



# The New Jersey Maritime Pilot and Docking Pilot Commission 2010 Annual Report 162nd Edition

**Editor:**  
**Andre M. Stuckey**





**Commissioner Joseph Azzolina**  
**January 26, 1926—April 15, 2010**

*The flood may bear me far,  
I hope to see my Pilot face to face  
When I have crossed the bar.*  
A.L. Tennyson

Commissioner Joseph Azzolina, mariner, statesman, philanthropist and a member of the New Jersey Maritime Pilot and Docking Pilot Commission crossed the bar on April 15, 2010.

As a United States Naval Officer, in times of war and peace, Commissioner Joseph Azzolina, rising to the rank of Captain, served his nation with honor and distinction.

As an elected representative of the people of the State of New Jersey, Senator and Assemblyman, Commissioner Azzolina devoted his time and energy for the betterment of his fellow citizens. Commissioner Azzolina was a valued member of the New Jersey Maritime Pilot and Docking Pilot Commission.

The Commissioners honored the legacy of Commissioner Joseph Azzolina for an exemplary life of high achievement, distinction, and service to his country fellow man, and the citizens of the State of New Jersey.



**Commissioner Richard L. Amster**  
**Retired, July 1, 2010**

Commissioner Richard L. Amster retired in July after more than 30 years of service as a member of the Commission. He served his country with honor and distinction as a United States Navy combat line officer aboard ship in the Pacific theater during World War II. After his war time service was completed Commissioner Amster embarked upon a legal career and has been a highly regarded member of the bar for more than fifty years.

Commissioner Richard L. Amster is believed to be the longest serving Commissioner in the 173 year history of this Commission, having been first nominated by then Governor Thomas Kean in January 1980 and continuing his service until his retirement in July 2010.

During Commissioner Richard L. Amster's "watch" as a distinguished member of this Commission and his time as its president he was respected and admired by his fellow Commissioners, staff, and pilots alike for his wise counsel, maritime knowledge and tireless efforts towards ensuring a safe and efficient pilotage service.

Upon his retirement the Commission extended to Commissioner Amster its best wishes...*For Fair winds and Following Seas.*

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Dear Governor and Members of the New Jersey Legislature,

The Commission ends 2010 with only four of our six authorized members. Commissioner Joseph Azzolina, Sr. passed away this year. Commissioner Richard L. Amster retired after serving more than thirty years as a Commissioner. Both gentlemen were United States Navy officers who served the country during times of war. Their maritime expertise and wise counsel will be missed.

The Commissioners met with the new United States Coast Guard (USCG) Captain of the Port (COTP), Captain Linda Fagan. Navigational safety is a collaborative effort among pilots, Commissioners, and the USCG. The Commissioners look forward to working with Captain Fagan and her staff.

Pilots licensed by the state continue to enjoy a world-wide reputation for excellence. In aid of maintaining this level of expertise, the Commissioners review all incidents that occur when a New Jersey licensed pilot is conducting the navigation of a ship. These "post mortem" studies enable the Commission to order remedial action, if needed. The science of vessel accident investigation has been greatly enhanced by recent regulations which require that vessels be equipped with Voyage Data Recorders. These so called black boxes record among other things, the speed, course, rudder angles, and conversations on a vessel's bridge. The data is downloaded to a computer and studied by the Commissioner designated to investigate the incident.

The Commission continues to operate on funds derived from pilotage revenues. The section of this report entitled "Overview of the Commission" provides a more detailed description of the multiple tasks that are shouldered by Commissioners in the performance of their duties.

Sincerely,

Thomas F. Daly, President  
New Jersey Maritime Pilot and Docking Pilot Commission

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## Overview of the Commission

This Commission was formed in 1837 to license and regulate the pilots who are in charge of the navigation of seagoing vessels as they enter the Port of New Jersey/New York, maneuver within the port, and depart the port. There is currently a cadre of eighty-four pilots and apprentices regulated by this Commission. The Commission is an “in but not of” agency located within the NJDOT. There is also a six member New York Commission of Pilotage which licenses an additional forty-three of the Port’s pilots. Similar in structure to the N.J. Commission, the N.Y. Commission’s paid members also have maritime backgrounds.

The six New Jersey Commission members are nominated by the Governor and, with the advice and consent of the Senate, serve three year terms. The Commission is bipartisan—the applicable statute mandates that not more than three Commissioners can be members of the same political party. The statute also requires that Commissioners “shall be selected from among such persons as have been officers in our naval, Coast Guard or merchant service, or have been duly qualified as United States Merchant Marine Officers.” No member shall have a direct or indirect financial interest in pilotage service. All salaries and expenses of the Commission are paid from revenues received from N.J. licensed pilots. Consequently, there is no cost to taxpayers.

In 2004 there was a significant expansion of the scope of the Commission’s responsibilities which was occasioned by post 9/11 maritime security and safe navigation issues. The Commission brought these concerns to the attention of the legislature and drafted legislation which was ultimately enacted into law. These reforms have enhanced security and the quality of pilotage.

Pilots licensed by the State of New Jersey pilot in excess of 10,000 vessels annually. A significant percentage of these ships are heavily laden with bunker oil. Many exceed 900’ in length. In the case of tank vessels, their cargoes may consist of millions of gallons of petroleum based products, including highly volatile fuels. There are chemical tankers which transport toxic and explosive chemicals. High value cargoes are carried on container-ships. Mishaps have the potential to cause widespread death and destruction, as well as substantial interruption to the region’s economy. The pilots licensed by the New Jersey and New York Commissions enjoy an enviable safety record.

In addition to attending regular and special meetings, the Commissioners’ have a myriad of duties including but not limited to: accident investigation, apprentice pilot selection,

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production, administrating and grading of pilot exams, review and approval of apprentice training, and recurrent training programs. Because the Commission can convene as a tribunal of experts in the field, it hears and adjudicates penalty actions. Absent this expertise, these matters would have to be referred to an Administrative Law Judge. This would both delay the process and increase the attendant costs.

