

**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot & Docking Pilot Commission
July 17, 2012**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, July 17, 2012 at One Penn Plaza East, 9th Floor, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 11:10am.

Pledge of Allegiance

Open Public Meeting Statement

Roll Call

Commissioner Timothy J. Dacey, present; Commissioner Charles Stapleton, present; Commissioner Stanley E. Wiklinski, absent; Commissioner Charles Wowkanech, present.

Minutes of Prior Meetings

A motion was made by Commissioner Wowkanech and seconded by Commissioner Stapleton that the minutes of the May 15, 2012 regular meeting be approved.

Ms. Crifo asked that the minutes be amended on page 12 under the section entitled "Discussion Re: Executive Director Job Description." The seventh paragraph should be deleted and replaced with the following: "She stated her agreement to act as a Liaison."

All voted in favor of the minutes as amended.

Treasurers Reports

A motion was made by Commissioner Stapleton and seconded by Commissioner Wowkanech that the Treasurer's report dated June 2012 be approved.

All voted in favor.

A motion was made by Commissioner Stapleton and seconded by Commissioner Wowkanech that the Treasurer's report dated July 2012 be approved.

All voted in favor.

Resolution #12-11 to Approve the Recurrent Training Program of
the Sandy Hook Pilots Association

Captain Sarubbi has reviewed the attached Recurrent Training Program of the Sandy Hook Pilots Association and has recommended that the Commission approve it. He asked Captain Andrew McGovern to give the Commission a brief description of the Coach/Assessor Training segment of the 4.5 day course.

A motion was made by Commissioner Stapleton and seconded by Commissioner Wowkanech to pass Resolution #12-11 approving the recurrent training program of the Sandy Hook Pilots Association.

All voted in favor.

Resolution #12-12 to Approve the Recurrent Training Program of
Interport Pilots Association

Captain Sarubbi has reviewed the attached Recurrent Training Program of Interport Pilots Association and has recommended that the Commission approve it.

A motion was made by Commissioner Wowkanech and seconded by Commissioner Stapleton to pass Resolution #12-12 approving the recurrent training program of Interport Pilots Association.

All voted in favor.

Resolution #12-13 to Approve the Joint Recurrent Training
Program of Metro Pilots Association and McAllister Pilots
Association

Captain Sarubbi has reviewed the attached Recurrent Training Program of Metro Pilots Association and McAllister Pilots Association and has recommended that the Commission approve it.

A motion was made by Commissioner Stapleton and seconded by Commissioner Wowkanech to pass Resolution #12-13 approving the joint recurrent training program of Metro Pilots Association and McAllister Pilots Association.

All voted in favor.

Resolution #12-14 to Approve a Contract with Maritime
Information Systems, Inc.

Captain Sarubbi and Ms. Stuckey have reviewed several companies that can provide the AIS software needed to aid in the review of marine occurrences. They have identified Maritime information Systems, Inc. as the best source to provide the AIS software based on its competitive pricing and unique capability to recreate marine occurrences.

A motion was made by Commissioner Stapleton and seconded by Commissioner Stapleton to pass Resolution #12-14 to enter into a contract with Maritime Information Systems, Inc.

All voted in favor.

Resolution #12-15 to Approve the training request of Executive Director, Captain Jonathan Sarubbi

Captain Sarubbi has identified several courses at MITAGS that would aid him in the performance of his duties as Executive Director. The Commissioners were given a copy of the Syllabus for each course for their review.

A motion was made by Commissioner Stapleton and seconded by Commissioner Wowkanech to pass Resolution #12-15 to approve the training request of Captain Sarubbi.

All voted in favor.

Consideration of Training Grant Request from the Sandy Hook Pilots Association

After discussion, staff has been advised to prepare a resolution for the Commissions August 21, 2012 regular meeting for the Commission's vote.

