

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

April 18, 2023

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, April 18, 2023 Via-Zoom.

Commissioner Dacey called the meeting to order at 10:01 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Nicholas Fixmer (present); Commissioner Dana Martinotti (present); 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 Timothy Ferrie, President, Sandy Hook Pilots; Captain Kirk Pinto, President Harbor Pilots; Captain Adam Richards on, President Interport Pilots; Captain Jon Miller, President Metro Pilots; Dorian Smith, Authorities Unit, John Lowenberg Esq., DAG.

Commissioner Dacey welcomed newly appointed Commissioner Dana Martinotti.

Approval of the March 21, 2023, regular meeting minutes

A motion was made by Commissioner Roberts and seconded by Commissioner Wowkanech to approve the March 21, 2023, meeting minutes. The motion passed as follows, Commissioner Martinotti - abstained; Commissioners Dacey, Kils, Fixmer, Wowkanech and Roberts - yes.

Resolution #23-10 to approve the April 2023 Treasurers Report

Ms. Stuckey advised that there is a charge on the Treasurers report for continued education. Commissioner Kils will be attending an occurrence investigation course at MITAGS. Ms. Stuckey also advised that the Commission is approving the April 2023 Treasurers Report.

A motion was made by Commissioner Kils and seconded by Commissioner Fixmer to pass Resolution #23-10 to approve the April 2023 Treasurers Report.

All voted in favor.

Executive Director's Report

Ms. Stuckey reported that Captain Jon Miller is on vacation and Captain Dashkoff is present to report on his behalf.

Ms. Stuckey advised that there will not be anyone reporting on behalf of Harbor pilots, and she will provide an explanation in Executive Session.

Ms. Stuckey previously provided the Commission with an updated contact list and asked the Commissioners to review their contact information and advise her of any changes.

- A. Pilot trip log - Ms. Stuckey updated Commissioner Martinotti on why the Commissioners are provided with the pilot log each month.
- B. Docking Pilot Apprentice Selection Process - The Committee received eight applications. Any new applications received will be accepted if they are postmarked by the April 14th deadline. The first Committee meeting is scheduled to take place this afternoon to review applications, select

applicants to move forward to the interview process and set interview dates. Ms. Stuckey hopes to have all candidates interviewed, submit a report to the Commission and have a resolution ready to vote on at the May 16th meeting.

- C. Letter from the Sandy Hook Pilot Association - The Commission was provided a letter from the Sandy Hook Pilot's Association requesting consideration for a rate increase for their Intra-Harbor movements. Ms. Stuckey reported that she has been in touch with the New York Commission's Executive Director, Andy Garger. He has advised that there is a 60-day comment period before the new rates can be adopted. Ms. Stuckey will continue to stay in contact with Mr. Garger to ensure that New Jersey will ratify the new rates and there is no lapse between the two states.
- D. Final Letter sent to Pilot Associations - The Commissioners were provided with the final letter that was sent to all Associations regarding communications within the port.
- E. Commission's office move - The move to the Gateway building may not be on track to be completed within the reported 18 months. New Jersey Transit is still working on the lease for the new location and if not finalized by next week, they may have to begin another bidding process. Ms. Stuckey reported that she will be meet with New Jersey Transit next week to discuss the matter and will update the Commission.
- F. Update on Meeting Forum - Ms. Stuckey performed a dry run of the Commission's hybrid meeting. The accommodation will allow the meeting to move forward, however, the Commission will have to use a sound bar to amplify the sound. Ms. Stuckey suggests that the Commission move forward with the hybrid meeting in May and discuss the outcome and options moving forward after the meeting.
- G. 2022 Annual Report - A copy of the 2022 Annual Report draft was provided to the Commissioners. Ms. Stuckey reported that a resolution was not added to the agenda to give the Commissioners a chance to review and comment on the report. She asked for comments to be sent to her by April 28th. The report will be updated and a resolution to approve it will be on the May 16th agenda.

H. New Rulemaking Procedures - Ms. Stuckey attended a meeting with the Office of Administrative Law regarding new procedures for rule proposals. The procedure requires each authority to send the rule proposal to the DAG's office for approval before sending it to the Governor's office. The process will not affect the Commission's procedures because the DAG's office has always been included in the Commission's process.

The Commissioners were provided with a copy of the expiration date of the Commission's regulations. The Commission's regulations will expire in April of 2024. Ms. Stuckey suggested that the Commission begin to look at the regulations to see if any amendments are needed. Ms. Stuckey will meet with the Association Presidents to see if they have any recommendations.

I. Area Maritime Security Committee annual members at large meeting - Ms. Stuckey will attend the meeting and report back to the Commission at their May 16th meeting unless there is something that requires immediate attention.

J. Maritime Association Board of Directors Election Meeting - The Maritime Association will hold its annual Board of Directors meeting on April 20th. The Commission's proxy was sent to Steven Lyman, the Executive Director of the Maritime Association. The Commission is supporting the nominee from the Sandy Hook Pilots Association Captain James Mahlman and Beth Rooney from the Port Authority.

K. Visit to Interport Pilots Association - Steven Lyman and Ms. Stuckey spent the day at the Interport Pilots Association's headquarters with Captain Richardson. The day was interesting and informative. Ms. Stuckey reported that she was able to get a close look at Interport's operations and advised that Captain Richardson has expressed his willingness to host any Commissioner who is available and would like to view their operations.

