

**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot & Docking Pilot Commission
July 21, 2009**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, July 21, 2009 at One Penn Plaza East, 9th Floor, Newark, NJ 07105.

Commissioner Wowkanech called the meeting to order at 10:30am.

Pledge of Allegiance

Open Public Meeting Statement

Roll Call

Commissioner Timothy J. Dacey, present; Commissioner Thomas F. Daly, present; Commissioner Stanley E. Wiklinski, absent; Commissioner Charles Wowkanech, present; Commissioner Richard L. Amster, present; Commissioner Joseph Azzolina, present.

Executive Session

WHEREAS, the Open Public Meetings Act provides that a public body such as The New Jersey Maritime Pilot and Docking Pilot Commission may meet in closed session to discuss personnel matters.

WHEREAS, the Commission desires to meet in closed session to discuss such matters.

NOW THEREFORE, be it resolved that the Commission shall at this time meet in closed session to discuss such matters the substance of the closed session would be disclosed publicly only if it would not warrant an invasion of privacy.

A motion was made by Commissioner Daly and seconded by Commissioner Azzolina that the Commission go into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:35am.

Return to Public Session

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

The Commission took a five minute break at 11:50am.

The Commission reconvened for Public Session at 11:55am.

Minutes of Prior Meetings

A motion was made by Commissioner Amster and seconded by Commissioner Wowkanech that the minutes of the June 16, 2009 regular meeting be approved.

All voted in favor.

Treasurers Report

A motion was made by Commissioner Daly and seconded by Commissioner Amster that the Treasurer's report dated July 2009 be approved.

All voted in favor.

Executive Directors Report

Mr. Licata informed the Commission that retired New Jersey Sandy Hook Pilot, Captain Earl Young passed away over the weekend. Information regarding funeral arrangements was distributed to the Commissioners.

The September 15, 2009 regular meeting date has been rescheduled to September 22, 2009.

Under an agreement reached with the Governor's office each state employee has been directed to schedule 7 Furlough days for FY10. Each Commissioner was given a copy of a Furlough Request Form with suggested dates to review and approve.

The Commission was given a copy of the proposal from Geltrude and Company, LLC to perform an audit of the Commissions books for FY09. The proposal will become a part of Resolution #09-10 which is on today's agenda.

The Commission was given a copy of correspondence from the State Ethics Commission regarding ethics training. The Commission and its staff are in compliance with all the requirements specified in the letter.

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

The Commissioners were given copies of the agenda from the June 17, 2009 Harbor Ops Meeting. Mr. Licata attended the meeting.

The Commissioners were given a copy of an article from the Maritime Reporter regarding the prison sentence given to Captain John Cota, the pilot who caused the **Cosco Busan** collision of November 6, 2007.

Public Comment

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

Captain Kevin Cahill, a New York licensed Sandy Hook Pilot left the Hudson River and is breaking in to rejoin the New York Board. Captain Nils Tribus, a New Jersey Sandy Hook Pilot is scheduled to return once the new Hudson River apprentice is ready. Sandy Hook is looking at lowering the number of full time pilots needed to run the Hudson River. This will enable Hudson River pilots to be offered higher pay and help to attract pilots to work on that route. Sandy Hook asked the Commission to consider allowing some New Jersey licensed pilots to hold a transport license that would enable them to fill in on the Hudson River if necessary. Captain McGovern will meet with Mr. Licata to go over the request in detail. Mr. Licata will make a recommendation to the Commission at a subsequent meeting.

The Harbor Ops Committee formed a VTS Subcommittee to deal with VTS issues and special areas.

The Henry Hudson 400 celebration will be held on the week of September 8th beginning with a parade of ships.

At the Marine Terminal Roundtable meeting the issue of soundings is ongoing. Some terminals have submitted their soundings in an unreadable format. The pilots are also in discussions with the terminals about getting VHS radios for the lead man on the line gang.

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

Dredging in the Con Hook Range is one half complete. The diamond dredgers are doing a great job. There is currently one way traffic on the range. The diamond dredge had to leave due to prior commitments but will return shortly.

Captain Flannery thanked the Commission for appointing him to the Docking Pilot Apprentice Selection Committee. He felt the committee worked together well and was pleased to see such diversified applicants.

Committee Reports

A. Docking Pilot Apprentice Selection Committee:

The Committee was very pleased to get unexpected applicants due to the public notice process. All the applicants interviewed extremely well. The Committee feels that the next go round will attract more candidates. A committee report recommending individuals for the Docking Pilots Apprentice Selection List was presented. The report is attached to Resolution #09-09.

B. Pension Surcharge/Capital Improvements Committee:

The Committee met on June 23, 2009 to discuss the needs of the Capital Construction fund. After a lengthy discussion the Committee agreed that an increase is needed to fund the new laptops. The rate has been increased from \$95 to \$110 per ship. Industry representatives at the meeting informed the Committee that there will be no objection to the increase.

C. Investigation Committee:

- I. **President Adams** - 4/15/09 - (TJD) - Alleged Surge. This incident is still under investigation and has been carried.
- II. **M/V Liamare** - 5/4/09 - (TFD) - Hard Landing. This incident is still under investigation and has been carried.
- III. **Settsu** - 7/8/09 - (CAL) - Powerloss. This incident is still under investigation and has been carried.
- IV. **APL** - 7/9/09 - (TFD) - Allision. This incident is still under investigation and has been carried.

Resolution to Approve the Docking Pilot Apprentice Selection List

A motion was made by Commissioner Wowkanech to pass Resolution #09-09 appointing Captains Scott Esposito, Joseph Casais, Bruce Plunger and Jonathan Miller to be on the Docking Pilot Apprentice Selection List and that the Committee report which contains certain conditions to be satisfied by each applicant prior to their becoming eligible for appointment become a part of the resolution. The motion was seconded by Commissioner Amster and put to a vote.

All voted in favor.

Resolution to Hire an Auditor

A proposal was received from Geltrude & Company, LLC to perform an audit for FY 09 which ended on June 30, 2009. Mr. Licata pointed out that the cost for the audit will remain the same as last year.

A motion was made by Commissioner Daly and seconded by Commissioner Wowkanech that the Commission approve Resolution #09-10 to authorize the hiring of Geltrude & Company, LLC to perform an audit of the Commissions financial records for FY 09.

All voted in favor.

Old Business

The proposed readoption of the Commissions regulations were submitted to the Office of Administrative Law. Their review of the proposal resulted in minor changes. The proposal is moving forward and will be published in the August 3, 2009 edition of the New Jersey Register with a 60 day comment period that expires on October 2, 2009.

Upgrade of Pilot from Second Grade to First Grade - Captain Jon Flanders

A motion was made by Commissioner Wowkanech and seconded by Commissioner Daly that Captain Jon Flanders be promoted from a Pilot of the Second Grade to a Pilot of the First Grade effective August 1, 2009. All voted in favor

Adjournment

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

The meeting was adjourned at 12:40pm.