

**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot & Docking Pilot Commission
June 15, 2010**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, June 15, 2010 at One Penn Plaza East, 9th Floor, Newark, NJ 07105.

Commissioner Daly called the meeting to order at 10:05am.

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, absent; Commissioner Richard L. Amster, present.

Minutes of Prior Meetings

A motion was made by Commissioner Amster and seconded by Commissioner Wiklinski that the minutes of the May 18, 2010 regular meeting be approved.

All voted in favor.

Treasurers Report

A motion was made by Commissioner Daly and seconded by Commissioner Amster that the Treasurer's report dated June 2010 be approved.

All voted in favor.

Executive Directors Report

The Commissioners were given a copy of the back to work authorization for Captain William Blake. Captain Blake was out on medical leave for thirty days and completed the necessary break-in trips.

The Commissioners were given a copy of a memo issued by Captains Andrew McGovern and Hank Mahlmann to all United New Jersey Sandy Hook Pilots reminding them that it is only

acceptable to use the information supplied by the pilot plug when it is not possible to set up the Raven DGPS component.

The Commissioners were given the agenda for the upcoming June 16, 2010 Harbor Ops Meeting. This will be the last meeting attended by Captain Robert O'Brien. Mr. Licata will attend the meeting.

The Commissioners were given the agenda for the upcoming June 17, 2010 AMSC Meeting. Mr. Licata will attend the meeting.

Mr. Licata, Commissioner Daly and Ms. Stuckey attended the first joint AMSC and Harbor Ops Conference in Jersey City, NJ. The Commission was one of the main sponsors of the conference. There were over 300 persons in attendance. The conference provided excellent networking opportunities and good information was exchanged. Mr. Licata thanked Ms. Stuckey for her work in putting together a literature table. He also thanked Captain Andrew McGovern for a well put together program.

Mr. Licata received a copy of a memo to all cabinet heads requesting them to submit their plans to the Governors office in the case of a state shut down pending the passing of the state budget. The Commission authorized Mr. Licata to send a letter to Commissioner Simpson reminding him of the essential services provided by this Commission and the importance of having at least one Commissioner and the Executive Director on duty at all times.

The Commissioners were given a copy of an article from NJ.com regarding the Bayonne Bridge.

The Commissioners were given a copy of a flyer regarding the upcoming port wide City of Water Day.

The Commissioners were given a copy of an article from the Professional Mariner regarding licensing, and the mariner's increasing need for legal counsel.

Mr. Licata will be on vacation the week of June 21, 2010.

Public Comment

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

The Harbor Ops Committee sent a letter to the NOAA requesting that the Regional Navigation Manager that was reassigned be

replaced. The Committee suggested that NOAA look for a civilian to fill the position on a more permanent basis.

The pilots are carefully watching the fishing and sight seeing pier in Carteret to make sure the city does not try to use it for other purposes. It is a good meeting place for vessels and any other use of the pier could present safety and security issues.

Captain McGovern informed the Commission that the pilots have chosen to replace their current DGPS's with the newer model from the same company. Once they are finished with the negotiations they will give the Commission a demonstration of the new units.

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

The cutter dredgers will begin on the Conn Hook Range next week. The dredgers are not move on demand and while the work is in progress the range will be a no meeting, no passing zone, however, the work will be done in half the time.

The pilots are anticipating problems with the Port Authority's voluntary low sulphur fuel program. They feel that the older vessels engines are not designed to handle the low sulphur fuel and may experience shut downs, speed reductions, etc.

Commissioner Daly pointed out that the state of California mandates that in some ports tractor tugs escort tankers in case of a power loss or other unforeseen incidents. He suggested that the State of New Jersey (DEP) taking into account potential federal preemption issues, look further into the issue to see if it makes sense to require ships to have tractor tug escorts on hand in the KVK or AK in case of any issues with low sulphur fuel, other power losses or rudder failure.

Comment from Genevieve Clifton, Manager, Maritime Resources:

Ms. Clifton informed the Commission that Carteret currently has a ferry slip application in the system. To date it has not been approved. She has tried persuading them to meet with regulatory bodies before moving forward with no success. She will advise the Commission if and when permits are on the table. At that time it would be appropriate for all interested parties to weigh in on the issue.

NOAA is going to be moving toward some sort of partnership model to include the Steven's Institute data on tides and currents on it's web site.

Resolution to Approve FY11 Budget

A motion was made by Commissioner Dacey to table the voting on the FY11 Proposed Budget pending the passing of the state budget. He also suggested that since the state budget proposes a drastic decrease in the Commission's expenses and, since the Commission is not a taxing agency that raises revenue for the state, any decrease in expenses should be offset by a decrease in revenue. Therefore the proposed FY11 budget should be revised. The motion was seconded by Commissioner Amster. All voted in favor.

Proclamation and Resolution Honoring Captain Robert O'Brien

Captain Robert O'Brien will retire as the COTP on June 24, 2010. The attached proclamation was prepared by the Commission to honor Captain O'Brien for his dedicated service to the ports of New Jersey/New York. A motion was made by Commissioner Daly and seconded by Commissioner Wiklinski to approve Proclamation and Resolution # 10-05. The Proclamation will be presented to Captain O'Brien at the Changing of Command Ceremony in Staten Island on June 24, 2010.

Committee Reports

A. Investigation Committee:

- I. **Eagle Baltimore** - April 7, 2010 - Line parted on tug while approaching dock (TJD). Based on the attached investigation report, Commissioner Dacey recommended that the incident be closed and the pilot issued a letter of non-culpability. A motion was made by Commissioner Amster and seconded by Commissioner Wiklinski to accept the recommendations in the report. All voted in favor.
- II. **M/V Ambassador** - April 11, 2010 - Accidental release of anchor (TFD). This incident is still under investigation and has been carried.
- III. **Zhong Ji** - April 23, 2010 - Power loss (TJD). This incident is still under investigation and has been carried.

Old Business

Commissioner Wiklinski distributed a copy of the list of qualified applicants for the Sandy Hook apprentice selection list. He pointed out that out of the 50 applicants 10 of them

are 27 years old. He feels that this list contains a stellar field of applicants and he is looking forward to the interview process that will begin in September, 2010. The interview process will take approximately ten days.

During Executive Session at the May 18, 2010 regular meeting a docking pilot pointed out to the Commission that while piloting a Navy vessel with a maritime pilot he looked at the pilots DGPS and noticed that the laptop gave a position of about 300 feet different from the ships actual position. Commissioner Daly looked further into the issue and learned that the laptop was plugged into the ships system and was therefore, receiving data from the ships system not the Raven system.

During the May 18, 2010 meeting the Commission was informed that a pilot received a letter from the Coast Guard indicating his Coast Guard physical was not cleared. The Commission authorized the E.D. to advise the pilot that his license was suspended until such time as he received confirmation from the Coast Guard that his physical had been accepted. Immediately following the meeting a call was placed to the Coast Guard at which time the Commission was advised that the physical had been cleared and written notice had been sent to the pilot.

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 Amster that the Commission go into Executive Session.

All voted in favor.

The Commission took a break at 11:05am.

Return to Public Session

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

The Commission returned to Public Session at 11:50am.

Adjournment

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

The meeting was adjourned at 11:53am.