L. EDC Maritime Career Fair - Ms. Stuckey attended the job fair that was hosted by the EDC in Brooklyn, NY. Most of the attendees were high school students. Although it is important to spread the word, the port needs to attract candidates that are ready to join the workforce. This is important because there is a manual labor shortage in the port that needs to be addressed. There will be a meeting on

April 27th with the Counsel on Port Performance to address this issue. Ms. Stuckey advised that she will not be able to attend because of a prior engagement, however Steven Lyman from the Maritime Association will attend on her behalf and report back to her.

- M. Meeting with Mayor Ras Baraka - Ms. Stuckey has a meeting with David Mohammed from Mayor Baraka's office and the Newark Superintendent Thursday to discuss the next steps in the development of the maritime curriculum. Ms. Stuckey reported that she has solicited the aid of Commissioner Joseph Ahlstrom and Chris Bagley who are professors at Maritime Academies.

Ms. Stuckey reported that she is continuing to work with the Community colleges to set up a program that will allow credits to be transferred to a Maritime University.

- N. Ms. Stuckey reported that Andrew Garger, the Executive Director of the New York Commission, has expressed his desire to continue the monthly lunch meetings between the two boards. The first meeting will take place April 28th and Ms. Stuckey is planning to attend. She advised that it is especially important that the two Commissions work together to stay on the same page when addressing issues that affect both states.

- O. Pension Surcharge - There will be a Pension Surcharge meeting on May 25th. Pre-pandemic, the meetings were held at the Commission's office. As the meeting date gets closer, Timothy McGovern will advise if the New Jersey Commission will host or the meeting will be held at Sandy Hook Pilot's headquarters. Ms. Stuckey and Commissioner Roberts will attend the meeting.

- P. Ms. Stuckey reported that the Governor's office has requested that the Commission nominate a senior level employee to perform the functions of Chief Diversity Officer. In consultation with Commissioner Dacey, Ms. Stuckey was submitted as the representative. Once informed of the duties, Ms. Stuckey will advise the Commission.

- Q. Articles of Interest - Ms. Stuckey reported that she will change the process of providing the Commission with articles of interest. In reviewing the articles that were put aside for this month, she realized that some of the

articles were time sensitive and should have been shared when they were received. Moving forward, the Commission will receive some articles of interest when received and others that require discussion will be saved for the meeting.

Ms. Stuckey commented on the one article provided to the Commission about the Right Whale issue. There was an autopsy performed on the whale that washed ashore with the gash in his head. It has been determined that the cause of death was not the increased sound levels caused by vibrations from the wind farms. There was no autopsy performed on the whales that washed ashore with no physical injuries.

R. Maritime Association's annual dinner - The Maritime Association's annual dinner will be held on May 17th, Ms. Stuckey advised that if any of the Commissioners would like to attend, please let her know so she can make arrangements.

S. Vacation Schedule - There are currently no staff vacation plans scheduled.

Public Comment (s)

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

Captain Ferrie welcomed the new Commissioners.

Captain Ferrie reported that it has been a busy month, but quiet in reference to ship rides. He advised that the Sandy Hook pilot's new captains of the pilot boat will be starting this week. After going through months of training, they are ready to replace the senior apprentices on the outside station boat. The apprentices will be assigned to the inside station boat, run boats to sea and fill in accordingly to relieve the captains.

Captain Ferrie reported that the Sandy Hook pilots donated a new pilot ladder to MITAGS that will be attached to a new tower for offshore wind farm vessel training. It will be available for training when pilots are down at MITAGS to practice climbing and looking for deficiencies. The ladder will

not have a transition platform and will be rigged similarly to the one at High Exposure.

Captain Ferrie reported the Sandy Hook pilots have completed medical training for pilots, apprentices, and employees.

Captain Ferrie reported that the Sandy Hook pilots had the dredging meeting with the Port Authority this past month for prioritizing future dredging projects in the port. In attendance was Captain Pinto, Captain Miller, Captain Mahlman, Beth Rooney, and Captain Ferrie.

Captain Ferrie reported that the Pilot Boat New York is in Caddell shipyard for its first shipyard period since going into service and will remain in the shipyard for a period of 40 days.

Captain Ferrie advised that the apprentices will receive the same quality training as in the past, but Sandy Hook believes that their new structure will allow the apprentices to take ownership of the equipment that they will become partners of and that will enhance their training.

Captain Ferrie gave a brief background of the two Captains that were hired by the Sandy Hook pilots and advised that their rotation is one week on, one week off.

Comments from Captain Dashkoff, Metro Pilots Association:

Captain Dashkoff reported that the Metro Pilots are working closely with the Army Corp of Engineers and the Port Authority in trying to assess dredging needs. He advised that the pilots will contact the Commission if their endorsement is needed.

Captain Dashkoff reported that Metro Pilots are looking forward to the prospects from the Docking Pilot Selection Committee and intends to bring in new apprentices as soon as possible.

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

Captain Richardson thanked Ms. Stuckey and Mr. Lyman for coming to tour Interport's headquarters and advised that if

anyone else would like to tour Interport's headquarters he is happy to host them.

Captain Richardson thanked Captain Ferrie and Karen from the Marine Society for a job well done at their annual dinner.

Committee Reports

A. Occurrence Investigation Committee:

- I. USCG Cutter Dauntless - Still under investigation.
- II. Ever Fair - Still under investigation.

Presentation from Marine Labs

Mr. Scott Beady gave a detailed presentation on Marine Lab's real time data buoy system, followed by a question-and-answer session.

Marine Labs has agreed to send the Commission the results of their pilot program in South Carolina and return for future conversations.

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 10:43 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 11:32 AM

Adjournment

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

All voted in favor.

The meeting was adjourned at 11:33 AM.