

**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot & Docking Pilot Commission
July 19, 2011**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, July 19, 2011 at One Penn Plaza East, 9th 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, absent; 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 June 21, 2011 regular meeting be approved.

All voted in favor.

Treasurers Report

A motion was made by Commissioner Dacey and seconded by Commissioner Stapleton that the Treasurer's report dated July 2011 be approved.

Commissioner Dacey expressed his concern regarding the notice of a proposed rent increase from NJ Transit. The budget that was passed at the June 21, 2011 regular meeting did not include any rent increase.

Mr. Licata pointed out that the original rental agreement included a clause for an annual rent increase and stated that although it was not included in the budget that the amount would be covered because the budget allows for a small surplus.

The motion was put to a vote and all voted in favor.

Executive Directors Report

Mr. Licata welcomed Commissioner Chip Stapleton to the Commission and congratulated him on his reappointment.

Mr. Licata pointed out that the proposed rent increase from NJ Transit would not be significant and he will make sure the expected CPI-based increase will be reflected on future budgets.

The Commissioners were given a copy of the Monthly Apprentice Training report. Commissioner Daly has been in communication with New York regarding having the next two Stopped-Up apprentices to be licensed as New York pilots so that they can work on the LIS Board. This will eliminate the issue of pilots having dual licenses. Commissioner Daly will prepare a draft for the Commission to consider at its next meeting.

The Commissioners were given a copy of the registration form for Port Industry Day. Mr. Licata pointed out that it is the same day as the Commission's October 18, 2011 regular meeting. Since most of the pilots that report at the Commission's monthly meetings regularly attend this annual event Mr. Licata asked the Commission if they felt it would be appropriate to change the date of the October meeting.

The Commission's staff was instructed to find out what other dates in October the Board Room is available and will revisit the issue at the August 16, 2011 regular meeting.

Mr. Licata reported that Ms. Stuckey will be on vacation from July 25 - July 29 and he will be on vacation August 1 - August 10.

The Commissioners were shown the Port Authority's video presentation on the Bayonne Bridge renovation.

Mr. Licata and Ms. Stuckey met with the auditors to begin the process of the FY10 Audit. The auditors have agreed to complete the audit by the Commission's September 20, 2011 regular meeting.

Public Comment

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

Harbor Ops Committee met with Industry representatives and New Jersey DEP on the proposed off-shore wind project at the entrance of the Barneget and Nantucket traffic separation schemes. The pilots explained that just because the scheme ends, there are still many ships in the vicinity, they just pan out.

Although New York City has not signed on yet, the OpSail People are considering bringing in ten naval vessels and 10-15 Class A tall ships on Memorial Day next year.

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

The blasting has begun and the new rules are in place at Shooters Island.

There will be a feasibility simulation study in Vicksburg on August 10, 2011 regarding the second phase of the dredging project at Shooters Island.

The pilots are considering increasing the acceptable draft to 43 feet at Port Jersey instead of the 42 feet initially agreed upon.

Committee Reports

A. Investigation Committee:

- I. **Grande Guinea** - March 10, 2011 - Allision with buoy. 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 Daly and seconded by Commissioner Stapleton to accept the recommendations in the report. All voted in favor.
- II. **Faust** - March 10, 2011 - Allision with Buoy - This incident is currently being investigated by Commissioner Daly and has been carried.
- III. **Oleander** - May 5, 2011 - Allision - This incident is still under investigation by Commissioner Dacey and has been carried.

Old Business

Mr. Licata reported on the following items:

Ship Information Recording System - This issue is still being researched and he hopes to have a report for the Commission at its next meeting.

Status of MOA with U.S. Coast Guard - Is currently at District and has undergone legal review. There were some questions; however, the initial attorney has been reassigned. Commissioner Wowkanech has agreed to contact Congressman Lobiando in an effort to get it moved along.

Minutes & Records Digitizing - Mr. Licata has spoken with someone at Archives and she is looking into whether this can be done through them. If not, she will look at the available

vendors that have been approved by the Division of Purchasing and Property to see which of them are capable of performing the work.

Publish Berth Soundings on Commission Website - The password protected page on the Commission's website has been approved by OIT. Staff is waiting on submissions from the berths to begin posting them on the website. There will be a disclaimer approved by counsel on the page.

Pilot Recency - The comment period on the proposed rules expires on September 3, 2011.

Commissioner Daly has asked staff to include the following items on the next agenda for follow-up: Assignment of Apprentices and Purchase of Live Ships Real Time Position Information.

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

All voted in favor.

The Commission took a break at 10:57am.

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 11:40am.

Conversation Re: Proposed Pier at Carteret

Commissioner Stapleton inquired as to the status of the Proposed Pier at Carteret.

Captain McGovern stated that there is talk about DEP pulling their funding. Mr. Licata informed the Commission that this has not been confirmed.

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 11:41am.