

**Minutes of the Regular Meeting of The  
New Jersey Maritime Pilot & Docking Pilot Commission  
February 19, 2008**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, February 19, 2008 at One Penn Plaza East, 9<sup>th</sup> Floor, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:15am.

Pledge of Allegiance

Open Public Meeting Statement

Roll Call

Commissioner Timothy J. Dacey, present; Commissioner Thomas F. Daly, present; Commissioner Stanley E. Wiklinski, present; Commissioner Charles Wowkanech, present; Commissioner Richard L. Amster, present; Commissioner Joseph Azzolina, present.

Minutes of Prior Meetings

On a motion by Commissioner Daly and seconded by Commissioner Wiklinski that the minutes of the January 15, 2008 regular meeting was approved. All voted in favor.

Treasurers Report

On a motion by Commissioner Azzolina and seconded by Commissioner Wowkanech that the Treasurer's report dated February 2008 was approved.

All voted in favor.

Executive Directors Report

Mr. Licata informed the public that due to technical difficulties the agenda was not posted on the website, however, copies are available at the front desk.

Mr. Licata welcomed Captain Andrew McGovern, the new President of the New Jersey Sandy Hook Pilots Association, to the meeting.

Mr. Licata welcomed Captain Kevin Gadow to the meeting. Captain Gadow is a licensed Docking Pilot currently on a medical leave of absence.

The Commissioners were given a copy of correspondence from Interport Pilots indicating Captain Richard Jermak's completion of his apprentice training program and his readiness to sit for his state licensing exam.

The Commissioners were given a copy of correspondence from Sandy Hook regarding the new apprentices that will be called into duty in 2008.

The Commissioners were given a copy of correspondence from Sandy Hook's Apprentice Selection Committee regarding the beginning of the Maritime Pilot apprentice selection process.

The Commissioners were given a copy of Sandy Hook's Monthly Apprentice Report. Joseph Paulis is scheduled to sit for his state exam March 10-14, 2008.

The Commissioners were given a copy of the agenda from the January 16, 2008 Harbor Ops Meeting. Mr. Licata pointed out the following items: (1) The AK Bridge Operation update - this issue is temporarily resolved, however, funding needs to be identified so that VTS can continue to coordinate the openings and closings of the bridge. The Commissioners were given copies of correspondence that was sent to New Jersey's congressional delegation signed by Commissioner Dacey supporting the funding of this effort; (2) Verrazano Bridge Air Gap Update - the air gap sensors are scheduled to be installed by the beginning of April; and (3) TWIC Enrollment Update - the cards are being issued. Mr. Licata and Mr. Dacey are scheduled to apply for their TWIC cards this afternoon.

The Commissioners were given a copy of a press release from the Governors office regarding the Appointment of Edward J. McBride, Jr. as his new Chief Counsel.

The Commissioners were given copies of the Joint Statement of the Port Authority of New York & New Jersey; the State of New Jersey, DOT; the State of New York, Empire State Development Corporation; and the New York City Economic Development Corporation regarding the U.S. Army Corps of Engineers Appropriations for fiscal year 2009. As in previous years the Commission will endorse the statement.

Captains Jack McCarthy and Alan Braendly are currently out on sick leave. Captains Christopher Weiss and Kevin Gadow have taken a leave of absence.

One application has been received for the Docking Pilot Apprentice Training Program. Mr. Licata expects to receive at least one more.

Mr. Licata has been in contact with representatives from the State of New York and the U.S. Coast Guard to set up an MOA that will formalize accident investigation procedures. The MOA is currently being drafted.

Report from Captain Andrew McGovern - President, The New Jersey Sandy Hook Pilots Association:

On March 4, 2008 Senator Lautenberg's Committee will hold a hearing in DC on Pilotage.

Captain McGovern and Captain Flannery received notice from the U.S. Coast Guard to come to a meeting on Friday, February 22, 2008 regarding the AKRB. Neither is able to attend and the meeting will be rescheduled. The legal department of the Coast Guard has determined that VTS can no longer coordinate the operation of the bridge. The pilots plan to inform the Coast Guard that VTS must continue to coordinate the operation of the bridge in order for it to continue to be successful.

