansion in the normal sense of the word. The airport is basically landlocked. It is surrounded by other communities, and the land around the airport is, for the most part, highly developed. The airport has no plans to acquire additional land. Our longest runway is 6000 feet; our second one is 4000 feet. We have no plans on the book to lengthen the primary runway. There is an indication in the master plan that the lengthening of the secondary runway from 4000 feet to about 4700 feet should be considered, because of the additional margin of safety it would provide. But clearly that would make no difference in the type of aircraft able to use the airport, because it would still be 1300 feet shorter than our longest runway, which we anticipate no lengthening of.

I think it is important to note that we are a reliever -- a corporate private aircraft type of airport, and while there might, at some point in time, be some potential for a fairly low-level commuter service, or something of that nature, it is not in our plans at all to become an air carrier facility. Not only are we close to Newark, and will get even closer in driving time when Route 24 is finally built, but our ground facilities are not extensive. We do not have a terminal building. We are simply not looking to develop along those lines. We think that 20 years from now the airport will essentially have the same character as it does now.

ASSEMBLYWOMAN OGDEN: So, you're saying basically that you may lengthen one of your runways. You are not going to build a new runway?

MR. BARKHAUER: No.

ASSEMBLYWOMAN OGDEN: You might add some additional hangers?

MR. BARKHAUER: Over time, as demand would necessitate.

ASSEMBLYWOMAN OGDEN: One last question: I have heard rumors about a customs officer at Morristown Airport.

MR. BARKHAUER: The procedure is in in the mill -- I guess is the proper term -- to bring that about. The reason for that is that our corporate tenants at the airport, especially the larger companies -- Nabisco, Warner-Lambert, AT&T -- that do a lot of international business, fly out of the United States quite a bit. A lot of them go to Canada, and a lot of them have aircraft now based at our airport that have the range to go to Europe. Currently, when they return to the United States, they have to stop at one of the other New York area airports in order to clear customs. This is a time-consuming procedure; also one that the FAA doesn't particularly like, because it increases traffic into Newark, or Teterboro, and places that are already very busy. It clogs up the air traffic system even more in those areas. Then there is a delay on the ground while they clear customs, and then they have to wait for release, and get their ticket to go back into the system; then take off and fly 10 or 15 miles -- about five minutes -- over to Morristown.

The purpose of the service is not to stimulate a lot of additional activity at the airport. It is something that our corporate tenants are interested in having, in order to improve their operational efficiency. As I say, the government supports it, because it will reduce some of the traffic at the airports closer to New York. I should mention that the corporate tenants will be footing the bill for this service if

it comes about. There is actually not enough activity at Morristown, in the Federal government's opinion, to justify a customs officer at Federal expense. The cost would be defrayed by the various corporations which would use the service. We do not think it will make a major difference in our traffic once it comes into play.

ASSEMBLYWOMAN OGDEN: I don't have any further questions, but, Mr. Barkhauer, would it be possible for you to stay for a bit, in case there are any points brought up by some members of the audience?

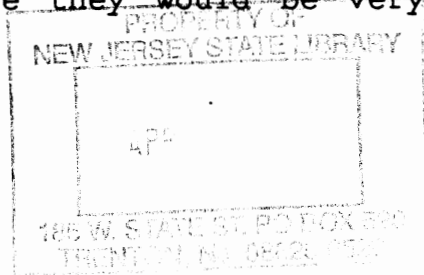
MR. BARKHAUER: Yes.

ASSEMBLYWOMAN OGDEN: Thank you very much. At this time, I would like to welcome another member of the Assembly -- Assemblyman Richard Kamin -- who has joined us up here on the dais. Richard, if you would like to say a few words, we would welcome them.

ASSEMBLYMAN KAMIN: Thank you, Madam Chairman. Yes, I would like to say a few words. I live in the western part of Morris County. My legislative district represents parts of five counties, four of which are directly affected with the new routes and airport noise from Newark.

My own perspective, since I am in one of the glide paths -- one of the new ones -- is that part of the problem is the 3000 feet, in that it doesn't take into account the effect of the terrain. If you are in valleys and hilly areas of the approach, the noise just reverberates within that terrain, and causes just untold annoyance.

But, there is another side of the coin as well. One of the counties that I represent -- Hunterdon County -- is one that was on the old glide path, and now those residents there have been somewhat relieved. I have received a number of phone calls. People have called to say, "I am hearing more planes recently. Have they gone back to the old glide path?" in which case they would be very unhappy. They are somewhat relieved



that we are now spreading the annoyance out among four areas, rather than the original one.

So, this is a mixed approach to how to solve it. It may be that we should ultimately all share in the annoyance, as we do with solid waste, and as we do with other problems that are part, I guess, of progress. I think there are also some specific things that we in the Assembly can approach with the cooperation of the Federal government, to alleviate what has happened here in northern New Jersey.

I am delighted to see so many people attending this hearing. I look forward to your questions and your testimony. Thank you, Madam Chairman.

ASSEMBLYWOMAN OGDEN: Thank you very much, Dick. It is nice to have you here.

Now I would like to ask Angel Garcia, Cochairman of People Against Newark Noise, to speak.

A N G E L G A R C I A: Good evening. Thank you very much. I think most of us chose our homes and where to live very carefully, and I don't agree with Assemblyman Kamin's perception that perhaps we should share the problem. Clearly, changes of this magnitude required a great deal of attention to the environmental impact. And, while I empathize with the people who have lived under the previous path, and the ones who still do, certainly in some cases there were decisions, and it was well-known that those communities were impacted by aircraft noise. But I would say for the communities impacted by the Expanded East Coast Plan, that that was not the case. I think that is a distinction worth noting.

My comments are going to specifically address the Expanded East Coast Plan and its impact. Let me begin by saying that when we first met in Summit, what we clearly had at hand was a tremendous noise problem, widespread, and we all knew that. However, we didn't quite understand what had taken place, how it took place, etc. Since that time, I have become

a little more informed, and I would like to share that information with you. I think you will get an idea of what we are up against, how the FAA is reacting to our problem -- or I should say, how they are not reacting to it -- and why our elected officials must act immediately toward seeking a resolution.

First, let me start with the concluding comment from the Aviation Noise Abatement Policy issued by the FAA: "Working together, in the spirit of close cooperation and open communications, we will bring about quieter skies for all American citizens." Now, that is clearly not something that took place, regarding the Expanded East Coast Plan. To this very date, the FAA continues to disinform the public.

I have before me a letter sent to a resident of northern New Jersey dated October 6, 1987, that states: "The Expanded East Coast Plan made changes in high altitude air traffic routes. The arrival and departure routes to the metropolitan airports were not affected by this well-publicized plan." This is a letter from the Noise Abatement Officer of the Eastern Region of the FAA, dated October 6. Now, this is one of the problems, and this is one of the reasons that the citizens of this State get discouraged. The FAA continues to minimize the problem, and continues to say that there is no problem.

I am going to read a sentence from a letter to Chuck Hardwick, Speaker of the New Jersey Assembly, from the FAA in Washington, which says: "In meetings with local and State officials, and with representatives of citizens' groups, before the EECF was implemented--" There were no meetings with citizens' groups that we know of. We don't know of any meetings with local and State representatives. This information continues, and to what degree. These are the "Federal Register" filings. You would probably like to know that Phase 1 of the Expanded East Coast Plan appeared in the

"Federal Register" on Christmas Eve and New Year's Eve of 1986, and there is not one word in here about changes in arrival routes or departure routes. So this tremendous lie continues.

Now, it is very odd, not a mention of arrival routes or departure routes in any of the filings of the Expanded East Coast Plan, yet the briefing papers from the FAA on the Expanded East Coast Plan report -- let me just get the page here -- that the main features of the plan are to increase JFK, LaGuardia, and Newark Airport departure routes by 59%; increase arrival routes by 33%. Very curious! On one hand, there are no changes in arrival routes or departure routes, and on the other hand, there are.

Not only that, but I would like to read to you-- I am a little excited tonight, because, as you can imagine, the more you learn about this, the more disgusted you become. I don't have what I wanted to read to you at the moment, but the Expanded East Coast Plan was the greatest revision of air routes in 20 years. The question of the public -- the citizens of the State of New Jersey -- is, how could such a massive change have taken place without a single environmental assessment, without a single public meeting, without a single notion that something major was going to take place? (At this point, a woman in the audience hands Mr. Garcia a clipping.) Thank you.

This is from "FAA World," March, 1987. I will have to suggest to you that you are going to have to be detectives, like the rest of us are, and if you expect to receive answers that are correct from the FAA, you are going to find yourselves misled. "The most expensive revision in domestic air traffic procedures in 20 years went into effect on February 12. The plan has created new departure and arrival routes. The effect is to reduce delays for air travelers and to save en route time and fuel for the airlines."

Now we get to another reason why this plan was implemented -- to save fuel for the airlines. Clearly, the FAA responds to the aviation industry. It doesn't particularly care, in this case, it seems to me, about the environment or the citizens of the State of New Jersey. We cannot for a moment believe that this plan was not going to cause environmental problems. That the FAA has continued hiding behind this mere technicality, that aircraft do not make noise above 3000 feet, shows a lack of compassion, a lack of humanity, and a lack of respect for the quality of life of the citizens of New Jersey.

Now, Phase 2 comes along. We file our concerns regarding Phase 2. I have to say that in the "Federal Register," it says: "Comments are invited on the overall regulatory, aeronautical, economic, and environmental aspects of the proposal." What do we get back from the FAA? "The purpose of the notice process is to solicit comments of an aeronautical nature which may be used in further study or final rule actions." They don't even respond; don't even acknowledge. We are commenting on the environmental aspects of Phase 2 of the plan, and what do we get, "Sorry, we're only interested in the aeronautical nature," even though the "Federal Register" says otherwise.

Regarding the 3000-foot rule that the FAA continues to cite. That appears in Appendix 3 of something called "Policy and Procedures for Considering Environmental Impacts." It is this huge manual, and they refer to Appendix 3. They forget to tell us that there is a tremendous body of information here regarding environmental issues, and something called "extraordinary circumstances." It occurs to us that the greatest revision of air routes certainly is extraordinary. It says, "Proposed Federal actions normally excluded which have any of the following characteristics shall be subject of an environmental assessment: An action that is likely to have:

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1) a significant impact on noise levels of noise sensitive areas" -- well, certainly we know there has been a tremendous impact on noise levels throughout northern New Jersey -- "and any other action that is likely to directly or indirectly affect human beings by creating a significant impact on the environment."

So, here we are: February 12, 1987 the plan gets implemented. It is October 13. The FAA hasn't done anything yet. The Port Authority is going to do a noise study only because Congressman Florio has been up here pounding at their doors. The Port Authority is not interested in doing the study. And, guess what? The Port Authority is predisposed, and Mr. Sloan has been quoted in The Star-Ledger as saying: "There is no problem out there," and that their technicians have determined that there is no problem. So, we are very concerned about that, as well.

Let me say a few words about Newark Airport and the Port Authority. There is a statement here that perhaps should be read -- Vincent Bonaventura-- While it appears that they have an outstanding record in the past, through the 1950s and 1960s, I will point out that it is 1987. Newark Airport, at the present time, has three noise monitors. This is the seventh largest airport in the United States in operations. It is scheduled to be the fifth largest airport by the year 2000. It has three noise monitors. More than 1000 operations a day. Orange County Airport, in California, has 80 operations a day, and has nine noise monitors.

When you speak to the Port Authority, when you speak to the FAA, you have to be well armed with information; you have to understand the specific points. You have to ask the right questions, because if you don't, you will not understand or be able to determine exactly what is being discussed. They have a noise measurement system -- fantastic. It was installed in 1972. It is 15 years old. Does it monitor arrival noise?

No, just departure noise. And, lo and behold, when a plane exceeds the unrealistic threshold of the noise monitor, a letter is sent to the air carrier. Well, guess what? For the months of April and May -- the months I inquired about -- I got copies of the letters sent to the air carriers, and not one single air carrier responded.

Now, what I would suggest to this Committee-- There are several points: Number one, the State of New Jersey needs State laws to ensure that airports have master plans; that airports install noise measurement and monitoring systems; that those systems report to the State on noise levels. I was very impressed with the speaker from the Morristown Airport. It sounds, in fact, like they are doing a tremendous amount. However, the amount of noise, and the impact on the residents, cannot be determined unless they are measured and reported.

The State of New Jersey has to develop its own master plan for dealing with airport growth. The State of New Jersey needs a permanent commission to monitor the situation. The State of New Jersey must pursue legal action against the Environmental Protection Agency and the FAA for implementing the Expanded East Coast Plan. I am here to tell you people tonight, we are not going to go away. We picked our homes, we chose our communities, we worked all our lives, and we object to a plan that was implemented without the knowledge of any citizen in the State of New Jersey. We will make this a political issue. We are going to make it very clear that we prize, very highly, our homes, our health, the enjoyment of our homes, and we expect our elected officials to represent us in the correct forums. (applause)

ASSEMBLYWOMAN OGDEN: Questions from members of the Committee? (no response) Oh, I would like to welcome another member of the Committee -- Assemblyman Nicholas Felice, from Bergen County.