Every incident which occurs with a New Jersey pilot aboard must be promptly investigated by a Commissioner for the purpose of determining causation and ascertaining if pilot error contributed to the accident. There were thirty-one investigations in 2010. Major accident investigations can, and have, required over 150 hours of a Commissioner's time to ascertain the facts and prepare reports for the Commission's review and action. Because the Commission is the only state or federal agency empowered to suspend or revoke a pilot's license, it alone can act promptly if it turns out that an individual pilot has a problem which could cause another accident. Although the Coast Guard and the NTSB may also conduct investigations, they do not have licensure jurisdiction. In addition, it is not unusual for these agencies' investigation to take a year or more, which is unacceptable when prompt action may be essential to preventing future accidents.

During the most recent round of the apprentice selection process, the responsible Commissioner devoted in excess of 10 days to the evaluation and interviewing process used to select apprentice pilots. Prior to being licensed, graduates of the apprentice training program must pass an examination which tests their knowledge of the Rules of the Road, seamanship, ship handling, tides and channels. This examination is produced, monitored and graded under the supervision of a Commissioner. It can take the examinee four-eight hour days to complete. If the examinee does not pass the exam, the Commission will not issue a license.

Commissioners often board vessels with the pilot and act as pilot observers for the purpose of staying current with issues pilots confront such as, changing channel conditions, the quality of the crews on ships being piloted and changes in berth design. This also affords a Commissioner the opportunity to engage pilots in conversations, other than at formal meetings, in order to ascertain their views with respect to the need for changes that the Commission is empowered to make. These observation trips can consume a considerable amount of a Commissioners time.

A number of joint committees exist with the New York Commission. In addition to the apprentice selection committee process discussed above, at least four times annually a New Jersey Commissioner meets with the "Pension and Surcharge Committee," whose members are a New York Commissioner, pilots, industry representatives and an actuary. This committee decides the level of the surcharge needed to adequately fund equipment purchases and pilot's retirement accounts. A New Jersey Commissioner sits on this committee as a result of the provisions of New York law.

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# AN ABSTRACT OF THE PROCEEDINGS OF THE COMMISSIONERS

At its Annual Organization Meeting in January 2010, the following officers were elected to serve for the 2010 calendar year:

|                      |                |
|----------------------|----------------|
| Thomas F. Daly       | President      |
| Timothy J. Dacey     | Vice President |
| Stanley E. Wiklinski | Treasurer      |
| Richard L. Amster*   | Secretary      |
| Charles Wowkanech*   | Secretary      |

*\*Commissioner Richard Amster served as Secretary until his retirement on July 1, 2010. At the Commission's July 20, 2010 Regular meeting Commissioner Charles Wowkanech was elected to serve as Secretary.*

## The President made the following committee appointments:

|                                                                                    |                                                                                                                    |                                                                                                  |
|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| <b>Apprentice &amp; Recurrent Training</b><br>Thomas F. Daly<br>Charles Wowkanech  | <b>Budget Committee</b><br>Richard L. Amster<br>Joseph Azzolina<br>Charles Wowkanech                               | <b>Harbor Ops/Coast Guard Liaison</b><br>Timothy J. Dacey<br>Thomas F. Daly<br>Charles Wowkanech |
| <b>Apprentice Selection Committee</b><br>Stanley E. Wiklinski<br>Charles Wowkanech | <b>Capital Improvements &amp; Pension Surcharge</b><br>Richard L. Amster<br>Thomas F. Daly<br>Stanley E. Wiklinski | <b>Occurrence Investigation</b><br>Timothy J. Dacey<br>Thomas F. Daly                            |
| <b>Audit Committee</b><br>Timothy J. Dacey<br>Thomas F. Daly<br>Charles Wowkanech  | <b>Examination Committee</b><br>Thomas F. Daly<br>Stanley E. Wiklinski                                             | <b>Safety Committee</b><br>Richard L. Amster<br>Charles Wowkanech                                |

The Commission held a total of twelve regular meetings, two Informal Hearings, various committee meetings and investigated thirty-one incidents during 2010.

## Calendar Year 2010 Income/Expenses

**Income**  
**\$627,310.68**

**Expenses**  
**\$395,405.09**

*(Includes salaries, benefits, incidentals, etc.)*

### Assets

*The Commission operates its Executive Offices in Newark, NJ, which is equipped with all the items needed to run this organization. The value of these items do not exceed \$20,000. Out of its revenue, the Commission maintains an operating account which had a balance of \$41,797.37 on December 31, 2010.*

### Liabilities

*The commission had no liabilities at the end of 2010.*

### Contracts

*Pursuant to statute the Commission reports that it has not entered into any contracts which exceed \$17,500.*

*(Unaudited)*

## Staff

Executive Director  
Charles A. Licata, Esq.

Administrator  
Andre M. Stuckey

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# The New Jersey Maritime Pilot and Docking Pilot Commission

## Operating Budget

### July 1, 2010 to June 30, 2011

#### **Expenses:**

##### **Administrative Expenses:**

|           |             |
|-----------|-------------|
| Rent      | \$24,000.00 |
| Postage   | \$1,000.00  |
| Supplies  | \$3,000.00  |
| Printing  | \$1,000.00  |
| Meetings  | \$4,000.00  |
| Telephone | \$1,000.00  |

##### **Other Expenses:**

|                                  |            |
|----------------------------------|------------|
| Newspaper/Magazine Announcements | \$3,000.00 |
| Office Fixtures/Equipment        | \$5,000.00 |
| Awards/Plaques/Certificates      | \$500.00   |
| Legal Fees                       | \$2,000.00 |
| Audit fees                       | \$8,000.00 |
| ID/Badges/Wallets                | \$1,000.00 |
| Subscriptions                    | \$1,000.00 |
| Annual Memberships               | \$1,000.00 |

##### **Traveling Expenses:**

|                             |            |
|-----------------------------|------------|
| Travel                      | \$1,000.00 |
| Conf/Seminar/Special Events | \$1,500.00 |

