

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

**October 18, 2022**

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, October 18, 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 (absent); Commissioner Bjoern Kils (present); Commissioner Charles Wowkanech (present); Commissioner Brendan Roberts (present)

Also included in the call were: Andre Stuckey, Executive Director; Al Hawkins, Board Administrator; Captain Tim Ferrie, Vice-President, Sandy Hook Pilots; Captain Kirk Pinto, President Harbor Pilots; Captain Jon Miller, President Metro Pilots; Captain Adam Richardson, President Interport Pilots; Dorian Smith, Authorities Unit, Brian Ashnault Esq., DAG.

Ms. Stuckey advised that Commissioner Shisha is observing a Jewish holiday and will not attend the meeting.

Approval of the September 20, 2022 regular meeting minutes

A motion was made by Commissioner McEwing and seconded by Commissioner Kils to approve the September 20, 2022 meeting minutes. All voted in favor.

Resolution #22-28 to approve the October 2022 Treasurers  
Report

Ms. Stuckey advised that there is a charge on the report for back rent in the amount of \$30. There was an error in the adjustment last month, and that difference increased the back rent from \$411 to \$441.

A motion was made by Commissioner Kils and seconded by Commissioner Wowkanech to pass Resolution #22-28 to approve the October, 2022 Treasurers Report.

All voted in favor.

Executive Director's Report

Ms. Stuckey reported that Captain Foley is attending the APA convention and Captain Ferrie will report on behalf of the Sandy Hook Pilots Association.

- A. Pilot trip log - Ms. Stuckey provided the Commission with a copy of the updated pilot log.
- B. FY22 Audit - All the information has been scanned and electronically submitted to the auditor, including the financial reports from Quick Books. Ms. Stuckey believes that the audit will be completed by the November, 2022 meeting. Ms. Stuckey advised that she is planning to schedule an Audit Committee meeting prior the Commission's board meeting and will prepare a resolution in case the Committee is prepared to move forward with recommending the Commission adopt the FY22 Audit.
- C. A copy of the end of the year budget sheets that are supplied by the budget office was distributed. The Commission began FY23 with a surplus of \$31,941.77, coupled with the release of the \$125,000.00 that was in reserve and the increase in pilotage revenue from 1% to 1.5%, the Commission will have enough funds to cover the FY23 budget. Ms. Stuckey pointed out that the budget sheets show negative numbers for FY22 because of the reinstatement of the Commissioner's salaries.
- D. Commission's meeting forum - The Commission has decided to continue virtual meetings until the end of the year. In January, the Commission will revisit the subject.
- E. Right Whale Comments - The Commission is still on track to submit comments for this issue by the end of the month. Captain's Foley, DeCruz and Ferrie will discuss the issue at the APA Convention.

After the convention, they will report the feedback to the Commission and coordinate with the pilot Association Presidents so all of the comments will be uniform.

Captain Miller reported that he has advised the Sandy Hook Pilots that the Harbor pilots will support their position on the Right Whale restrictions because it does affect all associations in some way.

- F. Harbor Ops - Ms. Stuckey attended the September 21, 2022 virtual Harbor Ops meeting. The following maintenance dredging updates were given. Dredging is ongoing in Newark Bay, Flushing Bay, East Rockaway and Sandy Hook with all anticipating completion in one to two months except Newark Bay that is anticipated to be completed in February, 2022.

Ms. Stuckey reported that there were two presentations, one on the Arthur Kill Terminal proposal. Currently, the proposal is in the planning stages and was presented to the Steering Committee and then to the full Harbor Ops Committee. The purpose was to solicit feedback from the stake holders within the port. Most of the concerns revolved around the transit of the vessels and not the terminal itself. It has been expressed that while the work is ongoing, it would be difficult for vessels to travel through the work zone. There have been talks of declaring the area a no meeting, no passing zone during the construction or have all construction vessels be moved on demand. All suggestions were taken into account and Atlantic Offshore will report back to the Committee with an amended proposal.

