

**Minutes of the Regular Meeting of The  
New Jersey Maritime Pilot and Docking Pilot Commission  
November 19, 2024**

A hybrid meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, November 19, 2024.

Commissioner Dacey called the meeting to order at 10:03am

Open Public Meeting Statement

Ms. Stuckey read the Open Public Meetings Act Statement into the record.

Roll Call

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

Also included in the meeting were: Andre Stuckey, Executive Director, (present); Dorian Smith, Senior Counsel, Authorities Unit (via ZOOM) Captain Mark Wanderer, Secretary, Sandy Hook Pilots Association (via ZOOM); Captain Jon Miller, President, Metro Pilots Association (via ZOOM); Captain Russel Henchmann, Vice President, Harbor Pilots Association (via ZOOM).

The following Pilots and Apprentices were in attendance via ZOOM for their annual reviews: Captain Frank Reinbold; Captain Russel Henchmann; Captain Sean Meade; Apprentice Kyle Sammis.

Approval of the October 15, 2024, Meeting Minutes

A motion was made by Commissioner Fixmer; seconded by Commissioner Roberts to approve the September 17, 2024, meeting minutes.

The motion passed unanimously.

Resolution #24-33 to Approve the November 2024, Treasurers Report

A motion was made by Commissioner Kils; seconded by Commissioner Roberts to approve the October 2024 Treasurers Report.

The motion passed unanimously.

### Executive Directors Report

Ms. Stuckey announced that Captain Pinto was on vacation and Captain Henchmann will report on his behalf and Captain Ferrie was in New York at an alternative fuel roundtable and Captain Wanderer will report on his behalf.

Ms. Stuckey gave the Commissioners an update on the move. The Commission is on track to move its offices to 2 Gateway Center on December 20<sup>th</sup>. Ms. Stuckey will begin packing the office the week of November 25<sup>th</sup>. She reported to the Commission that she has seen the final office space and believes they will be pleased with the outcome. Ms. Stuckey is in the process of ordering business cards and asked any Commissioner interested in getting them to email her with the information they would like included on the cards.

The Commissioners were given a copy of the letter with the 2025 appearance schedule that was sent to all Pilots and Apprentices. In reviewing files, Ms. Stuckey learned that many of the files were outdated, and the letter reminded them that it is their responsibility to submit updated information to the Commission's office and they should not wait until the month of their annual appearance. Ms. Stuckey reported that the response has been positive, and she believes the files will be up to date by January 2025.

Ms. Stuckey reminded the Commission that the pilots and apprentices must have a valid motor vehicle license for their state license to remain current. Because staff has not been running the annual abstracts the Commissions accounts were cancelled due to inactivity. Ms. Stuckey has begun the process of getting the accounts reinstated. The New Jersey account is reactivated, and the Commission has paid the annual fee of \$150. The New York account has been reactivated and updated. The new program will alert the Commission of any activity on the pilot's license which includes, renewals, suspensions, expirations, etc. This service is provided free of charge. Applications are pending for Connecticut, Rhode Island and Maryland.

The Commissioners were sent a copy of the letter that was sent to the New York Economic Development Corporation regarding the placement of a real-time air-gap gauge under the AK Railroad

Bridge. The letter campaign seems to have been successful, and a hearing has been scheduled to discuss the issue.

At the direction of Commissioner Dacey, the Commissioners were previously sent a copy of the Ethics Compliance Review memo from the State Ethics Commission. Ms. Stuckey asked the Commissioners if there were any questions regarding the review. There were no questions.

Ms. Stuckey reported that Apprentice Zachery Deitrich has been scheduled to take his state exam the week of January 6<sup>th</sup>. He will be the first pilot tested in the new location. Assuming he passes his exam, he will appear before the Commission at its February 2025 meeting to be sworn in and will join the rotation board on March 1, 2025.

Ms. Stuckey reported that the chair of the Bulk Liquid Movement Roundtable meetings was not able to schedule a meeting before the end of the year. There are no pressing issues so the next meeting will take place in the first quarter of 2025. Ms. Stuckey and Commissioner Kils will attend the meeting.

When Ms. Stuckey attended the Newark Board of Education meeting, they expressed an interest in developing an internship summer program for high school students. The proposed internship would be for one week and would not include access to vessels or floating assets. The program is to serve more as an introduction into piloting and the maritime industry. Each association would be asked to host 1 student for 1 week each summer. The funds for the program would come from grant money provided by the state. Ms. Stuckey has begun talks with the associations and tug companies and initial conversations have been positive. Ms. Stuckey will keep the Commission updated as the program develops.

