

**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot & Docking Pilot Commission
February 16, 2010**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, February 16, 2010 at One Penn Plaza East, 9th Floor, Newark, NJ 07105.

Commissioner Daly called the meeting to order at 10:00am.

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, absent.

Minutes of Prior Meetings

A motion was made by Commissioner Wowkanech and seconded by Commissioner Dacey that the minutes of the January 19, 2010 regular meeting be approved.

All voted in favor.

Treasurers Report

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech that the Treasurer's report dated February 2010 be approved.

All voted in favor.

Executive Directors Report

The Commissioners were given a copy of the list from the Governor's Appointments Office of their new appointment/expiration dates.

The Commissioners were given a copy of the ad that was published in the March edition of the ***Professional Mariner*** magazine for the maritime pilot apprentice training program.

Mr. Licata informed the Commission that the closing date for receiving applications is April 15, 2010.

Commissioner Daly would like the Commission to revisit the idea of not assigning an apprentice to either New Jersey or New York until they are in the "Stopped Up" phase of their apprenticeship. Mr. Licata has been in preliminary discussions with Sandy Hook regarding this issue and will follow-up with Frank Keane from the New York Commission.

The Commissioners were given a copy of the Sandy Hook Monthly Apprentice Training Report.

The Commissioners were given a copy of the agenda from the January 20, 2010 Harbor Ops Meeting. Mr. Licata attended the meeting and pointed out that the Bayonne Bridge issue was a major topic of discussion. The next meeting is scheduled for March 17, 2010.

The Commissioners were given a copy of a letter Mr. Licata sent to the New DOT Commissioner Simpson inviting him to stop by and visit the Commission's offices. Mr. Licata informed the Commission that Commissioner Simpson is a trustee of Sailors Snug Harbor. Commissioner Daly said that Commissioner Simpson was also a member of the St. Lawrence Seaway Advisor Board.

Commissioners were provided copies of E.O. #2 which establishes new guidelines and procedures for rule proposals.

The Commissioners were given a copy of an article from the Star Ledger regarding the passing of a resolution by the Assembly Committee calling for the Port Authority of New York and New Jersey to formulate engineering and funding solutions for the Bayonne Bridge.

Mr. Licata informed the Commission that he received a call from Captain Robert Ellis, President, Harbor Pilots of NY/NJ, LLC informing him that Captain Paul Harris tendered his resignation effective May 1, 2010 and that they are almost ready to recommend that Apprentice Mark Hershey sit for his state licensing exam.

Public Comment

Comment from Ed Kelly, Executive Director, the Maritime Association of the Port of NY/NJ:

The first ever joint conference of the Harbor Ops and Area Maritime Security Committees will be June 8-10, 2010 at the Hyatt in Jersey City, NJ. They anticipate approximately 350

attendees. They are looking at local funding sources. The following items will be addressed at the conference: Dredging Coordination; Best Practices and Apprentice Workshops.

The Harbor Ops Sub Committee is moving forward to establish operational safety paths.

The Maritime Association is offering its Shipping 101 course April 12-16, 2010.

The issue of the Bayonne Bridge has gotten to the point where people are realizing that it represents a problem. The Port Authority has zero dollars in their capital expense budget. The Coast Guard is on board with the idea of modifying it into a lift bridge as a temporary fix.

The funding for the OMN official NOAA system is no longer in the Federal budget. Mr. Kelly is heading to DC this afternoon to meet with representatives to try to find a way to get the funding re-appropriated.

Comment from Captain John Bates, Senior Docking Pilot, Metro Pilots Association:

The **MSC Tomiko** came into the port recently. Captain Flannery was the inbound pilot and Captain Gadow was the outbound pilot. There were no issues.

The dredging in the Con Hook Range will begin on March 3, 2010.

Four pilots from Metro took the two day course in Bridge Management Resource that was approved by the Commission at its December 15, 2009 regular meeting.

