

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

**September 15, 2020**

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, September 15, 2020 Via-Teleconference.

Commissioner Dacey called the meeting to order at 10:00 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (absent); Commissioner Jacob Shisha (present); Commissioner Bjoern Kils (present); Commissioner Dennis Lombardi (present); Commissioner Brendan Roberts (present)

Also included in the call were: Andre Stuckey, Executive Director; Al Hawkins, Board Administrator; Captain Adam Richardson, Vice-President Interport Pilots; Captain Brendan Foley, President Sandy Hook Pilots; Captain Bob Flannery, President Metro Pilots; Vivek Mehta Esq., DAG. Ed Kelly, Executive Director Maritime Association.

Approval of the August 18, 2020 regular meeting minutes

A motion was made by Commissioner Roberts and seconded by Commissioner Shisha to approve the August 18, 2020 meeting minutes.

Commissioner Dacey abstained from the vote on the approval of the August 18, 2020 meeting minutes, because of his absence at the meeting.

The resolution passed.

Resolution #20-20 to approve the September, 2020 Treasurers Report

A motion was made by Commissioner Roberts and seconded by Commissioner Shisha to pass Resolution #20-20 to approve the September, 2020 Treasurers Report.

All voted in favor.

Executive Director's Report

- A. Budget - Ms. Stuckey advised that she does not have the budget sheets for this month, because her contact in DOT's budget office has left and the Commission has not been assigned a new person of contact. Ms. Stuckey sent a couple of emails, but has not heard back. This is the last week of apprentice selection interviews after which, she will be able to focus her full attention on other issues. It is important that Ms. Stuckey get the final FY20 budget sheets in order to be able to update the Commission's page in the Governor's budget book. Coupled with that the auditor needs those final numbers to complete the FY20 audit.
- B. Maersk Kensington - Ms. Stuckey emailed the Commissioners a copy of the New York Commission's final report on the Maersk Kensington. She has also been advised by the Coast Guard that their report is final but, cannot be shared until it is sent to DC for approval. Ms. Stuckey will talk more about the report in Executive Session.
- C. Pilot Update - There continues to be no issues regarding COVID-19 within the regulated community.
- D. Pilot Safety - During last month's meeting there were discussions on Ms. Stuckey organizing a Committee to review

pilot safety procedures. The New York Commission has designated their Executive Director, Andrew Garger and the presidents from each of the Associations will serve on the committee. Ms. Stuckey proposed that meetings begin weekly or bi-weekly depending on schedules. She is hoping to begin those meetings next week.

- E. FY20 Audit - All the information from the Commission's office has been forwarded to the auditor. He is waiting to receive the final FY20 numbers from DOT. Ms. Stuckey advised that she will contact DOT again when she returns to the office next week.
- F. Apprentice Selection Process - The Committee is half way through the interviews. It has been challenging this year because of the coronavirus. Many of the applicants are either quarantined, preparing to board a ship or some are already out to sea and can't get off for the interview. Six of the thirty-seven applicants to reach the interview stage had to be done either via zoom or telephone. The committee will be done with the interviews on Friday and then deliberations will begin. The Committee may need to reconvene one day the following week to finalize the list. As in the past, Ms. Stuckey will provide a summary of the top applicants and have a resolution for the Commission to vote on the list at the October regular meeting.
- G. Pension Surcharge - Pension Surcharge meeting will be held on September 25, 2020 via zoom. Captain Foley advised that all will be provided with attached information to review before the meeting.
- H. CMA CGM Brazil - Ms. Stuckey provided the Commission with an article regarding the arrival of the CMA CGM Brazil. She advised that Captain Flannery was the docking pilot that helped bring the vessel in and he can speak more about the day during his report.

I. Vacation Schedule - Mr. Hawkins has planned vacation time for the end of this week. Ms. Stuckey plans to schedule long weekends, so they both don't lose any vacation time. She also plans to take her annual end of the year vacation beginning on December 17<sup>th</sup> but, will be on call during that time.

