

**Minutes of the Regular Meeting Of The
New Jersey Maritime Pilot and Docking Commission
July 19, 2016**

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, July 19, 2016 at One Penn Plaza East, Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:10 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (present); Commissioner Jacob Shisha (present); Commissioner Charles Wowkanech (present).

Approval of the June 21, 2016 Meeting Minutes

A motion was made by Commissioner Wowkanech and seconded by Commissioner Shisha to approve the minutes of the June 21, 2016 meeting minutes. All voted in favor.

Resolution #16-21 to approve the July 2016 Treasurers Report

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #16-21 to approve the July 2016 Treasurers Report. All voted in favor.

Executive Director's Report

Ms. Stuckey apologized on behalf of Captain Flannery. He was unable to attend today's meeting.

- A. Hudson River Update - Since the Commission's last meeting, there has only been one transport job completed on the Hudson River.
- B. Regulatory Update - Ms. Stuckey reported that the regulations have been revised and submitted to the Rules Office for approval. Ms. LeBoeuf advised that she believes the regulations will be ready by August.

C. Carteret Marina - Ms. Stuckey, Captains Schoenlank, Flannery, and DeCruz traveled to Carteret to meet with Mayor Reiman, the Construction Manager, Project Attorney, Chief of Police, and Fire Chief to discuss the Commission's concerns with the recreational vessels at the proposed site of the new marina.

The discussion began with the most recent incident with the wave runners that were doing donuts in front of the commercial vessels. During that incident, one of the riders fell into the water and could not get his vehicle restarted. His friend had to drag him out of the path of the vessel. Ms. Stuckey alerted the Commission that during the meeting they learned that two other similar incidents occurred. Mayor Reiman stated that the wave runners did not deploy from the Carteret public dock so the city could not be held responsible. Ms. Stuckey explained to Mayor Reiman that the Commission is only interested in finding a way to work together in the interest of public safety. Mayor Reiman expressed his desire to listen to the pilots and Commission's safety concerns.

The city officials disclosed mandatory training that would be required by the leasees as well as a stop light that would be installed. Ms. Stuckey requested that the pilots be allowed to participate in the training and offered to work with the City to establish literature that could be handed out to recreational boaters. Mayor Reiman also agreed to look into the possibility of issuing summons to violators caught impeding commercial traffic or marina rules and to update signage where necessary. The City provided Ms. Stuckey with copies of their risk assessment report, slip license agreement, municipal marina rules and regulations and the proposed vessel safety course.

Ms. Stuckey asked the pilots to review the documents and submit any recommendations to her. She will prepare a package to forward to the Contractor and Mayor Reiman. Ms. Stuckey also requested a 24 hour emergency contact number to allow the Commission to report any future violations.

Ms. Stuckey also informed the Commissioners that once the Marina is completed there are plans to construct a Ferry Terminal.

D. NJDOT Budget Discussion - Every year at the end of the fiscal year the Commission is contacted by someone from DOT stating that there are not enough funds in the operating

account to pay its May and June invoices. Ms. Stuckey goes through the process of explaining that once the funds are transmitted to DOT they are split into different pay out accounts and they should contact accounts receivable to have the funds transferred to our general expense account to cover the invoices. When the Commission was with DEP, Ms. Stuckey was able to have better control of the funds and received a statement of account each month. When the accounts were transferred to DOT, the Commission was not involved in allocating the funds to each payout account. The funds are not allocated utilizing the Commission's annual budget which is why the Commission continues to run into the same issue each year. In August, when Ms. Stuckey returns from her vacation, she will travel to DOT to meet with Ron Calderon of Budget and Management to discuss the accounts and how the Commission can be more involved with the distribution of same. They will also talk about setting up some type of system by which the Commission will receive monthly reports of what is received and what goes out to enable the Commission to have better control of its funds.

- E. Meeting with NJDEP - Thanks to Ms. LeBoeuf, Ms. Stuckey spoke to Deputy Commissioner David Glass at DEP. Ms. Stuckey explained to him the Commission's concerns about what procedures are in place in the instance of an oil spill, and what the role of the state pilot would be. He explained that handling oil spills is a joint effort, led by the Coast Guard and includes the State Police, NJDEP, and other agencies. Deputy Commissioner Glass has set up a meet and greet meeting in Trenton on August 11th for Ms. Stuckey to sit down with the respective agencies involved to discuss their response plans.
- F. Coast Guard Cutter - Ms. Stuckey has been invited to ride the Coast Guard's Tall Ship, the Cutter Eagle, into the New York Harbor on August 4th. Ms. Stuckey will be picked up at the Battery and transported to meet with the Cutter Eagle via speedboat. Ms. Stuckey is one of six people that were issued an invitation and she looks forward to participating.
- G. Raritan River Bridge Replacement - Instead of holding public meetings, New Jersey Transit has submitted a Stakeholder survey to interested parties to get their input on the project and how it may impact commercial traffic. Ms. Stuckey circulated the survey to the Presidents of the Associations and the Maritime Association for completion.

Once they are returned to her, she will put together a package and submit them. In the near future, Ms. Stuckey will have the Senior Program Manager attend one of the Commission's meetings to answer any questions the Commission may have. If anyone is interested in completing the survey or would like to see a copy of it, they are to contact Ms. Stuckey.

