



TOWN-VILLAGE AIRCRAFT SAFETY & NOISE ABATEMENT COMMITTEE

One Washington Street, Hempstead, New York 11550
(516) 489-5000 x3296 – TVASNAC@tohmail.org

Meeting Minutes

Monday, June 26, 2023

In Attendance

Carl Baessler, Village of Atlantic Beach
Laurence Quinn, Village of Garden City
Akiva Lubin, Village of Lawrence
Richard Pallisco, Village of New Hyde Park
Edward Lino, Town of Hempstead Deputy Town Attorney's Office

James Vilardi called the meeting to order, attendance was taken, and a quorum was established.

James Vilardi asked if everyone had reviewed the May 22, 2023 minutes and if there were any changes. Hearing none, Carl Baessler moved to approve the minutes, and Laurence Quinn second the motion.

Present at tonight's meeting in addition to the above committee members, was Assemblyman Edward Ra, Meredith Hughes of Legislator Richard Nicoletto's office and New Hyde Park resident Michael McCarthy.

James Vilardi asked Assemblyman Edward Ra to provide the committee with an update on Bill A2140 from the 21-22 Legislative Session; this Bill was to study the health effects of airplane pollution in communities surrounding the airports.

- Assemblyman Ra provided some history on this Bill, stating that it was originally to be a joint effort between Washington D.C. and the New York State Departments of Transportation and Health. Assemblyman Ra went on to provide the following timeline for this Bill:
 - 2019 - Governor Andrew Cuomo vetoed the Bill stating it needed funding.
 - 2020 - The COVID pandemic occurred so no progress was made.
 - 2021 - Governor Kathy Hochul passed the Bill allocating \$500,000 in the State budget for funding.
 - February 2022 - A chapter amendment was presented naming the New York State Department of Health as the primary agency leading the study in consultation with Washington D. C. and the New York State Department of Transportation, adding a provision stating they specifically look at asthma as a concern. The final study is due back to the Legislature March 31, 2024 (end of the State fiscal year).

Assemblyman Ra further pointed out there is only so much that can be done at the state level, as this is a federal issue. Once the study is done, we will have to lean on our federal officials for help.

Edward Lino filled Assemblyman Edward Ra in on the F.O.I.L. request the committee sent to the Port Authority of New York and New Jersey, and Assemblyman Edward Ra stated he would send a request as well. Assemblyman Ra also advised that he would send a letter to the New York State Department of

Health and request they reach out to their counterparts in the Nassau County Department of Health regarding Bill A2140.

James Vilardi asked Assemblyman Edward Ra if the Part 150 Study has been completed. Assemblyman Ra confirmed that this study was in fact completed, however, the Bill has not progressed yet due to metrics regarding a noise study with heavier weight generated on overnight flights which would then trigger mitigation efforts requiring government funding.

When asked if New York State can regulate the way planes approach airports, specifically altitude, Assemblyman Edward Ra explained that once you talk about regulating airspace, it becomes a federal issue rather than an issue at the state level.

James Vilardi asked the Assemblyman what small, incremental change we can propose at the state level to assist residents with the problem of airplane noise and resultant health effects.

- Assemblyman Ra explained that when the FAA reauthorization occurred a couple of years ago, it was hoped that the current decibel level of 65 DNL would be changed to the 55-decibel level adopted everywhere else around the world. While this is ultimately a federal issue, state and federal officials can work together to push for this change.
- At the state level we can push to use a different metric showing that a larger area of New York City into Nassau County is being impacted by noise and air pollution caused by planes, and with this area being so densely populated, more places in these communities would be eligible for federal funding for mitigation via soundproofing. Then, hopefully the expense of soundproofing such a large area would be high enough that the federal government would rather make changes to mitigate the problem rather than spending the money to soundproof affected buildings.

Carl Baessler suggested asking the Nassau County Health Department to conduct health studies in neighborhoods surrounding the airports, and perhaps put air collection machines by the noise monitors currently in place to collect exhaust from planes and examine the particles to determine how bad of a problem we have in these communities.

Laurence Quinn stated that the DNLs given to us by the Port Authority in response to the committee's F.O.I.L. request was offensive as the information provided by the FAA did not fulfil our request. Laurence Quinn further explained that US Code 49 47502 calls for the Port Authority to establish a single system for determining individuals to noise which result from the operations of an airport including noise intensity, duration, frequency and time of occurrence. We asked for raw data, and the Port Authority gave us an average – the DNL. The Port Authority is required under the above US Code to gather the information we requested, and they purposely gave us the incorrect information. Several days each month were blank on the reports we received making it impossible to figure out how these days were included in the average we received. If there are "bad days" with high levels of noise intensity, duration and frequency and this data is not included in the reports, then the average is being skewed to make the end result look better.

- Laurence Quinn further pointed out an article he saw in the *New York Times*, Science Section on June 20, 2023. The article mentioned a study where "they suspect jarring sounds that break through the ambiance, recurring jet engines, pulsating leaf blowers or brassy whistle of trains are more detrimental to health than continuous worry of a busy roadway, even if the average decibels levels are comparable." Therefore, knowing single frequency events is important. The article went on to say there is a "Swiss study that showed a higher degree of nighttime noise intermittency, or the extent to which sound events were disdistinguishable from background noise, were associated with heart disease, heart attacks, heart failure and strokes. And for every 10 decibels over 35, there is 4.3% chance of a fatal heart attack." There is information/data out there to support our committee's point of view.

- Assemblyman Edward Ra stated he would also write a letter to the New York State Department of Health and ask them to reach out to the Nassau County Department of Health on the context of this study as they must have some data.

James Vilardi asked the committee if we ever asked the Commissioner of the Nassau County Department of Health to come to a meeting. Meredith Hughes informed the committee that there is a new Health Commissioner, Dr Irina Gelman, who she did reach out to but has not heard back from her yet. Meredith Hughes will try again.

The committee discussed the pending reauthorization of the FAA, and James Vilardi suggested the committee ask our local elected (County Executive, Supervisors, Mayors) write a joint letter to our federal officials to challenge the reauthorization until they make some concessions or recognize the damage being done to residents with noise levels and air quality. Assemblyman Edward Ra stated that he will spearhead getting a letter together from this delegation.

Meredith Hughes advised that a few years ago, Nassau County tried to have a public hearing and invited the FAA and Port Authority, but their response was basically that they “do not do public hearings.”

- Carl Baessler commented that part of the problem is that the FAA and the Port Authority both blame each other - the FAA decides where the planes are going, they run TRACON, and the Port Authority plans their day based on FAA decisions. The FAA definitely calls the shots.

James Vilardi thanked everyone for attending tonight’s meeting, suggested we stay on our path to get raw data, and if they do not provide it, we may have to consider legal action to compel the FAA to provide the requested information. James Vilardi further reiterated the importance of getting the Nassau County Health Commissioner to one of our meetings as this is really a serious health and safety issue for residents.

James Vilardi asked if anyone had any items to add. Hearing none, Laurence Quinn called for the meeting to be adjourned and Akiva Lubin second the motion.

Prepared by: Carol Renta
Secretary, TVASNAC