ASSEMBLYMAN FELICE: Thank you very much. Although I was in aviation for 21 years -- not the pilot end, but the engineering end -- I needed my navigation experience to get around the circle and find this particular courthouse this evening.

But, seriously, noise of all levels-- I am an electronic engineer, and part of my work is acoustical engineering. Noise levels vary from what you like to hear -- background music on WPAT -- to what you hear when the noise level gets to the point of almost pain, which is standing next to a subway as it is coming in or going out, or near a jet engine that is being reved up. So, when you start to get about 100 dB, 110, it starts to get painful. There is also pain in the amount of noise-- When your teen-age kid has his hi-fi on too loud, it can be very painful when you are trying to more or less relax.

So, the levels that the FAA and the different airports use for monitoring-- There has to be a standard. There has to be a standard level not just for young people, or for old people who are maybe losing part of their hearing, but there has to be a standard that says that at all airports, whether they are used for executive or privately owned aircraft, or whether they are used for commercial aircraft, or military aircraft-- That sound level has to be a standard that is measured so that when it gets above -- as it does when you reach over 110 dB, where there is actually pain-- Then you have to start figuring that the standard is going to be utilized, so that when you do have a complaint, it is not going to be one standard for one part of the State, or one particular airport, and another standard because it is a commercial airport.

I think these are the types of things that we, with your input and your help, and in dealing with the airports and

the FAA-- We have to find a standard that will be recognized on a piece of monitoring equipment whether it is 10 years old or the latest technology. I think that is one of the problems we have -- noise. There are other factors involved. Certain types of fuel and certain types of jet engines leave other types of pollutants also, which is a factor that they try to control, on takeoff especially.

So, I appreciate your input. I am sorry I missed the first witness, but you do have a valid reason to set some kind of a standard, and through legislation. I think that is the only way it is going to be done. I think each state has a responsibility to make sure that their regulations-- New Jersey has the toughest environmental laws in the country, and environment also means sound. I think that is part of it.

We are here to listen. I can certainly appreciate this problem, after having been around airports for many years.

ASSEMBLYWOMAN OGDEN: Assemblyman Kamin?

ASSEMBLYMAN KAMIN: Thank you, Madam Chairman. I have a couple of questions of Mr. Garcia. I guess my first question is: Mr. Garcia, in your opinion, is the problem more related to departures versus arrivals?

MR. GARCIA: That is an interesting question. I think there will be some differences of opinion. I think it really depends on--

ASSEMBLYMAN KAMIN: Let's say in our region, in the western--

MR. GARCIA: In our region? Well, let's put it this way: Over Long Valley, we have a LaGuardia departure route, a Newark departure route, and a Newark arrival route. Some Newark arrival routes are about 4000 or 5000 feet above terrain. They have a high-pitched jet engine sound, which you can hear very clearly. It interrupts speech. Departure routes can be very loud, low frequency, very disturbing, irritating sounds. So, it is not only the sound, it is the frequency of

flights, which is very important to take note of. There are times when there is not a moment of quiet for hours.

UNIDENTIFIED SPEAKER FROM AUDIENCE: That's true.
(applause)

ASSEMBLYMAN KAMIN: Mr. Garcia, I understand both of those points, and I am in the same glide path, or departure path that you are. I am just north of Chester about two and a half miles, so it is in my valley, and I know exactly what you are talking about from--

MR. GARCIA: They pass my house and go on to yours.

ASSEMBLYMAN KAMIN: --from firsthand experience. But, in your opinion, in our region at least, do you believe it is more arrival noise versus departure noise?

MR. GARCIA: I'd say it's both. I can't say one is worse than the other. They both affect me equally. (many indiscernible comments from the audience)

ASSEMBLYMAN KAMIN: There is a whole audience here tonight, and I know why you're here. Something has been irritating your ears. I hope it's not my questions.

One of the points you tried to make was that there was like a hidden agenda between the Federal government and perhaps the airlines, that whatever adjustments were being made, were to save costs on fuel, hence more profits. At least that was the implication. The airline costs to the consumer are certainly a factor. Relative to the costs of other things, we are in an area of declining costs of air travel. I think the solution to this is something that also has to be considered. I would hope that the Committee would understand that, and treats the business aspect of government and the business aspect of air travel versus consumer benefits. This all has to come into some kind of balance.

For the record, I noticed you mentioned Congressman Florio. I can tell you firsthand, from copies of letters sent to my office, that Congressman Courter, and Congressman Gallo,

especially because of his service on the Transportation Committee, have taken active roles in this particular issue. I would like to give them credit on the record, as well. Marge Roukema, I believe -- I cannot say for certain -- has also written letters of support on this particular issue. But Congressman Gallo I know has, because of that tie-in.

MR. GARCIA: If I may, I would like to thank Congressmen Gallo, Torricelli, Courter, Rinaldo, and Rodino for putting into place the General Accounting Office investigation. Clearly, they were all aware of the work that Gallo and Mr. Courter have done in parts of Morris County. My reference to Mr. Florio was that he was instrumental in getting the Port Authority to conduct the noise study.

ASSEMBLYMAN KAMIN: Thank you. Madam Chairman, through you, just one final question, if I may. You made a comment about the establishment of a permanent commission, Mr. Garcia. Will you please expand on what role you think a State commission should take, that cannot be handled at the Federal level?

MR. GARCIA: Well, I think one of the points that is misunderstood is that, in fact, the Port Authority of New York and New Jersey, as the proprietor of Newark Airport, has tremendous amounts of leeway and control in determining what takes place at that airport. The airport operator can, for example, implement Stage 2 phase-out, can implement curfew, can limit flights, can introduce noise budgets. So, in terms of proprietor's right -- which is very important -- the commission's role-- The way I see one of the roles would be-- These reports are meaningless unless they are reviewed. I think we have to have a party outside of the aviation industry to review the reports. I don't see-- Let's put it this way. Let me be quite frank. My understanding is that the Noise Control Council, which is part of the New Jersey DEP, and the New Jersey DEP, have been trying, for example, to participate

in the meetings of the Aviation Development Council, which includes the Port Authority of New York and New Jersey, the FAA, and the Air Transport Association. Our own New Jersey DEP Noise Control Council has not been permitted to participate in those meetings, so we need some commission, or some way to access what takes place in the aviation industry, so we know what is taking place, what is going to happen to our State. I mean, right now I don't see any mechanism in place whereby the citizens of this State can be represented to make a determination of what the environmental impact is going to be of aviation industry actions, airport operator actions, or Air Transport Association actions. It does not exist.

ASSEMBLYMAN KAMIN: Thank you, Mr. Garcia. Thank you, Madam Chairman.

ASSEMBLYMAN FELICE: Madam Chairman?

ASSEMBLYWOMAN OGDEN: Yes?

ASSEMBLYMAN FELICE: You go first, Assemblyman Mazur.

ASSEMBLYMAN MAZUR: I am very impressed with your knowledge of this whole industry and this whole major problem. I think the general community out there is slowly but surely coming to the awareness that noise pollution is something very specific, and that physical damage can quite easily be done, well and beyond just the annoyance.

I am a college professor. I had a student working for me on a senior seminar paper. He was interested in airport operations, and I sent him down to the FAA. He went around to the various airports, and he found -- this was in the early '70s -- that some of the monitoring equipment at the end of the airport had an attendant -- had attendants there. There was sort of a shack, and they had the stuff inside. Those attendants had a 30% loss of hearing in a period of five years. The continued noise had really physically affected those individuals. So, we understand that it is a lot more dangerous than we assumed. It is not just an annoyance.

Anything that I can do -- or that we can do -- to help, I am sure we will do. Your recommendations are excellent.

MR. GARCIA: Let me just say one more thing: As Cochairman of People Against Newark Noise, with Jack Kelly, one of our concerns has been that we would be identified only with our own communities. Let me just say that 32 communities now make up People Against Newark Noise, from Cranford to Mendham to Long Valley to Califon. Clearly, in the Cranford area-- It is a community relatively close to Newark Airport. It now has had a departure route installed over the community. They see a threat to their future, the same as what happened to Linden in the 1950s and Elizabeth.

There has to be-- I agree. . We understand the economic value of the airport. There is no question about that. But we have to bring an element into the equation of our environmental quality. That is what has been missing. So far, the airport operators and the aviation industry have been able to implement whatever changes they want. Newark Airport-- I mean, who has asked Newark Airport what the implications are of becoming a hub airport for Continental Airlines; what the implications are of opening Terminal C; what the implications are of the improvement of taxi runways beginning this September; and what the implications are of the infrastructure improvements? I mean, who is asking these questions in the State?

ASSEMBLYMAN FELICE: Madam Chairman?

ASSEMBLYWOMAN OGDEN: Yes?

ASSEMBLYMAN FELICE: You mentioned something before, Mr. Garcia, which is important; that is the fact that you've got to be prepared when meeting with the airport officials and the FAA. As you well know, and has was brought out, there are two types of noise level: one is the approach coming in for a landing, where you are coming in at reduced power, and one when you are taking off, which is the first thing you are going to

be hit with as a safety factor. When you are taking off in an aircraft, and landing, you are always landing and taking off into the wind, wherever possible. That determines the runway that is being used. At the same time, when you are taking off, you have maximum mixture, maximum power. So, consequently, with a full load of passengers and fuel, you can understand that those engines are really revving up to pull that load off the ground.

So, there are a couple of alternatives at certain airports in the country, including one such as Teterboro. Years ago, one of the runways actually took off over Hasbrouck Heights, which is an elevation of maybe another 400 feet. Consequently, when they took off using that runway, they were practically over people's rooftops. There was no way you could reduce the noise. There was only one alternative, and that was not to use that runway for takeoff. Consequently, Teterboro did build additional runways which faced away from any housing or any areas there. They had the Meadowlands, and now they can go over the stadium, which only affects the Giants or the fans.

But the important part is, there is going to have to be some different methods or alternatives, not just saying, "We just can't have the noise." Technology is involved, with certain types of turbine engines which will be quieter. Regulations that say that when you take off you cannot make a turn until you reach two miles out from the runway, or three miles before you make your turn to get onto your course. Those things are big factors, so that they do not go over-- That is a common factor for airports, where to reduce noise, they make sure that they do not turn into populated areas. When everything else fails, there is one alternative left, and that has been practiced for years in London, at Heathrow. No airplanes come in after ten o'clock in the evening, and no airplanes come in before seven o'clock in the morning.
(applause)

So, when everything else fails, that is the last possible alternative -- if technology, if regulations-- Different types of aircraft are limited to certain areas. You know, the Concorde cannot just come into any airport, because of the noise factor. So, those things are the kinds of things that you have to be prepared to talk about, and also be prepared to use as a last alternative.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you, Nick. Thank you very much, Angel.

MR. GARCIA: Thank you. (applause)

ASSEMBLYWOMAN OGDEN: Mr. Barkhauer?

MR. BARKHAUER (speaking from audience): I might be able to insert a point here--

ASSEMBLYWOMAN OGDEN: Please come up to the microphone.

MR. BARKHAUER: I might be able to insert one point in here which everyone might find a little bit instructive, and it is not to agree or disagree with the last speaker. My noise problem is a very local one, and we are dealing with one here that is clearly more regional. It is not really my airport that is too directly involved.

One statement that was made before-- It might be helpful if I clarified it. In recent years -- this has really been going on since World War II -- but in the last 10, 20, 25 years or so, the FAA has administered over the years a series of grant programs for making federally funded improvements to airports. These programs have reached a point now where even at the larger airports, the Federal government is apt to be putting in a large percentage of the money that is used for major improvements. In an airport the size of my airport, it may be up to 90%. With the acceptance of Federal money goes something called "Federal grant assurances," that many of you in government are quite familiar with. These grant assurances involve certain things you tell the government as an airport

operator, just like a town or a community would if they were accepting some kind of a grant -- certain things that you are going to do, and certain things you are not going to do.

One of the things that is prominent in an airport grant assurance is something called "airport access" -- that you will maintain it, protect it, and so forth, and I am paraphrasing drastically, not having the documents with me. But the FAA, in recent years, has interpreted these and some other provisions in the grant assurances, to mean that local airports do not necessarily have unbridled discretion to impose curfews, operating limitations, and that sort of thing, and that concept has been, at times, upheld in the courts.

So I think it is certainly-- Witness what we have done at Morristown, it is not a correct statement to say that the airport operator can just operate the airport the way they want, and do nothing. But there is also some precedent in law, and some things in FAA regulations, that do make it difficult for airports to limit operations, close certain runways, impose curfews, or whatever, without that airport running very much afoul of the Federal government.

