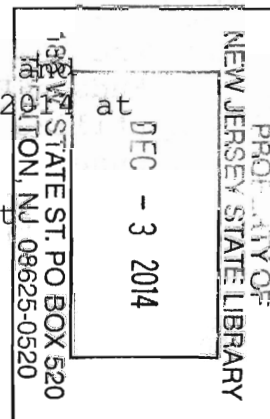


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**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot & Docking Pilot Commission
August 19, 2014**

The regular meeting of The New Jersey Maritime Pilot & Docking Pilot Commission was held on Tuesday, August 19, 2014 at One Penn Plaza East, 9th Floor, Newark, NJ 07105.

Commissioner Stapleton called the meeting to order at 10:06am.



Open Public Meetings Statement

Roll Call

Commissioner Timothy J. Dacey, present; Commissioner Brian McEwing, present; Commissioner Charles Stapleton, present; Commissioner Charles Wowkanech, absent.

Approval of the June 17, 2014 Regular Meeting Minutes

A motion was made by Commissioner Dacey and seconded by Commissioner McEwing to approve the Minutes of the June 17, 2014 regular meeting minutes.

All voted in favor.

Resolution #14-21 to Approve the June 2014 Treasurers Report

A motion was made by Commissioner McEwing and seconded by Commissioner Dacey to pass Resolution #14-21 to approve the July/August 2014 Treasurers report.

All voted in favor.

Acting Executive Director Report

Ms. Stuckey gave the following report:

A Committee was put together to help find candidates to perform occurrence investigations. The Committee which consists of Ms. Stuckey, Captain Robert Flannery, Captain Andrew McGovern and Captain Richard Schoenlank are present to answer any

questions the Commission may have about the process and introduce the top three candidates.

Ms. Stuckey met with Frank Keane the Executive Director of the New York Commission. They discussed the status of the Hudson River. The agreement between New Jersey and New York to utilize transport pilots is going well. Since the Commissions June 17, 2014 meeting Captain Nils Tribus has performed 5 transport jobs. Captain Leonard Evans began his apprenticeship on the Hudson River on June 1, 2014 and is on schedule to complete the training, receive his license and return to the New Jersey Board by January 1, 2015. He has continued to ride vessels in New Jersey on his personal time to maintain his recency. New York has appointed two new apprentices on the Hudson River.

The issue of the joint pilot card was also discussed. New York reiterated that they are not opposed to a joint card; however, since they don't have any statutory authority over Docking Pilots, they are hesitant to endorse a card that would not be statutorily correct. The New York Commissioners are willing to meet with the New Jersey Commissioners to discuss the issue and attempt to come to some type of agreement.

The Harbor Safety Tour that took place on July 30, 2014 was very informative. Those present were able to view the Sandy Hook Station House to see the status of the construction. They were also able to visit the following dredge zones: PNCT; NYCT, the Goethals Bridge and Shooters Island. Ms. Stuckey is hoping to be able to offer these types of tours as each phase of the maintenance dredging progresses.

Ms. Stuckey attended the June 18, 2014 Harbor Ops Meeting. She reported on the following items:

Captains Flannery and Schoenlank were presented with public service awards for their contributions to the MTSRU (recovery Unit) in response to Hurricane Sandy.

The Port Authority of New York/New Jersey was recognized and received an award for economic security. They were named Port Authority of the year.

Admiral Fagan has been named the new District Commander. This is especially important for New Jersey/New York. As the former Captain, of the Port she is familiar with our port and the issues faced.

The Coast Guard has assessed two civil penalties to vessels for providing incorrect air draft.

The Harbor Ops National Safety Conference will take place in Philadelphia on August 25-27, 2014; Captain Andrew McGovern will be one of the key note speakers.

Updates were given on the current dredging projects. Ms. Stuckey requested that since Captain Flannery was the Chair of the Dredging Committee he update the Commission on the status of the dredge zones.

The ILA is still experiencing a labor shortage. They were directed by the Waterfront Commission to fill 500 positions in 2014; however, only 247 new labor personnel were hired. Retirements were extended to help fill the void.

