

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

April 21, 2020

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, April 21, 2020 Via-Teleconference.

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 Brian McEwing (present); 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 Robert Flannery, President Metro Pilots; Captain Charlie Jonas, President Interport Pilots; Captain Brendan Foley, President Sandy Hook Pilots; Captain Adam Richardson, Vice President Interport Pilots; Ed Kelly, Executive Director Maritime Association, Glenn Strathearn New Jersey Pilot Commission Investigator, Stephanie Brown Esq. Authorities Unit; Vivek Mehta Esq., DAG.

Approval of the March 17, 2020 regular meeting minutes

A motion was made by Commissioner Shisha and seconded by Commissioner Roberts to approve the March 17, 2020 meeting minutes.

All voted in favor.

Resolution #20-09 to approve the April 2020 Treasurers Report

A motion was made by Commissioner McEwing and seconded by Commissioner Roberts to pass Resolution #20-09 to approve the April 2020 Treasurers Report.

All voted in favor.

Executive Director's Report

- A. Budget Sheets - Copies were previously sent to the Commission of the budget sheets for the month of April. The Commission is still on target to end the fiscal year with a decent surplus approximately \$200,000 even though shipping has shown a slight decrease.
- B. FY21 budget, normally this is the meeting where the Commission would look to pass a budget for FY21, however the Governor has extended the FY20 fiscal year until August 30th. Ms. Stuckey proposed that the Commission look to pass the FY21 budget at its July meeting and hold off on any personnel actions until that time.
- C. Maritime Pilot Apprentice Selection process - The Committee will be moving forward with the meeting to review the applications to select those that will move forward to the interview process. All the applications have been scanned onto IPADS to be reviewed and the meeting will be held via teleconference. The last report Ms. Stuckey received is that there were approximately 50 applications received.
- D. Ms. Stuckey previously provided the Commission with copies of the updated memo that Sandy Hook sent to all ships operating in the port of New York/New Jersey. It is an update from the one that was initially distributed in March which was adopted by the Harbor Ops Committee and distributed to their general membership and stakeholders within the port.
- E. Ms. Stuckey sent the Commission copies of a memo put together by the Coast Guard that outlines best practices for vessel operators. The memo is not a directive but a recommendation on how all can work together and keep traffic moving within the port as safely as possible. The memo is updated as new information becomes available.

- F. The Coast Guard is doing a great job at working to keep all stakeholders informed and has developed a forum for discussion and any new information that becomes available. They hold weekly teleconference calls on Monday and Thursday. These calls are well attended. After they provide updates, they open the call up for questions or even for people to share information. They have also developed a link on the Homeport website that is directed towards COVID-19. There you can access Safety Bulletins, Advisories, memos etc. to do with battling the virus.
- G. The Commission was sent copies of the Maritime Safety Information Bulletins dealing with the extension dates for TWIC, physicals, Medical Certificates and Merchant Mariner Credentials. The Commission will address those issues today via Resolution #20-10 where the expiration dates of all items mentioned will be extended for three months. The Commission will revisit the issue at the end of the three months to see if there is a need to extend them further.
- H. Office Hours - Staff initially began working from home, coming into the office on Monday mornings. Currently, Ms. Stuckey works Monday, Wednesday and Friday mornings in the office and the remainder of the week at home. Mr. Hawkins works Monday, Wednesday and Friday afternoons and the remainder of the week from home.
- I. Pilot Associations - Ms. Stuckey reported that although there were a couple of issues within the Pilot Associations, currently all are healthy as it relates to the CoronaVirus.
- J. Ms. Stuckey advised the Commission that she will be traveling to North Carolina on Friday and will be taking an official vacation day.

Public Comment (s)

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

Captain Foley reported that most of the last month has been spent mitigating COVID-19 and dealing with the procedures. The six Sandy Hook pilots that did contract the virus are now recovered. The social distancing and other mitigating measures have thus far avoided a second wave of pilots contracting the

virus. The pilots that were ill, believe they all contracted the virus not from Sandy Hook ships; it was traced back to parties or gatherings they attended before the mandatory lock down.

Captain Foley reported that the Coast Guard is vetting all ships arrivals. The Captain of the Port orders that have been generated is because the ships have all arrived within that 14 day window; which require the crew to remain on the vessel but no persons of interest in regards to the illness have been identified by the Coast Guard thus far.

Captain Foley reported that the Sandy Hook pilots continues to use the same procedures that they laid out to the Commission last month. As part of these procedures, Sandy Hook has suspended the riding portion of the Apprenticeship program. From March 17th the Apprentices has stepped up and been running a lot of the equipment as Sandy Hook has been using more boats than usual in an effort to further separate personnel. Sandy Hook has postponed the remaining classes for the Active Shooter courses. MITAGS is closed at this time and are currently looking at dates to reopen in early 2021.