There is a case right now in San Francisco, where the airport there is attempting to keep a particular type of airplane out that meets the Federal noise standards, but doesn't meet some local noise standards that were established. The FAA has been very hard on that airport. They have held up a lot of their grant money, and have done some other things of that nature.

In our industry, we feel, in general, that the FAA -- that it is not appropriate for them to bow out of the matter altogether. Many sense there is Federal responsibility for it. We also feel that in many cases they have taken some of the local prerogatives away from our industry that we would like to have.

It isn't necessarily true that any airport-- I am not here to defend or condemn the Port Authority, but there are limitations the way the Federal structure is established right now on what airports can do, without having Federal problems. I think that is a point that should be well made, and which might be worthy of further research by the Committee when you determine exactly what the airport's role can and cannot be in this process. There is a role to be played, but there is a danger in assuming that the airport can do anything it wants at the stroke of a pen to solve the problem. There are some other factors involved.

ASSEMBLYWOMAN OGDEN: I think, Mr. Barkhauer, that we are aware of the role of the FAA, but we are also aware of what a lot of political clout did with the National Airport in Washington. So, changes can be made.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Right. Anything can be changed if there is enough pressure brought to bear.

SECOND UNIDENTIFIED SPEAKER FROM AUDIENCE: Who gave the FAA the power to--

UNIDENTIFIED SPEAKER FROM AUDIENCE: I thought the Federal government operated for the people of the United States. Obviously, if there is a big enough problem, and our legislators back us up on this issue, I would think that whatever concerns we have in this area--

ASSEMBLYWOMAN OGDEN: Excuse me. For anyone who wants to speak, in order to have your remarks as part of the record -- and we want to have a complete transcript on this-- We will have to ask people to either sign up, or after we have gone through the sign-up list, we will be more than glad to listen to others speak.

Thank you very much, Mr. Barkhauer. At this time, I would like to call on Kathleen Walsh, who is here representing Congressman Courter. She would like to give us an update on the nature of the study that is being done at Congressman

Courter's request, and I believe some other Congressmen, by the General Accounting Office -- the GAO.

K A T H L E E N W A L S H: Hi. It is a pleasure to speak to you this evening. I see many familiar faces from our Summit hearing in May, and I think it is great to see people still out and active on this, because as the Assemblyman mentioned, New Jersey needs to be just at the forefront of the noise pollution problem, as we are in every other environmental problem.

For those of you who are not familiar with the General Accounting Office, the General Accounting Office is a research -- is an independent unbiased section of Congress. It is there at the Congressmen's disposal to use for this particular type of request. The Assemblywoman has been good enough to have her own fact-finding mission, and that is why you are all here tonight. Congressmen need the same facts when they go to the FAA. For that reason, Congressman Courter, along with Gallo, Rodino, Rinaldo, Torricelli, and Smith, asked the General Accounting Office to do this fact-finding mission for them.

A number of you have met with the GAO. They went out to Long Valley. I believe they have been out to Cranford. Next week, the congressional delegation is going to be going to New York to bring all of your letters to Federal Plaza. So, all of those times you kept writing and calling, and I kept on telling you to let me know if it was still the same way in a couple of months-- We are bringing all of that to them, and they are going to plot on a map, is it frequency, is it altitude, is it the time of night, is it the fact that, you know, there is nothing else going on out in Long Valley in the afternoon? This is what they are going to find out for you. They are going to trouble-shoot the problem.

The other question they are going to ask -- and this is at the request of the New Jersey DEP and the State Legislature -- is, was the FAA negligent? Should they have done an Environmental Impact Statement beforehand, and, if so,

should the law be changed? That is something the Congressmen need to know before they go and ask that a law be changed. It is a legal opinion.

The last question that is going to be asked is: How can we continue this healthy working dialogue? We don't want to have happen next year the same thing that happened. Phase 2 is to go into effect in November, I believe.

UNIDENTIFIED SPEAKER FROM AUDIENCE: The end of October.

MS. WALSH: The end of October? Okay. I heard November 12. Is it going to happen again? These are the questions that need to be answered. So, for that reason, the Congressmen have asked the General Accounting Office to give their unbiased opinion. It is not like a Port Authority study. Okay? This information will be turned over to the State Assembly Committee. The State Assembly Committee is sharing the information with the GAO. Everyone is working together on a legislative ad hoc committee.

I wanted to let you know that we are still working on it. We hope that the GAO will be finished with their study by the end of the year. With that, the Congressmen will go -- in the words of my boss -- "Will march off to the FAA, armed with facts." So, keep on calling. Let us know what's happening. It was a pleasure to speak here tonight. I commend the efforts of the State Assembly and the work they are doing to try to get an airport master plan and noise pollution more to the height of our scope of environmental problems in the State of New Jersey.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you. Are there any questions from members of the Committee? (no response) Thank you very much, Kathleen.

I understand that George Koenig-- Is he still here? (affirmative response) You asked to speak early, George. I'm sorry it is a bit later than I had hoped it would be.

G E O R G E K O E N I G: Thank you, I have a previous engagement. I am also part of People Against Newark Noise. I represent Mendham, as well as Bill Hewitt here, sitting up in the front.

When you look at me, you look at 300 people, because that is the number that Bill and I represent from the Mendham area, which is a town in Morris County. Since Phase 1 went into effect, we have had a problem where we live, as many of you have. I guess I want to ask a question: Is there anyone here who is convinced that we don't have a noise problem because of the recent changes? (indiscernible response from audience) And you are from Hunterdon County, I would assume.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Well, close.

MR. KOENIG: Let me ask you a question: When you purchased your home, was that flight path over your home?

UNIDENTIFIED SPEAKER FROM AUDIENCE: Well, let me put it this way. The flight path was probably over the home, but there was nowhere near the number of flights.

MR. KOENIG: Thank you.

UNIDENTIFIED SPEAKER FROM AUDIENCE: That is the big difference.

MR. KOENIG: Yes, the airport has been growing at an incredible rate.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Right.

MR. KOENIG: I would like to thank Maureen. Maureen has been a champion of this, so if ever in the future-- (applause) If ever in the future Maureen is running for office again, I would suggest that you vote for her because she is really helping Angel and Jack Kelly and all of us who are involved in this.

It is obvious that we have a problem. Every time I have a problem and I go to my boss with it, I try to go with a solution. Okay? Any time my subordinates come to me, I ask them to come to me with a solution, unless they absolutely

cannot. I won't take a lot of time, but I will reiterate that Washington National does have restrictive hours, from ten to eight in the morning, specifically because of noise. We here in the metropolitan area of New York have three airports, so it is not out of the question that Newark could be closed down during those hours, and that the other airports could handle that traffic, which would bring, obviously, less flights, and probably at higher altitudes when they went over the more rural areas.

The fellow from the Morristown Airport mentioned a quarter of a mile, a half a mile, or a mile away from the airport. I know the people in Long Valley are a little further than that. I know I am a hell of a lot further than that in Mendham. So, it's just not a problem that is close to the airports. It is a problem all over.

Also, I have some news articles. I won't pull them out, but I have them. Possibly I will send them to you, Maureen -- copies of all of them. In Islip, New York, they have a noise abatement program, and they won't even allow a Stage 3 aircraft to land there, or they fine them. I think it is \$1000, or something. I was talking to a fellow up there. They recently put in a noise abatement program because of noise. That is the way they are dealing with it at this point.

The last thing I would like to suggest to the Assemblypeople here tonight is, I would like to see a study published in The Star-Ledger or Daily Record showing exactly what Newark Airport capacity is in any given hour. What is the maximum amount of aircraft that can take off and land from that airport? I feel they are stacking planes; that every airline is trying to get-- With deregulation, every airline is scheduling eight o'clock flights. Not every plane can take off at eight o'clock to every destination in the United States. You're smiling because you know this is happening.

I'm driving to Newark Airport -- or New York, it really doesn't make any difference -- and so is everybody else. They have to get there early, if they want that eight o'clock flight, because, God forbid, theirs might just be the one that takes off at eight. But, more than likely, theirs will be the one that takes off at ten, because that has happened to me religiously. One time I showed up at 8:15, and it was the only time my flight took off on time. That was after about four years of traveling.

I think it is clear that they are stacking planes. I think it is clear that there is a significant -- that there is a capacity; there is a number of flights that can take off reasonably and safely within a certain period of time, and it is obvious that they are stacking planes. It is obvious that deregulation has brought that on. I think that needs to be studied. There needs to be a finite number of planes that can take off and land, especially during peak hours, because otherwise they are just sitting there. People are clogging the highways, all trying to get there at a certain time to take off at a certain time. God forbid their flight is the eight o'clock one, or nine o'clock. Pick any hour you want during peak hours, but there is a finite number. That really needs to be looked at, and I ask you Assemblypeople to look at that, because it is clear that you cannot have all those planes taking off at peak hours on time. Maybe they need to stack them -- eight o'clock, 8:05, 8:15, 8:15. It would also lessen the congestion on the highways. There would be a lot of benefits to that.

So, I come to you tonight-- I am not going to sit here like a raving maniac and tell you the problems I have had since this has gone into effect, but I come with a few solutions. I am part of People Against Newark Noise. I am from Mendham. Look at me as 300 people, and that was only one month after this flight path -- this new flight plan went into

effect. I stood in front of the Foodtown in Mendham, and I had people coming to me crying on my shoulder about this. It is obviously a problem for everyone.

If you would look at those three things: Noise abatement through reduced hours, ten to eight, like Washington National, where our legislators are, and some other influential people. If you would look at noise abatement and fines for Stage 3 aircraft, potentially.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Stage 1.

MR. KOENIG: Stage 1, I'm sorry.

UNIDENTIFIED SPEAKER FROM AUDIENCE: One or two.

MR. KOENIG: Stage 3 is quiet. Stages 1 and 2 are the noisy ones. I'm sorry; I got it backwards. So, it would be Stages 1 and 2, especially Stage 1, obviously, and possibly some fine for Stage 2. Also look at realistic scheduling, because since deregulation, it is obvious that that is not working.

Thank you for your time. (applause) Are there any questions from the panel?

ASSEMBLYWOMAN OGDEN: Any questions?

ASSEMBLYMAN FELICE: Mostly what you are giving us is informative information. As you have all said, you have heard the expressions "glide path," and "ILS," and "localizer." Really, in clear weather, that is never used. That is only for instrument landings, to line you up with the runway, and also to give you the angle of descent. What happens -- you hit it -- is the pattern. In other words, when they come in over a pattern, they are setting a certain area, and they will use what they call "the outer marker." Those of you who are unfortunate enough to live near a little building which sends out a signal for the outer and inner marker-- That is where the airplanes start their turns and their circle, and that is where they stack them.

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So, it doesn't have to be bad weather for them to use that pattern. In fact, in bad weather, they line up way out, and they come in on the glide path of the localizer. They don't even come into that circle pattern. They come directly into the runway, because then they must line up and actually make an ILS landing. But you hit the whole factor. When they change patterns for stacking and for coming in, in clear weather-- That is when you really hear the noise, because they have visual indication for landings, so they don't have to come in on a different ILS runway.

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you very much. Ben?

ASSEMBLYMAN MAZUR: It was a very informative presentation.

MR. KOENIG: Thank you very much. Thank you for your time.

ASSEMBLYWOMAN OGDEN: Mary Jeanne White, from Denville?

M A R Y J E A N N E W H I T E: I am Mary Jeanne White from the Denville area. Before I start the very brief few remarks I have prepared, I would like to say that Denville joined us a little late, because we didn't get the noise until the end of May.

I would like to thank Mrs. Ogden for her work in supporting us on this issue. I would like to say that I would have really liked it if our Morris County Assemblymen had at least sent a statement tonight, but let's try to work to get that to happen for our next meeting.

Carol Rufener and I have been trading phone calls. Is she still with us? No. I have a pack of letters I wanted to drop off to her since then. Here I have 120 more. I represent now 450 people. As I pointed out to Dean Gallo on Saturday, I am about done with this activity, but I am certainly not finished with the issue.

Before I start, another little brief thing. Mr. Barkhauer, thank you so much for being here. I called your airport, and I never received a call back. One of my neighbors here tonight called, and never received a call back. So I would like to tell you that there are at least two complaints that have not been included in your statistics. I would like to ask you to try to fix this problem, because perhaps some other people -- other than Lisa and myself -- have been having a similar issue with calls to your airport.

Another person asked that I include one brief point regarding the noise study, that the same standard cannot be used all over New Jersey, because people living in the country -- like Long Valley -- are more sensitive to the noise than those in urban areas.

Now, my very brief remarks. Thomas Jefferson, in 1801, in his first inaugural address -- and it is just one sentence, it is not the whole address: "The will of the people is the only legitimate foundation of any government, and to protect its free expression should be our first object." The will of the people-- A government for the people and by the people. We the people of the United States-- So much in our history, when referring to government, talks about the people. If this is so, and democracy still lives, then what has gone wrong with the system? Because the people have spoken. We have spoken in numerous letters to editors of our newspapers. We have made thousands of phone calls to local, State, and federally elected officials. We have signed petitions. We passed town resolutions. We have written and mailed hundreds of letters to Washington. We have even, at your request, written and called appointed officials at the FAA directly, at the time, though, wondering why the link to them wasn't through our elected representatives, if, indeed, the people are able to exercise their will to govern.

