

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

May 28, 2024

A hybrid meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, May 28, 2024.

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

Open Public Meeting Statement

Roll Call

Commissioner Timothy J. Dacey (via ZOOM); Commissioner Nicholas Fixmer (via ZOOM); Commissioner Dana Martinotti (present); 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); Captain Jon Miller, President Metro Pilots (via ZOOM); Dorian Smith, Authorities Unit (present), Adam Richardson, President Interport Pilots (present)

Approval of the April 16, 2024 regular meeting minutes

A motion was made by Commissioner Wowkanech and seconded by Commissioner Martinotti to approve the April 16, 2024 meeting minutes.

All voted in favor.

Resolution #24-12 to approve the May, 2024 Treasurers Report

A motion was made by Commissioner Kils and seconded by Commissioner Roberts to pass Resolution #24-12 to approve the May, 2024 Treasurers Report.

All voted in favor.

Presentation on Tunnel Project

Ms. Stuckey stated that the Commission's main concern is to ensure that the construction is done safely and will not have a negative impact on commercial traffic. Ms. Stuckey provided the Commission with a copy of the presentation prior to the meeting.

John Hartgens Engineer from the Port Authority gave a summary on the purpose and the importance of the riverbed being stabilized with cofferdams. He advised that the work will begin in August and should be completed by January, 2027. Mr. Hartgens gave the Commission a timeline for the project.

Eric Osnes Safety and Security Officer for the GDC reported on the safety and the health of all involved in the tunnel project. He gave a presentation on the controls and safety zones that are in place including the location of the lighting and buoys alerting mariners that they are now entering a work zone.

Rebecca Zack from the Gateway Development Commission reported they will continue to work with the Commission to keep them updated. She advised that all parties involved will keep the lines of communication open since the project will span over several seasons.

Ms. Zack thanked the Commission for their interest in the project.

John Hartgens reported that the work will begin in June and must be stopped by January per federal guidelines. Once the installation of the cofferdams is complete, there will be no limitations on their work schedule because the work will be taking place on the inside of the structure. Mr. Hartgens advised that in the summer of 2025, they will start removing the first 600ft cofferdam.

Captain John Miller advised that his concerns are that the support barges do not extend further into the river and the

lighting should face downward to ensure it does not interfere with the ships vision.

Mr. Osnes advised that they will take a look at the lighting that is being proposed by the contractor to make sure it doesn't cause any hazardous situations.

Ms. Stuckey reported that all parties will continue to keep an eye on the project. She advised if any pilots feel there is a need to visit the site from the seaside, she will make the necessary arrangements.

Executive Director's Report

Ms. Stuckey reported that Captain Ferrie will not be joining the meeting. He tested positive for COVID and Captain Foley will be reporting on his behalf.

- A. Pilot trip log - A copy of the pilot log was sent to the Commission.
- B. The first in person Pilot/Bulk Liquid Terminal Roundtable Meeting- The meeting was held on May 2nd. Commissioner Kils and Ms. Stuckey were in attendance. The Commission was provided with a copy of the meeting minutes. Ms. Stuckey advised that if there are any questions on the minutes, herself, or Commissioner Kils will be happy to answer them. Ms. Stuckey reported that the Committee decided to have meetings twice a year and on an as needed basis.
- C. EDC Maritime Career Fair - Ms. Stuckey attended the EDC Maritime Career Fair on April 18th. Ms. Stuckey was accompanied by two New York, apprentices. During the Fair, their presentation took place on the dock from a pilot launch. They gave presentations on piloting and other maritime careers. At the end of the fair, Ms. Stuckey gave a presentation on the Commission and its role. She believed it was well received. Ms. Stuckey was impressed with the apprentices and how they carried themselves.
- D. Apprentice Training Committee - Ms. Stuckey will be working to setup a meeting with the Apprentice Training Committee. The Committee will meet with the New York Commission to discuss the proposal to change the length of the Apprentice

Training Program. After the meeting, the Committee will bring their recommendation to the Commission.

- E. Sandy Hook - Sandy Hook pilots purchased a new pilot launch. The new launch will replace the Yankee, which is the oldest boat in their fleet. They have requested a Capital Improvement meeting in June to discuss the funding. Commissioner Roberts and Ms. Stuckey will attend the meeting and report back to the Commission.
- F. Virtual Harbor Ops Meeting - Ms. Stuckey attended the virtual Harbor Ops meeting on May 15th. Captain Andrechik gave his first report as Captain of the port. He expressed his desire to get to know all the stakeholders in the port. Captain Andrechik provided contacts for himself and his senior staff. Ms. Stuckey advised that Captain Andrechik and his senior staff will be receiving an invitation to the Commission's Harbor Inspection tour.

