

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

**February 20, 2024**

A hybrid meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, February 20, 2024.

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

Open Public Meeting Statement

Roll Call

Commissioner Timothy J. Dacey (via ZOOM); Commissioner Nicholas Fixmer (via ZOOM); Commissioner Dana Martinotti (absent); Commissioner Bjoern Kils (via ZOOM); Commissioner Charles Wowkanech (via ZOOM); Commissioner Brendan Roberts (via ZOOM).

Also included in the meeting were: Andre Stuckey, Executive Director (present); Al Hawkins, Board Administrator (present); Captain Timothy Ferrie, President, Sandy Hook Pilots (via ZOOM); Captain Kirk Pinto, President Harbor Pilots (via ZOOM); Dorian Smith, Authorities Unit (via ZOOM), Adam Richardson, President Interport Pilots (present)

Ms. Stuckey extended apologies on behalf of Commissioner Martinotti. She is traveling and unable to attend the meeting.

Approval of the January 19, 2024 regular meeting minutes

A motion was made by Commissioner Kils and seconded by Commissioner Roberts to approve the January 19, 2024 meeting minutes.

All voted in favor.

Resolution #24-01 to approve the February, 2024 Treasurers  
Report

A motion was made by Commissioner Wowkanech and seconded by Commissioner Roberts to pass Resolution #24-01 to approve the February, 2024 Treasurers Report.

All voted in favor.

### Executive Director's Report

Ms. Stuckey reported that Captain Miller could not attend the meeting and forwarded his report to Ms. Stuckey and Captain Ferrie.

Ms. Stuckey welcomed Captain Sean Meade and his family. They were present for the swearing in of Captain Meade as a New Jersey State Docking Pilot.

- A. Pilot trip log - A copy of the pilot log was sent to the Commission.
- B. Update on Re-adoption of Regulations - The veto date for the meeting in which they were adopted is March 5, 2024. On March 6<sup>th</sup>, Ms. Stuckey will forward the Re-adopted Regulations to the office of Administrative Law. The Re-adopted Regulations will be published in the New Jersey Register and become effective on April 1<sup>st</sup>.
- C. Ethics Update - After several meetings and a compliance review, the Commission is mostly up to date with its compliance requirements.

The Commissioners were provided with a calendar of the activities that will be implemented annually. Ms. Stuckey advised that she has learned that every three years the Commission and staff is required to undergo in person ethics training. She has made arrangements for the Commission to participate in ethics training immediately following the June 18<sup>th</sup> regular meeting. Ms. Stuckey asked the Commissioners to mark their calendars and inform her if there are any conflicts.

The Commission will receive a report from the State Ethics Commission with suggestions on how the Commission can improve any of their ethics policies and procedures. Once received, Ms. Stuckey will take the necessary steps to implement the recommendations.

- D. Joseph Bosch Test - Apprentice Joseph Bosch is scheduled to take his state exam on Thursday, February 29<sup>th</sup> - Friday, March 1<sup>st</sup>. Assuming he passes, he will come before the Commission to be sworn in at the March 9<sup>th</sup> meeting. At that meeting, the Commission will also swear in Apprentice Luke Carrick who passed his state exam the week of January 29<sup>th</sup>.
- E. Governor's Budget Book - The Commission was provided with a copy of the updated page for the Governor's Budget Book. Ms. Stuckey is required to update the page annually for the Governor's budget briefings.
- F. Harbor Ops Meeting - Ms. Stuckey attended the January 17<sup>th</sup> Harbor Ops meeting. At the meeting it was confirmed that Captain John Andrechik will be the next Captain of the port. The change of command ceremony will be held on April 22, 2024. After the ceremony, Ms. Stuckey plans to invite Captain Andrechik and his senior officers to one of the Commission's regular meetings to discuss a continued cooperative relationship with the Coast Guard.

The Coast Guard announced that they will be reviewing the environmental assessment for the Carteret Ferry Terminal. The findings will be shared with the Committee. Ms. Stuckey will make sure the findings get forwarded to the Commission.

