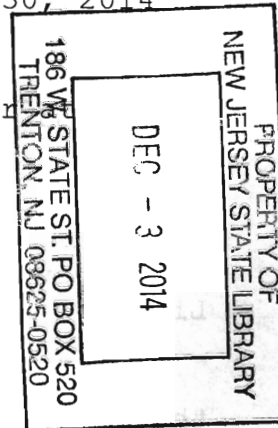


974905
m232

**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot & Docking Pilot Commission
January 30, 2014**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, January 30, 2014 at One Penn Plaza East, 9th Floor, Newark, NJ 07105.

Commissioner Stapleton called the meeting to order 10:17am.



Pledge of Allegiance

Open Public Meeting Statement

Roll Call

Commissioner Timothy J. Dacey, present; Commissioner Brian McEwing, present; Commissioner Charles Stapleton, present; Commissioner Charles Wowkanech, present (via teleconference).

Election of Officers

A motion was made by Commissioner McEwing to nominate Commissioner Stapleton as President; Commissioner Dacey as Vice President; Commissioner Wowkanech as Treasurer and Commissioner McEwing as Secretary. The motion was seconded by Commissioner Dacey.

All voted in favor.

Minutes of Prior Meetings

A motion was made by Commissioner Dacey and seconded by Commissioner McEwing that the minutes of the December 17, 2013 meeting be approved.

All voted in favor.

Treasurers Reports

A motion was made by Commissioner Wowkanech and seconded by Commissioner Dacey to pass Resolution #14-01 to approve the January 2014 Treasurers Report.

All voted in favor.

Executive Director's Report

Captain Sarubbi informed the Commission that Apprentice Karl Gadow passed his state licensing exam. There is a resolution on today's agenda for the Commission to vote on issuing him a license. If the resolution is passed, he will appear at the Commission's February 18, 2014 meeting for his final review before being sworn in as a New Jersey State Licensed Docking Pilot.

The Harbor Ops meeting was cancelled this month because of the weather.

The crews of Sandy Hook's Pilot Boat America and New York were involved in a rescue. The Tug Sea Lion capsized and the crew members were in the water. Three of the four men were retrieved from the water by the crew of the America. The fourth was retrieved out of the water by a nearby recreational vessel. The America became disabled when both its propellers were filed with lines from the tug. The four men were transferred onto the New York and provided blankets and first aid until the Coast Guard arrived. The pilots were interviewed by the Channel 7 News team. The Commissioners were given the pilots report on the incident and reviewed the news footage courtesy of Channel 7.

The Commissioners were given a copy of the current Casualty Investigations Log. Captain Sarubbi informed the Commissioners that all but two of the incidents that occurred in 2013 were closed. He also pointed out that the numbers of incidents were down 40% from 2012. Also, the number of bridge strikes went down from 10 in 2012 to 4 in 2013.

The Commissioners were also provided with two charts. The first broke the incidents down by type. The biggest type of incident in 2013 was due to loss of power or steering. The second chart broke the incidents down by cause. The largest factor was due to mechanical failure. The second largest factor was due to human error on the part of the ships crews. Only 2 of the 19 incidents that occurred in 2013 involved pilot error.

Captain Sarubbi pointed out that overall New Jersey State Licensed pilots have an outstanding safety record.

The Commissioners were given the final copy of the FY13 Audit. The audit will be placed on the Commission's Website and a copy will be sent to the State Comptroller's office.

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

The cancelled Harbor Ops meeting will not be rescheduled. The Committee will meet again in March 2014.

Metro Pilots Association held their annual elections. The officers are as follows: Captain Robert Flannery, President, Captains Timothy Nilsen and Doug Mattson, Board Members.

The Docking Pilots and Maritime Pilots will participate in a 2-week simulation exercise in Vicksburg in March for the dredging project at Port Newark Container Terminal.

Dredging continues in the Arthur Kill Elizabethport Reach contract area. As the dredging approaches the Arthur Kill Railroad Bridge the channel will become severely restricted and create a hazard to navigation. Because of this there will be restriction periods implemented from February 3, 2014 to March 15, 2014. There will be alternating 48 hour periods of restricted navigation and open navigation.