Ms. Stuckey reported that there was a conversation at the Harbor Ops meeting regarding the fixed bridge and how the tug and barge people were disappointed because they were not allowed to provide feedback on the construction. Ms. Stuckey has made the introduction between the engineering team and the Chair of the Tug and Barge Committee.

- G. Ladder Deficiency Report - The Commission was provided with the recent Ladder Deficiency Report. The format of the report has been updated and can now be filled out electronically.

Captain Foley reported that the report has been changed to make distribution quicker. The document is still an internal document, but the distribution of the report has been streamlined.

- H. Meeting with Virginia Maitland Sachs Foundation - Ms. Stuckey had a meeting with Clay Maitland and the Operations Manager at the Virginia Maitland Sachs Foundation. The foundation is a nonprofit organization that is looking to provide training opportunities to those interested in careers in the maritime community. They are working on a 4-week Apprentice Training Program and there is no fee for the program. During the program, they will help participants get their Ordinary Seamans license and 1600-ton license from the Coast Guard. Ms. Stuckey believes that it could be a great feeder program for the tug operations

and dock workers. Ms. Stuckey advised that she would continue to work with the foundation and share any information as it is received.

- I. Annual Maritime Awards Dinner/ COTP Change of Command Ceremony/ Frocking - Ms. Stuckey and Commissioner Kils attended the Maritime Annual Awards Dinner as well as the Change of Command Ceremony and Frocking of Captain Zeita Merchant. Each event was well attended and provided great networking opportunities.
- J. Fleet Week - Ms. Stuckey and Commissioner Kils attended Fleet Week. There were only 5 vessels that participated in the parade of ships and although the event did not get the recognition it deserved, it was a very good day. Ms. Stuckey was on the USS Bataan and was able to speak with many of the crew members who were visiting New York for the first time. The Captain of the vessel will be retiring at the end of the year, so this was his last Fleet Week and transit into the New York Harbor. Captain's Robert Flannery III, Drew Glassing, Daniel Boylan, Ron Perry and Michael Chambers all did a great job. Captain Chris Baker was the docking pilot on the Bataan and did a great job docking the vessel.

Commissioner Kils was on a German vessel and reported that it was very interesting to see how their commands were translated.
- K. Move to Gateway II - The move to Gateway II is back on schedule to move in September, 2024. The logistics still need to be worked out because Ms. Stuckey will be working off site for 2 weeks with the Apprentice Selection Committee in September. Once plans are finalized, Ms. Stuckey will report back to the Commission.
- L. Harbor Inspection Tour - The invitations for the 2024 Harbor Inspection Tour along with the guest list is finalized and ready to be distributed. Ms. Stuckey is waiting for the go ahead from Sandy Hook before releasing the invitations. They have instituted a new policy that came as a result of their safety audit. All attendees will now have to sign a waiver. The details of how the waiver will be distributed are now being worked out. However, the tour will still take place on June 28th. Boarding will begin at 3pm at berth 23 in Port Newark. Ms. Stuckey advised that if any Commissioners would like to add attendees to the

list, to email her as soon as possible so invitations can be sent out by the end of the week.

- M. Mandatory Ethics Training - The Commissioners' ethics training will take place immediately after the June 18th meeting. The training is scheduled to begin at approximately 11am.
- N. Ms. Stuckey reported that she has a copy of the second quarter shipping report and advised if anyone would like to receive a copy, to email her and she will send it to them.
- O. Ms. Stuckey reported that immediately following today's meeting, she will be traveling to MITAGS to observe the continuing education classes. If any Commissioners are interested in attending the final class on June 10th-12th to let her know and she will make the necessary arrangements.
- P. Captain Tom Keating has retired. His last day of piloting was May 8th. He is unable to attend the harbor tour but has agreed to come to a future meeting to be honored.
- Q. Articles of Interest - The Commission was provided a article about container volumes continuing to increase. Ms. Stuckey encouraged them to read it at their leisure.

Committee Reports

- A. Occurrence Investigation Committee:
 - I. MSC Aldebaran III - April 4, 2024 - Ms. Stuckey recommended that based on the investigators report, the Commission find no fault on the pilots and the file closed.
A motion was made by Commissioner Roberts and seconded by Commissioner Martinotti to accept the recommendation.
All voted in favor.
 - II. APL Qingdao - April 4, 2024 - Ms. Stuckey reminded the Commission that this was the vessel that was the subject of the false news article where it was stated that the vessel lost power and almost struck the bridge. Ms. Stuckey recommended that based on the investigators report, the Commission find no fault on the pilots and the file closed.