**Salaries/Taxes:** \$198,879.39

**Fringe Benefits (.3591):** \$71,417.59

##### **Miscellaneous Expenses:**

|                           |            |
|---------------------------|------------|
| Occurrence Investigation  | \$5,000.00 |
| Continuing Education      | \$5,000.00 |
| Incidental Expenses       | \$4,000.00 |
| Pilot Training            | \$5,000.00 |
| Industry Relations        | \$1,000.00 |
| Commissioner Compensation | \$7,200.00 |

**Total Expenses:** \$355,496.98

##### **Income:**

|                         |              |
|-------------------------|--------------|
| Sandy Hook Pilots Fees* | \$377,000.00 |
| Docking Pilot Fees      | \$8,500.00   |

**Total Income:** \$385,500.00

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*\*On January 1, 2011, the Commission reduced the amount of pilotage fees received from maritime pilots to .50% to have them align more closely with its operating expenses.*





## Legislation

The State of New Jersey's FY11 Operating Budget, which became effective on July 1, 2010, reduced Commissioner's salary and reimbursement for expenses to a maximum of \$1,200 per annum

## Regulations

On December 21, 2010 the Commission adopted amendments to its existing regulations that increase rates charged by maritime pilots for vessels undertaking intermediate or intra harbor movements in the ports of New Jersey/New York. The amendments also set certain penalty and reporting requirements. These amendments will become effective early in 2011.

## Litigation

None.

## Rate Making Matters

Rates for maritime pilotage in the port are initially set by the New York Legislature. New Jersey law requires this Commission to adopt the New York rate after review. This is a historical anomaly. Unlike the days when New York's finger piers dominated cargo traffic in the port, today the bulk of cargo and tanker traffic discharge their cargo at Ports Elizabeth and Newark or at the refineries in New Jersey. Notwithstanding this, New York still exercises initial rate-making power over pilot rates. On October 1, 2010 the New York Legislature passed a pilotage rate increase. The Commission adopted the rates at its October 19, 2010 regular meeting. A summary of the rate increases follows.

3% Pilotage rate adjustment effective January 1, 2011

4% Pilotage rate adjustment effective January 1, 2012

Pursuant to N.J.S.A. 12:8-24.1 certain fees charged by New Jersey Maritime Pilots must be established by the New Jersey Maritime Pilot and Docking Pilot Commission after consulting with the New York Pilotage Commission. These fees include rates for vessels undertaking intermediate or intra harbor movements in the ports of New Jersey/New York and for vessels entering or departing ports south of Sandy Hook, including Atlantic City. On December 21, 2010 a new rate schedule was adopted. The new rates will become effective in February 2011. The full context of the Commission's regulations, which includes a schedule of these rates can be found on its website at [www.state.nj.us/transportation/maritimepilot](http://www.state.nj.us/transportation/maritimepilot).

The Commission does not have the authority to set rates charged by Docking Pilots.

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## Floating Equipment

The following floating equipment is currently in use by the Sandy Hook Pilots:

| Pilot Boat         | Length | Built | Status/Comments                                                                            |
|--------------------|--------|-------|--------------------------------------------------------------------------------------------|
| NEW YORK           | 182ft  | 1972  | In service. Tanks cleaned/coated. Main engine overhauls 2003-2004. Davit replacement 2005. |
| NEW JERSEY         | 146ft  | 1986  | In service. Ballast tanks cleaned. Dry-docking 2003.                                       |
| SANDY HOOK         | 65ft   | 1985  | In service. MTU 12V2000 engines. Shaft seal replacements.                                  |
| AMERICA            | 56ft   | 2000  | In service. 5,000+ hours on engines. New shaft seals, propellers and bottom paint.         |
| PHANTOM            | 56ft   | 2000  | In service. 5,000+ hours on engines. New shaft seals, propellers and bottom paint.         |
| WANDERER           | 56ft   | 2001  | In service. Main engine vibration condition, survey conducted.                             |
| TRENTON            | 48ft   | 1983  | In service. Station ,Yonkers.                                                              |
| NEWARK BAY         | 44ft   | 1968  | In service. Station ,City Island.                                                          |
| AMBROSE            | 44ft   | 1979  | In service, Station, Edgewater.                                                            |
| 3RHIB RESCUE CRAFT | 23ft   | 1986  | In service. Out-drive replacement.                                                         |
| YANKEE             | 53ft   | 2005  | In service. Station, Edgewater.                                                            |

The **P/B New Jersey** and **P/B New York** are the assigned Port of New Jersey/New York maritime pilot station vessels. They stand watch at the ocean entrance to the harbor. They operate twenty-four hours per day, three hundred and sixty five days a year, in all weather conditions. State Maritime Pilot Apprentices serve as the Master and bridge watch officers of the pilot boats as a part of their training and education curriculum.

The sixty-five foot pilot transport boat **Sandy Hook** is used to dispatch maritime pilots and supplies between the Sandy Hook Pilots base station at Edgewater on Staten Island, the sea station and the inner harbor. All pilot vessels are maintained to a high standard, and are equipped with state of the art electronic navigation and communications equipment. All motor boats are equipped with rescue equipment, including a "Life Sling" and davit for man overboard retrieval operations.

Pilot boats must operate under severe weather and sea conditions. The hull material of the pilot boats is audio-gauged regularly, and steel/aluminum plating is serviced and/or renewed when required. In general, Planned Maintenance ("PM") procedures and Service Life Extension Program ("SLEP") work have prolonged the in-service usage of floating equipment used in the State pilotage system, in many cases well beyond its originally intended design life.

The newest addition to the fleet, the **Yankee**, a 53 foot aluminum, twin screw pilot launch is stationed at the Sandy Hook pilot base in Staten Island. It is used as part of a fleet of four similar launches at the entrance of the port, and sometimes as a shuttle craft from the base to/from sea. The fleet of four similar launches - **America**, **Wanderer**, **Phantom**, and **Yankee** allow a maintenance schedule to exist to address the substantial wear and tear on the boats throughout the year. One boat is always at sea—two others ready to go—one under maintenance.