Comments from Captain Richard J. Schoenlank, President, Sandy Hook Pilots Association:

Captain Schoenlank gave the Commission an update on the draft restrictions and maintenance dredging for the Arthur Kill north of Woodbridge Creek and Ward Point Bend West.

Captain Schoenlank spoke about the station boats rescue of the four crew members aboard the sinking tug Sea Lion. He provided the Commission with copies of a thank you letter Sandy Hook received from Wittich Brothers Marine, the owners of the tug Sea Lion.

Captain Schoenlank informed the Commission that the new Apprentice Selection Process will take place in 2014. He requested that the ads be placed in the two trade publications with an application deadline of April 15, 2014.

Captain Schoenlank asked the Commission if he could speak with them during Executive Session regarding a personnel matter.

Committee Reports

A. Investigation Committee:

- I. **Flagship Privet** - June 4, 2013. This incident was discussed in Executive Session.
- II. **Berlin Express** - December 8, 2013. Based on his investigation, Captain Sarubbi recommended that the Commission find no fault on the part of Captains Speiser and Farrel and the incident closed. A motion was made by Commissioner Dacey and seconded by Commissioner McEwing to accept the recommendation. All voted in favor.

Resolution #14-02 to Approve the Issuance of a License to Docking Pilot Apprentice Karl Gadow

A motion was made by Commissioner Dacey and seconded by Commissioner McEwing to pass Resolution #14-02 to approve the issuance of a license as a New Jersey State Docking Pilot to Apprentice Karl Gadow.

All voted in favor.

Captain Gadow will appear at the Commission's February 18, 2014 regular meeting to be sworn in.

Resolution #14-03 to Adjust Pilotage Fees

A motion was made by Commissioner Dacey and seconded by Commissioner McEwing to pass Resolution #14-03 to adjust the pilotage fees to 1.5% effective May 1, 2014.

All voted in favor.

Resolution #14-05 to Propose Amendments to the Commission's Regulations

Captain Sarubbi advised the Commission that he and DAG Schwartz met with Nicole Crifo and members of the Governor's policy office to go over the proposal. In light of the amendment to put an expiration date on the Docking Pilot Apprentice Selection List the Policy Office recommended that the Commission send a letter to the current persons on the list informing them of the change. DAG Schwartz drafted a letter to the affect which was circulated to the Commissioners. The Commissioners agreed that the letter would be a good idea.

A motion was made by Commissioner Dacey and seconded by Commissioner McEwing to approve Resolution #14-05 to propose amendments to the Commission's regulations.

All voted in favor.

Members of the public were advised that the Proposed Rules would be published in the New Jersey Register with a 60-day comment period.

Old Business

A. Working Group to Review Sandy Hook Apprentice Selection Medical Criteria:

Captain Sarubbi reminded the Commission that they advised Sandy Hook to utilize the Physician's Certification form as a tool to help insure applicants report all medical conditions. Captain Schoenlank expressed his concern to the Commission about utilizing the form. He felt as if some of the applicants may not be able to get the form completed in time due to their work schedules and that it may be at an additional cost. The Commission thanked him for his comments and directed staff to monitor the process and report to them if there are any issues.

B. Joint Pilot Card:

There is nothing new to report.

C. Review of Rule Proposal:

The Resolution to approve the proposal was passed earlier in the meeting.

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 Dacey and seconded by Commissioner McEwing that the Commission goes into Executive Session.

All voted in favor.

The Commission took a break at 10:50am.

Return to Public Session

A motion was made by Commissioner Dacey and seconded by Commissioner McEwing that the Commission returns to Public Session. All voted in favor.

The Commission returned to Public Session at 12:04pm.

Upgrade of Pilot

A motion was made by Commissioner Dacey and seconded by Commissioner McEwing to pass Resolution #14-04 to approve the upgrade of Captain Karen Basciano from a Pilot of the Sixth Grade Part A to a pilot of the Sixth Grade effective March 1, 2014.

All voted in favor.

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 12:05pm.