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

- III. MSC Stella - May 10, 2024 - Ms. Stuckey recommended that based on the investigators report, the Commission find no fault on the pilots and the file closed. A motion was made by Commissioner Roberts and seconded by Commissioner Kils to accept the recommendation. All voted in favor.

MSC Aldebaran III - April 5, 2024 - Investigator Captain Tina Vanderploeg gave a summary of her investigation.

Ms. Stuckey advised that further discussion in this matter will take place in Executive Session. Voting on the recommendation was tabled until after Executive Session.

B. Maritime Pilot Apprentice Selection Committee:

The Committee met on April 24th to discuss the applications received and select those that will move forward to the next stage in the process. There was a total of 74 applications received, 3 were immediately eliminated for incomplete applications. After reviewing the remaining applications, the Committee eliminated 13 other applicants, while 15 others were sent letters to clarify questions regarding their applications. Those applicants were given until May 31st to provide the requested information. Of the 15 that received letters, the Committee has already received responses from 10 leaving 5 responses that are outstanding. The Committee agreed to have all testing completed by July, which will give them time to review the test results and schedule interviews. The Committee is looking to interview 58 candidates for the Apprentice Selection list. That list will include the top 10 candidates and 5 alternates. All interviews are scheduled to take place in the first 2 weeks in September. At that time, Ms. Stuckey will write a summary on each candidate that is recommended for the list.

Public Comment (s)

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

Captain Foley reported that the Sandy Hook Pilots Association's shipping numbers are similar to their numbers in 2023.

Captain Foley reported the Sandy Hook pilot's new pilot launch will be slightly larger than the Yankee.

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

Captain Miller reported that they are trying to set up simulations on the new berth that will be opening at the end of the year at Port Liberty and Bayonne . They are trying to get all docking pilots to MITAGS for the simulation and would like the Commission to accept the training as part of their continued education requirement.

Captain Miller reported that they are scheduling dredging before the new berth is open. He advised that by the end of 2024, new cranes will be delivered to the channel.

Captain Miller reported that Port Liberty, New York and Howland Hook terminal has successfully raised all of their existing cranes to accommodate the larger ships.

Ms. Stuckey advised Captain Miller that once the training program is setup, he must submit a formal proposal for the Commission to vote on.

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

Captain Pinto reported that there is nothing new from Harbor Pilots and all is good with them at this time.

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

Captain Richardson reported that the Interport Pilots lost one of their former partners Captain Dan Blair. He passed over the weekend. Captain Blair retired from Interport in 2017. The family chose to have a small ceremony for family only.

Resolution #24-13 to Adopt an Operating Budget for Fiscal Year 2025.

Ms. Stuckey provided the budget screens and gave a summary on the proposed budget. The proposed budget shows an amount of \$115,000 that will carry over into FY25. Based on the budget screens, she believes the number will be closer to \$200,000. Ms. Stuckey will continue to monitor the accounts going into FY25 to see if the budget needs to be adjusted.

Ms. Stuckey reported that at this time, she does not know what the rent will be after the move. She estimated in the budget that it will increase by 5%. If it is higher, the Commission will have the funds to satisfy the amount.

A motion was made by Commissioner Wowkanech and seconded by Commissioner Kils to pass Resolution #24-13 to Adopt an Operating Budget for Fiscal Year 2025.

All voted in favor.

Resolution #24-14 to Approve the 2023 Annual Report.

Commissioner Dacey thanked Ms. Stuckey for a great report. He also thanked the pilots for their input into the report.

A motion made by Commissioner Fixmer and seconded by Commissioner Roberts to pass Resolution #24-14 to Approve the 2023 Annual Report.

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

All voted in favor.
The Commission went into Executive Session at 10:59 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 11:55 AM.

MSC Aldebaran

A recommendation was made to close the file and find the pilot non-culpable for the incident. The pilot will be fined \$500 for his failure to follow an order given by the Commission.

A motion was made by Commissioner Roberts and seconded by Commissioner Wowkanech to approve the recommendations.

All voted in favor.

Ms. Stuckey was advised to work with counsel to send Captain Clifford a letter informing him of the Commission's decision.

Adjournment

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

All voted in favor.

The meeting was adjourned at 12:00 PM.