The Commission notes that the NY Navigation Law enacted in 1999 provides the funding for a planned program of pilot boat replacement. This Law was amended in 2000 to provide a capital construction program to build new pilot boats and procure other durable capital equipment for the State Pilotage System. A New Jersey Commissioner serves on a committee established pursuant to statute with the Sandy Hook Pilots Association and the New York Commission in the administration of this program.



## Dredging and Channel Improvements

The mammoth undertaking of deepening the main channels in the Port is nearing completion. The U.S. Army Corps of Engineers began deepening channels in the Port of New York and New Jersey to 50 feet with the initiation of work in the Kill Van Kull in early 2005. Work is ongoing on the KVK, Elizabeth, Newark Bay, Anchorage and Ambrose channels. The Harbor Deepening Project is approximately 89% completed at this time (February 2011), and is scheduled to be completed by 2013 in time for the opening of the improved locks on the Panama Canal. This project will enable the Port to remain the largest container port on the East Coast and the largest petroleum port in the United States provided that the problem with the Bayonne Bridge is remedied. Maintenance dredging was also performed at a number of terminals and channels in the port.

Construction on the Port Jersey Channel is also nearing completion. The approach to Global Terminal, NEAT and the Bayonne Cruise Terminal is now straight and the majority of the channel is at 50 feet. The fourth and last contract, which will be limited to construction over the PVSC outfall tunnel, will begin this spring and should take 4-6 months. The Port Authority has purchased Global Terminal and plans to convert the entire north side of the channel to container operations. This is particularly important since this terminal will be the only facility in the harbor capable of handling super post-Panamax sized ships until the Bayonne Bridge has been raised.

A problem in need of an immediate solution is that the current height of the Bayonne Bridge (151 ft



***Owned and operated by Great Lakes Dredge & Dock Co. the Dredge New York is the world's largest backhoe dredge. This dredge works in Newark Bay off Shooters Island, 24 hours a day. Newark Bay requires continuous dredging, as any newly dredged area immediately starts filling up again.***

clearance at the centerline of the channel) will not allow the new generation of container ships to pass under it. Therefore, they will be unable to reach Port Elizabeth, Port Newark and the Howland Hook terminals. This will have a detrimental impact on this regions economy, because vessel owners will look to other ports.

The Office of Maritime Resources is working with a coalition of east coast ports to develop a plan for short sea shipping along the eastern seaboard parallel to Interstate 95. This so-called M-95 study will determine the feasibility for shippers to be able to use water based supply options in much the same way that some all-truck routes now have at least some of the journey handled by rail. The study, funded by the Maritime Administration of the United States Department of Transportation, will examine infrastructure, markets and policy impediments.



## The History of State Pilotage

The Profession of maritime pilotage is little understood by the general public.

Simply stated, pilots have extensive knowledge of local waters, and as such are competent to direct the navigation of a vessel as it approaches land, enters a harbor, and is underway within the harbor. It is an ancient profession. The 27th Chapter of Ezekiel, the prophet speaks of pilots four times. Pilots are referred to in the writings of Homer and Virgil. Marco Polo employed Arab pilots on his first voyage to the Orient. In the sixteenth and seventeenth centuries, the pirates of the Barbary Coast plundered and pillaged coastal villages from Gibraltar to Iceland, enslaving many of the villagers. Local fishermen were prime captives because of their seamanship and knowledge of local waters. They were sold at a premium in the slave markets and were later pressed in to service by their masters as pilots on marauding corsairs. The defeat of the Spanish Armada has been attributed to the absence of pilots on board, who were familiar with the peculiarities of the English Channel. The Dutch held pilots in high esteem because of their knowledge of local waters, which had a great deal to do with the success of the Dutch East India Company. The word “pilot” is derived from the Dutch words *pijl loads*.

Thirty years after the British took New Amsterdam from the Dutch in 1664, The Sandy Hook Pilots—also known as Maritime Pilots—were officially recognized by the Colony of New York. Its members were valued by ship owners and cargo owners alike because of the pilots ship handling skills, intimate knowledge of the harbor, estuaries, shoals, tides, and winds. The pilots were allowed a fee for their services—the amount of the fee was a function of the size of the ship—which is still the case. The Sandy Hook Pilots are one of the oldest pilots groups in the United States. Sandy Hook Pilots have served under two flags, British and American.

Under the Commerce Clause of the Constitution, the Congress was given the power to regulate commerce with foreign nations and among the several states. In implementing this, the Congress in 1789 decided that because pilotage was a matter of local concern, it should be regulated by the states, which remains the case today. During the Revolution and the War of 1812, pilot boats were issued “Letters of Marque” by Congress and the states in order to support the infant Continental Navy. The Federal Act of 1837 provided that duly authorized pilots of either state, having common water boundaries, may be employed by ships coming into or going out of any such waters. This enabled both New York and New Jersey pilots to pilot ships bound to or from all ports on the Upper and Lower Bays and their tributaries. In 1837 New Jersey enacted the legislation that created the New Jersey Board of Commissioners of Pilotage—recently renamed the New Jersey

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Maritime Pilot and Docking Pilot Commission—for the purpose of licensing and regulating pilots. New York law provided for a similar commission. In the latter part of the eighteen hundreds, the New Jersey licensed and New York licensed Sandy Hook Pilots consolidated their efforts by the founding of the United New York and New Jersey Sandy Hook Pilots Benevolent Association.

In the days of sailing ships, the pilots used swift sailing schooners which served as off-shore pilot stations. Pilots assigned to pilot an inbound vessel were taken to the vessel in a rowing yawl. The rowers were young apprentice pilots. When the yawl reached the side of the ship, the pilot climbed the Jacobs ladder to the deck. For outgoing vessels the procedure was reversed. By the end of the nineteenth century, engine propelled boats began replacing the sailing schooners and the rowing yawls. Today the station boat cruises in the Atlantic east of Sandy Hook. Pilots are taken between the station boat and arriving and departing ships by high speed motor launches. Apprentices are schooled in their craft by serving as crew and officers on the launches and station boat, and piloting ships under the tutelage of licensed pilots.