The Army Corp is still waiting to hear from the NYDEP before they can move forward on the project to remove the old water siphons.

Ms. Stuckey attended the Bergen Point dredging meeting on June 18, 2014. She reported that she was impressed by the interaction the pilots had with the Army Corp, the Coast Guard and the contractors. During the meeting an issue arose as to where to place the buoys during the dredging. This was especially important since the Coast Guard advised that the buoys would only be moved once. The pilots stepped in and told the contractors where to place the buoys so they will not hinder traffic or the dredgers and advised the Coast Guard to utilize the articulated buoys which can be moved at any time by the contractors until the project is complete.

Ms. Stuckey attended the Goethals Bridge meeting. The new bridge is being constructed south of the current bridge. Once the construction is complete the old bridge will be demolished. The construction will take place in two phases. The first phase involves the construction of the underwater towers. The towers will be built while the maintenance dredging is taking place. The contractor was to research the vibration tolerances of the material being used to construct the towers and get back to the Army Corp before they began. The second phase is the construction of the road surface. The surface will be constructed using the same method as the Bayonne Bridge. It will be lifted from barges one section at a time. The contractors intend to work from both sides of the channel eventually meeting in the middle with the final section. While this construction is going on maintenance dredging will take place. There were discussions on possible solutions i.e. close the channel during the lifts (a 4 hr. span per lift), manage traffic around the tides and currents, make the barges move on demand, limit the work hours, etc. Because there were so many people present it was recommended that a smaller working group

be put together to work out the issues and bring the solution back to the table.

The Bayonne bridge lifts are scheduled to begin in January 2016.

Captain Scott Ireland appealed the suspension imposed on him by the New York Commission. After the hearing the suspension was overturned.

Ms. Stuckey will attend the Port Ambrose Phase II Risk Assessment Workshop on September 4-5, 2014 in Staten Island.

Ms. Stuckey will attend Port Industry Day on October 7, 2014 at the World Trade Center.

Public Comment

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

Captain Schoenlank informed the Commission that during the construction of the Goethals Bridge the work being done on the New Jersey side of channel will be performed by New Jersey unions and the work being done on the New York side of the channel will be done by New York unions.

Captain Schoenlank gave the Commissioners a copy of an article regarding the Staten Island Chamber of Commerce's proposal to build a 630 foot Wheel on the St. George Waterfront. The Pilots are concerned that the wheel will attract a lot of recreational boat traffic.

The dredging in the Arthur Kill should be complete in the next month. Hopefully this will lift the draft restrictions that have been in place for the past year.

The Sandy Hook Pilots Station house has been demolished. The contractors are waiting on the permits before they can begin construction.

The new Deputy Pilot tonnage and draft regulations which became effective on July 21, 2014 have been implemented.

There have been many discussions with the Coast Guard regarding the recent Ebola outbreaks. While the Coast Guard is

trying not to bring too much attention to the issue they are paying closer attention to the conditions of the crews.

Comments from Captain Robert Flannery, President, Metro Pilots Association:

The dredging began at Bergen Point on August 19, 2014. The Coast Guard wanted to move out an extra 100 feet. They are going to utilize the smaller articulated buoys which can be moved by the Coast Guard cutters; however the cutters won't be available for two weeks.

New larger vessels coming into port are 100ft. The pilots are working closely with the tug companies to come up with recommendations on how to handle them i.e. where to meet; surge damage, etc.

Committee Reports

A. Audit Committee:

18 requests for proposals were sent to the auditors on Treasury's approved Cooperative Purchasing Participant list. Six proposals were received. The Committee met via teleconference to review the proposals on August 13, 2014. They decided to retain the services of Kayode Agunbiade & Co. based on their previous work with the Commission and their estimate.

