

**Minutes of the Regular Meeting of The  
New Jersey Maritime Pilot & Docking Pilot Commission  
August 16, 2011**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, August 16, 2011 at One Penn Plaza East, 9<sup>th</sup> Floor, Newark, NJ 07105.

Commissioner Daly called the meeting to order at 10:13am.

Pledge of Allegiance

Open Public Meeting Statement

Roll Call

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 Wiklinski that the minutes of the July 19, 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 August 2011 be approved.

All voted in favor.

Executive Directors Report

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

Mr. Licata informed the Commission that the comment period for the Currency Rule Proposal will expire on September 3, 2010. To date no comments have been received.

The Commissioners were given copies of the 2010 Annual reports for New Jersey and New York.

The Commissioners were given a copy of an article from Nola.com regarding the new inspection program that the Coast Guard is establishing for towing vessels. Mr. Licata pointed out that the new program may have an impact on operations within the port.

The Commissioners were given a copy of an article from the Professional Mariner Magazine re: the Coast Guard and the EPA agreeing on ship emission enforcement rules.

### Public Comment

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

Captain McGovern informed the Commission that the pilots are not pleased with the information received from Port authority re: soundings. They were informed at a roundtable meeting in July that the lawyers are responsible for holding the submissions up.

There is a 571 page rule proposal regarding licenses. There will be a meeting in DC on Labor Day weekend to discuss the proposal.

The VTS Committee met prior to the simulation exercises in Vicksburg regarding dredging in the vicinity of Shooters Island. The Committee recommended a number of restrictions to be put into place for the exercises.

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

The simulation exercises in Vicksburg focused on wind, length and draft restrictions. The channel can currently accommodate vessels of 600 feet at slack water. The pilots would like to see 650 foot vessels permitted at slack water.

Comments from Captain William O'Neill, Metro Pilots Association:

During the dredging of the channel near Shooters Island it is down to 250ft of usable space going into Howland Hook. It is a very tight fit.

During the simulation exercises for the next phase, the pilots were able to get through the dredge zone with some restrictions. The pilots had to be extremely cautious with no room for error.

The exercises were simulated the way the Army Corp wanted to do the project. The pilots went back with different alternatives. It is a work in progress.

### Committee Reports

#### A. Investigation Committee:

- I. **Faust** - March 10, 2011 - Allision with Buoy - Based on the attached investigation report Commissioner Daly recommended that the incident be closed and a copy of the report be sent to Metro Pilots and the pilot. A motion was made by Commissioner Wowkanech and seconded by Commissioner Dacey to accept the recommendations in the report. All voted in favor.
- II. **Oleander** - May 5, 2011 - Allision - 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 Wowkanech and seconded by Commissioner Stapleton to accept the recommendations in the report. All voted in favor.
- III. **Eagle Baltimore** - Surge caused lines to part on tank barge. This incident has been carried.
- IV. **T/V Mare Caribbean** - July 24, 2011 - Allision with AK Rail Road Bridge. Based on the attached investigation report Commissioner Daly recommended that the incident be closed, the pilot issued a letter of non-culpability and a copy of the report be sent to the U.S. Coast Guard. A motion was made by Commissioner Dacey and seconded by Commissioner Stapleton to accept the recommendations in the report. All voted in favor.
- V. **Amalthea** - August 3, 2011 - Allision with AK Rail Road Bridge. Based on the attached investigation report Commissioner Daly recommended that the incident be closed, the pilot issued a letter of non-culpability and a copy of the report be sent to the U.S. Coast Guard. A motion was made by Commissioner Dacey and seconded by Commissioner Stapleton to accept the recommendations in the report. All voted in favor.

#### Appointment of Docking Pilot Apprentice Karl Gadow

Mr. Licata reported that Karl Gadow is one of the candidates on the recently adopted Docking Pilot Apprentice Selection List. He is a very strong candidate and comes highly recommended by the Committee for appointment into the Docking

Pilot Apprentice Training Program. Metro Pilots has submitted a request to appoint him into their training program.