During World War II the Harbor was the staging site for large convoys bound for Europe and the terminus for returning convoys. Because of the large number of ships moving in the Harbor at the same time, there was a need for the most experienced masters and mates of tug boats to serve as a force multiplier by piloting ships within the harbor and docking and undocking them. This tradition continues to this day, and those with the requisite experience, apprentice training, and successful completion of an exam are licensed as Docking Pilots.

Piloting is a dangerous profession for both Sandy Hook Maritime Pilots and Docking Pilots. Prior to the advent of radar, pilot boats were frequently run down by ships during periods of reduced visibility. During the Blizzard of 1888 and its accompanying Nor' Easter several pilots were killed. Today the most hazardous part of the job is when a small boat carrying a pilot maneuvers to the side of a large ship, that may be moving at eight knots or more in heaving seas. Once the launch or tug is alongside of the large ship the pilot must gauge the right moment to step from the deck of the pitching launch to the Jacobs ladder—a rope ladder hanging on the side of the ship. To misgauge can be fatal or result in crushed limbs if the pilot is trapped between the side of the launch and the ship. In recent years there have been several pilots who have been seriously injured, but fortunately no fatalities.

Franklin D. Roosevelt wrote of the Sandy Hook Pilots, "...your stanch pilot boats are always ready in storm and fog, and it takes skill courage, and long years of experience to carry on the important and hazardous work so necessary to our commerce."

*Bibliography.* "Always on Station", authored by Francis J. Duffy; "State Pilotage in America", published by the American Pilots Association; *Pirates of Barbary* authored by Adiran Tinniswood.

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# Maritime Pilots

## Active Maritime Pilots

The Sandy Hook Pilots' Association (licensed as Maritime Pilots in New Jersey) are chartered to safely guide ships into and out of the port. The Sandy Hook Pilots are licensed by either the State of New Jersey or New York.

At the Commissions September 21, 2010 regular meeting James R. Britton was sworn in as a licensed Deputy Maritime Pilot after completing a four-day state licensing exam with high marks. Captain Britton began his apprenticeship on October 1, 2001. He holds a Bachelor of Arts Degree from Fairfield University where he graduated Magna Cum Laude.

|                   |                 |
|-------------------|-----------------|
| W.J. Baeszler     | A.W. McGovern   |
| W.E. Blake        | W.J. McGovern   |
| F.J. Boslet*      | B.J. Mercereau  |
| D.C. Boylan, Jr.  | E.A. Miller     |
| J.F. Britton      | J.B. Monaghan   |
| J.R. Britton      | J.C. Oldmixon   |
| R.E. Britton      | R.L. Oldmixon   |
| T.G. Britton      | J.S. Paulis     |
| H. Cavagnaro      | C.M. Quinn      |
| T.J. Ferrie       | P.G. Rooss      |
| T.O. Ferrie       | R.J. Schoenlank |
| J.L. Flanders     | R.D. Seeth      |
| B.L. Foley        | G.P. Smith      |
| J.E. Graham       | W.A. Speiser    |
| D.J. Graves       | K.E. Sullivan   |
| W.M. Hansen       | E.F. Sweeney    |
| R.S. Ireland*     | N.A. Tribus*    |
| P.E. Kanenbley    | M.J. Vanek      |
| T.J. Keating, Jr. | F.D. Wall, III* |
| P.A. Klein        | D.W. Walsh      |

## Vessels Piloted by Maritime Pilots

| MONTH        | INBOUND     | OUTBOUND    |
|--------------|-------------|-------------|
| January      | 185         | 200         |
| February     | 165         | 162         |
| March        | 186         | 190         |
| April        | 188         | 187         |
| May          | 210         | 196         |
| June         | 213         | 212         |
| July         | 230         | 233         |
| August       | 223         | 225         |
| September    | 221         | 218         |
| October      | 215         | 230         |
| November     | 183         | 184         |
| December     | 190         | 193         |
| <b>TOTAL</b> | <b>2409</b> | <b>2430</b> |

\*Currently assigned to the Hudson River.



James R. Britton is sworn in as a Deputy Maritime Pilot as his family looks on at the Commissions September 21, 2010 regular meeting. Pictured left to right are: Barbara Britton, Sara Britton, Captain James Britton, Ned Britton (retired NY Sandy Hook Pilot); Commissioner Thomas F. Daly and Commissioner Timothy J. Dacey.



## Maritime Pilot Apprentices

In accordance with the Pilot Apprentice Program established by regulation, the Apprentice Selection Committee met and selected a slate of ten (10) candidates and five (5) alternates for forthcoming apprentice positions. The list, which became effective on October 19, 2010 will be kept on file for two years.

The committee is comprised of members of the New Jersey Maritime Pilot and Docking Pilot Commission, the Board of Commissioners of Pilotage of the State of New York and the United New York and New Jersey Sandy Hook Pilots' Benevolent Association. The Committee is scheduled to begin a new round of interviews in 2012.

At the Commission's April 13, 2010 regular meeting, Graham Mergenthaler was appointed an apprentice for the Sandy Hook Pilot Apprentice Training Program. He holds a Bachelor of Science Degree in Logistics and Intermodal Transportation Management from U.S. Merchant Marine Academy. He also holds a Third Mate Unl. Oceans License and a Master of Towing Vessel upon near coastal waters.

