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**Minutes of the Regular Meeting Of The
New Jersey Maritime Pilot and Docking Commission
November 9, 2016**

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Wednesday, November 9, 2016 at Seamen's Church Institute, 118 Export Street, Port Newark, NJ 07114.

Commissioner Dacey called the meeting to order at 10:10 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (present); Commissioner Jacob Shisha (present); Commissioner Charles Wowkanech (absent).

Approval of the September 20, 2016 regular Meeting minutes

A Motion was made by Commissioner McEwing and seconded by Commissioner Shisha to approve the Minutes of the September 20, 2016 meeting minutes. All voted in favor.

Resolution #16-29 to approve the October/November 2016
Treasurers Report

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #16-29 to approve the October/November 2016 Treasurers Report. All voted in favor.

Executive Director's Report

Ms. Stuckey welcomed Al Hawkins to the meeting. Mr. Hawkins is serving as the Commissions temporary Board Administrator.

- A. Updates on Regulations - At the direction of the office of Administration Law, amendments were made to the summary section. The amendments were meant to let the reader know exactly what the changes were made. The Commission was granted a 6 month extension and the new expiration date is May 9th. Ms. Labeouf informed the Commission at a previous meeting that if no changes were made, they did not have to resubmit the proposal for approval. After a conversation with Tom Harris at the office of Administrative Law, Ms. Stuckey was advised that the Governor's Office required all authorities to resubmit the final proposal. Ms. Labeouf confirmed that even if no changes were made, the final proposal will have to be resubmitted. However, the process is quicker.
- B. FY 2016 Audit - In the interest of getting the audit completed by the end of the year, the Authorities Unit has agreed to allow the Commission to move forward and accept the recommendations of the Audit Committee. Additionally, the President will appoint an Evaluation Committee in January and the Commission will follow the procedures outlined in Executive order 122 moving forward.
- C. Hudson River Update - Ms. Stuckey reported that Captain Nils Tribus has completed 2 transport jobs and Captain Len Evans completed 3 transport jobs on the Hudson River.
- D. Kayaker Incidents - A number of recent incidents involving kayakers have prompted the Coast Guard to take a closer look at this issue. Commander Chuck Wolfe, has reached out to both Commissions to request feedback on any issues reported by pilots. The pilots were extremely helpful in getting the information to Ms. Stuckey, and she was able to put together a summary of recent incidents for submission to the Coast Guard. Captain Wolfe will keep the Commission updated on the issue and any suggestions they come up with on how to prevent kayakers from disrupting commercial traffic.
- E. Raritan River Bridge Replacement Public Information Session - The Commissioners were given a copy of the presentation that was given at the public hearings. Ms. Stuckey did not attend as the bridge replacement will have minimal impact on commercial traffic. She reminded the Commission that the pilots completed a survey for N.J. Transit to point out any issues they would have with the project. Because the area is not widely used, the community would like to see the

parameters remain intact with minimal change. The lead engineer will come to one of the Commission's future meetings to discuss this project and answer any questions the Commission may have.

- F. Connie Awards - The Sandy Hook Pilots Association will be presented a lifetime achievement award from the Containerization and Intermodal Institute. Ms. Stuckey stated that the award will be presented on December 5, 2016 during a luncheon at the Newark Club. Ms. Stuckey will attend, and extended the invitation to the Commission.
- G. Tappansee Bridge - The deconstruction plan of the existing bridge will have a major impact on the navigational channel, especially during the cutting and lowering phase of the center span. During the main channel closures, the west channel will remain open and will be properly marked with a contingency plan. It has been recommended that NOAA conduct all surveys to ensure accuracy. Meetings will continue until a concrete plan is in place. Deconstruction is expected to begin around March 17, 2017.
- H. Docking Pilot Apprentice Selection Process - Although several people have called to inquire about the program, to date, only one application has been received. After the deadline date of December 16, 2016, the Committee will review the applications, select the ones to be interviewed and set interview dates.
- I. Sandy Hook Educational Cruises - Sandy Hook will conduct two educational cruises, to be held on November 14 and November 28, 2016. The first will occur on the Raritan River and the second will take place on the Hackensack and Passaic Rivers. The Commissioners were advised to let Ms. Stuckey know if anyone was interested in attending.
- J. Discussion with DOT re: Budget - Ms. Stuckey has not been able to meet with the DOT to discuss the appropriations of the Commission's funds. She will continue to reach out to them with the hopes of having the issue resolved by early 2017.
- K. Port Industry Day - The theme of Port Industry Day was "a reflection on the past a glimpse into the future." There were two panel discussions. The first were veterans who spoke of their experiences in helping to build and shape