The Coast Guard reported that the issue with the Hudson River anchorages is currently a hot topic within the industry. The current rules only allow vessels to anchor in case of an emergency. If there is an emergency; the vessel will still have to move on demand when requested. The issue is ongoing and there has not been any word on when the comment period will begin. Ms. Stuckey advised that when the comment period opens, she will be submitting a letter on behalf of the Commission.

- G. Recurring Training - Ms. Stuckey reported that she will attend one of the upcoming classes for pilot reoccurring training on emergency ship handling at MITAGS as an observer. She advised that if any of the Commissioners would like to attend to please let her know so she can make the arrangements.

Ms. Stuckey reported that she and Commissioner Kils went on an early morning transit with Captain Jon Miller who relieved Captain Ryan Pakalik and brought the vessel to its berth. Ms.

Stuckey advised that this was the first time she has been able to ride a ship and board with a Docking Pilot. Captain Miller did an outstanding job utilizing the tug to maneuver the vessel into the berth. Ms. Stuckey advised that she plans to attend transits quarterly to observe pilots working.

Commissioner Kils reported that it was a good transit, and it is always interesting to observe the pilot's interaction on the bridge.

H. Meeting with Amtrak - Ms. Stuckey met with Amtrak regarding the Hudson River ground stabilization project. There have been some minor setbacks regarding the contract. They are confident that the project will continue as scheduled and the work will begin this spring. Before construction begins, the plan is to visit the site to view where the assets will be positioned to ensure that the assets will not interfere with commercial traffic. Ms. Stuckey advised that she intends to contact all the association presidents to be sure that they are available for the date of that trip. Amtrak has agreed to send the Commission any updates regarding the project.

I. Pilot Terminal Roundtable Meeting - The first in person Terminal Roundtable meeting has been scheduled for May 2<sup>nd</sup>. Ms. Stuckey will attend the meeting and report anything of note to the Commission.

J. Pilot Guard Kick-off Meeting - The Pilot Guard kick-off meeting took place on Thursday, February 15<sup>th</sup>. In addition to Ms. Stuckey, the Docking Pilot Presidents, the Executive Director for the New York Commission and a senior pilot from the New York Sandy Hook Pilots Association participated in the meeting. The meeting was very informative. The pilot program would not be any risk to the associations at this point. They recommend that each association designate one person to participate in the program during the trial. The cost if utilized after the trial period would be \$5-\$10 per pilot. Ms. Stuckey believes that the program would be beneficial and strongly recommends that any of the pilot associations that want to participate in the program do so.

Captain Richardson reported that the Interport Pilots Association is very optimistic about the program. He advised that the developers are doing a great job of

addressing the pilot's concerns and with no risk to the pilots, he believes the program could be a good thing.

- K. Meeting with Council on Port Performance - Ms. Stuckey attended a meeting with the Council on Port Performance. The meeting was to discuss two future events to address recruitment issues. The first will be a round table forum for companies that are having problems with recruiting to brainstorm and come up with different initiatives to attract qualified applicants. This event will take place on March 27, 2024.

The second meeting will be in the form of a job fair that will be held at the Manhattan Cruise Terminal. They are soliciting help from the tug companies, Coast Guard, Ferry Terminals and all other members of the Maritime Community. The job fair will take place on April 18<sup>th</sup>. Ms. Stuckey will participate in both events and will report anything of note to the Commission.

Ms. Stuckey reported that she has been contacted by the Pathways Organization to participate in the YouTube series for women's history. The interview will center around Ms. Stuckey being the first Woman to be appointed Executive Director for the Commission. The interview is set to take place on March 8<sup>th</sup>, and she will circulate the link to the YouTube channel for anyone who is interested in viewing the program.

- L. Marine Society - The Marine Society will hold their annual dinner on March 25<sup>th</sup> and the Maritime Association's Hall of Fame awards will be held May 15<sup>th</sup>. Ms. Stuckey advised if any of the commissioners are interested in attending, to please let her know and she will make the necessary arrangements. Ms. Stuckey plans to attend both events. She advised the Commissioners planning to attend, that they will need to submit an outside events form to Ms. Stuckey.