## Registered Maritime Pilot Apprentices

Karen A. Basciano  
Michael Chambers  
Douglas Einhorn  
Graham A. Mergenthaler  
Timothy M. Murray  
Ronald S. Perry  
Christine Razukas

## Retired Maritime Pilots

|                       |                |
|-----------------------|----------------|
| A.E. Braendly         | J. Licata      |
| R.E. Cox              | D.M. Mercereau |
| R.L. Cullison         | W.G. Metting   |
| C.W. Dahmen           | D.J. McInerney |
| R.A. Deane            | E.D. O'Donnell |
| E.J. Haggerty         | R.F. Pennea    |
| W.C. Hansen           | T.W. Peters    |
| W.B. Hodgins          | J.H. Peterson  |
| R.D. Jones            | F.E. Reil      |
| T.J. Keating          | J.L. Renesse   |
| R.V. Keenan           | D.T. Smith     |
| G.W. Kissenberth      | K.P. Sorenson  |
| G.W. Kissenberth, Jr. | T.J. Walsh     |
| G.A. Mason            | C.A. Whiteside |
| C.A. Massey           | W.F. Winter    |
| J.F. McCarthy         |                |



*At the Commission's April 13, 2010 regular meeting Graham Mergenthaler was appointed a Maritime Pilot Apprentice for the Sandy Hook Pilots Association. Picture left to right are: Sarah Mergenthaler, Graham Mergenthaler, Commissioner Thomas F. Daly, William Mergenthaler and Captain Andrew McGovern.*



# Docking Pilots

Docking Pilots are a group of highly experienced, master ship handlers who dock and undock ships with the use of tugboats. They are tasked with moving a vessel, sometimes the length of three football fields. With the use of radios, tugboats and an intricate knowledge of channels the Docking Pilot brings the vessel to safely rest alongside its berth. Prior to becoming eligible for state licensing these pilots must undergo the highest level of professional training.

At the Commission's May 18, 2011 regular meeting Mark Hershey was sworn in as a New Jersey State licensed Docking Pilot after completing a rigorous exam. Captain Hershey was appointed to the Docking Pilot Apprentice Training Program at McAllister Towing on September 18, 2007. He brings with him eighteen years of experience in the tug industry.

## Active Docking Pilots

|                 |                      |
|-----------------|----------------------|
| J.D. Bates      | C. T. Jonas          |
| L.R. Bettinelli | D.E. Mattsson        |
| A.R. Biagi, Jr. | J.K. McAllister      |
| D.M. Blair      | R.A. Moore           |
| D.J. Brown      | T. Nilsen            |
| S.D. Brown      | W.F. O'Neill, Jr.    |
| W.E. Clifford   | B.J. Paiva           |
| F.L. Dashkoff   | R. Reilly            |
| J.T. Daub       | F.J. Reinbold        |
| S.R. Davis      | S.T. Richter         |
| R.K. Ellis      | W.H. Russell, Jr. ** |
| T.A. Farrell    | J.M. Schnepf         |
| R. Flannery     | C.C. Sondergaard     |
| P.J. Frank      | J.A. Tooker          |
| K.R. Gadow      | C.J. Weiss *         |
| M Hershey       | R.P. Wieners         |
| D.E. Holmes     | S. Zorovich          |
| R.T. Jermak **  |                      |

*\*Currently on leave of absence.*

*\*\*Pilot is Inactive.*

## Retired Docking Pilots

P. Harris  
J.M. Naughton  
G.A. Stitik

## Vessels Docked and Undocked by Docking Pilots

| MONTH        | # OF MOVEMENTS |
|--------------|----------------|
| January      | 724            |
| February     | 663            |
| March        | 777            |
| April        | 771            |
| May          | 820            |
| June         | 797            |
| July         | 907            |
| August       | 849            |
| September    | 810            |
| October      | 831            |
| November     | 734            |
| December     | 716            |
| <b>TOTAL</b> | <b>9399</b>    |



At the Commission's May 18, 2010 regular meeting Mark Hershey was sworn in as a licensed Docking Pilot as his family looks on. Pictured left to right are: Robert Hershey, Sherry Hershey, Commissioner Charles Wowkanech, Dawn Nikolaus, Captain Mark Hershey, Commissioner Thomas Daly, Judi Enterline and Richard Enterline.





## Docking Pilot Apprentices

In accordance with the Pilot Apprentice Training Program established by regulation, the apprentice Selection Committee met and selected a slate of four candidates for the forthcoming apprentice positions. To date three of the four candidates have been called into duty. The Apprentice Selection Committee is comprised of three industry representatives, one Commissioner and the Executive Director. The Committee will begin a new round of interviews in early 2011 to replenish the list.

At the Commissioner January 19, 2010 regular meeting Jonathan Miller was appointed an Apprentice for the Metro Pilots Association, LLC Training Program. He holds a Bachelor of Science Degree in Marine Transportation from Massachusetts Maritime Academy and holds the rank of Lieutenant U.S. Navy Reserve MMIRR.

## Registered Docking Pilot Apprentices

Christopher Baker  
Joseph Casias  
Scott Esposito  
Jonathan Miller  
Kirk Pinto

## Relationships with the New York Board, the U.S. Coast Guard and other Maritime Agencies

The Commission works in conjunction with the Board of Commissioners of Pilotage of the State of New York on numerous matters. The Pension Surcharge and the Capital Improvement Committees are joint committees established by New York legis-

lation. These Committees give the New Jersey Commission voting power on such items as the pension surcharge and capital expense surcharge rates charged by the maritime pilots. This Commission also works cooperatively with the New York Board as joint members of the Apprentice Selection Committee. The committee makes recommendations every two years on those individuals eligible to be appointed maritime pilot apprentices. From this group of qualified applicants the Commissions appoint the needed new apprentices. The two Commissions also consult and set certain fees charged by maritime pilots for intra-harbor ship movements.

The Commission maintains regular contact with the United States Coast Guard (USCG) and has developed an excellent working relationship. There is an ongoing program of cooperation and information sharing, particularly as it relates to incidents being investigated by both the Commission and the USCG. The Commission is currently in negotiations to establish an MOA with the USCG to formalize the accident and information sharing procedures.

The Commission regularly consults with the maritime industry and other professional organizations, including NOAA, the New York Harbor Safety, Navigation and Operations Committee, the American Pilots Association, the American Harbor and Docking Pilots Association, International Maritime Pilots Association, and the Port Authority of NJ/NY, in an ongoing effort to ensure security and safe maritime operations.