But, let's talk specifics. The FAA instituted this plan without public input, environmental studies, or consultation with elected officials. But now that they have snuck this plan in, and now that everyone is aware that there is a real problem, it is still perfectly all right for it to continue. I and the 450-plus people I represent in the central Morris County area want to know why. Yes, we have heard that there is going to be a noise study, but as someone from Cranford said, in a letter to The Star-Ledger this week, "Let me save you a lot of time and money. Just come to my back yard."

What I am asking for tonight, in view of the fact that nothing has changed for the people, is that an interim plan be adopted by January 1. This plan would modify most traveled routes, both arrivals and departures. It would serve a twofold purpose: Provide some relief to the people, and show good faith on the part of the Port Authority and the FAA.

This past Saturday, I attended a town meeting for Dean Gallo's constituency and, as you know, he has been very supportive of this issue. He said the FAA told him that the altitudes have not changed over the communities. We know that this is not true, but here the FAA is conveying this to Dean Gallo. He said that departures were the only problem. He should come by any evening to my community and count the arrivals that are so low that you can distinguish which particular carrier it is.

Why, seven months into this issue, is there still such a lack of true and accurate information, even among those officials who support our cause? The FAA knows by their computer tapes how low they fly. The FAA knows by their computer tapes how many routes they fly. Yet, I have been asked to go to my back yard, look up, and count.

The people have voted on this issue. There needs to be a good-faith effort shown immediately, because the people

have seen no change. As Thomas Jefferson said, "It is the only legitimate way to have the will of the people heard, to be the foundation for any government." (applause)

Thank you.

ASSEMBLYWOMAN OGDEN: Thank you very much. I should just amend the record that Assemblyman Rodney Frelinghuysen was here, oh, just before seven o'clock. He had to leave, but he wanted to express his concern, and his support for the Committee, and say that he has been hearing from his constituents. He is willing to help us in any way he can.

The next person who signed up is Dorothy Irwin, of Denville.

D O R O T H Y I R W I N: Good evening. I have the same complaints, I guess, that everyone else has, except that I have another problem over my home. I live at an altitude of approximately 1200 feet, and the traffic for LaGuardia Airport intersects with the traffic for Newark Airport right over my home. It is becoming a very nerve-racking thing.

Another point I would like to make with regard to Morristown Airport is, 10 or 15 years ago, the Corporate 500 had planes taking off that seated four to six people. Their helicopters seated two to three people. Now they seat 16 to 24, so we are talking about a much larger plane taking off, and that is increasing the noise, too.

I called the FAA, because the noise started over my home the Saturday of the Memorial Day weekend. They asked me, "Well, why are you complaining only now? It has been over your house since February." I said, "No, it hasn't." We can't watch television; the screen is distorted. We can't hear what is being said. In the summertime, when we are eating supper, we have to hold up so we can hear what people are saying at the table. Now, I don't see why they have to fly so low. If they would go out over the water and come in that way, we wouldn't hear half of this noise.

Another thing I want to point out is, the three airports in this area service three states. Is New York taking any of this air traffic? Is Connecticut taking any of it? I don't think so. I spent a weekend out on Long Island. I didn't hear one plane going over -- not one. So, why are we being made the scapegoats of this?

I called Governor Kean's office, and Governor Kean's aide told me there was nothing they could do about it; the Federal government is in charge of the air over the State of New Jersey. These are the answers we're getting. They do put noise machines in our back yards. I know what is going to happen. They are going to divert the planes around those noise machines while they are in that area. (laughter and applause) They're not kidding me. When I call up and complain, they move the air flights a little further north. Then they keep inching them back in, and pretty soon they have them all going over again. It's true, and it's frustrating. My house lights up at night. Why do they have to put the landing lights on over Morris Plains? I can't understand that either.

I know I am emotional about this, but I am getting to be a nervous wreck about it. We lay in bed at night, we hear the planes going over the house, and we say, "Is it going to make it? Is it going to make it?" We really don't know.

I spoke to a neighbor of mine who has four small children. She has written and complained about it, too. She said, "Sometimes I think they are coming through the windows, they are so low." I can identify every aircraft carrier that flies over my home. Sometimes I can read the numbers on the planes.

Now, I ask you, is that right? The only thing I haven't done is shake hands with the pilot. (laughter) I really mean it. We're all laughing because we are so frustrated that we can't do anything about it. The government, and the people we elect, are supposed to ensure our domestic

tranquility. Let me tell you, I have not had any since the end of May. I think the people are really going to rise up and do something about this in the elections, if something isn't done about it. (applause)

UNIDENTIFIED SPEAKER FROM AUDIENCE: Hear, hear.

MS. IRWIN: I am going to call the television stations in New York, the action reporters, and I am going to ask them to go out to Connecticut and up into New York State. Let's see how many planes fly over Greenwich, Connecticut. I want to see how many fly over Hyde Park and Pauley, New York. That is why we are getting it all here, because those people have the power to change it. I think we have to unite. I think the people who represent us have to ensure that we are going to have this domestic tranquility. I think the airports should be closed at 10 o'clock at night, the same as they are in Washington. You can't take off and land in Washington, unless you have a space -- a flight in the flight pattern. If you lose it, you may wait another hour or two. I scheduled aircraft for a Corporate 500 company, and I know what I am talking about.

Well, I think I have about said it all. I am going to organize the people in my town further. I have spoken to a number of them already, and they are going to back me on this. We are going to go to the churches. We are really going to get the people to turn out and vote for the people who are going to do something for us. (applause)

ASSEMBLYWOMAN OGDEN: Ms. Irwin, I wonder about Senator Bradley, since he lives in Denville.

MS. IRWIN: I wrote to Senator Bradley, but I have never heard from him. I have never heard from Governor Kean.

UNIDENTIFIED SPEAKER FROM AUDIENCE: A big zero.

MS. IRWIN: A big zero. I have heard from Dean Gallo. I happen to know because I collected a lot of letters for signature. You know, I know it is the word processing type letter. We all got the same reply, but at least we got the reply.

Another point I want to make, too-- It's a small point, but I want to show you what the problem is. I have ball fringe on my curtains, and when the planes go over, the ball fringe jumps up and down. Now, I ask you, are they at an altitude that is safe? When I see them going like that, I think, "Oh my Lord, are they going to make it?" I have the big jets at one level, the corporate jets at another, and the Picatinny and the other helicopters flying at another level. So, I get three of them over my home at one time.

ASSEMBLYMAN FELICE: Madam Chairman?

ASSEMBLYWOMAN OGDEN: Yes?

ASSEMBLYMAN FELICE: Just for the record, since I have spent 21 years in aviation, not only in this country, but in other airports around the world-- First of all, airplanes have to stay at the assigned level. If they deviate within 50 feet, an alarm goes off, both on the ground and in the airplane. Second of all, they cannot go below a minimum altitude, regardless. Each aircraft is set at a certain altitude, and they cannot go below a certain altitude. Sometimes it seems like they are above you. There is no question.

The other thing about them turning their lights on. Most accidents that happen with aircraft, with collisions and so forth, actually happen at lower altitudes, especially at dusk and in the evening. It is standard practice for them to put their landing lights on, not only so the airport tower can see them, but so other aircraft can see them, because they are also in a circular pattern waiting to land at the airport.

There are a lot of factors that you have brought up where there is no question, but they honestly do not deviate, because they have a monitoring machine. They would have to use a completely different pattern. As I said before, they go to an outer marker, a middle marker, and they don't move the buildings so that they can, you know, change them. The type of aircraft, and the time of day, and the conditions, actually

affect the noise you hear, affect the lighting you see. So, all of these things-- There is no question.

One of the most important things that you brought up here was, are the New York airports getting the same traffic that we are? It is the easiest thing in the world to find out. As you probably know -- of maybe you don't know -- an aircraft pays a landing fee, according to its weight, when it lands at Teterboro, or Newark Airport, or JFK. So, every aircraft is logged, not only because they keep track of how many airplanes have landed and taken off, but because they have to make sure, whether it is a corporate plane or an airline, that they pay their landing fee according to their weight. So, the records are there. It would be very easy to check and see how many aircraft are landing at any airport, including Newark or Morristown. That is a fact.

MS. IRWIN: Well, I respectfully disagree with you on some of that, because some of us have noticed today that the airplanes are flying -- yesterday and today -- high. We can hear them, but we can barely see them. Other times, they fly below the clouds. So, if that is the information you're getting, you're not getting the true information.

ASSEMBLYMAN FELICE: It is not information I am getting. I actually flew and trained pilots, and I have been in aviation flying in this country and around the world. You go to different altitudes according to the weather conditions. It depends on the type of weather you're flying in. When you are flying visual, it's assigned. You are all assigned an altitude. If they didn't, they would be flying into each other. Each aircraft, besides having an altimeter-- The altimeter has a special electronic device that keeps them within that altitude. Not only do they know if they deviate from that altitude, the ground, on the radar-- The actual blip shows that they have deviated from their altitude, and a warning goes off, so that the controllers on the ground know

that the aircraft has deviated within 50 feet. The cockpit alarm goes off. They have an altitude incoder, it's called--

UNIDENTIFIED SPEAKER FROM AUDIENCE: Maybe they are assigned altitudes too low then.

MS. IRWIN: I can't believe that. (At this point, many people in the audience start to speak at once.)

UNIDENTIFIED SPEAKER FROM AUDIENCE: That is for large commercial planes only. You are not talking about small private planes.

ASSEMBLYMAN FELICE: Every aircraft is assigned an altitude, except for small single-engine planes. Wait a minute. They still have to stay 1200 feet above the ground.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Assemblyman Felice?

ASSEMBLYMAN FELICE: Yes?

UNIDENTIFIED SPEAKER FROM AUDIENCE: With all due respect, the FAA continues to tell us that airplanes that fly above 3000 feet make no noise. You may know technically what you are saying. I will not argue that; however-- (Remainder of comment lost to transcriber; speaker has no microphone.) (Many negative comments from audience at this point; everyone speaking at once.)

ASSEMBLYMAN FELICE: I agree with you. They do make noise. They do make noise.

UNIDENTIFIED SPEAKER FROM AUDIENCE: We know that planes move their wings at will--

MS. IRWIN: They fly below the cloud level.

ASSEMBLYWOMAN OGDEN: I have to warn you again that none of the comments that people make, or questions they ask from the audience, are on the record. So, if there is something you wish to say, if you signed up, wonderful. If you haven't, please sign up, and between now and 10 o'clock we will hear you.

MS. IRWIN: I thank you for listening to me.

ASSEMBLYWOMAN OGDEN: I would just like to--

MS. IRWIN: The problems are really becoming nerve-racking.

ASSEMBLYWOMAN OGDEN: I would just like to say, Ms. Irwin, that it is not quite that bad at my house, although the windows do rattle in the kitchen from the planes. I would urge you to try -- with your various neighbors -- to meet personally with Senator Bradley, because we all know that the real key -- the real answer to this -- is the FAA, and the group that the FAA is accountable to is the U.S. Congress, the Senators, and the President. But the Senators and the Congressmen are really the key players in this.

You know, we are trying to do what we can at the State level. We are aware of where we can try to do something, and basically where we can't.

MS. WHITE: May I comment on that, Mrs. Ogden?

ASSEMBLYWOMAN OGDEN: Well, all right, for just one moment.

MS. WHITE: My understanding is that Bill Bradley is not responding to letters on this issue. I wrote to him on September 1, with a follow-up on September 22. At your meeting at Newark Airport on October 2, I talked to his aide, Greg Lauder (phonetic spelling). He got back to me, and assured me that I would be getting an answer. He said to me, "You have to understand, he gets all these letters." So, it is very, very frustrating. I am to the point that I am going to drop something off to his home. I would encourage all of you-- He lives about a quarter of a mile from me -- a sixth of a mile from me -- in the lake community where I reside. I would ask all of you to continue to bombard him, and really tell him that you are angry that he is not responding to your letters.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Write him about basketball. (laughter)

ASSEMBLYWOMAN OGDEN: Thank you. The next person who signed up is Mr. William Hewitt. Mr. Hewitt, we have about 10 other people who wish to speak also.

W I L L I A M H E W I T T: I won't talk long, 10 or 15 minutes at the most. (preparing to show slides on projector)

ASSEMBLYWOMAN OGDEN: Could you make it 10, because we do have other people?

MR. HEWITT: I want to show you here the mess we have. These are the flight patterns in the State of New Jersey. This is Newark Airport; this is Kennedy; and up here is LaGuardia. They take off in this direction, and some of them go over Mendham, where I live. They take off in this direction, going north, and some planes go this way and this way. (demonstrating with pointer on screen) Also, these planes are coming from LaGuardia. These are all departures.