The Commissioners were given copies of the most recent pilot ladder deficiency reports.

Ms. Stuckey informed the Commission of the following upcoming events: virtual whale protection roundtable meeting on December 4<sup>th</sup>, Ms. Stuckey plans to attend; The New York Commissions year end meeting on December 10<sup>th</sup>, Ms. Stuckey will attend; The Drayage holiday event on December 14<sup>th</sup>, Ms. Stuckey will attend; The Marine Society's 255<sup>th</sup> Annual Dinner on March 27, 2025, as the date gets closer Ms. Stuckey will poll the Commissioners to see who will attend the event and Seafarers International House annual Setting the Course Reception on April

24, 2025, as the date gets closer, Ms. Stuckey will poll the Commissioners to see who will attend the event.

Ms. Stuckey informed the Commission that she has a total of 17 vacation and personal days that should be used before the end of the year, or they will be lost. Because of the move and staff changes, Ms. Stuckey will not be able to use all her time. She proposed that beginning December 1<sup>st</sup> she works ½ days on Fridays and after the Commission's December meeting she work ½ days until the end of the year. During this time, she will be available during the afternoons when needed. This will enable her to utilize some of her leave time.

Ms. Stuckey sent the Commissioners several articles of interest that she encouraged them to read at their leisure. She highlighted the one article that speaks about a break down in the negotiations between the ILA and the USMX and stated that the port should be ready for a potential strike in January 2025.

#### Committee Reports

A. Docking Pilot Apprentice Selection Committee: The Committee met and interviewed four applicants on October 29, 2024. The remaining applicants will be interviewed on December 5, 2024. After the interviews Ms. Stuckey will provide the Commission with a summary of each of the applicant's background with the recommendations from the Committee. She will also place a resolution on the agenda at the Commissions December 17, 2024, meeting to approve the Committees recommendations.

Captain Miller stated that he was impressed with the quality of the applicants which enables the Committee to find the best candidates with experience.

B. Pension Surcharge Committee: Commissioner Roberts reported that the Committee agreed that there was no action for the Committee to take regarding the petition that was received from the 6 pilots. Based on legal opinions received from both Commissions counsel, the Committee did not have standing to force the use of the offset formula to provide these pilots with relief. The Committee agreed that a letter would be sent to the pilots explaining the Committees decision by the chair of the Committee.

Ms. Stuckey reported that the accountant reported that the current state of the surcharge is in good shape, therefore there will be no meeting in December to review the rate. The next meeting will take place in the first quarter of 2025.

C. Occurrence Investigation Committee:

1. CMA CGM Hermes - October 10, 2024. Based on the investigation report Ms. Stuckey recommended that the file be closed and no fault found on the part of the Pilot. It was also recommended that copies of the report be sent to the vessel agent, the Coast Guard and the New York Commission.

A motion was made by Commissioner Wowkanech; seconded by Commissioner Roberts to accept the recommendations.

The motion passed unanimously.

2. Seatrade Green - October 24, 2024. Ms. Stuckey gave the Commission a summary of the investigation report and explained that although there was no collision between the vessel and the sailboat, she felt it was important to write up a report for the protection of the pilot.

Ms. Stuckey recommended that she and the Investigation Committee meet with the Coast Guard to discuss the issue of recreational vessels entering the channel and who would be responsible for policing these types of incidents.

Commissioner Fixmer inquired whether the Commission had concrete evidence on the number of these types of incidents. Ms. Stuckey explained that the pilots are reluctant to report near misses.

Captain Miller reported that especially in the summer these types of incidents happen daily. He believes the pilots are not worried about the paperwork but feel as if reporting of these types of incidents would be to no avail.

Commissioner Kils reported that these types of incidents are increasing in the Upper Bay and there is no enforcement. He also indicated that the state police boats are tied up at Liberty Landing and run

their vessels to get the engine hours but do nothing to help clear the channel. When it is reported to the Coast Guard, they normally give the same answer which is we don't have the manpower to police the channels.

Ms. Stuckey recommended that the Commission solicit the aid of the pilots to gather information regarding recreational vessels in the commercial channel. This could be done for a month or two. This course of action would provide the Commission with concrete numbers.

Commissioner Fixmer agreed and noted that the reports could be anonymous to encourage forthcoming from the pilots.

Captain Miller suggested that the request be presented to let the pilots know that the Commission is looking for the information so that they can act in helping to clear the channels.

The Commission agreed and Ms. Stuckey has been directed to proceed in gathering the information.

