

**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot & Docking Pilot Commission
July 20, 2010**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, July 20, 2010 at One Penn Plaza East, 9th Floor, Newark, NJ 07105.

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

Pledge of Allegiance

Open Public Meeting Statement

Roll Call

Commissioner Timothy J. Dacey, present; Commissioner Thomas F. Daly, present; Commissioner Stanley E. Wiklinski, present; Commissioner Charles Wowkanech, present.

Election of Officer

A motion was made by Commissioner Dacey to nominate Commissioner Wowkanech as Secretary. The nomination was seconded by Commissioner Wiklinski.

The nomination was put to a vote and passed unanimously.

Minutes of Prior Meetings

A motion was made by Commissioner Wowkanech and seconded by Commissioner Dacey that the minutes of the June 15, 2010 regular meeting be approved.

All voted in favor.

Treasurers Report

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech that the Treasurer's report dated July 2010 be approved.

Mr. Licata pointed out that the Treasurers report did not include any per diem payments to Commissioners but does include for the first time monthly rent in the amount of \$2,000 payable to NJ Transit.

All voted in favor.

Executive Directors Report

The Commissioners were given a copy of a memo sent to all New Jersey licensed pilots regarding the Port Authority's voluntary low sulfur fuel program

The Commissioners were given a copy of a memo from the Governor's Authorities Unit mandating that all the Commissioners undergo on-line ethics training to be completed by August 20, 2010.

The Commissioners were given a copy of a notification from NJDOT on required workplace training. This training has a completion date of July 31, 2010. Because the request was recently received Mr. Licata will be in touch with someone at DOT to get an extension for the Commissioners to complete it.

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

The Commissioners were given a copy of a press release from the Governor's website regarding the Bayonne Bridge.

Public Comment

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

Captain McGovern recently attended a meeting with the Port Authority regarding the Bayonne Bridge issue. Although there is no new progress they did talk with a couple of engineers hired by the Port Authority to do studies on different scenarios on how to "fix" the situation. The studies are due by the end of the year.

The City of New York appointed a committee to put together an update of their comprehensive water front facilities plan. Captain McGovern and Ed Kelly have been appointed to this committee. Captain McGovern has stressed to the committee the importance of talking to New Jersey. The plan is due by the end of the year.

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

The cutter dredgers are scheduled to arrive on the Conn Hook Range any day. VTS has recommended that the Range become a no passing zone while the dredgers are present. The work is scheduled to take two years, however, the cutter dredges may cut the time in half.

A foot was taken away at the Claremont terminal until the soundings are received.

Comment from Genevieve Clifton, Manager, Maritime Resources:

The Committee established by New York to put together the water front facilities plan has been in touch with Maritime Resources and the Governor's policy office.

Comment from Richard L. Amster, Retired Commissioner, The New Jersey Maritime Pilot and Docking Pilot Commission:

Commissioner Amster announced his retirement stating that after 30 years on the Commission he is forced to retire due to the current budget restrictions.

He expressed his delight at having had the opportunity to work with his fellow Commissioners and the very competent staff. Thirty years ago, when he was initially appointed to the Commission by Governor Keane, the pilotage system in the state of New Jersey was in need of improvement. During the past 30 years several changes enacted by the Commission has made this state's pilotage systems one of the best in the U.S.

The Sandy Hook Pilots and the docking pilots have proven to be professional and highly skilled ship handlers.

Commissioner Amster is concerned that the public, the administration and the legislature do not appreciate the significant contributions of time and efforts made by the Commissioners in aid of ensuring a safe and efficient pilotage system.

In the 30 years that he has been a member of the Commission there has been no cost to the tax payer or the State of New Jersey because the Commission is a 100% self sustaining Commission paid for entirely from the statutory fees received from NJ licensed pilots. The costs of Commissioners' and staffs' salary, healthcare and benefits were also paid from these fees. Ironically the recent changes that have compelled him to retire and apply for his pension and healthcare may impose costs on the tax payers.

Commissioner Daly thanked Commissioner Amster for his service and invited him to return in September at which time he will formally be honored for his years of service.

Comments from Commissioner Stanley Wiklinski, Commissioner, New Jersey Maritime Pilot and Docking Pilot Commission:
A copy of the statement made by Commissioner Wiklinski is attached.

Commissioner Wiklinski has requested that a copy of the statement be sent to each of the Senators in Bergen County with Senatorial courtesy regarding his appointment.