A motion was made by Commissioner Wiklinski and seconded by Commissioner Dacey to approve Resolution #11-13 to appoint Captain Karl Gadow into the Metro Pilots Association's apprentice training program. All voted in favor.

Captain Karl Gadow was presented with a Certificate of Appointment by Commissioner Daly.

Captain Gadow thanked everyone for giving him the opportunity to work in an industry that he loves and gave the Commission a summary of his background and qualifications.

Approval of the Renewal of Atlantic City Licenses for New York Pilots Thomas Newman and Cornelius Keating

Captain McGovern explained to the Commission that there are four pilots that currently hold Atlantic City Licenses. Two of them are New Jersey pilots and the Atlantic City extensions are on their New Jersey State Licenses. The other two are New York licensed pilots and historically the Commission has renewed these licenses every five years. Although there has not been any activity on the Atlantic City route within the past year with the impending wind farms and the sale of Donald Trump's marina to Steve Wynne an increase in traffic is anticipated. He also pointed out that all the pilots that are currently licensed for this route are over the age of 55 and the issue may have to be revisited soon due to anticipated retirements. Captain McGovern also assured the Commission that before any of the licensed pilots will be allowed to take a vessel on the route, he would send them down with a launch to perform refamiliarize trips.

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech to pass Resolution #11-14 to approve the renewal of the Atlantic City licenses for Captains Thomas Newman and Cornelius Keating.

All voted in favor.

Request from Sandy Hook Re: Pilot Training

A request was received from Sandy Hook requesting the Commission to provide funding for a New Jersey apprentice pilot to attend an Emergency Shiphandling - Bridge Resource Management for Pilots course at MITAGS in October 2011. Captain McGovern explained that every apprentice that is stopped up will have to undergo this training prior to sitting for their state exam. The tuition for the course is \$3395.00 and Sandy Hook feels that the addition of the shipboard simulation training greatly

strengthens the course and is excellent training for soon to be pilots.

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech to approve a training grant in the amount of \$3395 to send a New Jersey apprentice pilot to attend an Emergency Shiphandling - Bridge Resource Management for Pilots course at MITAGS.

All voted in favor.

#### Consideration of MOA Re: Apprentice Changes

Sandy Hook has approached both Commissions to seek the redesignation of apprentice pilots Timothy Murray and Christine Razukas. Both apprentices are interested in piloting on the Long Island Sound Board. The redesignation of these apprentices would eliminate the need for them to have dual licenses. The MOA would also redesignate NY Apprentices Leonard Evans and Kevin Walsh to the New Jersey Board.

A motion was made by Commissioner Dacey and seconded by Commissioner Stapleton to approve the MOA with New York regarding the redesignation of apprentices.

All voted in favor.

#### Old Business

Mr. Licata reported on the following items:

Ship Information Recording System - This issue is still being researched.

Status of MOA with U.S. Coast Guard - No change, MOA is currently in limbo.

Minutes & Records Digitizing - Archives has informed the Commission that they cannot perform the work. They will recommend someone from the list of vendors approved by the Division of Purchasing and Property.

Publish Berth Soundings on Commission Website - The Commissioners were shown a presentation of how the password protected portion of their website will be structured. Once the disclaimer is finalized staff will begin to publish soundings on the website. Once it is up and running the pilots will be given the username and password needed to enter the site.

Pilot Recency - The comment period on the proposed rules expires on September 7, 2011.

Purchase of Live Ships Real Time Position Information - Mr. Licata is currently researching this issue.

#### 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 Dacey and seconded by Commissioner Stapleton that the Commission go into Executive Session.

All voted in favor.

The Commission took a break at 11:15am.

#### Return to Public Session

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

The Commission returned to Public Session at 12:30pm.

#### Adjournment

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

The meeting was adjourned at 12:31pm.