

**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot & Docking Pilot Commission
September 20, 2011**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, September 20, 2011 at One Penn Plaza East, 9th Floor, Newark, NJ 07105.

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

Pledge of Allegiance

Open Public Meeting Statement

Roll Call

Commissioner Dacey informed the public that Commissioner Daly was representing the Commission at the Table Top Exercises being conducted by the Area Maritime Security Committee and will join the meeting late.

Commissioner Timothy J. Dacey, present; Commissioner Thomas F. Daly, present; Commissioner Charles Stapleton, present; Commissioner Stanley E. Wiklinski, present; Commissioner Charles Wowkanech, present.

Minutes of Prior Meetings

A motion was made by Commissioner Stapleton and seconded by Commissioner Wowkanech that the minutes of the August 16, 2011 regular meeting be approved.

All voted in favor.

Treasurers Report

A motion was made by Commissioner Stapleton and seconded by Commissioner Wowkanech that the Treasurer's report dated September 2011 be approved.

All voted in favor.

Executive Directors Report

Mr. Licata informed the Commission that the monthly rent per the Consumer Price Index for FY 2012 has been increased to \$66 per month.

The Commissioners were given a copy of the memo that went out to all New Jersey State Licensed Pilots and Registered Apprentices regarding the dredging project at Shooters Island. The New York Board is considering sending the same type of memo.

The Commissioners were given a copy of a letter from Interport Pilots informing them that Scott Esposito has completed his apprenticeship and is ready to sit for his state licensing exam. The exam has been scheduled for October 5, 2011 and Commissioner Wiklinski will proctor the exam.

The Commissioners were given a copy of Captain Frank Boslet's notice of appeal regarding his recent DUI conviction.

The Commissioners were given a copy of a letter from the Department of Homeland Security appointing Captain Andrew McGovern to the Merchant Marine Personnel Advisory Committee.

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

The Commissioners were given a copy of an article from the Journal of Congress on a recent rise in container traffic.

The Commissioners were given a copy of an article from the Maritime Administration regarding public meetings being held by MARAD regarding the Panama Canal Expansion Study and America's Marine Highway Program.

The Commissioners were given a copy of an article from the Professional Mariner Re: Ship Owners calling for freedom to choose armed guards.

Mr. Licata announced his pending retirement effective January 1, 2012. His letter of resignation was read into the record.

Public Comment

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

Captain Flannery informed the Commission that the Harbor Ops Committee will hold its first meeting on September 21, 2011 since it recessed for the summer.

Captain Karl Gadow recently appointed an apprentice for Metro Pilots has begun to ride ships.

The dredging projects are going well.

Comments from Captain Richard Schoenlank, Vice President, New Jersey Sandy Hook Pilots Association:

Captain Schoenlank congratulated Mr. Licata on his pending retirement and wished him luck in the future.

Captain Schoenlank gave the Commission a report on the activities surrounding the closure of the port during the weekend of Hurricane Irene.

Comments from Ed Kelly, President, The Maritime Association of the Ports of New York & New Jersey:

He will be attending the public meeting being held by MARAD on September 27, 2011 regarding the Panama Canal Expansion and the Marine Highway Program.

Comments from Ms Genevieve Clifton, NJ Marine Trades Program Manager, Office of Maritime Resources:

New Jersey and New York had an on-site meeting with the EPA to analyze the issues and effects of the Vessel General Permit regulations. The meeting went very well and all have a better understanding on how the Black Water and Grey Waters systems work on ships. They plan to have on-site meetings with cruise vessels in the near future. The goal of the meetings is to better deal with the EPA regulations and to get the two states on the same page moving forward.

The Harbor Safety Video project on Operation Clear Channel is moving forward. The Coast Guard pieces of the presentation will be released first. The others will be released by next summer.