## Vessel Incidents

In the year 2010 the Occurrence Investigation Committee of The New Jersey Maritime Pilot and Docking Pilot Commission investigated and reported on a total of thirty-one incidents that involved either a New Jersey State Licensed Maritime Pilot or Docking Pilot. Following is a summary of each incident investigated by a Commissioner and the actions taken by the Commission.

# Vessel Incidents Continued

| Vessel—Nature of Incident                      | Date       | Actions taken by the Commission                                                                                                                                       |
|------------------------------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APL Agate—Engine Shut Down                     | 1/22/2010  | Pilot found non-culpable.                                                                                                                                             |
| Triumph Ace—Near Miss                          | 1/2/2010   | Pilot found non-culpable.                                                                                                                                             |
| President Jackson—Powerloss                    | 1/3/2010   | Pilot found non-culpable.                                                                                                                                             |
| Nord Goodwill—Allision w/ AK Rail Road Bridge  | 3/3/2010   | Pilot found non-culpable.                                                                                                                                             |
| Eagle Baltimore—Line parted on tug             | 4/7/2010   | Pilot found non-culpable.                                                                                                                                             |
| M/V Ambassador—Accidental release of anchor    | 4/11/2010  | Pilot found non-culpable.                                                                                                                                             |
| Zhong-Ji—Powerloss                             | 4/23/2010  | Pilot found non-culpable.                                                                                                                                             |
| Stena Cheron—Exhaust valve on engine stuck     | 5/5/2010   | Pilot found non-culpable.                                                                                                                                             |
| Caribbean Princess—Allision with pier          | 5/9/2010   | Pilot found non-culpable, however, pilot organizations were directed to establish a contingency plan in the event of adverse weather conditions.                      |
| MSC Atlantic—Malfunction of Main Engine        | 6/3/2010   | Pilot found non-culpable.                                                                                                                                             |
| Maersk Tangier—Power Loss                      | 6/9/2010   | Pilot found non-culpable.                                                                                                                                             |
| Anna M.—Grounding                              | 6/14/2010  | After an Informal Hearing Pilot ordered to undergo remedial training.                                                                                                 |
| Uganda—Bridge Strike                           | 6/20/1020  | Pilot found non-culpable.                                                                                                                                             |
| Ocean Princess—Bridge Strike                   | 6/23/2010  | Pilot found non-culpable.                                                                                                                                             |
| Elka Eleftheria—Power Loss                     | 7/3/2010   | Pilot found non-culpable.                                                                                                                                             |
| Ital Lirica—Power Loss                         | 7/18/2010  | Pilot found non-culpable.                                                                                                                                             |
| Maersk Kotka—Power Loss                        | 7/20/2010  | Pilot found non-culpable.                                                                                                                                             |
| CSCS Sydney—Allision                           | 7/31/2010  | Pilot found non-culpable.                                                                                                                                             |
| Diplomatic—Power Loss                          | 8/10/2010  | Pilot found non-culpable.                                                                                                                                             |
| Eemsburg—Power Loss                            | 8/22/2010  | Pilot found non-culpable.                                                                                                                                             |
| YM Singapore—Allision                          | 9/5/2010   | Pilot found non-culpable.                                                                                                                                             |
| Albermerle Island—Power Loss                   | 9/6/2010   | Pilot found non-culpable.                                                                                                                                             |
| British Serenity—Power Loss                    | 9/9/2010   | Pilot found non-culpable.                                                                                                                                             |
| YKK Constellation—Parted lines on berthed ship | 9/23/2010  | Pilot found non-culpable.                                                                                                                                             |
| Kiel Express—Power Loss                        | 9/23/2010  | Pilot found non-culpable.                                                                                                                                             |
| Zhen He—Bridge Strike                          | 10/2/2010  | Pilot found non-culpable.                                                                                                                                             |
| Hanjin Vancouver—Power Loss                    | 10/11/2010 | Pilot found non-culpable.                                                                                                                                             |
| Atlantic Conveyor—Power Loss                   | 12/16/2010 | Pilot found non-culpable.                                                                                                                                             |
| Orange Sun—Power Loss                          | 12/16/2010 | Pilot found non-culpable.                                                                                                                                             |
| Firmament Ace—Power Loss                       | 12/19/2010 | Both pilots found non-culpable. Maritime Pilot fined for submitting late written report.                                                                              |
| Grande Benin                                   | 12/30/2010 | As of December 31, 2010, this incident is still under investigation. An Informal Hearing has been scheduled for the Commission ' s February 15, 2011 regular meeting. |

# COMMISSIONERS

**COMMISSIONER RICHARD L. AMSTER**, Florham Park, New Jersey. Mr. Amster was principal of Amster & Levin a law firm located in Newark and then in Millburn for over a thirty year period. Thereafter, he was of counsel to the firm of Wolff & Samson until he retired from the practice of law on January 1, 1998. Mr. Amster is a trustee of and chairman of the Grant Evaluation Committee of the Healthcare Foundation of New Jersey. He is a member emeritus of the Board of Visitors of the School of Law of Columbia University. Mr. Amster is the longest serving member of the Commission. He was on active duty in the United States Navy 1942-1946 and was separated from the Naval Service with the permanent rank of Lieutenant USNR. He and his wife Barbara have three children and four grandchildren. Commissioner Amster was appointed to the Commission in January 1980. Commissioner Amster retired on July 1, 2010.

**COMMISSIONER JOSEPH AZZOLINA, SR.**, Middletown, New Jersey. Mr. Azzolina attended both the National and Naval War Colleges. He had a 42-year legacy of service in the Navy and Naval Ready Reserves. He was a Commissioned Ensign in the U.S. Navy at age 20, thereafter Mr. Azzolina retired in 1986 as a Navy Captain. He is a graduate of Holy Cross College with a BS Degree. He also completed two full years at New York University's graduate School of Business Administration. He is currently the President of Foodtown Supermarkets (Food Circus, Inc.), with 1,200 employees and a chain of 10 SuperFoodtowns. Mr. Azzolina served a quarter-century in the New Jersey State Legislature as both a Senator and Assemblyman at various times in each of the past five decades. He is the recipient of numerous military medals and public honors and was responsible for bringing the SS New Jersey Battleship back to New Jersey after working 20 years with the Navy and the State of New Jersey to secure the ship as an educational museum and memorial. He retired from the Legislature on January 9, 2006 and was appointed to the Commission in June of 2006. Commissioner Azzolina passed away on April 15, 2010.