the Industry, while the second consisted of current ship owners, agents, terminal operators and pilots who talked about how they are preparing for the future, specifically the cargo that will arrive with the Ultra Large Container Vessels. Commissioner Carmine Raggucci from the New York Commission was on the first panel and gave a very interesting presentation. Captain Rick Shoenlank was on the second panel and did a great job. Unlike the other panelist, he spoke a little about the changes in the channel and why the Ultra Large Container Vessels were coming and what the pilots are doing to prepare for their arrival. In Ms. Stuckey's opinion, it was the best presentation of the day.

- L. Stats - The Commissioners were given the stats for container volume during the month of August, and the change in volume from 2015-2016. Ms. Stuckey thanked Ed Kelly and the Maritime Association for providing the information.
- M. Ice Meeting - The Coast Guard will hold an industry ice meeting on November 18, 2016 at the Father Capodanno Chapel in New York at 10:00am. Ms. Stuckey plans to attend and will report back to the Commission at the December meeting.
- N. Staff Meeting - Ms. Stuckey held her quarterly staff meeting with the investigators on November 2, 2016. The topic of discussion was keeping all occurrences up to date, and the implementation of a system to rotate assignments. They also spoke about highlighting one of the investigators in the Annual Report, sharing their experiences in conducting investigations and working with the Commission.
- O. Harbor Ops - The next Harbor Ops meeting will be held on November 17, 2016 at Fort Wadsworth. Ms. Stuckey was unable to attend the September meeting because of her participation in the apprentice selection interviews. She asked Captain Flannery, Captain Shoenlank and Ed Kelly if they have anything to report from the meeting.
- P. Simulation Exercise - The Commissioners were given a copy of a memo from Captain Schoenlank, advising that as of November 7 the pilots have begun to travel to MITAGS, to attend the simulation exercises for the ultra large container vessels. Additionally, the memo points out that they will each attend one day of training for the new port pilot units. The Commissioners were reminded that

initially, when the subject of the simulation exercises and the fact that all pilots would participate was discussed, they agreed that the training would satisfy the recurrent training requirements currently due to be updated. Ms. Stuckey will send a memo to each Association reminding them of the fact and requesting that each pilot send a copy of their certificate upon completion of the course. The only group of pilots that would need to submit a recurrent training plan is Interport. Their pilots will not attend the simulation exercises because they are not expected to pilot on the ultra large container vessels.

Q. APA - Captain Andrew McGovern was campaigning for the position of President of the APA. He did not win the election and Jorge Viso from Tampa Bay Pilots Association is the new President and Eric Neilson from Maryland was re-elected as Vice President.

R. Vacation Schedule - Ms. Stuckey informed the Commission that she is faced with the option of taking vacation time or forfeiting it. Beginning November 25, 2016, which is the day after Thanksgiving, she will take the following days off November 25th, December 2, 9 and 16th. Additionally, since it is the slowest time of year she will take vacation time beginning December 21st, which is the day after the December board meeting until January 2nd. During that time, Mr. Hawkins will be in the office. However, she will check in and be available via cell phone and email.