Committee Reports

A. Investigation Committee:

- I. **Eagle Baltimore** - June 18, 2011 - Surge caused lines to part on tank barge. Based on the attached investigation report Commissioner Daly recommended that the incident be closed and copies of the report be sent to U.S. Coast Guard and the President of the Sandy Hook Pilots Association. A motion was made by Commissioner Wowkanech and seconded by Commissioner Stapleton to accept the recommendations in the report. All voted in favor.

- II. **President Jackson** - August 31, 2011 - Allision with Bayonne Bridge. This incident has been carried.
- III. **Maersk Wyoming** - September 6, 2011 - Power Loss. This incident has been carried.
- IV. **M/V Grande Guinea** - September 7, 2011 - Power Loss. 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 Wowkanech and seconded by Commissioner Wiklinski to accept the recommendations in the report. All voted in favor.

Resolution #11-15 to Appoint Alexander Woodworth a Docking Pilot
Apprentice

The Commission received a letter from Interport Pilots Agency, Inc. requesting to call Alexander Woodworth from the Apprentice Selection List.

Captain Bettinelli reported that Captain Woodworth has been doing great work with Interport Pilots and already has most of his Federal license extensions.

Captain Woodworth gave the Commission a brief description of his background and expressed his appreciation at being able to work in a career that he loves.

A motion was made by Commissioner Wiklinski and seconded by Commissioner Wowkanech to approve Resolution #11-15 to appoint Captain Alexander Woodworth into the Interport Pilot Agency's apprentice training program. All voted in favor.

Captain Woodworth was presented with a Certificate of Appointment by Commissioner Dacey.

Resolution #11-16 to approve the FY10 Audit

The Audit Committee met with the auditors and reviewed the FY 10 Audit. Commissioner Dacey reported that the audit was clean with no problems identified. The Committee recommended that the Commission approve the FY10 audit and authorize the Commission's staff to distribute it as necessary and publish it on the Commission's website.

A motion was made by Commissioner Dacey and seconded by Commissioner Wiklinski to accept the recommendations of the Audit Committee to pass Resolution #11-16 to approve the FY10 audit. All voted in favor.

Old Business

Mr. Licata reported on the following items:

Ship Information Recording System - No change.

Status of MOA with U.S. Coast Guard - No change.

Minutes & Records Digitizing - No change.

Publish Berth Soundings on Commission Website - The site will be up and running shortly. Mr. Licata expects to receive a submission from the Port Authority at the Harbor Ops meeting on September 21, 2011. Once the site is operating, the pilots will be given the password to access the information.

Pilot Recency - Two comments were received. After reviewing them Mr. Licata recommended to the Commission that the proposal be passed with one minor change by adding the words "or observer" to give the pilots some flexibility in how they handle their workload. If the Commission agrees he will prepare the necessary paperwork for the October meeting.

Purchase of Live Ships Real Time Position Information - Mr. Licata has been in touch with one vendor. He is currently researching other vendors. Commissioner Daly pointed out that if other vendors could not provide archival information, then the information would be useless for accident investigations.

New Business

The date of the October meeting falls on the same day as Port Industry Day which will be held at Liberty State Park. A number of the persons that normally attend the Commission's regular meeting will be in attendance. In order to make it easier for everyone to attend Commissioner Stapleton has made arrangements for the Commission to utilize the conference room at the Liberty Science Center for the October 18th meeting. The Commission had agreed to hold its October 18, 2011 regular meeting at 1:00pm at the Liberty Science Center. The staff was directed to publish the necessary notices and to make the necessary arrangements.

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, legal and investigation 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 Stapleton and seconded by Commissioner Wowkanech that the Commission go into Executive Session.

All voted in favor.

The Commission took a break at 10:51am.

Return to Public Session

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

The Commission returned to Public Session at 12:15pm.

Upgrade of Deputy Pilot J.R. Britton to a pilot of the Sixth Grade Part B.

A motion was made by Commissioner Daly and seconded by Commissioner Wowkanech to promote James R. Britton to a Pilot of the Sixth Grade Part B to become effective October 1, 2011.

All voted in favor.

Adjournment

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

The meeting was adjourned at 12:16pm.