

**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot & Docking Pilot Commission
July 15, 2008**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, July 15, 2008 at One Penn Plaza East, 9th Floor, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:05am.

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, absent; Commissioner Richard L. Amster, present; Commissioner Joseph Azzolina, present.

Minutes of Prior Meetings

On a motion by Commissioner Amster and seconded by Commissioner Azzolina that the minutes of the June 17, 2008 regular meeting was approved. All voted in favor.

Treasurers Report

On a motion by Commissioner Daly and seconded by Commissioner Amster that the Treasurer's report dated July 2008 was approved.

All voted in favor.

Executive Directors Report

The Commissioners were given a copy of a memo that was sent to all New Jersey Licensed Pilots with the revised Physicians Certification Form.

The Commissioners were given copies of correspondence with Captain Baeszler regarding the Stolt Span Incident.

The Commissioners were given a copy of the Press Release that will be distributed on Monday July 21, 2008 when the Proposed Intra Harbor Rate Regulations will be printed in the New Jersey Register.

The Commissioners were given a copy of a letter from the Maritime Institute of Technology & Graduate Studies outlining the continuing education and professional development program for the Sandy Hook Pilots Association.

The Commissioners were given a copy of the agenda from the June 18, 2008 Harbor Ops Meeting. Mr. Licata attended the meeting.

The Commissioners were given a copy of the agenda from the July 26, 2008 Area Maritime Security Committee Meeting. Mr. Licata attended the meeting.

The Commissioners were given a copy of an Editorial regarding the vessel that collided with the Oakland Bay Bridge. The Editorial criticizes the state board for allowing Captain Cota to continue to pilot vessels even though he was taking medication for sleep apnea and other pills to combat drowsiness.

Mr. Licata pointed out that after the Commission's staff completed a survey of other state pilot agencies regarding their medical practices he is confident that the New Jersey Maritime Pilot and Docking Pilot Commission is one of the top State Boards in terms of effectiveness and thoroughness.

The Commission requested that Mr. Licata give a copy of the Editorial to the Presidents of the Pilot Associations for distribution to all pilots.

Mr. Licata reported to the Commission that on July 14, 2008 Docking Pilot Apprentice Richard Jermak took his state licensing exam. This was the first time the test was administered to a docking pilot. The test was proctored by Commissioner Daly. Captain Jermak passed the test and will be scheduled to be sworn in as a licensed Docking Pilot in the near future.

Due to a conflict in scheduling, the date for the December Board meeting will need to be changed. The Commissioners were asked to check their calendars for availability the week of December 8th. The Commissions staff will contact each Commissioner to confirm a date.

Public Comment

Report from Captain Edward Sweeney, Marine Superintendent, The New Jersey Sandy Hook Pilots Association:

Captain Sweeney presented the Commissioners with a chart of the Ambrose Channel laying out the location of the proposed new Pilot Station.

The first round of apprentice selection interviews were conducted on July 1, 2008. A total of 40 applicants will be interviewed which will result in a list of the top ten applicants and three alternates.

The Sandy Hook Pilots expressed their appreciation to Commissioner Wiklinski for serving on the Apprentice Selection Committee. They find his guidance to be invaluable to the interview and selection process.

A proposal has been submitted to the Port Authority for a Tug & Barge anchorage at the mouth of the North River. The pilots feel that it may help to alleviate congestion on the Bay Ridge Flats.

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

The openings and closings of the A.K. Rail Road Bridge are going well. The Coast Guard is working with the bridge operators on how to best use the DGPS.

The pilots will meet with the Bayonne Cruise Terminal regarding their plans to berth vessels at the end of the pier. The pilots are concerned about surges from passing ships.

One August 5th the Port Recovery Committee will hold a tabletop exercise to simulate what will happen in the case of a port closure.

The blasting at Port Newark is complete. Once the dredging begins only half of the channel in the Con Hook Range will be open and only one way traffic will be allowed.

Committee Reports

A. Capital Construction Meeting - Commissioner Amster:

Sandy Hook is beginning to accrue a capital surcharge excess. The committee feels that discussions need to take place as to future plans regarding the operation of the present pilot boats. Commissioner Amster feels that a meeting between the

joint associations, the joint Commissions and industry would be helpful.

Captain Sweeney informed the Commission that Sandy Hook has applied for a joint grant with the Coast Guard and the New York Police Department for a Harbor Boat to shuttle persons to and from the pilot boats.

B. Investigation Committee:

- I. ***M/V Orange Sun*** - (TFD)- 1/24/08 - Collision. The incident is currently under investigation by Commissioner Daly, the U.S. Coast Guard and the NTSB and has been carried.
- II. ***Eagle Birmingham*** - (TJD)- 4/26/08 - Ship departed with tug tied to port side. This incident is still under investigation and has been carried.
- III. ***Baltic Merchant*** - (TJD)- 5/4/08 - Loss of Steering. This incident is still under investigation and has been carried.
- IV. ***Qatari Ibn Al Fujaa*** - (TJD) - 5/5/08 - Power Loss. This incident is still under investigation and has been carried.
- V. ***Qatari Ibn Al Fujaa*** - (TJD) - 5/6/08 - Loss of Engine. This incident is still under investigation and has been carried.
- VI. ***Ballengen*** - (TFD) - 5/15/08 - Near Miss. This incident is still under investigation and has been carried.
- VII. ***Norwegian Spirit*** - (TJD) - 5/25/08 - Allision. This incident is still under investigation and has been carried.
- VIII. ***British Integrity*** - (CAL) - 6/28/08 - Loss of Power. This incident is still under investigation and has been carried.

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 and litigation matters.

WHEREAS, the Commission desires to retire to 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 took a ten-minute break at 10:47am.

Return to Public Session

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

The Commission returned to Public Session at 11:42am.

Upgrade of Pilot J.L. Flanders from a Pilot of the Third Grade to a Pilot of the Second Grade.

A motion was made by Commissioner Daly and seconded by Commissioner Amster that Captain Jon L. Flanders be promoted from a Pilot of the Third Grade to a Pilot of the Second Grade effective August 1, 2008. All voted in favor

Adjournment

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

The meeting was adjourned at 11:45am.