S. Articles of Interest:

- "Mid-Hudson News Network-Hudson River Anchorage Hearings" - Maritime Professional - Panama Canal launches incentives for cleaner shipping.
- "Maritime Global News" - Ship operating costs set to rise.
- "Maritime Executive" - Hyundai bids for Hanjin in late 2017.
- "Port Authority" - Bayonne Bridge Update.
- "Maritime Professional" - Odffjell to build a record sized stainless steel chemical tanker.

Public Comment (s)

Comments from Captain Rick Shoenlank, Sandy Hook Pilots Association:

Captain Shoenlank attended the APA annual meeting. Information was shared in reference to the ULCV'S, and how each association plans to handle them. He also informed the Commission that the Coast Guard physicals will soon have to be submitted every five years, but the pilots will still be required to take yearly physicals.

The first class of pilots went to MITAGS for the simulation exercises. Ms. Stuckey plans to attend in the future.

The pilots have begun to use the new generation of computers. The new computers are tablets and not laptops. To date, there have been three training classes for the tablets.

Comment from Captain Robert Flannery, President Metro Pilots Association:

Captain Flannery felt that the Coast Guard's assessment could have been more specific.

Doram Port has begun to receive vessels. They met with the pilots to ensure all appropriate parameters were in place.

Due to recent surge issues at Buckeye Terminal, the oil Terminal Roundtable meetings will reconvene. The COTP will send a letter to all the terminals urging them to participate.

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Comments from Ed Kelly Executive Director Maritime Association:

Mr. Kelly informed the Commission that he was on a two day panel at the Metro Club participating in the PAWSA safety assessment. Captain Flannery attended also. The first day, was spent on risk assessment. The second was spent on mitigations already in effect. Although he believes our ports did well, the written report is not yet available.

The Right Whale restrictions are back in effect.

Buckeye Terminal had a problem with surge causing a vessel to be pulled away from the pier and a 60ft line was damaged. There was no personal damage or spills.

A member of the Goethals Bridge construction team met with the Harbor Ops Steering Committee, to talk about the deconstruction

of the current bridge. There will be certain time periods where the air gap will be reduced. The Maritime Association will work with them to circulate the information.

The Shipping 101 course will begin on November 14th at 1210 Corbin Street. There are still open slots for persons wishing to attend.

Comments from Captain Lou Bettinelli, President Interport Pilots Association:

Captain Bettinelli had nothing further to add and felt that a lot of good information was covered. He will be sending an apprentice to apply for the apprentice training program.

Resolution #16-30 to Approve 2016 Audit

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #16-30 to approve an auditor to perform the FY 2016 Audit. All voted in favor.

Resolution #16-31 to Approve meeting dates for 2017

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #16-31 to approve meeting dates for 2017. All voted in favor.

Resolution #16-32 to Approve the Maritime Pilot Apprentice Selection List

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #16-32 to approve the Maritime Pilot Apprentice Selection List. Ms. Stuckey sent out a memo with the agenda that provided a summary about each applicant's background. Any questions on a specific candidate can be discussed in Executive Session. She recommended that the list be approved as presented. The New York Commission has already approved the list and appointed the number one candidate.

All voted in favor.

Committee Reports

A. Pension Surcharge Committee: Commissioner Shisha reported that a review of the accountant and actuary reports showed that the current fund is substantial; and there is no need

to make any adjustments at this time. The Committee has tentatively scheduled a follow up meeting for December 20, 2016 to revisit the issue.

B. Investigation Committee:

- I. **Northern Jubilee** - Based on the investigators report, Ms. Stuckey recommended that the Commission find no fault on the pilots and the file closed. A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to accept the recommendations. All voted in favor.
- II. **Disney Magic** - This incident is still under investigation.

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

All voted in favor.

The Commission went into Executive Session at 10:54 AM.

Return to Public Session

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha that the Commission return to Public Session.

All voted in favor.

The Commission returned to Public Session at 11:51 AM.

Adjournment

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

Meeting adjourned at 11:53 AM.