Report from Captain Robert Britton, Pilot, The United New Jersey Sandy Hook Pilots Association:

Liberty Natural Gas Company is proposing a one way pipe line across the Raritan Bay. They have informed the pilots that they will work to make sure there is limited impact on the maritime industry once the work begins.

Mr. Licata sits on the Harbor Ops Energy Committee and informed the Commission that this is one of four LNG proposals on the table and that the likelihood of any of the projects coming to fruition is slim. He feels that until they are further along there is no need to discuss them in detail.

The dummy purchased by the Commission for Sandy Hook to use in their man overboard drills was lost at sea. The Commission expressed their desire to have Sandy Hook replace the dummy.

The Apprentice Selection Committee will meet with the psychologist that tests all new applicants in March.

The pension surcharge did well this month.

Comment from Genevieve Boehm Clifton, Manager, Maritime Resources:

Stevens Institute had a successful meeting with some of the pilots regarding the work they are doing on the NAVSAFE system. Maritime Resources is looking to set up training for pilots on the system. She will be in touch with Mr. Licata for the help of the Commission's office to coordinate the training.

Committee Reports

A. Apprentice Selection Committee:

The new process has begun and applications are being accepted. Commissioner Wiklinski expressed his pleasure at being able to serve on the Committee for another term. It is time consuming but he sees it as an honor to be able to interview young people that are qualified, eager and ready for the challenge of becoming a pilot. He feels that it is unfortunate that some politicians don't understand the importance of the service the Committee and the Commission provides to the State of New Jersey.

B. Investigation Committee:

I. **APL Beijing** - 12/3/09 - (TFD) - Allision. Based on the attached Interim Report, Commissioner Daly recommended that the investigation remain open until additional information is received and that the Executive Director issue a reminder to all New Jersey state licensed maritime pilots that the Commission's regulations require them to preserve the track of the entire passage of a vessel if the vessel is involved in an incident. A motion was made by Commissioner Dacey and seconded by Commissioner Wiklinski to accept the recommendations in the report. All voted in favor.

II. **APL Agate** - 1/22/10 - (TFD) - Engine Shut Down. Based on the attached investigation report, Commissioner Daly recommended that the incident be closed and the pilot issued a letter of non-culpability. A motion was made by Commissioner Dacey and seconded by

Commissioner Wowkanech to accept the recommendations in the report. All voted in favor.

Resolution #10-01 to approve the FY09 audit

Commissioner Daly reported that he and Commissioner Dacey met with the auditor and reviewed the 09 Financials.

A motion was made by Commissioner Dacey and seconded by Commissioner Amster to pass Resolution #10-01 to approve the FY09 audit. All voted in favor.

Old Business

Commissioner Dacey expressed the opinion that both New Jersey and New York Governor's will have to "push" the Port Authority on the Bayonne Bridge issue as it is a bi-state agency.

New Business

There is still one applicant on the Docking Pilot Apprentice Selection list. There has been no request from the docking pilot organizations to begin another round of interviews. The next open selection process is scheduled for 2011.

A draft of the 2009 Annual Report will be available for review at the March 16, 2010 regular meeting. Commissioner Daly recommended that, for cost reduction reasons, the report be printed in-house this year with a letter sent to all legislatures informing them that it is available if they would like to request a copy. The report will also be published on the Commission's Website.

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 matters.

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.

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

All voted in favor.

The Commission took a ten minute break at 11:00am.

Return to Public Session

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech 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 Dacey and seconded by Commissioner Amster that Captain Elizabeth Miller be promoted from a Pilot of the Third Grade to a Pilot of the Second Grade effective February 19, 2010. All voted in favor

A motion was made by Commissioner Dacey and seconded by Commissioner Daly that Captain Thomas Ferrie be promoted from a Pilot of the Fifth Grade to a Pilot of the Fourth Grade effective March 12, 2010. All voted in favor

A motion was made by Commissioner Wowkanech and seconded by Commissioner Dacey that Captain Michael Vanek be promoted from a Pilot of the Fourth Grade to a Pilot of the Third Grade effective March 15, 2010. All voted in favor

Adjournment

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

The meeting was adjourned at 12:13pm.