B. Apprentice Selection Committee:

A total of 68 completed applications were received. The Committee is in the process of reviewing the applications and are hoping to cut the list down to 46. The first rounds of cuts were done and 10 persons were taken off the list. The Committee will begin interviewing in Port Newark on September 15th. The interview process will take two weeks. Because of Commission meetings and the Harbor Tour, the Committee will interview on Saturday's so no time is lost.

C. Investigation Committee:

- I. **MSC Rania** - February 2, 2014. This incident is still under investigation.
- II. **Wanderer** - March 18, 2014. This incident is still under investigation.
- III. **Chemical Provider** - May 14, 2014. Based on her report it was recommended by Ms. Stuckey that the Commission find no fault on the part of Captain O'Neill and the incident closed. A motion was made by Commissioner

- Stapleton and seconded by Commissioner Dacey to accept the recommendations. All voted in favor.
- IV. **CSAV Lonconillia** - May 16, 2014. This incident is still under investigation.
 - V. **MSC Toronto** - May 23, 2014. Based on her report it was recommended by Ms. Stuckey that the Commission find no fault on the part of Captains Wieners and Oldmixon and the incident closed. A motion was made by Commissioner Dacey and seconded by Commissioner McEwing to accept the recommendations. All voted in favor.
 - VI. **Port Richmond** - May 29, 2014. This incident is still under investigation.
 - VII. **AMI** - June 2, 2014. Based on her report it was recommended by Ms. Stuckey that the Commission find no fault on the part of Captains Paiva, Foley and Apprentice Murphy and the incident closed. A motion was made by Commissioner Dacey and seconded by Commissioner McEwing to accept the recommendations. All voted in favor.
 - VIII. **STI Beryl** - June 14, 2014. This incident is still under investigation.
 - IX. **CMA CGM Matisse** - July 8, 2014. This incident has been tabled pending the receipt of the Class Report from the Coast Guard.
 - X. **Global Oriole** - July 25, 2014. Based on her report it was recommended by Ms. Stuckey that the Commission find no fault on the part of Captains Clifford and Basciano and the incident closed. Commissioner Dacey noted that the report should be amended on the first page in the Summary section, last sentence of the first paragraph as noted..."where the vessels was safely anchored." A motion was made by Commissioner Dacey to accept the recommendations as amended. The motion was seconded by Commissioner McEwing. All voted in favor.

Resolution #14-22 to Select an Auditor to perform Audits for
FY14 and FY 15

A motion was made by Commissioner Dacey and seconded by Commissioner McEwing to pass Resolution #14-22 to accept the recommendation of the Audit Committee to retain the firm of Kayode Agunbiade & Co to perform an audit of the Commissions accounts for FY14 and FY15. All voted in favor.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 11:29am.

Resolution #14-23 to Upgrade Captain K. Walsh

A motion was made by Commissioner Dacey and seconded by Commissioner McEwing to approve Resolution #14-23 to upgrade Captain Kevin Walsh to a Pilot of the Sixth Grade Part B.

All voted in favor.

Discussion Re: Accident Investigators

Ms. Stuckey and the Committee members explained the process by which they came up with the job description, the recommended compensation and the interview process. The Committee also determined that each candidate chosen would need to attend the Marine Accident Investigators Course at the NTSB. They recommended that the Commission appoint the top three candidates to make sure someone will always be available. The Committee members then answered questions from the Commissioners.

The top three candidates, Captains Glen Strathern, Tina Vanderploeg and Mark Clark were introduced to the Commission. They each gave the Commissioners a summary of their background and qualifications.

Ms. Stuckey advised the Commissioners that she would continue to complete the reports for the routine power losses and bridge strikes and the investigators would be called in to work on the cases that required extensive review. She will work with counsel to draft a contract for each to sign and set up the necessary training. As part of their orientation each candidate will ride ships with New Jersey State licensed pilots to familiarize themselves with the port. Ms. Stuckey will also bring each candidate to the Coast Guard for a meet and greet with their investigative team and a tour of VTS.

The Commissioners agreed to the process and thanked Ms. Stuckey and the Committee for a job well done.

Adjournment

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

The meeting was adjourned at 11:46am.