There are so many planes in Mendham that I can predict the weather from them. It seems that when planes land or take off, they always go into the wind. When it is going to rain, the wind shifts 180 degrees. So, all of a sudden, there aren't any planes in Mendham. So I know it is going to rain, and it does rain. Then, about a day later, all of a sudden -- it can be raining still -- and I can hear the planes again. I say to my wife, "It is going to clear up." It is like a weather forecaster.

Well, now, one point: This is the Expanded East Coast Plan. (demonstrating) Here is the coast. Here are all the planes, nowhere near the coast. I mean, they don't live up to the name.

Now, I have several suggestions to help to solve the problem. Some of them have been mentioned. The gentleman who was in the far seat before pointed out -- and I think he is right -- that in Mendham, if the planes are running parallel to our valley, the noise comes down into the valley, reflects and combines and resonates, and it is amplified. I have heard

LaGuardia departures which were two miles high, and I can tell by the size of the plane how high they are. They are louder than planes going north, which are only a half mile high. So, one recommendation is to try to make the planes go across the valleys, rather than parallel to them.

The second suggestion is to-- Well, when we first had the planes -- and you, too -- we would say "Not in my back yard" -- NIMBY. But what we should say is, "Not in anybody's back yard," but you can't do it; it is impossible. I think we should disburse them. As the second suggestion I am making, we should try to make them fly over different parts of the State at different times. After all, when it rains, the flight patterns are all changed because of the takeoffs being in an opposite direction.

Well, I guess the next point I want to bring up-- On this chart, I have the same flight patterns. We find here an area -- looking at Sandy Hook -- that is 25 miles wide and about 18 miles deep, that does not interfere with the military zones. I would feel that we could take our planes-- Let me show you another drawing. This is a copy of a terminal made for New York. If the planes would take off down through the Arthur Kill and out over the Raritan Bay -- out this way -- and out into space, travel south, attain altitude, and then come back over land, we would have far less interference.

I call this system "POO" -- planes over ocean. I am afraid that the FAA is going to take their "F" and put it on my "POO," and get "POOF," and make it disappear. (laughter and applause)

I have one more slide to show you. This is rather sticky. This again is the same pattern, but it shows the military zone about down here. I would like to suggest that we get the planes over the water, and we ask the GAO -- I have already asked them; I have told them about this -- to provide a 10-mile channel out over the ocean. Now, again, they will

object. As a compensation for the military, I have suggested that they put submarine detectors on some of the planes. But, that is the feeling I have, that we should use this space for planes, and make it an Expanded Coast Plan. (applause)

ASSEMBLYWOMAN OGDEN: Questions? (no response) Thank you very much, Mr. Hewitt. You have some good ideas there.

Mr. Barry Hajdu?

B A R R Y H A J D U: I am from Hunterdon County. I didn't understand what the comment was before from Hunterdon County. I have just a couple of comments, and I appreciate the opportunity of saying them.

I object to this plan that was per the FAA's own document. It originated in March of '81, and as Angel pointed out tonight, it was published in the "Federal Register" on Christmas Eve and New Year's Eve. My concern is that somebody is taking credit for the fact that we have all read about the flights being more on time. I am concerned that what we have now is only going to be made worse. After the lady from Denville's presentation, I, too, am very concerned and emotional, but my problem isn't as bad as yours. The noise still bothers me, and I still think I am entitled to peace and quiet.

Twenty years ago, I was lucky enough to buy a farm out in Hunterdon County. I don't know if people are following the State Planning Commission. They want to rezone my farm for the fourth time since I lived there. They want to make 20-acre parcels for everybody to breathe free air. Well, I don't care, I just want to stay there forever. It's great. But the thing that bothers me is, we have one agency telling us that everybody wants to breathe free air and enjoy the country, and I have the FAA shoving all these planes over our farm.

I am not alone out there. We have two patterns over us. That question came up before. I have an ingoing that is going in about -- I don't know exactly -- a third the height

that the outcoming are coming out.. The outcoming are continuous -- day and night -- continuous on a straight line, straight over these poor people here in Denville. But the incoming bank over my location. I don't know if I am the furthest one out. I am out in Bloomsbury, New Jersey, just before you get into Pennsylvania. I am 20 miles from Allentown/Bethlehem/Easton Airport, which is serviced by United, Eastern, and Piedmont. In 20 years, I have never been bothered by a plane out there, other than some alter lights -- these balloon fests we have, which we all welcome. It's a delight. But they have done it over at Allentown, and I don't understand why all these other airplanes, all of a sudden, have to travel out by me.

I just have two or three other comments. The impact study -- when and if it ever comes about-- I still maintain that I am getting debris from something coming off the planes. We have white lawn furniture. My wife tells me that it is all in my mind, but I am going to prove it someday. The exhaust fumes-- They are so low, that something is happening. I am concerned about what my children are breathing and what I am breathing on this farm, where everybody says we should be breathing fresh air.

I got the first plane in February. On February 12 or 13 -- it was a Saturday morning -- I remember that a plane came over, and it has never stopped since. Again, just because it is not as loud as Denville, I still think I am entitled to a peaceful existence, which I had for all of those beautiful years.

I am sorry Mr. Kamin left. I would have liked to tell him-- Thank you very much again. I hope you can help us. Thank you for the privilege. (applause)

ASSEMBLYWOMAN OGDEN: Thank you. Mr. Ordway -- Robert Ordway?

New Jersey State Library

R O B E R T O R D W A Y: I guess I am a little bit out of my territory. I am from Bergen County -- Rutherford. We received a letter this afternoon about this meeting, so I scrambled to postpone other meetings tonight to be here. It never said anything about a meeting in two weeks also. May I have that date, if you have it?

ASSEMBLYMAN FELICE: It is going to be in Hackensack.

ASSEMBLYMAN MAZUR: In Hackensack.

MR. ORDWAY: What day?

ASSEMBLYWOMAN OGDEN: The twenty-eighth.

ASSEMBLYMAN MAZUR: Maybe you can round up some of your friends.

ASSEMBLYMAN FELICE: We will be at the Courthouse, in the Freeholders' Chambers. You can't miss it; it is the one with the dome.

MR. ORDWAY: Thank you. Our concerns I don't think are the same as the people here. We are not as affected by the East Coast Plan as they are. We have always had the planes coming over Rutherford, whether it has been the East Coast Plan, or whatever. So, we haven't been changed by the East Coast Plan.

My point here, though, is, there are airlines and so forth that do violate-- Despite what you may say, I believe they violate the elevations, and so forth. (applause) I feel that the monitors are very nice. They may tell us something about the actual elevation and so forth, but if you don't back it up with fines, penalties, restrictions on use of airports for those planes and so forth which violate it, then you are not really doing a damned thing.

I believe what we need is Federal legislation, since the FAA is a Federal agency, that will fine these organizations, curtail the use of airports if they, you know, go to a lower elevation, or whatever. They simply lose their right to use the airport for a while. I think that would hit home much quicker than anything else you could do.

I think Congressman Torricelli has proposed the elimination of the use of Stage 1 aircraft, and the curtailment of Stage 2 at nighttime in areas having populations of 100,000. I think he should go one step further, and propose a cutoff date -- 10 years, 15 years -- for the elimination of Stage 2 -- period. We have to attack the situation, and that is what I feel. I think you will probably get a lot more of these comments in two weeks from Bergen County residents, since Teterboro is our main concern, as opposed to the East Coast Plan.

ASSEMBLYMAN FELICE: Just briefly, if I may-- First of all, although they are assigned altitudes, I never said they didn't actually abuse that privilege. And, yes, there are regulations. The problem is, I think they should be enforced a lot more strictly than they have been. Years ago, Air France was refused for almost two and a half years to be allowed to come into JFK, because they continually abused the regulation as far as altitudes and patterns.

By the way, I am from Bergen County. I just want you people to know that I am not a pilot. I am an engineer. I live in Fair Lawn. If you know anything about Bergen County and Fair Lawn, they use the water tower in Fair Lawn as the turning point, as if it is a round robin for all aircraft going into Teterboro and Newark. So I know exactly what you are talking about, and I know exactly what the noise problem is. I have been one who has screamed to Teterboro and the FAA to try to change some of those patterns. When I was Mayor of Fair Lawn, they wanted to paint and camouflage the tower so they couldn't see it from the air, then maybe they would go over another part of the State, and end up over the Hackensack Courthouse.

But, yes, there will be a lot of information coming out, because the problem you are having here -- not that it helps -- we are also having in the northwestern part of the

State. All combined, I think, with your input and our input, let's hope that the regulations that are there are enforced in such a way that they are either refused the use of the airport, or to a point where it makes it unworthy for them to participate in that flight pattern.

ASSEMBLYWOMAN OGDEN: From Warren Township, Diana and Sheldon Kurtz.

S H E L D O N K U R T Z: My name is Shelly Kurtz, and this is my wife, Diana. Why don't you sit down here, Diana? We are representatives of Warren Township. As a result of our personal efforts, we have recently -- the first week of September -- had a resolution passed for the Township of Warren, which, incidentally, is in Somerset County. We chose to go that route instead of sitting at a supermarket and getting lists of names, which we did not feel was-- Incidentally, this has nothing to do with anyone else who did this in Mendham. We felt we would go the political route by doing it that way, instead of making a point by sitting and getting petitions signed.

As a result of the support we got from local residents, the township passed a resolution just a week ago. I won't bore you with the details. I believe, Maureen, that I sent you a copy of that resolution. I am not sure, but I think the township has also done so.

There are a number of-- I don't want to take up much time, because it is getting late and there are a lot of people who want to speak here. A lot of people have already said some good things tonight. I think the greatest concern I have is an absolute frustration that whatever we are doing here on the local level, or even the State level-- I would like to pose a question to you, and if you could respond before I continue-- What can we do to make -- in other words, to put controls on the airport, the activity, the scheduling, etc. -- all the things that we have discussed tonight? What clout can we have

over the FAA, or do we have any? How do we get support from a Governor who is probably interested in having the airport expand, because of the economy? How do we get a hold of Senator Bradley, who I was a great fan of in basketball, but who has lost my respect as a Senator because he is more interested in environmental problems in Alaska than he is in New Jersey, which is his State, and he is proud to talk about it also?

Until recently, Senator Frank Lautenberg, who was also an nonentity in this whole matter-- Just recently-- I received a letter just a few days ago that finally acknowledged that the inconvenience of the residents of the State of New Jersey might be just as important as the scheduling problems that were taken care of by the East Coast Plan. It has taken seven months for him to make a statement, and this is only the fourth or fifth letter he has written me, because I have been actively writing letters, with the assistance of Angel, and the support of Angel, to the proper parties, and have not been giving up on this. We are not going to give up, we are going to continue going ahead.

But, the question is, what can we do-- I know you can't personally make Senator Bradley do something.

D I A N A K U R T Z: He does not respond to any of the letters that we or any of our friends have written.

MR. KURTZ: So, it is obvious that we need someone in the political arena to have him respond.

ASSEMBLYMAN MAZUR: May I?

ASSEMBLYWOMAN OGDEN: Sure.

ASSEMBLYMAN MAZUR: You have personally written Senator Bradley?

MS. KURTZ: Absolutely, several letters.

ASSEMBLYMAN MAZUR: And he has not replied to your letters?

MS. KURTZ: We got one standard form letter, but we have written him at least five or six times and gotten no response. I know Angel--

ASSEMBLYMAN MAZUR: On a form letter or a personal letter?

MS. KURTZ: Oh, personal letters. We don't use form letters.

MR. KURTZ: I wrote two personal letters over a month ago.

ASSEMBLYMAN MAZUR: All right, one second. What is your name again?

MR. KURTZ: Sheldon Kurtz, from Warren Township. I received one response from his office, out of about six letters. I think if you asked people in the room to raise their hands, you will see they have had quite similar experiences.

UNIDENTIFIED SPEAKER FROM AUDIENCE: With no response.

MR. KURTZ: With no response.

ASSEMBLYMAN MAZUR: I am going to call his office.

MS. KURTZ: Thank you.

MR. KURTZ: Secondly, if I may -- and this is a very valid point-- We, as taxpayers and voting people, get form letters from certain politicians, and we understand that they are not going to sit down and write personal letters, nor have their aides do that. But, even in the one letter that I received from Bradley -- from Senator Bradley -- there was a total lack of interest in the whole problem. He referred to the problem as being taken care of by, you know, local representatives. He just passed it off completely. So it is not a case that we are going to get a letter from Bradley -- that all of a sudden his office is going to come through for us. Where is he? Why isn't he around? Why isn't he doing anything for us? Why are his interests-- I don't know whether he is ready to be President or not. It is obviously a little

bit too early in his career. He should really be interested in his own State before Alaska. Okay? I constantly hear him talking about every problem in the world, but I have yet to hear him talk about this problem in New Jersey. It is like it is nonexistent.