A. Investigation Committee:

- I. **M/V Imari** - October 28, 2011 - Allision. This incident has been carried.
- II. **Stolt Innovation** - November 4, 2011. Allision with barge Witte 1402. Captain Sarubbi recommended that Captain Blair be issued a Cautionary Letter for his actions in this incident. He also recommended that the Commission find no fault on the part of Captain Flanders. A motion was made by Commissioner Stapleton and seconded by Commissioner Wowkanech to accept the recommendations. All voted in favor.
- III. **Maersk Wiconsin** - December 5, 2011 - Collision with Ruth Reinhauer. This incident has been carried.
- IV. **Stolt Confidence** - January 10, 2012 - Allision with Berth 25 Port Newark. Captain Sarubbi recommended that a Cautionary letter be issued to Captain Blair for his actions in this incident. A motion was made by Commissioner Stapleton and seconded by Commissioner Wowkanech to accept the recommendations. All voted in favor.

- V. **Piltene** - April 15, 2012 - Soft Grounding at Hess Port Reading. Captain Sarubbi recommended that the Commission find no fault of the part of Captain Clifford and that a copy of the Opinion & Order be sent to the Harbor Operations Committee and Hess Terminal Port Reading. A motion was made by Commissioner Stapleton and seconded by Commissioner Wowkanech to accept the recommendations. All voted in favor.
- VI. **Cape Wrath** - April 20, 2012 - Allision with Bayonne Dry Dock. Captain Sarubbi recommended that the Commission find no fault on the part of Captain Sondergaard but he be issued a Cautionary Letter for his failure to notify the Commission of the occurrence pursuant to N.J.A.C. 16:64-8.6. After a brief discussion, this issue has been tabled and will be discussed in Executive Session.
- VII. **Carnival Miracle** - April 28, 2012 - Soft Grounding at Manhattan Cruise Terminal. Captain Sarubbi recommended that the Commission find no fault on the parts of Captains Clifford & Schoenlank and that a copy of the Opinion and Order be sent to the Harbor Operations Committee and the New York City Economic Development Corporation. A motion was made by Commissioner Wowkanech and seconded by Commissioner Stapleton to approve the recommendations. All voted in favor.
- VIII. **CSAV Pyrenees** - May 21, 2012. Allision with Bayonne Bridge/Ship's Radio Antenna. Captain Sarubbi recommended that the Commission find no fault on the parts of Captains Wieners and Keating. A motion was made by Commissioner Wowkanech and seconded by Commissioner Stapleton to accept the recommendations. All voted in favor.
- IX. **NYK Clara** - June 1, 2012. Allision with Bayonne Bridge/Ship's Security Alert System Antenna. Captain Sarubbi recommended that the Commission find no fault on the parts of Captains Flannery and Vanek. A motion was made by Commissioner Wowkanech and seconded by Commissioner Stapleton to accept the recommendations. All voted in favor.
- X. **NYK Clara** - June 1, 2012. Allision with Bayonne Bridge/Ship's Security Alert System Antenna. Captain Sarubbi recommended that the Commission find no fault on the part of Captain Nilsen. A

motion was made by Commissioner Stapleton and seconded by Commissioner Wowkanech to accept the recommendations. All voted in favor.

- XI. ***Wilson Saga*** - June 9, 2012. Allision with the Brooklyn Navy Yard Wet Berth. Captain Sarubbi recommended that the Commission find no fault on the parts of Captains Hershey and Quinn. A motion was made by Commissioner Stapleton and seconded by Commissioner Wowkanech to accept the recommendations. All voted in favor.
- XII. ***Chrysoula S*** - June 23, 2012. Soft Grounding at Berth 28 Port Newark. This incident has been carried.
- XIII. ***Nord Sea*** - July 5, 2012. Loss of Steering. Captain Sarubbi recommended that the Commission find no fault on the parts of Captains Miller and Keating. A motion was made by Commissioner Stapleton and seconded by Commissioner Wowkanech 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 personnel and legal 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 or constitute a breach of the attorney client privilege.

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

All voted in favor.

The Commission went into Executive Session at 11:47am.

Adjournment

The meeting was abruptly adjourned at 12:00pm due to a lack of a quorum.