**COMMISSIONER TIMOTHY J. DACEY**, Metuchen, New Jersey. Mr. Dacey is a graduate of the United States Merchant Marine Academy at Kings Point, New York where he earned a Bachelor of Science degree in Marine Transportation and was licensed as a Third Mate in the United States Merchant Marine. He earned a Masters of Science degree in Transportation Management from the State University of New York Maritime College at Fort Schuyler, New York. Mr. Dacey served on active duty with the United States Navy from 1986-1989, serving as the Damage Control Assistant and First Lieutenant onboard the USS Mars (AFS-1) homeported in Oakland, California. He remained a United States Naval Reserve Officer until 1995. He has worked for Lykes Lines, Hanjin Shipping and NYK Line in shore side positions and is currently the Vice President of Administrative Services at Bergen Community College. Mr. Dacey also served for five years as the president of the Steamship Historical Society of America, a non-profit organization that is dedicated to recording, preserving and disseminating the history of engine-powered vessels. Commissioner Dacey was appointed to the Commission in April 2003, his current term expires on January 11, 2013.

**COMMISSIONER THOMAS F. DALY**, Rumson, New Jersey. Mr. Daly is a graduate of Lafayette College and Georgetown University Law School. He is a retired partner of the law firm, McCarter & English. He is a former adjunct professor of maritime law and a Proctor of the Maritime Law Association of the United States and a Trustee of the National Maritime Historical Society. He was a licensed master mariner and has participated in the advanced ship handling program at the Massachusetts Maritime Academy and the National Transportation Marine Accident Investigation course. He is a Fellow of the American College of Trail Lawyers and the International Association of Barristers. Commissioner Daly was first appointed to the Commission in 1991; his current term expires on June 25, 2012.

**COMMISSIONER STANLEY E. WIKLINSKI**, Old Tappan, New Jersey. Member of the U.S. Naval Academy class of 1958 and holder of a Master of Fine Arts Degree from Yale University, Mr. Wiklinski served 8 and ½ years on active duty as a Commissioned Naval Officer, obtaining the rank of Lt. Commander. Graduate School and 13 years of active Naval Ready Reserve service followed. Mr. Wiklinski retired from the United States Naval Reserve with the Permanent rank of Commander. Commissioner Wiklinski was appointed to the Commission in December 1991, his current term expires on June 25, 2012.

**COMMISSIONER CHARLES WOWKANECH**, Ocean City, New Jersey. Mr. Wowkanech has been a leader in the labor movement in New Jersey for more than twenty-five years. He is a former business agent for the Local 68 of the International Union of Operating Engineers (IUOE). Commissioner Wowkanech joined the staff of the New Jersey State AFL-CIO in 1990 serving in various positions leading to his election as President in 1997. Under Mr. Wowkanech's leadership the New Jersey State AFL-CIO has grown to represent over one million members and nearly 1,000 affiliated unions. In addition to his service to the New Jersey Maritime Pilot & Docking Pilot Commission, Mr. Wowkanech also serves on the Tri-State Board of Governors for the United Way, the New Jersey State Council for Adult Literacy Education Services, the New Jersey Character Education Commission, the Governor's Commission to Support and Enhance New Jersey Military and Coast Guard installations and the Dredging Projects Facilitation Task Force. He is also a licensed U.S. Coast Guard Captain. Commissioner Wowkanech was appointed to the Commission in June 2002, his current term expires on June 25, 2012.

## STAFF

**CHARLES A. LICATA, ESQ.**, Voorhees, New Jersey. Mr. Licata is a veteran state employee having served as First Assistant Environmental Prosecutor and a Deputy Attorney General for most of his career. Prior to being named the Commission's Executive Director he served as its counsel. He was instrumental in the drafting and implementation of the 2004 amendments to the Commission's enabling legislation and related regulations. He serves on the United States Coast Guard's Area Maritime Security Committee and Harbor Safety Committee as the Commission's representative.

**ANDRE M. STUCKEY**, Hillside, New Jersey. Ms. Stuckey holds an Associates Degree in Business Administration from Roberts Walsh Business School where she graduated number ten in her class. Prior to joining the New Jersey Maritime Pilot and Docking Pilot Commission she was employed by the Seamen's Church Institute of New York & New Jersey, where she worked with the officers and crews of the ships traveling into New Jersey/New York. While serving as Office Manager for the Seamen's Church Institute, Ms. Stuckey began her part-time career with the Commission in October of 1998 as Secretary. Legislation passed in September 2004 which increased the Commission's scope and responsibilities made it necessary for them to recruit a full time staff. In October 2004, Ms. Stuckey was appointed Board Administrator for the New Jersey Maritime Pilot and Docking Pilot Commission. Her first hand knowledge of the port community and the life of a mariner aboard ship has been an asset to the Commission. In her spare time, Ms. Stuckey is a volunteer basketball coach for the Hillside, Recreation Department and also a volunteer coach for the North Jersey Pop Warner Football League.

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*Certification Pursuant to Executive Order No. 37*

*The New Jersey Maritime Pilot and Docking Pilot Commission's 2010 Annual Report serves as the comprehensive annual report of the Commission's operations and finances called for by Executive Order No. 37.*

*Pursuant to Executive Order No. 37, I, Charles Licata, certify that during 2010, the Authority has, to the best of my knowledge, followed all of the Commission's standards, procedures and internal controls.*

*Charles A. Licata, Esq.  
Executive Director*

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*"Wishing you fair winds and following seas"*



*"With the assistance of Tugboats, Docking Pilots dock and undock ships sometimes the length of three football fields , on water with only inches of clearance..."*

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And Docking Pilot Commission

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