The second presentation was by Hera Powerlink proposing an Offshore Wind Terminal south of the Arthur Kill. Most of the conversation revolved around the transit of the vessels. Powerlink is suggesting a 3 hour closure while the equipment is being moved for construction. All at the meeting advised that traffic cannot be held up for a 3 hour period. As in the other case, all suggestions were taken into account and they will report back to the Committee with an amended proposal. Ms. Stuckey advised that she has the link to both of the presentations and if any of the Commissioners are interested in looking at those plans to send her an email and she will forward the link to them.

Captain Miller reported that the construction would block the channel on the outbound transit when loaded, not on the inbound transit. He advised that the closure of the channel would be an issue for all transits and Powerlink would need engineers to make an accurate assessment.

- G. Maritime Transportation Logistics Fair - On October 20<sup>th</sup> the Port Authority of New York/ New Jersey will be hosting a Maritime Transportation logistics Fair. Ms. Stuckey has been invited to participate as a guest host of the Counsel on Port Performance. The event will take place in Elizabeth from 10am to 3pm. Ms. Stuckey advised that if any of the associations are planning to attend, to please send her an email for confirmation.
- H. Connie Awards - The Connie Awards will take place at the Newark Renaissance airport hotel on December 5<sup>th</sup>. Ms. Stuckey advised that she is planning to attend and if any of the Commissioners are available to attend, please send her an email so that she can make the necessary arrangements.
- I. Sandy Hook Charitable Foundation - The Commissioners were sent a flyer from the Sandy Hook Charitable Foundation. The foundation is dedicated to the memory of Captain Timothy Murray and the Board of Directors include both current and retired pilots. Ms. Stuckey advised that if any of the Commissioners did not receive the flyer to let her know and, she could forward a copy.

Captain Ferrie reported that the money received from the foundation will be used as scholarships and to help families within the maritime community.

- J. Marine Society 23<sup>rd</sup> Annual Dinner - The Marine Society Annual Dinner will be held on March 27<sup>th</sup>. Ms. Stuckey advised that she has sent the Commissioners a save the date card and asked if any Commissioners is interested in attending, to let her know.
- K. Hackensack & Passaic River Recency Cruise - The Sandy Hook Pilots will be hosting a training cruise on Thursday, November 3<sup>rd</sup>, 2022. The cruise will leave the Sandy Hook Pilots Association at 3pm returning at 10pm. Ms. Stuckey advised that she will not attend the cruise, but if any of the Commissioners plan to attend, let her know or contact Mr. Chris Maglin directly.
- L. SUNY Maritime Homecoming - The Commission was provided a copy of SUNY Maritime's Homecoming ceremony on the 29<sup>th</sup> of November. At 11am, there will be a wall of honor ceremony for Captain Timothy Murray. Ms. Stuckey recommended that if any of the Commissioners are available, they should try to attend the ceremony.

Commissioner Roberts advised that it is his 30th year reunion and if anyone is interested in attending, to let him know and he will make the arrangements.

- M. USCG Port Recovery Exercise - Ms. Stuckey reported that on November 1, 2022 she will attend the Coast Guard's Port Recovery exercise at Fort Wadsworth. The exercise will begin at 8am and

continue throughout the day. The focus of the exercise will be on the ramifications in the case of a Suez Canal type casualty on the Kill Van Kull and the ports response.

- N. Vacation Schedules - Ms. Stuckey reported that she will be taking vacation time starting on Friday, October 28<sup>th</sup> returning on Tuesday, November 1, 2022. Additionally, she will take a vacation day on Monday, November 14<sup>th</sup>. Ms. Stuckey advised that although the 14<sup>th</sup> is the day before the Commission's board meeting, she will be prepared and will be working while she is off.

Mr. Hawkins does not have any vacation time scheduled at this time.

- O. Articles of Interest - An article was sent to the Commissioners that highlighted the port of New York/ New Jersey as the busiest container port in the United States. Lastly, a public notice was provided from the Army Corps outlining maintenance dredging in the Arthur Kill that Commissioners were encouraged to read at their leisure.

