

**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot and Docking Commission**

September 20, 2022

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, September 20, 2022 Via-Zoom.

Commissioner Dacey called the meeting to order at 10:02 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (present); Commissioner Jacob Shisha (present); Commissioner Bjoern Kils (present); Commissioner Charles Wowkanech (absent); Commissioner Brendan Roberts (present)

Also included in the call were: Andre Stuckey, Executive Director; Al Hawkins, Board Administrator; Captain Brendan Foley, President, Sandy Hook Pilots; Captain Robert Flannery II; Captain Jon Miller, President Harbor Pilots; Captain Adam Richardson, President Interport Pilots; Dorian Smith, Authorities Unit, Brian Ashnault Esq., DAG.

Ms. Stuckey advised that Commissioner Wowkanech extended his apologies, but he had a conflict this morning for union business.

Approval of the August 16, 2022 regular meeting minutes

A motion was made by Commissioner Roberts and seconded by Commissioner Kils to approve the August 16, 2022 meeting minutes. All voted in favor.

Resolution #22-23 to approve the September 2022 Treasurers
Report

Ms. Stuckey advised that the Commission's annual rent was adjusted per the Consumer Price index. The second amount on the Treasurers Report represents the increase for the months of July, August and September. Moving forward, the Commission's rent has been raised \$147 more a month for the FY23.

A motion was made by Commissioner Roberts and seconded by Commissioner Kils to pass Resolution #22-23 to approve the September, 2022 Treasurers Report.

All voted in favor.

Executive Director's Report

- A. Pilot trip log - Ms. Stuckey provided the Commission with a copy of the updated pilot log.
- B. COVID Update - Ms. Stuckey reported that most of the COVID restrictions are being lifted and the cases in the building are slowly going down. The Commission addressed the current meeting forum in Executive Session.
- C. Metro Pilot Apprentice - Metro pilot apprentice Kevin Metkiff is scheduled to take his state exam on September 22 and 23rd. Metro Pilots Association has submitted a request that pending the passing of his exam, apprentice Metkiff be able to join the rotation board immediately to address a man power shortage. The Commission will vote on a resolution later in the meeting to approve his license pending successful completion of his state exam. Apprentice Metkiff will come before the Commission at the October meeting, however he will be sworn in and issued his credentials on September 23rd.

Captain Miller reported that Apprentice Metkiff has proven that he is competent and able to handle his duties as a pilot. He advised that if Apprentice Metkiff does pass his state exam, they are ready add him to the rotation board because of the uncertainty of some of their pilots.

- D. Maritime apprentice Peter Rooss Jr. is scheduled to attend Manned Model Ship Handling at the Maritime Pilot's

Institute on March 13-17 of 2023. The Commission sponsors the training and the funds to cover the training is included the FY23 budget. Ms. Stuckey advised that all Maritime Pilot Apprentices attend this training prior to stopping-up.

- E. FY23 Budget - FY23 budget has been successfully set up and all of the funds have been allocated to the necessary line items. Ms. Stuckey has been advised that 125,000 in reserve has been released.
- F. Maritime Awareness Careers Panel - Ms. Stuckey will participate in a panel that will take place on September 21, 2022 hosted by the Port Authority. The discussion will be geared towards local students and parents of the local waterfront communities to educate and advise of the maritime career opportunities.
- G. Harbor Ops - Ms. Stuckey reported that she has received the agenda for the next Harbor Ops meeting. The meeting will be held tomorrow morning virtually, she plans to attend and will report anything of note back to the Commission.
- H. Port Industry Day - Ms. Stuckey reported that she was not able to attend this year because of her obligation with the Apprentice Selection Committee, she asked Captain Foley to update the Commission on the panel discussions during his report.
- I. Right Whale Regulations - The Commission is working to submit comments on the proposal by the deadline date of September 30th.
- J. Ms. Stuckey reported that she will attend a Coast Guard port recovery exercise on November 1, 2022 at Fort Wadsworth. The exercise will focus on the ramifications of the effects on the port in the event of a Suez Canal casualty in the Kill Van Kull and the ports response to it.
- K. Ms. Stuckey previously reported that the Commission will once again join the New York Commission in requesting another safety training grant from the Department Of Homeland Security. The grant was declined because the company that the New York Commission hired to write the grant did not complete the necessary paperwork. The New York Commission has recently hired Tiffany Tori from Tori

Enterprises to correct the errors and resubmit the application. If approved, Mr. Andy Garger and Ms. Stuckey will meet with the pilot Presidents to identify the best possible way to utilize the funds.

- L. Vacation Schedules - Ms. Stuckey reported that she will be taking vacation beginning Friday, September 30th returning on Tuesday, October 4th and Friday, October 28th returning on Tuesday, November 1st. During that time she she will be available with access to her laptop and cell phone. Mr. Hawkins does not have any vacation plans at this time.
- M. Articles of Interest - Several articles of interest were sent to the Commissioners and they were advised to read them at their leisure.

Public Comment (s)

Comments from Captain Brendan Foley, President, Sandy Hook Pilots Association:

Captain Foley reported that on September 16th, NOAA announced that the comment period for the proposed Right Whale speed restrictions is extended to October 31st. He advised that there will be a meeting with the Presidents of the other state pilot associations to discuss comments to be submitted.