ASSEMBLYWOMAN OGDEN: Mr. Kurtz, I think that in spite of your aggravation and frustration, which all of us feel, that it would be most helpful to this Committee if you would make some suggestions in terms of what you think can be done.

MR. KURTZ: Okay. I was just basically posing a question. I guess I have gotten a partial answer. But another question, if I may ask, is: Do we have any clout, and I don't mean by the normal course of making a fuss that it is going to build into an uproar? At this point in time, if we looked at everything from a Utopian standpoint, what could we make the FAA do as a Federal organization, as opposed to the State? What legal ramifications are there? Can we impose controls over them?

ASSEMBLYMAN MAZUR: There are some things which the Federal government has -- I am trying to find the right words -- pretty much most of the control, if not complete control over. They are preemptive. They are a Federal area. The Federal Communications Commission-- As Chairman of our Emergency Response Study Commission, I have been down there. I have grappled with the FCC. They listen politely to us, and then they say, "Well, thank you very much. We will keep your complaints in mind," and that is the last we have ever heard. We continue to try to do something.

Nuclear problems, nuclear energy, transportation, nuclear waste, all that -- preempted by the Federal government. There is nothing that the State can do. There are some areas here that we can do something about. The manager of the Morristown Airport indicated what some of those were. You know, while a plane still has its wheels down-- Once it folds

its wheels up, it belongs to the FAA. There is nothing the State can do at that particular point. However, there may be some basic problems that the Chairwoman of this Committee -- Maureen Ogden -- who is really-- She's great. She has done a wonderful job, and it is great that she stepped forward into the breach here. But, there is a limit to what we can do.

All I can say is, the Federal legislators -- the Congressmen, the Senators -- particularly the Congressmen, because, you know, the Senators-- There are not as many of them as there are Congressmen, and their duties are more vast. They are absorbed by their committee responsibilities. I would say that the Congressmen of this State, as a delegation, are going to hear from us. They are going to hear the information we gather. They are sure going to hear-- The Democrats are going to hear from me, and I am sure the Republicans are going to hear from Nick and from Maureen. Correct?

ASSEMBLYMAN FELICE: You are absolutely right.

ASSEMBLYMAN MAZUR: Just keep on writing letters and using forums like this to make the problem better known. They must be aware of it. The growing populations around the airports-- They must be getting aggravation like this all up and down the seaboard on this plan. They must be getting complaints in Los Angeles and San Francisco and Chicago. You know, as populations increase, the number of flights multiply.

MR. KURTZ: Isn't Senator Bradley a member of the Committee, or Chairman of the Environmental Committee?

ASSEMBLYMAN MAZUR: I can't tell you who has jurisdiction over that.

MR. KURTZ: I believe he is. I have heard him talk about Alaska, and he stated himself as either the Chairman--

ASSEMBLYMAN MAZUR: Well, I don't know that this is covered by that Committee, or something else, like Commerce and Industry. But we will pursue it further. I will be in touch with you.

MR. KURTZ: Okay, thank you. Just one or two points, Maureen. I understand; I didn't want to make this a forum about Senator Bradley. It was not my intention to do so. I would certainly rather him be on our side than us against him.

I think this has been stated, but I think I can clarify it just a step further. One of the recommendations that I certainly have, and it has been touched on a little bit -- and we have discussed it in previous meetings -- is really a look at the military air space over the ocean, and whether Newark Airport shares one-third of that space, as opposed to the space that is allocated for LaGuardia and Kennedy Airports. I have been led to believe that Newark is given virtually no space over the ocean, as opposed to LaGuardia and Kennedy getting space over the ocean. Where we are suffering is-- Look, the noise is not going to go away. Flights are going to continue, and there isn't a person in this room that knows that all of a sudden it is going to evaporate because we are making a lot of noise.

There are just so many things that we can do. We understand that the military has certain security requirements, but how come they are less secure for New Jersey and more -- or less secure for New York and more secure for New Jersey? I think that is a result of political clout. Instead of flying over -- as was pointed out -- parts of Westchester County and Connecticut, they gave military air space over the ocean for the use of those two airports. They allocated none, or very little of that space for Newark Airport. Now, Newark Airport was the third cousin of all these three airports over the years. Newark is no longer a third cousin. Kennedy Airport has no more growth left. Newark Airport is being given the international flights in place of whatever flights can continue from Kennedy, with the opening of--

ASSEMBLYMAN MAZUR: Three million dollars is going to be invested in Kennedy Airport by the Port Authority, to

improve that facility, to increase its capacity. Mrs. Maynard (addressing someone in the audience), are they going to do aircraft capacity increases -- runways?

P A T R I C I A M A Y N A R D (speaking from audience): It is improvement. Basically, it is an improvement, rather than an--

ASSEMBLYMAN MAZUR: Extension.

MR. KURTZ: Right. If I may -- and I know that this has been stated by any number of people; maybe Angel can support me on this one-- I believe Kennedy was established as an airport that could not have any further growth and, as a result, international flights were increased and directed to Newark Airport for Terminal C. Now, we can understand that. So, give us some military air space.

MS. KURTZ: Right.

MR. KURTZ: Okay? Or, give us some ocean space. Kennedy has it. That is a major point that I wanted to make.

MS. KURTZ: Just one other thing; I know we are taking up too much time. First and second generation jet engines should be modified or phased out on an accelerated basis, not the time frame that the FAA had previously stated -- 1990-something. God only knows where we will be by then. If we could modify these engines on an accelerated basis-- I think that is something we could definitely do. I know it would be costly for the airlines, but it definitely has to be done. I think that is an avenue that can be looked at. Also, the air space over the ocean.

ASSEMBLYWOMAN OGDEN: By modifying, do you mean retrofitting, or something of that sort?

MS. KURTZ: Yes, correct. Just like the woman in Denville, we are awakened every morning by flights at 5:30. They continue all day long. Sometimes it is two or three every minute. We have no peace, and we haven't had since February. It is a very upsetting experience and, of course, it is a very emotional experience. I don't think any of the people here are

militants. We all have jobs that we do, and whatnot, but this is a very important issue to us. We are looking to you. We know there is only so much you can do. We appreciate everything you have done. We look to you to do something for us, and we appreciate it. Thank you.

MR. KURTZ: Thank you.

ASSEMBLYMAN FELICE: Just to address the Kurtzes, I think the factor you brought up, the fact that they will be increasing overseas flights out of Newark, should definitely give them an allocation to use more space over water. That should be one of the factors to be considered, but let me say this: What can we do, as State legislators? I can tell you this -- along with my colleagues on both sides of the aisle -- one thing that these members of the Legislature will do, is to let them know-- Through an Assembly Joint Resolution, which will memorialize Congress, we will let them know that there is a problem that they should be acting on. That will be the forerunner of the other complaints and everything else we are going to do. It doesn't make it mandatory, what we put in a Joint Resolution from the Assembly memorializes them to do certain things, whether it is for health benefits, or for environment, but it does make them aware that the Legislature -- and that means people on both sides of the aisle -- both parties -- are very concerned about what is happening. We are giving them warning that something should be done. I think that is something this Committee will be doing on a bipartisan basis.

MR. KURTZ: Well, thank you. I think this may be reasonably obvious, but I would like to point it out anyway: We might not have had hundreds of people here tonight, as we did in Summit, but because of the efforts since that Summit meeting, with people who have come up here tonight, with 300 votes from Mendham, etc., and my whole township-- I don't even know the population of Warren, but it is growing rather rapidly

because of all of the development. I don't think it should be interpreted that the number of people who came here tonight is just a small number who are interested. There are a lot more people. As yourselves are representatives of us, we, in our own way, are representatives of our various 32 communities. So, there is a significant number of people who are very involved in this.

Thank you for your effort and for your time.

ASSEMBLYWOMAN OGDEN: Thank you. From Chatham, Avi Liveson?

A V I L I V E S O N: Thank you. I will try to be brief. I am from Chatham. My wife, Linda, is one of the directors of the PANN, and that is now we are involved in this. The two points I want to make are: Closing the airport early and opening it up late is good, but it is not really the answer because of the constant flights during the day. It would still be ruining our lives, even if we ended the problem at 10 at night and, you know, started at 10 in the morning.

Secondly, no one mentioned the effect on our children. I have a 16-month-old daughter, who is constantly awakened from naps and from her sleep. You know, it is quite outrageous for this to happen from air noise.

Thirdly, just watching the Westway battle that New York went through, a legal fight seems to be key. I think more should be done to push the court battle that DEP is considering, and to hire effective lawyers to get that going.

Those are my few points.

ASSEMBLYWOMAN OGDEN: Thank you very much. Is Mr. Ronald Freeman still here, from Freehold? (affirmative response)

R O N A L D B. F R E E M A N: Thank you. I am Ron Freeman of PANN of Freehold. I live about an hour and a half from here by car. I felt it was important to come to state my disgust, frustration, aggravation. Maybe I am the first person to have

detected EECF noise. It was about a week before Christmas in '86 that the tranquility that I have been used to for well over 20 years started going down the drain. Airplane noise was very rare -- exceedingly rare -- perhaps some military jets from McGuire Air Force Base occasionally. But I recall that the drone started then, and the atypicalness of it was apparent. I can say that probably more toward February, things got worse. I want to go on record that the noise is present. It is not only Morris County plus/minus 20-25 miles out almost to Pennsylvania west, but additionally south. Western Monmouth County is quite affected. The altitudes, I could only guess, go from something like 5000 to 8000 feet. As any acoustician knows, anybody who has any physics, the difference between even 3000 and 6000 feet is technically about 60dB. It is not a nine-day difference. The bottom line here is that. If you have a jet in the general vicinity over your house, and it is at full throttle -- we have proximity and throttle setting -- you will get bombarded very badly with noise. As other people here have stated, it is quite irksome.

My peace and quiet is being ruined by loud jet engine noises, frequently occurring, maybe every three minutes, but it is not just three minutes. You get the booming before and the booming after, and just as one jet starts dying in the distance, another one starts coming at you. The noise is pervasive, loud, and penetrating, and it is destroying the tranquility and life style and peace and quiet. It is disturbing my sleep, certainly my emotional demeanor. Virtually all hours are affected. Although certainly somewhat reduced after 11 p.m., I hear them intermittently throughout the night. It is continuous, although not necessarily constant.

UNIDENTIFIED SPEAKER FROM AUDIENCE: That's true.

MR. FREEMAN: It is true, and that's the crime. I ask that you try to do everything you can to stop this noise, because it is an abuse. The EECF is a failure. I see no

reason why everyone here is talking about it, and nothing can be done to stop it. That's the crime. We are the victims. The FAA has illegally stolen my tranquility without my permission. Why are they being allowed to do so? Who authorized the destruction of my peace and quiet, and why can they get away with this?

There seems to be a flaw in the checks and balances, perhaps thanks to Congress. Perhaps the FAA is not adhering to the spirit of the law, as Angel pointed out. In the absence of justification for the EECF, why is it being allowed to continue to cause such harm? Until the EECF is proven environmentally acceptable, the prior quiet airplane routings, I state, must be reinstated.

I find myself wanting to flee my own home to get some peace. It is like living in an area that is constantly being dive-bombed. The noise is incessant, and I feel as if I live in a war zone. Is this what the North Vietnamese were subjected to during the Vietnam War? At least they were known to be the enemies of the U.S. Has the FAA declared war against portions of New Jersey, and has Congress approved this war? Before we had the War Powers Act.

There are questions I am waiting to get answers for. So far, elected officials have not been helpful; in fact, many have been -- present company thankfully excepted -- evasive. The phrase "misinformation" was used. That is very polite. The fact is, the FAA has lied to me. I have written correspondence -- the Port Authority, Mr. Muldoon. They are not acknowledging the severity, or even the existence of the problem. That is a crime, and we are the victims.

The FAA must answer the following questions: Why is this noise being permitted? Why was no environmental impact study performed? Why was the EECF permitted to be implemented without the prior environmental impact study? Who was in charge? I have yet to hear that. We are getting shunted from

one committee to another politician. I am not getting answers; I am not getting results.

It started in Freehold approximately December 18. We are going on a year, and that is a year of suffering that is undue -- uncalled for. Why can't responsible political officials cause a cessation of this noise? Why are countless citizens of New Jersey being abused? Why can't this fiasco be stopped now? Why does the FAA have a virtual lock hold -- a carte blanche -- to create unlimited noise? Where are the checks and balances?

A few other points: I really have no sympathy with those who are trying to save a dollar or two on an airline fare, or those who state that perhaps safety is an issue. We had safe planes before -- before the EECF. Why can't EECF be undone for the time being until it is proven legitimate -- called for? Clearly, we are hearing that it is not. This nonsense about sharing the annoyance-- I don't buy it one bit. The gentleman who presented the view graphs-- I give him an "A." Coincidentally, I, and probably several other people, have had the same idea. You must get the acceleration of the jets over water, i.e., away from people. It is so obvious. I don't know how the FAA could plead otherwise. They did not do their homework. Maybe they did, and they were afraid to admit otherwise.