- M. Vacation Schedule - Ms. Stuckey reported that she will be out of the office on February 22<sup>nd</sup> to undergo outpatient surgery. She will be working from home the rest of the week, returning to the office on Tuesday, February 26<sup>th</sup>. On February 22<sup>nd</sup>, Commissioner Kils will be the emergency contact. Ms. Stuckey reported that before leaving the office, she will send out a burst email advising that Commissioner Kils will be the emergency contact. Ms. Stuckey will also contact all the Association Presidents

advising them to be sure pilots report all necessary issues as they normally would. The last time she was unavailable, and Commissioner Shisha was the emergency contact; some of the pilots chose to wait until she returned to report incidents. It is very important that pilots contact Commissioner Kils immediately after an incident. The Commission waved all fines in that situation; however, it is important that all reporting requirements are followed.

- N. Articles of Interest - Ms. Stuckey provided a couple of articles that she encouraged the Commissioners to read at their leisure. One of the articles focused on the issues in the Red Sea and how those issues are beginning to affect traffic in the New York/New Jersey harbor. Ms. Stuckey encouraged the Association Presidents to describe any changes they may have seen as a result of the Red Sea issues during their report.

### Committee Reports

#### Occurrence Investigation Committee

- A. Maritime Pilot Apprentice Selection Committee - The Committee had their first meeting on February 9<sup>th</sup>. During the meeting, the Committee reviewed the applications and decided to make a few changes. There were discussions on whether they could request applicants criminal background records, age verification in the form of birth certificates and medical records. Several Committee members reached out to their counsel for clarification. Ms. Stuckey advised that she is still waiting on a final response from the Commission's counsel. It is believed that because the regulations require that applicants meet certain age and physical requirements; requesting a birth certificate and medical records could be asked on an application. As for requesting criminal background information, there are some questions whether that information can be requested before applicants are offered employment. Once an applicant is chosen to be on the list, criminal background information can be requested. Ms. Stuckey reminded all that the Commission's counsel advised that the DAG's office is short staffed, and it may take a little time before he responds to the inquiry. In the meantime, the application with the age and physical requirements have been released.

Ms. Stuckey reported that the Committee will meet on April 22<sup>nd</sup> after the deadline date for submitting applications. The Committee will review applications and choose applicants to be sent to IFP for testing. In the past, the applicants had until mid-August to contact IFP for their interviews and testing. That date has been changed to July 1<sup>st</sup>. The Committee will meet again in mid-July to review applications and test results to decide which applicants will move forward in the process. Interviews are currently scheduled for the weeks of September 2<sup>nd</sup> and September 9<sup>th</sup>. After applicants have been chosen, the Commission will receive a summary of everyone that will be on the list. A resolution to approve the list will be before the Commission at the October meeting.

- I. MV Avra Patros 1/15/2024 - Ms. Stuckey recommended that based on the investigators report, the Commission find no fault on the pilots and the file closed. Copies of the report are to be sent to the vessel agent and Coast Guard.  
A motion was made by Commissioner Wowkanech and seconded by Commissioner Fixmer to accept the recommendations.  
All voted in favor.
- II. Ever Max 2/2/2024 - Ms. Stuckey recommended that based on the investigators report, the Commission find no fault on the pilots and the file closed. Ms. Stuckey reminded the Commission that in the past there have been complaints received from pilots regarding cranes moving and being in the wrong position while a vessel is being docked. For those reasons, copies of the report are to be sent to the vessel owner, agent and Coast Guard. A motion was made by Commissioner Roberts and seconded by Commissioner Kils to accept the recommendations.  
All voted in favor.
- III. One Swan 2/8/2024 - Tabled until next month's meeting.

Public Comment (s)

Comments from Captain Timothy Ferrie, President, Sandy Hook Pilots Association:

Captain Ferrie reported that he was not able to attend last month's meeting because he was attending the Sandy Hook Pilot

Association's annual meetings. Captain Ferrie advised that he was re-elected President and Captain Foley will continue as Vice- President. He advised that there are two new trustees. Captain Mark Wanderer will replace Captain Len Evans on the Executive Committee and Captain Robert Flannery will be a new edition to the Finance Committee.