Captain Foley reported that container volume in the port is 35 percent over the same time period in 2019. 70 percent is cargo that has been rerouted from the West Coast. The long term planning and improvements that are ongoing to address the growth is not keeping up with the surge. Captain Foley reported that on Port Industry Day, most of the panel discussions revolved around this surge and the strategy to handle the surge moving forward.

Captain Foley reported that there are three major dredging projects that are ongoing. The Buttermilk channel is finished, the Sandy Hook Channel should be done by the end of October and the Newark Bay will be ongoing throughout the New Year.

Captain Foley reported that on September 7th Sandy Hook hosted the Archbishop of New York, Cardinal Joseph Tobin who blessed the Pilot Boat New York and held mass.

Captain Foley reported that on September 8th the Sandy Hook pilots hosted the President of the Steamship Historical Society of America on the pilot boat New York. During the visit, the Sandy Hook Pilots Association was presented with the ship of the year award.

Comments from Captain Jon Miller, President, Metro Pilots Association:

Captain Miller reported that Metro pilots is re-organizing the association. He advised that Kevin Metkiff receiving his license will help the association and allow them to prepare for the future.

Captain Miller reported that they have been very busy and advised that he was part of a discussion that was based on simulation bringing larger ships into Howland Hook. After the exercises, they reported that it is too challenging to bring them in.

Comments from Captain Adam Richardson, President, Interport Pilots Association:

Captain Richardson reported all Interport's pilots are healthy and both of the newly licensed pilots are getting lot of work.

Captain Richardson reported that Interport Pilots will be submitting their comments on the Right Whale restrictions to the Commission and other parties very soon.

Comments from Stephen Lyman, Executive Director, Maritime Association:

Mr. Lyman reported that the Maritime Association is looking at the Right Whale restrictions and they will be submitting comments.

Mr. Lyman reported that the Maritime Association has started engaging with the New York department of state on a cable forum for off-shore wind and where they will be located.

Resolution #22-24 to Approve the Hiring of an Auditor

A motion was made by Commissioner Shisha and seconded by Commissioner Roberts to pass Resolution #22-24 to Approve the Hiring of an Auditor.

All voted in favor.

Committee Reports

A. Apprentices Selection Committee:

Maritime Pilot Apprentices Selection - Ms. Stuckey reported that beginning September 6th through September 16th, the Committee interviewed 37 candidates. This year the Committee utilized the services of the Institute for Forensic Psychology (IFP) for pre-screening. They utilized a system that ranked the candidates in 4 categories. All of the candidates selected for interviews were ranked in the top two categories. She advised that the changes in the age requirement was successful in bringing forward highly qualified candidates that may have aged out of the process under the old regulations. The Committee put together a list of the top ten candidates with five alternates. The next step is for the candidates to return to IFP to be tested and questioned regarding medical and psychological issues that the committee was not allowed to address during the interview process. The second interviews are currently taking place and the list should be finalized by Friday. Ms. Stuckey advised that she will write a report of the 15 candidates and a resolution for the Commission to vote on at the October meeting.

Captain Pakalik reported that the age requirement change was successful and brought in a lot of highly qualified candidates. He advised that the list will dictate that a lot of the applicants that would have normally aged out, placed at the top of the list.

A. Occurrence Investigation Committee:

- I. Oleander - 4/28/2022 (carried)
- II. M/T Grouse Sun - After several discussions, Ms. Stuckey reported that there is communication between the pilot, tug operator and line boat operator. She advised that the Commission's policy is to immediately contact the Coast Guard in cases such as this one.
Ms. Stuckey recommended that the Commission find no fault of the pilots and the file be closed. A motion

was made by Commissioner Roberts and seconded by Commissioner Kils to accept the recommendation. All voted in favor.

Resolution #22-25 to Approve the Issuance of a New Jersey State Docking Pilot License to Captain Kevin Metkiff

A motion was made by Commissioner McEwing and seconded by Commissioner Roberts to pass Resolution #22-25 to Approve the Issuance of a New Jersey State Docking Pilot License to Captain Kevin Mefkiff pending the passing of the state exam. 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 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 Roberts and seconded by Commissioner Shisha that the Commission goes into Executive Session.

All voted in favor.

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

Return to Public Session

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

The Commission returned to Public Session at 11:12 AM.

Resolution #22-26 to Approve the Upgrade of Captain Ryan
Pakalik

A motion was made by Commissioner Roberts and seconded by Commissioner McEwing to pass Resolution #22-26 to Approve the upgrade of Captain Ryan Pakalik.

All voted in favor.

Resolution #22-27 to Approve the Upgrade of Captain Nicholas
Pitch

A motion was made by Commissioner Kils and seconded by Commissioner Shisha to pass Resolution #22-27 to Approve the Upgrade of Captain Nicholas Pitch.

All voted in favor.

Adjournment

A motion was made by Commissioner Shisha and seconded by Commissioner Kils that the meeting be adjourned.

All voted in favor.

The meeting was adjourned at 11:14 AM.