Public Comment (s)

Comments from Captain Bob Flannery, President, Metro Pilots Association:

Captain Flannery reported that cargo has gone up in the past month. He advised that the CMA CGM Brazil came into the harbor as the largest cargo ship. The ship arrived on Saturday and they toured around the Statue of Liberty and docked at pier 92. Since then he has been in contact with all marine terminals. The Port Authority is looking forward to the arrival of 17,000 TEU ships although pier 92 is the only berth that can accommodate them. He advised that the ship actually had cargo on board and they will be coming regularly to the harbor. Captain Flannery reported that the Army Corp. followed the transit and had terminal managers, Coast Guard and politicians aboard to show everyone that the channels needed to be wider. He advised that he will keep the Commission informed when any new information comes in regarding the 17,000 TEU cargo ships.

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

Captain Foley reported that all Sandy Hook pilots are healthy and they have sent out memos reminding pilots and employees to follow protocol.

Captain Foley reported that dredging at MOT looks like it is now complete and they have moved closer to the births now to do dredging there.

Captain Foley reported that they are still waiting for the start date for the point of the hook and it looks like they are settling down for the Amboy Anchorage to be done there.

Captain Foley reported that Sandy Hook pilots just completed their first year with the new PPU's and now they will

rotate them through recertification and return them back to service.

Captain Foley reported that the first of the 17,000 TEU's is one of five vessels and all five of them will come into New York with the next one arriving on the 21<sup>st</sup> of this month. He advised that Sandy Hook pilot George Smith had the vessel in and out of the harbor.

Ms. Stuckey advised the Commission that there will be a Harbor Ops meeting held on September 16<sup>th</sup> and she will not be able to attend, so she will depend on Captain's Flannery and Foley to update the Commission at next month's meeting.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that the Maritime Association scheduled a two part webinar platform that will be taking place about cargo flows and operational handling capacities in the port. Part one being held on September 29, 2020. Information and the registration form can be found at [nymaritime.org](http://nymaritime.org).

Mr. Kelly reported that the number of ships in the port has increased and there is a real strong beginning to the peak season resulting in back-ups in terminals to pick up cargo.

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

Captain Richardson reported that Interport pilots have two boats that have completed their yard period and are now back in service. They have one other boat that is currently in the shipyard getting some work done and is expected to be done by the end of the month.

Captain Richardson reported that all Interport pilots and staff are healthy with no Covid19 issues.

Captain Richardson reported that apprentice Craig Tomalo is getting close to finishing his ship rides with an expectation of him testing by the end of the year. Their other two apprentices Sean Meade and Don Occhipinti are 2/3 of the way done with their apprenticeship.

Ms. Stuckey advised Captain Richardson that Apprentice Tomalo has not submitted any of his training reports for the

last month and advised of the importance that the Commission's office receive them monthly. She also advised that when Interport apprentices are ready to test, she requires at least a month of study time and to make sure to factor that study period in when they are getting close to their time to test.

Ms. Stuckey advised Captain Richardson to update the Commission on any reorganization done within Interport during their elections in November.

### Committee Reports

#### A. Occurrence Investigation Committee

- I. Nord Lavender - Based on the investigators report, Ms. Stuckey recommended that the Commission find no fault on the pilots and the file closed. A motion was made by Commissioner Lombardi and seconded by Commissioner Roberts to accept the recommendations. All voted in favor.
- II. MV Maersk Vilnius - Based on the investigators report, Ms. Stuckey recommended that the Commission find no fault on the pilots and the file closed. A motion was made by Commissioner Lombardi and seconded by Commissioner Shisha to accept the recommendations. All voted in favor.

#### Resolution #20-21 to Approve an Upgrade for Captain Ryan P. Pakalik to a pilot of the Fourth Grade

A motion was made by Commissioner Roberts and seconded by Commissioner Shisha to Approve an Upgrade for Captain Ryan P. Pakalik to a pilot of the Fourth Grade.

All voted in favor.

#### Resolution #20-22 to Approve an Upgrade for Captain Nicholas L. Pitch to a pilot of the Fifth Grade B

A motion was made by Commissioner Shisha and seconded by Commissioner Kils to Approve an Upgrade for Captain Nicholas L. Pitch to a pilot of the Fifth Grade B.

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 Shisha and seconded by Commissioner Lombardi that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:28 AM.

### Return to Public Session

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

All voted in favor.

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

### Adjournment

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

All voted in favor.

The meeting was adjourned at 11:01 AM.