Commissioner Dacey thanked Commissioner Wiklinski for his insightful and informative remarks and made a motion to have the statement a part of the minutes. The motion was seconded by Commissioner Wowkanech. All voted in favor.

Committee Reports

A. Investigation Committee:

- I. ***M/V Ambassador*** - April 11, 2010 - Accidental release of anchor, (TFD). Based on the attached investigation report, Commissioner Daly recommended that the incident be closed and the pilot issued a letter of non-culpability and also the apprentice and his employer receive a copy of the report. A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech to accept the recommendations in the report. All voted in favor.
- II. ***Zhong Ji*** - April 23, 2010 - Power loss (TJD). Based on the attached investigation report, Commissioner Dacey recommended that the investigation be closed and the pilot issued a letter of non-culpability. A motion was made by Commissioner Wowkanech and seconded by Commissioner Wiklinski to accept the recommendations in the report. All voted in favor.
- III. ***Caribbean Princess*** - May 9, 2010 - Vessel touched Cranes at Pier 12 in Brooklyn, (TFD). Based on the attached investigation report Commissioner Daly recommended that the incident be closed and the pilot issued a letter of non-culpability. He also recommended that the docking pilot associations get together to establish a contingency plan in the event of adverse weather conditions exists which may increase the risk of an accident. The contingency

- IV. plan is to be submitted to the Commission and the New York Board. Copies of the investigation report should be sent to each of the pilot organizations and the New York Commission. A motion was made by Commissioner Dacey and seconded by Wowkanech to accept the recommendations in the report. All voted in favor.
- V. **MSC Atlantic** - June 3, 2010 - Malfunction of main engine (TFD). Based on the attached investigation report Commissioner Daly recommended that the incident be closed and the pilot issued a letter of non-culpability. He also recommended that all New Jersey state licensed pilots be reminded that all power anomalies should promptly be reported to the U.S. Coast Guard and copies of the report be sent to the COTP, the New York Board and the leadership of all the pilot agencies. A motion was made by Commissioner Wowkanech and seconded by Commissioner Dacey to accept the recommendations in the report. All voted in favor.
- VI. **Maersk Tangier** - June 9, 2010 - Power loss (TJD). This incident has been carried.
- VII. **Anna M.** - June 14, 2010 - Grounding (TFD). This incident has been carried pending the receipt of the VDR info from the USCG.
- VIII. **Uganda** - June 20, 2010 - Bridge strike (TFD). Based on the attached investigation report Commissioner Daly recommended that the incident be closed and the pilot issued a letter of non-culpability. A motion was made by Commissioner Dacey and seconded by Commissioner Wiklinski to accept the recommendations in the report. All voted in favor.
- VIII. **Ocean Princess** - June 23, 2010 - Bridge Strike - (TFD). Based on the attached investigation report Commissioner Daly recommended that the incident be closed and the pilot issued a letter of non-culpability. A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech to accept the recommendations in the report. All voted in favor.
- XI. **Elka Eleffheria** - July 3, 2010 - Power loss, (TFD). Based on the attached investigation report Commissioner Daly recommended that the incident be closed and the pilot issued a letter of non-culpability. A motion was made by Commissioner Dacey and seconded by Commissioner Wiklinski to accept the recommendations in the report. All voted in favor.

Resolution to Approve the Proposal of Regulations

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech to approve Resolution #10-08 to approve the proposal of the attached amendments to the Commissions regulations. All voted in favor.

Resolution to Establish a Review Committee

A motion was made by Commissioner Wowkanech and seconded by Commissioner Wiklinski to approve Resolution #10-06 allowing the President and Vice President to conduct a review to determine the needs of the Commission in light of the current budget restrictions. The results of the review are to be reported at the Commissions October, 2010 regular meeting. All voted in favor.

***Resolution to Approve FY11 Budget**

The Commissioners were each given three different budget scenarios (Budget A, B & C). Because the Commissions expenses have been greatly decreased as a result of the state budget each of the scenarios shows a decrease in the percentage the Commission receives from pilotage revenue to offset the decrease in expenses.

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech to pass Resolution #10-3 to adopt budget option #C which represents a .75% decrease in pilotage fees. All voted in favor.

***Resolution to Adjust Pilotage Fees**

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech to pass Resolution #10-07 to adjust the Sandy Hook Pilotage fees to 1.75%. All voted in favor.

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

All voted in favor.

The Commission took a break at 11:12am.

Return to Public Session

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

The Commission returned to Public Session at 12:02pm.

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 12:05pm.