3. Julianna - October 27, 2024. This incident has been tabled.

#### Public Comment

#### Report from Captain Mark Wanderer, Secretary, New Jersey Sandy Hook Pilots Association:

Captain Wanderer reported that Sandy Hook has concluded their search for a new captain for the Pilot Boats. They are pleased with the selection. The next step is to get him trained before he can take station.

Ms. Stuckey inquired whether Sandy Hook lost one of the previous captains or whether they were getting an additional person to be in the pipeline.

Captain Wanderer reported that although one of the captains had medical issues, he believes the new Captain is being hired in case he is needed in the future.

Report from Captain Russel Henschmann, Vice President, Harbor Pilots Association:

Captain Henschmann reported that there is nothing outstanding to report. He mentioned that in addition to the current applicants in the apprentice selection process there are some good candidates for future processes.

Captain Henschmann also stated his desire to see the issues worked out between the ILA and the USMX so there will be no future strikes.

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

Captain Miller reported that he has heard from terminal operators that both sides in the negotiations are becoming aggravated. It looks like there will be a problem in January.

Captain Miller reported that the 2 crane ships had successful transits. The Zen Hua 25 cleared the Verrazano Bridge with approximately six feet of clearance. It was a stressful process with all the people and agencies involved. The final approval was received ten minutes after they began to heave the anchor. Then Zen Hua 23 transited On Sunday. It experienced an engine problem. The problem was fixed, inspected and the transit was completed. After Baltimore, any transits going under bridges are becoming high interest transits. For the Zen Hau 25, traffic on the Verrazano Bridge was shut down. For the Zen Hua 23 pedestrian and vehicle traffic was shut down on the Bayonne Bridge.

Captain Miller reported that outside of Captain Clifford everyone at Metro Pilots Association is healthy . The apprentices are doing well, and they intend to bring in two new apprentices after the apprentice selection process is complete.

Captain Miller reported that a representative from Metro Pilots Association attended the OpSail 250 meeting. There is a lot of concern with the number of tall ships that will be involved in the 2026 event. They discussed the use of barges as temporary moorings, available berths, tugs and pilots.

Captain Miller reported that Metro Pilots Association supported the AK sensor project.

Video of the Zen Hua 25 Going Under the Verrazano Bridge

Ms. Stuckey showed the Commission a video of the moment the Zen Hua 25 transited under the Bayonne Bridge. Captain Miller was aboard the vessel and narrated the video.

Discussion regarding AIS System for Occurrence Investigations

Ms. Stuckey informed the Commission that considering the Seatrade Green incident it would make sense for the Commission to have its own AIS subscription. After the report of a possible collision, it took several days for the Coast Guard to get back to the Commission with information on the sailboat and whether there was any impact. Ms. Stuckey believes the AIS systems would be a useful tool for the investigative team. Ms. Stuckey researched the plans and found one for \$828 per year. There are funds to cover the cost in the Commissions Occurrence Investigation expense line.

Commissioner Kils informed the Commission that the free version of the program provides real time movement, the ships position, and size. The professional version would include the ability to playback the transit and the weather. Although it is not as detailed as the PPU's that the pilots use there is value in being able to view the data as soon as the incident occurs.

Commissioner Dacey inquired whether Ms. Stuckey discussed the use of the program with the Investigative team. She informed him that they utilize the free version and believe the professional version would be extremely helpful.

The Commissioners authorized Ms. Stuckey to proceed with the purchase of the professional AIS software.

Resolution #24-34 to Approve the Meeting Dates for Calendar Year 2025

A motion was made by Commissioner Martinotti; seconded by Commissioner Fixmer to pass Resolution #24-34 to approve the meeting dates for calendar year 2025.

The motion passed unanimously.

Resolution #24-35 to Approve a Personnel Action by the Commission

Commissioner Dacey reported that the resolution would provide a 3.5% increase for Ms. Stuckey effective January 1, 2025.

A motion was made by Commissioner Wowkanech; seconded by Commissioner Kils to pass Resolution #24-35 to approve personnel action taken by the Commission.

The motion passed unanimously.

#### Executive Session

Commissioner Dacey reported that the Commission will enter Executive Session for the Annual Review of Pilots, Apprentices, and Personnel Discussions. Upon its return to Public Session the Commission will not take any action.

Ms. Stuckey read the following statement into the record:

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 Fixmer; seconded by Commissioner Kils that the Commission enter Executive Session.

The motion passed unanimously.

The Commission entered Executive Session at 10:41am.

#### Return to Public Session

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

The motion passed unanimously.

The Commission returned to public session at 11:06am.

Adjournment

A motion was made by Commissioner Martinotti; seconded by Commissioner Roberts that the Meeting be adjourned.

The motion passed unanimously.

The meeting was adjourned at 11:07am.