Captain Foley reported that the new pilot boat New York remains at the ship yard, the first phase is done and she has been returned to laid up status waiting for a stability test. He advised that ABS is not making field visits at this time.

Captain Foley reported that the suspension of the Apprentice's riding ships will not affect their apprenticeship because, Sandy Hook encourages them to be well ahead in their ship rides. So far, they have only missed out on two riding weeks and if the association goes back to the regular rotation on May 15th that will be all the riding time they will miss.

Commissioner Shisha reported that he has been involved with some unions in reference to crew relief. There are companies that have been able to secure testing kits. They have a protocol that was set up by Anderson Kelly to get pilots tested before they go back on duty. Have the Sandy Hook Pilots Association looked into a system like such?

Captain Foley advised the Commission that their crews were working a week on and a week off. They realized that the week off would not be enough time because if a pilot contracted the virus at home, they would be returning back to work during that time. So, they have changed their schedules to two weeks on and two weeks off for all crew. All pilots are required to self-

monitor their temperature twice a day before returning to work. They have not given pilots a test if healthy and without symptoms as of yet, but they will look into the new testing kit.

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

Captain Flannery thanked the Sandy Hook Pilots and Ms. Stuckey for going out of their way and allowing his son Robert Flannery III to be sworn in at the Sandy Hook Pilot station. He advised that it was a very proud and special day for his family.

Captain Flannery reported that the Metro Pilots have suspended apprentice riding. He does not think it will affect the apprentices, but Metro will give them plenty opportunity to ride more often or extend the two year requirement if need be.

Captain Flannery reported that Metro has implemented a watch A and watch B rather than having them on together and it is working very well.

Captain Flannery reported that Berth 94 south west channel, the east most crane is in a down position. There are rules and drafts for going in there during slack water. That is not a problem, the problem is the smaller ships can get under the crane, but there could be wires or anything hanging and the pilots are not taking any chances, every job is a south-west channel job.

Captain Flannery reported that Captain Reinbold is back to work after having back surgery.

Captain Flannery reported that in reference to the tide, he, Captain Foley and Captain Ellis are all on the same page.

Captain Flannery reported that he has no updates on Captain Clifford's retirement, but he will advise the Commission when he receives any new information.

Comments from Captain Charlie Jonas, President, Interport Pilots Association:

Captain Jonas reported that all Interport pilots are healthy and ok at this time. All pilots are following protocol and have not had any health problems at this stage.

Captain Jonas reported that Interport has not officially suspended their apprentice riding program, but they will find out if it is ok for the pilots to continue bringing them along. He advised that so far they have not been refused, but will adjust their procedures if the need arises.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that all employees from the Maritime Association are all operating from home and all ship lookouts are still maintaining arrival and departure ship stats. He advised that they are starting to see some interesting trends with the blank sailings, but will be publishing that information as it begins to show over a longer period of time.

Committee Reports

A. Occurrence Investigation Committee

- I. Amigo - Captain Glen Strathearn gave a brief report to the Commission. Ms. Stuckey advised that a ship that size only goes into that terminal once a year and during that time, those barges should be moved. After several discussions, Based on the investigators report, Ms. Stuckey recommended that the Commission find no fault on the pilots and the file closed. She also recommended that the report be distributed to the Coast Guard, vessel owner and terminal. A motion was made by Commissioner Roberts and seconded by Commissioner Shisha to accept the recommendations. All voted in favor.
- II. Stolt Sneeland - Discussed in Executive Session.

Resolution #20-10 to Relax Certain State License Requirements

A motion was made by Commissioner Roberts and seconded by Commissioner McEwing to approve Resolution #20-10 to Relax Certain State License Requirements.
All voted in favor.

Resolution #20-11 to Approve the 2019 Annual Report

A motion was made by Commissioner Shisha and seconded by Commissioner Roberts to approve Resolution #20-11 to approve the 2019 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 Roberts and seconded by Commissioner Lombardi that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:32 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 10:51 AM.

Resolution to Approve the recommendation in the case of the Stolt Sneeland

A motion was made by Commissioner Roberts and seconded by Commissioner McEwing to approve the Recommendation in the case of the Stolt Sneeland.

All voted in favor.

Adjournment

A motion was made by Commissioner Roberts and seconded by Commissioner Shisha that the meeting be adjourned.
All voted in favor.

The meeting was adjourned at 10:53 AM.