Under no circumstances will I give up my right to quiet. I like Freehold; I like my home; I like my area. I am used to it. It is fine as is, but for the problem we are here for. The quality of life is the issue. It's not just sleep. It's not just ten p.m. to six a.m. or eight a.m. I intend, after a hard workday, coming home and having my prior quiet. It has been destroyed. The FAA has not cooperated. I am getting run-arounds. It's a crime. They state that they will not do a noise measurement study in my area, because they have not changed the flight routings. That's a lie. Everyone here

has been subjected to significant, monumental changes in flight routings and throttle settings and noise. That is what the bottom line is, noise. I don't care if a plane is two feet over my head, as long as it is safe. Don't buy that. Maybe it doesn't have its engines on. Clearly, it is not safe, but as long as the engines are minimally producing noise, it doesn't bother me.

Regarding recommendations, the night hours is a beginning, but it is not enough. You have to get the planes, when they are producing noise, away from significant populations. Get them over the Pinelands, if necessary; get them over the ocean. But, get them away from us.

It so happens that in the Freehold case, the planes are over the most populated area -- the most populated portion of the general area. Anybody who did a little bit of study of the population density map, would have seen that a north/south route could be moved five miles east or five miles west. It would involve many fewer people.

I recommend a hot line with an 800 number -- I don't know funded by whom -- where anyone who had a complaint -- and this 800 number should be advertised widely -- could call that number. I don't want it manned by the FAA. I want it manned by a party that is sensitive to us. I want summaries of all the complaints phoned in documented and distributed to responsible politicians at the State and Federal levels, and we should go full force with a lawsuit. I don't understand why we are approaching a year and we haven't done anything.

Thank you. (applause)

ASSEMBLYMAN MAZUR: Freehold is near Phillipsburg, Easton?

MR. FREEMAN: We are 30 miles south of Newark Airport.

ASSEMBLYMAN MAZUR: Thirty miles south of Newark Airport.

MR. FREEMAN: Unfortunately, we are close to the Colts Neck Beacon, which has been around since World War II, easily, and prior to the EECF, it caused no problems. Somehow the altitude and acceleration and throttle settings are the cause, thanks to the flight plan. So, we are south. I am representing trouble in an atypical area, but I assure you that we are getting hit nearly as badly as most people otherwise.

I have had a series of letters with a Mr. Muldoon of the Port Authority, and it is a sorry state of affairs. I happen to know acoustics -- acoustic engineering -- very well, and they try to snow me. After a while they gave up, because, point by point, I countered every one of their assertions that tried to whitewash the situation. After a while, they tried to wash their hands, and state, "Well, the power really resides with the FAA. We are going to forward your file to them." So I am getting shunted around again. What is the sense of me dealing with one party if he is not responsible?

UNIDENTIFIED SPEAKER FROM AUDIENCE: Who's in charge?

MR. FREEMAN: Who is in charge is the question or, better yet, who can try to take charge? We are looking to you, because we don't have the power, and it's all about power. We're sorry that you don't have 100%, but you have more than we do, and anything you can do will be greatly appreciated.

The sad part is, we're talking about small changes, maybe move a flight path up 1000 feet, down 1000 feet. That is not where the answer is going to lie. the answer is going to lie in a major revision of the EECF, because it is a failure. (applause) That's it. We shouldn't be pussyfooting around. It's really a crime.

ASSEMBLYMAN FELICE: You know, as an engineer also, you brought up a very valid point. I have nothing against lawyers or attorneys, but that usually goes into a long, drawn-out battle which could take years and not solve the problem in any short term. It shouldn't have to be. But, if

money is going to be spent on any level, it should be spent for your own monitoring facilities, so that you could come in with your own dB levels of noise penetration. I think in any court, or in any factual matter, or any presentation-- You can hire a private acoustical engineer, with a monitoring device, and have your own, so that if they say, "No, the levels are not that high," you will have a daily, or a weekly report, saying what the levels were.

UNIDENTIFIED SPEAKER FROM AUDIENCE: We shouldn't have to spend one penny.

ASSEMBLYMAN FELICE: No, no, no, don't get me wrong. I said, rather than spending money-- If anything should be spent for legal purposes only, I think it should be spent-- Whether it is done by the State, whether it is done by the county -- I have no objection. It could be done by the county or the State, or whoever, so that the people involved would not have to pay. What I am saying is, rather than going to a legal battle, and just saying, "We have rights," which could take forever, you must back those rights up with some statistical information.

MR. FREEMAN: I have statistical information, and we will put it on the record. I have measured 83 dBs, C weighted, peak reading noise of jets, with most of the energy a low frequency rumbling. I am on virtually a nonstop take-off pattern. That, in my opinion, is where the problems are, at least in my area. I can't say for everyone else. One hundred and twenty-five hertz we know is very low frequency, sometimes over 90 dB in that octave band. It is a monumental amount of noise, and there is no way I can tune that out, even shutting the windows of my house, or trying not to think about it. It's not right. I shouldn't have to not think about it. It shouldn't be there in the first place. That's the crime. I have the measurements, and if anyone wants to test them, or verify them, they are welcome to. As a matter of fact, the

question I have is, why hasn't this been done? Why does a private citizen have to do this? Somebody who should have been in charge, wasn't. I don't know who that person is.

Clearly, the FAA is not our friend. The Port Authority is not our friend. The New Jersey political infrastructure -- hopefully somebody there--- Was it Dr. Jorge Berkowitz of DEP Noise Control? What has he done? I got a very nice letter, but has he initiated any measurements? Does he have any measuring equipment? Why can't they do these things? These are not very profound questions. The profound question is, why hasn't anyone done anything for us?

ASSEMBLYMAN FELICE: I will personally call the Commissioner of DEP and ask him if some separate testing can be done so they can factuate the -- give you factual information on some of these, so they can compare them. If they say, "Well, we never had readings like that--" I will call and speak to Dick Dewling, and ask him what division in his Department will make some tests at the airports in question in those areas. Possibly then you will have some facts whereby you can confirm-- If they tell you, "We don't have that high a dB level," or "We have never had that kind of a report--"

MR. FREEMAN: We are talking about quality of life.

ASSEMBLYMAN FELICE: Rather than any individual-- I never met an individual, but a State or a county department should be taking some of these tests to verify the noise levels.

MR. FREEMAN: Thank you.

Lastly, I would like to go on record as to what I consider an acceptable intrusion into my ambient noise level -- specifically, whatever my ambient noise was before EECF. The residual noise in the area, and it was tranquil-- You could hear the mosquitoes, the birds chirping. It was a pleasure. Whatever that was, I give the powers of the FAA permission to increase that, I would phrase it not insignificantly, by technically 10 dB, maximum an octave, or even one-third octave

band. That truthfully would not be much above the ambient noise. I could live with it. Let the burden be on them to come up with whatever routings they need to, inclusive of the ocean routings, so as to give us our peace and quiet back. The burden should not be on us to complain about the noise, but to put a cap on the FAA noise imposed on us. Let the FAA figure out what they have to do. The burden of proof should be on them, not on us. (applause)

UNIDENTIFIED SPEAKER FROM AUDIENCE: Absolutely.

MR. FREEMAN: Thank you.

ASSEMBLYWOMAN OGDEN: Thank you. I'm sorry you weren't at the meeting, I guess it was last Tuesday, in Union. I appreciate your coming this far tonight. Tony McMann was there. He is the Assistant Director of Environmental Enforcement. DEP has not had-- Well, there have been two problems: One has been the question of DEP being preempted by EPA. As you know, we have the Federal Noise Pollution Control Statute of 1972, which deals with the Federal government, and charges EPA to monitor noise from aircraft, or all kinds of noise, I guess.

When the airlines were deregulated, what happened was, the budget was cut. All of the offices were closed. EPA could no longer perform this function. DEP has been unclear as to whether DEP can do this for the State of New Jersey. Actually, even though that issue hasn't been decided, Jorge Berkowitz and Tony McMann, who works under him, have two people who are gathering information on this. They are trying to find the money to come up with an expert, because neither of these individuals are experts in this area. As you know, we are dealing with experts with the Port Authority and with the FAA. Maybe you don't think they are experts, but certainly they are experts as far as I am concerned. Maybe Nick is an expert, but most of us are laymen. We are learning a lot from each meeting.

They have been working with the Attorney General, and I think it is going to be decided by the end of this month hopefully, that the State of New Jersey will sue the EPA because they haven't taken action. Also, the State of New Jersey will petition the FAA, in terms of an environmental impact statement, as far as the Expanded East Coast Plan is concerned.

Now, you ask what we can do. Obviously, our powers are limited. What we are trying to do is act in the areas where we can act. In other words, what we are doing is gathering the information. We are going to come up with recommendations which, hopefully, will be enacted into legislation in the New Jersey Legislature. Although obviously, as Nick Felice said, we can pass resolutions memorializing Congress or the FAA, we do not have jurisdiction over them. In terms of the Port Authority, as you know, the Governor has the right to veto any part of the minutes of the Port Authority, so we have some clout there. I know that the Governor, who lives in Livingston, because I talked to him about this-- He has been hearing the planes. He has asked his staff to come up with recommendations.

On the other hand, in terms of actually passing legislation that would affect the Port Authority, whether we are talking about phasing out the planes, whether we are talking about a curfew, or a noise budget such as Denver has, we would need to have action both in the State of New Jersey and the State of New York, because, you know, it is the Port Authority of the two states.

We cannot come up with all of the answers. Hopefully, we can come up with some of the answers, with the help of all of you. You have raised everyone's consciousness. It has been frustrating. You have been calling. You have been writing, but you have not been receiving answers. On the other hand, when you write letters to the editor and we have meetings like

this, when we constantly keep the issue in the forefront -- before people who have more influence than we do-- As you say, we who are sitting here have more influence than you do, and we are trying to exercise it. But our influence is limited, to a certain extent. I think to have a resolution of this problem, and not just an abatement of it, is going to take a continuing effort on the part of all of us. I hate to say that we can't have a quick resolution, because I know how people like you and people in Cranford and out in Denville and various places are suffering more than the rest of us. Most of us are suffering, but some are having a worse time than the rest.

We are just trying to do the best we can. We realize there are limitations, but we are trying to be creative and come up with as many answers to this problem as we can. I know there are a couple of more people here. I didn't mean to take so much time, but people have been asking, you know, what we can do. We can't solve it, but we are trying to do what we can within the parameters in which we can act.

MR. FREEMAN: I would like to volunteer my services unofficially to anyone in the State, if they have any questions on acoustics, measurements, what equipment to use. I am reasonably knowledgeable, and what I don't know I can get my hands on.

ASSEMBLYMAN FELICE: We would like--

MR. FREEMAN: I volunteered my services to the GAO, and I have had a meeting with them. I have documented, in correspondence with the Port Authority's Mr. Muldoon, in the noise measurement study, precisely what equipment I recommend, and what I think you should look for. The ambient noises must be measured, and any increase of ambient with the jets flying over is EECF noise. That is unacceptable if it is more than a 10 dB increase.

ASSEMBLYMAN FELICE: I think this Committee would like a copy of the letters saying what your test results have shown, for the record.

MR. FREEMAN: I would be glad to supply those if I can get a business card or an address. I may be leaving shortly, so maybe you could let me have your address now.

ASSEMBLYWOMAN OGDEN: Amy (referring to Committee aide) will give it to you. Thank you.

ASSEMBLYMAN FELICE: Thank you.

ASSEMBLYWOMAN OGDEN: In the about four minutes we have left, is Mr. John Traub still here? (affirmative response)

J O H N J. T R A U B: I am going to just read a brief statement, because everything has already been said. It is not my imagination; these jets over my home have not been my imagination. I am going to read my statement, and try to get through. It is only a couple of pages. I double spaced it, so I wouldn't misread.

Early this year, according to the FAA spokespersons, I and others complaining about the invasion of jet noise in our neighborhoods, were virtually dismissed, as usual. It is not difficult to explain or exemplify the frustration of not knowing where to point the finger. There is an awareness now that communities surrounding our eastern airports have been complaining in what has been described as a 20-year fight, without satisfaction. Accepting the so-called cooperative generosity of a mega-million-dollar enterprise, the air industry has shed a morsel of its wealth and insulated the urban schools to lessen the impact of the noise.

The problem of noise in northern and western New Jersey is of a different nature. The quality of life -- which we hear about over and over again -- which has been, so far, dearly protected and highly valued, is now threatened. The FAA has attempted to confuse the truth and to delay returning tranquility to neighborhoods throughout the State. What is a fact of life in Newark should not become so in central New Jersey. The local problem has now become regional and national, and it is recognized as a political issue. Perhaps

hoping to drag out the noise problem for another 20 years, officials have offered to subsidize an investigation of our concerns, even though, as stated last April, they had already, "Fully studied them," and we should not be experiencing any increase in noise. The GAO will be looking into our noise problem after the summer glut of travel is over. This is a concern.