Captain Ferrie reported that the meeting was concluded with a vote to bring in 3 apprentices in 2024. The first apprentices will be on March 1<sup>st</sup>, the second will be on July 1<sup>st</sup> and the last will be on November 1<sup>st</sup>. This apprentice will come from the new list.

Captain Ferrie reported that he and Captain Miller met with the Army Corps. of Engineers to discuss the maintenance dredging in the Arthur Kill and Howland Hook. They have been advised that the money is not there to complete the whole project and bring the channel back down to 50 feet. This will be the second-year money ran out and the big concern is that there is not money set aside for Fiscal year 2025. There have been discussions about getting money in the budget for 2025 to complete the dredging.

Captain Ferrie reported that the Pilot Boat Wanderer will be returning to service tomorrow and she is the last pilot boat that needed to be totally refurbished.

Captain Ferrie reported that the Sandy Hook Pilots performed an Atlantic City job last month. There were two pilots dispatched. The vessel was brought in and anchored offshore on the sea buoy. After attempting to bring the cargo in, the captain thought it was too much swell and the ship was transited to Delaware to unload their cargo. Captain Ferrie was very pleased with the representation of the Sandy Hook Pilots and the Captain was very happy with the efforts made by the association.

Ms. Stuckey reminded Captain Ferrie that the New Jersey Commission has a test for the Atlantic City route if any additional Sandy Hook Pilots would like to be licensed in that area.

Captain Ferrie advised that he believes that Sandy Hook is very well covered for now but will keep that information in mind.

Captain Ferrie reported that the first batch of pilots are currently at MITAGS taking their continued education classes. Early reports are that the training has been well received.

Captain Ferrie reported that he and Captain Mahlmann will be traveling to Florida this week for the winter meetings for the APA to discuss updated safety equipment.

Ms. Stuckey reported that Captain Miller thanked the Commission for testing Captain Andrew Beaird and he is looking to have him sworn in at the April meeting. Moran is looking for a replacement for him to be relieved from the tug.

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

Captain Richardson congratulated Captain Sean Meade for passing his state exam and being licensed. He advised that Interport Pilots are thrilled to have him licensed in New Jersey.

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

Captain Pinto reported that he has been in contact with Maher Terminals since the crane incident and they are scheduled to meet soon. The crane in question was significantly lower than the other cranes and is not normally in that berth. He expressed to Maher Terminals that the crane should not be in the berth, and it is not safe. Maher Terminals has been cooperative with the pilots in the past. It is the hope that they will keep the crane out of the berth. Captain Pinto advised that he would report back to the Commission after the meeting.

Ms. Stuckey advised that if it is helpful to have the help from the Commission during those meetings, to let the Commission know and someone would be available to attend.

Captain Pinto reported that he broke his ankle and will be out of work for a few months. He is hoping to be back by May.

Captain Pinto reported that Captain Daniel Zorovich is now off the tug and working full time as a pilot.

Resolution #24-02 to Approve the Issuance of a Docking Pilot License to Captain Sean Meade

A motion was made by Commissioner Wowkanech and seconded by Commissioner Roberts to pass Resolution #24-02 to Approve the Issuance of a Docking Pilot License to Captain Sean Meade.

All voted in favor.

Captain Meade was sworn in by Ms. Stuckey.

Captain Meade thanked everyone for the support, and he is happy to be finally licensed. Captain Meade advised that he is looking forward to having a long successful career with his partners.

#### 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 Fixmer that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:51 AM.

#### Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 12:33 PM

Resolution #24-03 to Approve the Upgrade of Captain Robert Flannery III to a pilot of the Fourth Grade effective April 1, 2024.

A motion was made by Commissioner Wowkanech and seconded by Commissioner Roberts to pass Resolution #24-03 to Approve the

Upgrade of Captain Robert Flannery III to a pilot of the Fourth Grade effective April 1, 2024.

All voted in favor.

Ms. Stuckey reminded the Commission that the mandatory ethics training will be held at the June 18<sup>th</sup> meeting and to advise her if anyone is unavailable and she will work to schedule them later.

#### 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 12:37 PM.