The pilots are working with Steven's Institute on the surge issue in the Port Jersey Channel. They are trying to put a current meter by the 26 Buoy.

The pilots are trying to establish a relationship between the Harbor Ops Committee, NOAA and Stevens Institute. Currently each entity is working on the same data collection and distribution issues, however, none seem to have enough funding.

Certain container ship companies and cruise ship companies are getting together to pool funds to pay for simulator exercises at Stevens Institute.

The American Pilots Association has notified the Captain of the Port of their concerns regarding ships with dead slow ahead speeds that are unusually high.

Report from Captain Robert Flannery President, Metro Pilots Association:

Center Point Terminals is attempting to extend the pier so they will not have to dredge. The Pilots are not in support of this decision and believe that it would be unsafe to do so. The necessary permits have not yet been applied for. They will keep

the Commission abreast of the progress so that the Commission can comment at the appropriate time.

The pilots expect to have the footprints with soundings from oil terminals within the next couple of weeks.

The Coast Guard is looking at expanding the anchorages in the North River to the New Jersey side of the channel. They are hoping this will open up some of the anchorages in the Upper Bay and alleviate overcrowding in the North.

The Coast Guard has placed buoys in Graves End Bay to mark mid depth anchorages.

Metro's docking pilots will participate in the MOB drills aboard Moran's tugboats at least once a week.

#### Committee Reports

##### B. Investigation Committee:

- I. ***M/V Zim Xiamen*** - 11/7/07 - Allision. This incident is still under investigation by Commissioner Daly and has been carried.
- II. ***President Truman*** - 1/17/08 - Lines Parted. This incident is still under investigation by Commissioner Dacey and has been carried.
- III. ***My Julietta*** - 1/20/08 - Engine did not Respond. Based on the attached investigation report, Commissioner Daly recommended that the pilot be issued a letter on non-culpability. A motion was made by Commissioner Wowkanech and seconded by Commissioner Amster to accept the recommendation. All voted in favor.
- IV. ***M/V Orange Sun*** - 1/24/08 - Collision. The Commission was provided a preliminary incident report by Commissioner Daly. This incident is currently under investigation by the Commission, the U.S. Coast Guard and the NTSB and has been carried.
- V. ***M/V Sapphire Ray*** - 1/27/08 - Power Loss - this incident is still under investigation by Commissioner Dacey and has been carried.

#### Old Business

The public comment period for the proposed safety regulations will expire on March 7, 2008. To date only one comment has been received.

### 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 personnel and litigation matters.

WHEREAS, the Commission desires to retire to 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.

A motion was made by Commissioner Wiklinski and seconded by Commissioner Daly that the Commission go into Executive Session. All voted in favor.

The Commission took a ten-minute break at 11:05am.

### Return to Public Session

A motion was made by Commissioner Amster and seconded by Commissioner Daly that the Commission return to Public Session. All voted in favor.

The Commission returned to Public Session at 12:10pm.

### Upgrade of Pilots

A motion was made by Commissioner Amster and seconded by Commissioner Wiklinski that Captain Elizabeth A. Miller be promoted from a Pilot of the Fifth Grade to a Pilot of the Fourth Grade effective February 19, 2008. All voted in favor.

A motion was made by Commissioner Amster and seconded by Commissioner Daly that Captain Thomas O. Ferrie be promoted from a Pilot of the Sixth Grade to a Pilot of the Fifth Grade A effective March 12, 2008. All voted in favor.

A motion was made by Commissioner Amster and seconded by Commissioner Wiklinski that Captain Michael J. Vanek be promoted from a Pilot of the Fifth Grade Part A to a Pilot of the Fifth Grade Part B effective March 15, 2008. All voted in favor.

### Adjournment

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

The meeting was adjourned at 12:15pm.