As air traffic controllers carefully manipulate the Expanded East Coast Plan, we have very little trust in the PA and the FAA. The maximum total number expected of all flights at all levels and at the intersecting locations-- I wish Mr. Kamin would have remained, because he talks of it as if there is one flight, but there are many points of intersecting paths we are all experiencing, which compounds the problem even more.

Intersecting locations clearly show that excess noise will result in locations greater than 50 miles from the airport. This plan is more than a nuisance. It is, in fact, an environmental assault.

This summer, many of us experienced the impact of only a part of the potential full implementation of the Expanded Plan before public awareness and direction became real, and political scrutiny imposed. In recent months, the FAA had obviously been deceptive in explaining what had been going on overhead. The FAA claims it is dumfounded with our concerns, since flight paths have actually been elevated. This is really a fraction of the truth, since it is clear that many other low flight paths are squeezed in below.

Not surprisingly, an animosity has developed between airport officials and concerned citizens. To initial complaints, the Port Authority's General Manager, Vincent Bonaventura, attributed it to, "A temporary change in use of runways due to construction." He then admitted to three new parallel air routes over Long Valley, but they should be, "High enough so that there should be no environmental impact." In

contrast, one week later, the FAA disclosed that actually not three, but 33 jet routes were being used, yet no other changes were made 15 miles from Newark. Now, there must be something wrong between three and 33, and 15 and 50.

I represent an area of what was once tranquil central Hunterdon County, located greater than 50 miles from the airport. This past summer, having logged literally hundreds of jets per day flying over my community in the vicinity of Spruce Run Reservoir, of the four levels of flight, the lowest is no different than in areas minutes from the airport and, in fact, more frequent, at three-minute intervals. The highest two sometimes scar the sky with three or four vapor trails at once, and frequently all levels are present at once -- a Grand Central intersection, continually rumbling and groaning, at times after midnight.

In areas where church bells could be heard for several miles, the FAA and Port Authority are surprised that the aircraft altitudes of one-half mile are barely discernible. In fact, these are several layers above and are clearly audible, at times continually. The FAA has described me as one of the people reaping the benefits, while offering sympathy in assessing noise as "The price I have to pay for living where I do." There are quotations I have gathered. It is declared that there is no prospect of changing the flight paths, and suggested that New Jersey's economy will be threatened if they do.

The price I pay for living where I do is reflected in property taxes that exceed the national poverty level. As demonstrated earlier, if the FAA is boasting of increased safety and reduced delays, we can be sure that the airlines' future expansion, severe competition, and dramatic fuel savings are the real issues at stake. Perhaps the airlines should consider a more honest and practical scheduling of flights to reduce delays, and spend less on advertising campaigns and

Washington lobbyists. For those of us looking for where to point the finger, it should now be obvious who created what has been described as the most widespread noise problem yet. (applause)

I wish I were a better speaker. That is why I had to read, which is a pretty poor practice. But it's obvious that the fox is watching the chickens. It is time to shoot the fox, and not even talk to the fox. Simply go out and continue to write letters. I thank Angel Garcia. He could be a politician, except that he doesn't spend taxpayers' money. He has been spending his own money going out and doing all this research and gathering the facts. I am just venting feelings from a certain area of central Hunterdon County. I feel good that I did it.

Thank you. (applause)

ASSEMBLYWOMAN OGDEN: We appreciate your coming. Richard Orecchio?

R I C H A R D O R E C C H I O: I am Richard Orecchio from Long Valley. We have been here for quite a long time, so I don't want to repeat what other people have said. I will say that I am mad as hell, because my American dream is shattered. Me and my family moved to the country -- Long Valley. Since I moved to the country, my daughter has developed a sleeping disorder. She is under counseling right now.

I'll give you just a cross section of my Saturday mornings: Departure 7:18 a.m.; departures 7:20, 7:22, 7:25, 7:28, 7:33, 7:36, 7:40. Arrivals 7:30, 7:38, 7:42, 7:45. This goes on for approximately 36 departures and arrivals. It is only a cross section, and it is a light day.

I would like to read one other thing. "Once you are used to a noise, it doesn't hurt you." True or false. False. It is still damaging. Researchers found that while most people get used to a sound they hear often, and they know it is not cause for alarm, their internal stress reaction continues

unabated. That is the case with my daughter. Even when there are no planes after 10:30, 12:30 at night, she expects that she is going to hear more of them. This is in an area, mind you, that is more than 50 miles from an airport -- Terminal A, to be exact, in Newark Airport.

We all pay a premium for living up there. Most of our jobs are in Essex County. We drive 45 or 50 miles to work. We don't expect that type of a situation out there. The FAA-- I would just like to rear a few remarks that have been made to me. This is Mr. Sloan today, of the Port Authority. Today he actually called me back. The Port Authority will conduct a study to measure noise levels and "Let the chips fall where they may." Okay, that's a quote. I don't feel that my future is too secure there. I am really losing faith pretty rapidly. They put a navigational point in the heart of Long Valley, which is all residential. The navigational point-- We are not experts, but we know that the navigational point is in the highest part of the mountain. It almost dissects the town in half. There is no industry there, so every resident has to hear it. I don't really think that shows that there was any impact to the topography of Long Valley. It shows a gross negligence in environmental impact or concern for the impact of their reaction.

I think all of our lives here are controlled daily. If I were to get up at two o'clock in the morning and take my Snapper lawnmower and try to cut my lawn, I think I would have a police officer on my front lawn to arrest me for making noise. Yet, I don't understand why these guys are sacrosanct. The FAA is sacrosanct. Nobody can tell them they're wrong. They can go ahead and ruin so many people's lives which they have worked so hard to build. I really find it intolerable. I can't understand it.

The other thing I just wanted to bring up -- because everyone is tired here -- is, the FAA says there are no laws

which require them to monitor en route flights, only departures and arrivals. That has to be changed, and I think our elected officials should change it. Why should a plane make a lot of noise en route, and they be allowed to get away with it? It has the same effect at ground level. It is very disturbing, as so many people have said. Why can't there be a law? Why can't something be introduced to monitor en route flights, which are just as disturbing to people, obviously, 50 miles from an airport? Where do we have to go, Pennsylvania, California? Where do we have to go?

That's all. (applause)

ASSEMBLYWOMAN OGDEN: Thank you. We have one last person who wishes to speak, Ms. Cowperthwaite. I would also like to recognize at this time the presence of Mayor Manahan from Morristown.

KATHERINE COWPERTHWAITTE: I really don't belong in your area. I come from Cranford. We are right at the beginning of the three-pronged--

ASSEMBLYWOMAN OGDEN: Speak into the microphone, please, Ms. Cowperthwaite.

MS. COWPERTHWAITTE: Oh, sorry. I want to tell you that we experienced this very early, beginning in February -- I did, the twelfth of February. I would like to read you what I have written, but I wanted to tell this gentleman that the area over the water costs money. You see, they are trying to save money -- fuel.

Well, I will just read you what I have written: Since the Expanded East Coast Plan has been in operation over us in Cranford, I have wondered why there was no plan for human beings who have to exist underneath it. Now, this next paragraph is a quote from a periodical put out by the FAA:

"The East Coast Plan has been likened by the FAA to adding lanes to a freeway, including separate truck lanes. What the plan was to accomplish was to save en route time and

fuel for the airlines, and reduce delays for air travelers." Now, originally, my understanding is, they did go over the water, but that was the longer route. They found this narrow corridor over us. We are 18 miles from the airport. They found this narrow corridor, and they raised the height. There are three levels, and they come out.

The one level is the jets. The next one is the corporate jets and the helicopters that move my whole house. Then, under that, are the smaller planes. I have had two planes -- two large 747s -- over my house and a helicopter at the same time. There was no consideration nor concern for the human beings living underneath this master plan. Their computer simulations indicated that the plan would work. Well, I am here to say that it will not work, because they completely ignored the effect it would have on the health of the people with all the pollution from the many planes. We are getting cinderlike things on our houses. There are friends of mine from Cranford here now who have detected this on their homes. I have felt it on my driveway and my walks.

The quality of life and the environment of the people underneath this cruel torture day after day-- The danger each day of hundreds of very large aircraft over us and the constant roar without end were not put into their computer. It should have been.

When I call the Port Authority for some relief by diverting the air traffic to another area, I am told that if they divert it to that area, then those people complain. This is an indication to me that this plan is in real trouble, and is not working.

Since early spring, I have worked tirelessly with our elected officials and citizens from all areas affected by this injustice to our lives while trying to exist under the never-ending roar over my home and all around me. At this point, I consider it beneath my dignity to beg for what is

rightfully ours -- the quality of life we had before February 12, 1987. Time is short to keep New Jersey a livable State. (applause)

ASSEMBLYWOMAN OGDEN: Thank you very much, Ms. Cowperthwaite. I think that will conclude the meeting.

E L M E R J. S Y N D E N N I S (speaking from audience): Madam Chairman, please? I beg the indulgence of the Committee and the people here. I am a resident of Whippany, which is about a half a mile away from Mr. Barkhauer's famous airport. If I may, I would like to-- I did not intend to include this in the record, but if that is what it takes, I will be glad to sign up if you will give me just a few minutes to say what I have to say.

ASSEMBLYWOMAN OGDEN: Please sit right there and speak into the microphone. This has to be the very last person, though. We have to conclude after Mr. Syndennis, because we said we would be out of here by 10, and we are already a bit over.

MR. SYNDENNIS: I understand, and I will try to be brief. In view of Mr. Barkhauer's presentation, which was, in my opinion, well-polished and perhaps well-rehearsed, and was a very nice public relations presentation, and I compliment him for that-- I live very, very close to Morristown Airport. My main concern, contrary to the people here, is not noise, although I am not diminishing the importance or in any way deprecating the fact that noise is a major problem-- My main concern is safety, and the reason it is, is that there are a very great number of touch and go flights that take place at Morristown Airport. Most of them pass right over my house. The reason I am so concerned about safety is the fact that-- For example, Sunday, my wife pointed out to me, late at night, after sundown, that there was a plane that came over that was definitely-- The power had been diminished to the least possible, but it was definitely at a very, very low altitude. In fact, she was frightened.

Earlier this summer, there were two planes that were practicing touch and go. One was flying approximately due west, and the other one was flying somewhat northwest. As sure as I am sitting here, they passed at the same elevation within less than 200 feet of each other. It would not have taken very much of a miscalculation to have a serious accident and have them fall onto my house.

We called the airport, and we spoke to the control tower. The answer we got was, "What are you worried about? They were in sight of each other. We don't have to control them. As long as they can see each other, there is no problem. It is not to worry." Now, this is the God's honest truth.

Therefore, my concern, as I say, is noise, yes, but I think that concurrently with your efforts to attack the problem of sound and noise, you should also relate to the safety problem that exists in our area, particularly at Morristown Airport. I know I have called the airport. I have written letters to many people, and to the FAA. I sent copies of my letters to Mr. Barkhauer. He has never so much as acknowledged that he has received them. He has never so much as called me. So, for this reason, I am very frustrated and somewhat angry.

Just to finish this off, I would like to put in the record, if I may, a very, very brief statement. Is that possible?

ASSEMBLYWOMAN OGDEN: Yes. May we also have your name and address?

MR. SYDENNIS: Yes, I will give you my name and address.

I wholeheartedly support the position of the residents of Hanover Township who have objected to the constant, excessive noise emanating from Morristown Airport. I agree that immediate steps must be taken to reduce the impact of the disruptive effects on the health and on the tranquility of our

local citizens. However, I would like to point out, and to stress, that the question of the safety of the residents in the communities adjacent to Morristown Airport is of equal and in some respects of greater importance. The two problems should not be treated separately as at present. The same energy and resources that are being applied to solve the noise problem must be given to the satisfactory elimination of the present dangerous practices which are threatening the communities that border on the airport.

I demand an immediate correction of both of these unacceptable assaults on the rights of our residents. I would hope that you would find some time, or some opportunity, to address the safety problem that goes concurrent with the noise problem.

Thank you very much.

ASSEMBLYWOMAN OGDEN: Thank you.

MR. SYNDENNIS: If we had time, and if you were willing, I would like to address several questions to Mr. Barkhauer, in view of his presentation here tonight, because I don't necessarily agree with some of the things he said. If we cannot do that, I will be glad to write him and tell him what my concerns are.

ASSEMBLYWOMAN OGDEN: I think that since you are here and Mr. Barkhauer is here, the two of you might get together.

MR. SYNDENNIS: I didn't intend to do anything, but since he made the presentation, I felt compelled to express my opinions.

ASSEMBLYWOMAN OGDEN: Thank you.

ASSEMBLYMAN FELICE: Let that meeting be like the aircraft -- touch and go. (laughter)

ASSEMBLYWOMAN OGDEN: Thank you all very much for coming.

(MEETING CONCLUDED)