H. Sandy Hook Monthly Apprentice Training - Commissioners were provided with copies of the Sandy Hook Monthly Apprentice Training report. Ms. Stuckey pointed out that Apprentice Ryan Pakalik is scheduled to take his exam the week of August 15th, which is the same week of the Commission's August meeting.

I. Andrea Doria Lifeboat Launching - SUNY Maritime has restored a lifeboat from the vessel Andrea Doria and will launch it on July 30, 2016. A whole day has been planned beginning with a continental breakfast reception and ending with a tour of the Museum. There is no fee to attend, however they are accepting suggested donations of five to ten dollars to cover the breakfast and lunch. Ms. Stuckey will not be able to attend but if anyone would like to attend, please let her know and she will make the necessary reservations.

J. Port Community Festival - Ms. Montilus and Ms. Stuckey attended The Port Community Festival at the Seamen's Church Institute on July 12th. The event was scaled down from the original planning, but it was still a good event. Ms. Stuckey plans to continue to work with them in the years to come.

K. Vacation Schedules - Ms. Stuckey reported that the Commission's Summer hours started on July 1st. Ms. Stuckey's vacation plans have changed slightly. Her son has been invited to several colleges for that same week. She will be doing a lot of traveling and will not be readily available. Commissioner Shisha has volunteered to serve as the emergency contact for the week. Ms. Stuckey will also cut into her vacation to board the Eagle Cutter on the 4th. Her current schedule is as follow, she will be off Friday, July 22nd but will be available via cell and email. She will also be off and inaccessible August 1st through August 5th, with the exception of August 4th for the Eagle Cutter ride.

L. Articles of Interest:

- "McAllister Planning for the Future with Tier 4 tugs" - American Tugboat Review -regarding the 6 tier 4 tugs being built by McAllister Towing.
- "The First Transit" - Maritime Executive - regarding the First Transit of the Panama Canal.
- "Panama Canal Expansion: Safe for Carriers?" - Port Technology - regarding safety concerns in the Panama Canal.
- "PGI Intelligence: Panama Canal Safety Issues to Offset Economics Benefits" - World Maritime News - regarding safety issues in the Panama Canal and how they affect the economic benefits.
- "Port of NY/NJ Welcomes Largest Container Ship Ever at GCT Bayonne" - Port of NY/NJ Breaking Waves - Port of NY/NJ welcomes largest container ship ever at Global Container Terminal in Bayonne.
- Port Authority Bayonne Bridge Update Newsletter - Status update on the Bayonne Bridge project.

Public Comment(s)

Comment from Captain Richard Schoenlank, President Sandy Hook Pilots Association:

Captain Schoenlank advised that Captain Frank Reinbold of Metro Pilots was involved in a motorcycle accident. His injuries are not life threatening but are serious. Everyone is wishing him a quick recovery.

Captain Schoenlank thanked Ms. Stuckey for organizing the meeting in Carteret. He is concerned because the proposed marina will only be 75 feet from the shipping channel. He has read the plans submitted by Carteret and although a lot of restrictions will be put into place he is not convinced that there will be no impact on commercial traffic.

Captain Schoenlank reported that during the last week of June that he, Captains Flannery, Ellis, Blake, DeCruz, and tugboat captains went to MITAGS to set up the simulation exercises for the ULCVs. They have a good idea of the parameters needed to ensure safe and complete transport, but they are waiting to receive the MITAGS report. They will begin to work on the simulation of the 18,000 TEU vessels in August.

He also reported that last week the Port Authority faced pressure from industry to speed up the construction on the Bayonne Bridge. They asked the pilots if a reduced air gap would work to accommodate the 14,000 TEU ships. The pilots considered the request but learned that reducing the clearance to a point that is safe to navigate would only buy one to two weeks. Currently there are no plans in place just ongoing discussions.

Committee Report

A. Investigation Committee:

- I. USUGC Tampa - April 5, 2016. This incident is still under investigation.
- II. Xin Ya Zhou - May 4, 2016. Based on the findings in the investigative report, Ms. Stuckey recommended that the Commission find no fault on the part of the pilot, the file closed, and a copy of the report sent to the Coast Guard, the vessel owner, and the agent. A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to accept the recommendations. All voted in favor.

Executive Session

WHEREAS, the Open Public Meetings Act provides that a public body such as The New Jersey Maritime Pilot and Docking Pilot Commission may meet in closed session to discuss legal and personnel matters, and

WHEREAS, the Commission desires to meet in closed session to discuss such matters.

NOW THEREFORE, be it resolved that the Commission shall at this time meet in closed session to discuss such matters the substance of the closed session would be disclosed publicly only if it would not warrant an invasion of privacy or constitute a breach of the attorney client privilege.

A motion was made by Commissioner Shisha and seconded by Commissioner Dacey that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:37 AM.

Return to Public Session

A motion was made by Commissioner Wowkanech and seconded by Commissioner McEwing that the Commission return to Public Session.

All voted in favor.

The Commission returned to Public Session at 11:30 AM.

Resolution #16-22 to Approve the Request to Upgrade Captain
Kevin Walsh to a Pilot of the Fifth Grade

A motion was made by Commissioner Wowkanech and seconded by Commissioner Shisha to pass the amended Resolution #16-22 to approve the upgrade of Captain Kevin Walsh to a pilot of the Fifth Grade. All voted in favor.

Adjournment

A motion was made by Commissioner Wowkanech and seconded by Commissioner Shisha that the meeting be adjourned. All voted in favor.

The meeting was adjourned at 11:32 AM.