#### Public Comment (s)

Comments from Captain Tim Ferrie, Vice-President, Sandy Hook Pilots Association:

Captain Ferrie reported that the dredging project at Weapons Station is going to be completed by the end of the month. The Sandy Hook channel dredging should be finished by the end of November.

Captain Ferrie reported that the Sandy Hook Pilots will be starting a New York apprentice Roy Shaw on November 1<sup>st</sup>. He thanked the Selection Committee for doing a great job in the selection process. The candidates chosen were very good and increasing the age requirement was a great idea.

Captain Ferrie reported that the second half of the Sandy Hook pilots are currently scheduling time at MITAGS to attend the security simulation training. The remaining pilots will complete the training by the end of the year.

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

Captain Miller thanked Ms. Stuckey for coordinating Captain Metkiff's testing and also thanked the Commission for allowing Captain Metkiff to be sworn in immediately following the test so he could be put into the rotation.

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

Captain Richardson reported that Interport's vessels are almost done with their yearly maintenance period and all of their pilots are healthy and doing well.

Comments from Captain Kirk Pinto, President, Harbor Pilots Association:

Captain Pinto reported that Captain John Tooker announced he is retiring as of November 5<sup>th</sup>.

Ms. Stuckey advised Captain Pinto that Captain Tooker should have contacted the Commission so he can turn in his credentials and she will reach out to him.

Captain Pinto reported that the Harbor pilots is looking forward to starting Apprentice Charles Fannon as soon as he is eligible for testing in February.

#### Committee Reports

##### A. Occurrence Investigation Committee:

##### I. Oleander - 4/28/2022 (Executive Session)

#### Resolution #22-29 to Approve the Maritime Pilot Apprentice Selection List

Ms. Stuckey reported the number two candidate on the list has sent the Sandy Hook pilots a letter requesting that his name be removed from the list, so the Commission is approving a list of 14 candidates and not 15.

Captain Ferrie reported that he met with the number two candidate on the list. He advised that he is removing himself

from the list because he was accepted as an apprentice by Maryland pilots and he will be starting there on January 1<sup>st</sup>.

A motion was made by Commissioner Wowkanech and seconded by Commissioner Kils to pass Resolution #22-29 to Approve the Maritime Pilot Apprentice Selection list as amended.

All voted in favor.

Resolution #22-30 to Approve the Meeting Dates for Calendar Year  
2023

A motion was made by Commissioner McEwing and seconded by Commissioner Roberts to pass Resolution #22-30 to Approve the Meeting Dates for Calendar Year 2023.

All voted in favor.

Appearance of Recently Licensed Pilot Captain Kevin Metkiff

Captain Metkiff gave a brief description of his background.

The Commission welcomed Captain Metkiff and wished him well.

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 Wowkanech and seconded by Commissioner Kils that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:31 AM.

Return to Public Session

A motion was made by Commissioner Wowkanech and seconded by Commissioner Roberts that the Commission return to Public Session.

All voted in favor.

The Commission returned to Public Session at 11:01 AM.

Resolution #22-31 to Approve the Upgrade of Captain Paul Torres  
III

A motion was made by Commissioner Roberts and seconded by Commissioner Wowkanech to pass Resolution #22-31 to Approve the Upgrade of Captain Paul Torres.

All voted in favor.

Resolution #22-32 to Approve the Upgrade of Captain James P.  
Britton

A motion was made by Commissioner Roberts and seconded by Commissioner Kils to pass Resolution #22-32 to Approve the Upgrade of Captain James P. Britton.

All voted in favor.

Oleander

A motion was made by Commissioner Wowkanech and seconded by Commissioner Roberts to accept the report of the Oleander investigation.

All voted in favor.

Adjournment

A motion was made by Commissioner Wowkanech and seconded by Commissioner Roberts that the meeting be adjourned.

All voted in favor.

The meeting was adjourned at 11:04 AM.