

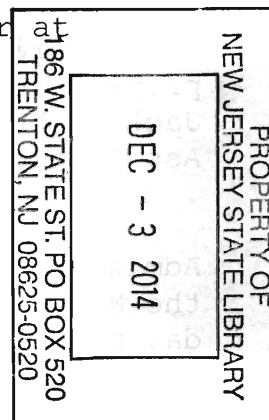
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**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot & Docking Pilot Commission
February 18, 2014**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, February 18, 2014 at One Penn Plaza East, 9th Floor, Newark, NJ 07105.

Commissioner Stapleton called the meeting to order at 10:00am.



Pledge of Allegiance

Open Public Meetings Statement

Roll Call

Commissioner Timothy J. Dacey, present; Commissioner Brian McEwing, absent; Commissioner Charles Stapleton, present; Commissioner Charles Wowkanech, absent.

Minutes of Prior Meetings

A motion was made by Commissioner Dacey and seconded by Commissioner Stapleton that the minutes of the January 30, 2014 meeting be approved.

All voted in favor.

Treasurers Reports

A motion was made by Commissioner Dacey and seconded by Commissioner Stapleton to pass Resolution #14-06 to approve the February 2014 Treasurers Report.

All voted in favor.

Executive Director's Report

Captain Sarubbi informed the Commission that Apprentice Kirk Pinto is scheduled to take his state licensing exam on February 20 & 21, 2014.

The Hydrographic Services Review Panel (HSRP) will hold a public meeting on February 25-26, 2014 in New York City, New York. Topic areas to be discussed include: NOAA's navigation data, products, and services to support the U.S. marine transportation system and economy; the use and application of NOAA's navigation data, products and services; the use and need for improvements to NOAA's data and products to support local and regional coastal planning; and the use and application of NOAA's charting, geodetic and tide current and water level and storm surge modeling information to support pre-storm preparation and post-storm response and recovery. Commander Jack Olthuis from Sandy Hook and Ed Kelly from the Maritime Association are on the panel.

The rule proposal has been submitted to the Office of Administrative Law. If all goes well they will be published in the March 17, 2014 edition of the New Jersey Register with a 60 day comment period.

Ms. Stuckey informed the Commission that Counsel was attempting to call into the meeting via teleconference with no success. She also pointed out that due to the short notice given (the IT Department requires 24 hour notice); staff was not able to set up access for a teleconference meeting and the single call-in line was already being utilized by the Governor Authorities Unit.

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

The 48 hour periods of restricted navigation and open navigation in the dredging zones in the Arthur Kill Elizabethport Reach contract area is working out well. There have been no delays.

The next phase of the dredging project will be simulated in Vicksburg for the 145 beam ships that will be docking in Bayway. Captains Michael Vanek and William Clifford will participate in the exercises.

Nancy Nowacek from the Department of New York Cultural Affairs gave a presentation on a project entitled Citizen Bridge. The project proposes to put a floating bridge to span the Buttermilk Channel to allow pedestrians to walk across. The project is planned for a summer weekend with no cruise ships in port to limit the impact on navigation.

Comments from Captain Richard J. Schoenlank, President, Sandy Hook Pilots Association:

Captain Andrew McGovern will be honored on February 25, 2014 at a dinner by the Working Waterfront Harbor Committee.

Captain Schoenlank informed the Commission that the blueprints of the floating bridge looks like pallets on top of barrels.

The Sandy Hook Apprentice application has been completed and the revised Physician's Certification form has been attached and will be distributed with the application.

The pilots are waiting on the surveys from the South of the Arthur Kill to certify that the maintenance dredging is completed before the restrictions are lifted.

The ice may cause problems when it starts to melt.

There are some people trying to waive the Jones Act in order to get a shipment of salt from Maine to New York.

Committee Reports

A. Investigation Committee:

- I. **Flagship Privet** - June 4, 2013. This incident was discussed in Executive Session.
- II. **MSC Rania** - February 2, 2014. This incident is still under investigation.
- III. **MSC Toronto** - February 7, 2014. This incident is still under investigation.

Swearing in of Karl Gadow as a New Jersey State Licensed Docking Pilot.

Captain Gadow took his state licensing exam on January 13-14, 2014 and passed. The Commission passed Resolution #14-02 to approve the issuance of a License as a New Jersey State Docking Pilot to Captain Gadow at the Commission's January 30, 2014 regular meeting.

Captain Gadow was issued the Oath by Commissioner Stapleton.

Resolution #14-07 to Approve the Issuance of a Deputy Pilot License to Maritime Pilot Apprentice Douglas Einhorn

Douglas Einhorn took his state licensing exam at the Commission's office on February 10-12, 2014 and passed. A motion was made by Commissioner Dacey and seconded by Commissioner Stapleton to approve the issuance of a Deputy Pilot License to Apprentice Douglas Einhorn effective April 1, 2014.

All voted in favor.

Apprentice Einhorn will appear at the Commission's March 18, 2014 regular meeting to be sworn in and receive his credentials.

Resolution #14-08 to Appoint Jeremy Harris into Harbor Pilots Association Apprentice Training Program

This resolution has been tabled.

Old Business

A. Joint Pilot Card:

Captain Sarubbi reported that President Hobbie of the New York Commission is still reviewing the draft.

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

All voted in favor.

The Commission went into Executive Session at 10:30am.

Return to Public Session

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

The Commission returned to Public Session at 10:44am.

Upgrade of Pilot

A motion was made by Commissioner Dacey and seconded by Commissioner Stapleton to pass Resolution #14-09 to approve the upgrade of Captain Joseph Paulis from a Pilot of the Third Grade to a pilot of the Second Grade effective April 1, 2014.

All voted in favor.

Flagship Privet

A motion was made by Commissioner Dacey and seconded by Commissioner Stapleton to approve the draft letter to be sent to Captain Fred Dashkoff in the matter of the Flagship Privet.

All voted in favor.

Adjournment

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

The meeting was adjourned at 10:45am.