

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

May 19, 2020

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, May 19, 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; Stephanie Brown Esq. Authorities Unit; Vivek Mehta Esq., DAG.

Approval of the April 21, 2020 regular meeting minutes

A motion was made by Commissioner Shisha and seconded by Commissioner Roberts to approve the April 21, 2020 meeting minutes.

All voted in favor.

Resolution #20-12 to approve the May, 2020 Treasurers Report

A motion was made by Commissioner McEwing and seconded by Commissioner Lombardi to pass Resolution #20-12 to approve the May, 2020 Treasurers Report.

All voted in favor.

Executive Director's Report

- A. Pilot Database on annual numbers - Ms. Stuckey provided the Commission with a copy of the Pilot annual numbers sheet.

- B. Budget Sheets - Ms. Stuckey previously provided the Commission with copies of the budget sheets for May 1, 2020. After receiving the budget sheets, she had a conversation with Ron Calderon who runs DOT's budget office. He advised that there is a freeze on all state funds until further notice, however since the Commission is a unique agency with its own revenue stream, they have only frozen \$150,000 of the funds which is the budget authority reserve. Ms. Stuckey circled two amounts. The first is \$125,000 which has been increased to \$150,000 and will be reflected on the June 1, 2020 budget sheets. The second amount is the available funds the Commission has on account to finish out the fiscal year which is \$338,545.38. The funds are sufficient to get the Commission through the fiscal year with a surplus of approximately \$200,000. There is a strong possibility that the \$150,000 reserved amount that has been frozen will be used to help offset other state agencies. Ms. Stuckey has been advised that there may be two options to address this issue (1) is to request the swept funds be treated as a loan, which the Commission have done in the past, although not in such a large amount or (2) the Commission could request an exemption based on the fact that the funds are not taxpayers revenue. At any rate, the Commission can address that issue when and if it happens.

- C. Apprentice Selection Update - A total of 57 applications were received. The Committee met on April 23, 2020 to review the applications and eliminated all applications that were incomplete. Three persons were in attendance and practicing socially distancing while the other members were

on the phone. Of the 57 applications, 7 were found to be incomplete and those persons were sent letters advising them of same. The others have been referred to Tara Tyberzy for testing and interviews. Once the reports are received, the Committee will meet again to review the findings and select those candidates to be interviewed. The Committee is looking to interview approximately 40 persons. Hopefully, the pandemic will have subsided by the time the Committee is ready to interview in early September. If not, other options will be looked at.

D. Training Grant - The New York Commission has hired a grant writer to aid in their application to the Department of Homeland Security for a training grant. They have requested that the Commission be co-applicants. Previously sent to the Commission was a copy of the letter that was sent to FEMA endorsing the application and stating the Commission's willingness to join in with the New York Commission to provide the training. The type of training has not been specified, if the grant application is approved, Ms. Stuckey will meet with the New York and New Jersey presidents and the New York Executive Director on the next steps.

E. Pilot Update - Previously Ms. Stuckey reported that Captain John Schnepf put in for retirement and his last day of piloting was supposed to be April 30th. She received an email stating that he postponed his retirement. He was not specific about the reason, but has advised that he will let the Commission know when he does retire.

F. Commission Advisory #20-001- Previously, the Commissioners were sent copies of the Advisory #20-001 regarding the importance of communication between vessels. It was distributed electronically to all pilots, apprentices, the New York Commission and the Coast Guard.

G. Coast Guard Update - The Coast Guard has decreased their briefing calls to one a week, but continue to keep all

updated on issues that are related to the coronavirus. As the curve begins to flatten, they are looking at different scenarios for re-opening and have stated that they will follow the guidelines that have been laid out by the New York Governor.

H. Social Distancing - As the Governor continues to loosen the social distancing rules, the Commission will pay close attention and adjust their office hours as needed. Ms. Stuckey does not anticipate opening the office full-time until approval is given for all non-essential businesses to re-open.

I. Ms. Stuckey provided the Commission with several articles of interest that she recommended that they read at their leisure.

Public Comment (s)

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

Captain Foley reported that all Sandy Hook pilots are all healthy and they continue to follow coronavirus protocol. He advised that the CDC has issued a protocol specific for the maritime industry and they are very similar to the protocol that Sandy Hook is currently following.

Captain Foley reported that starting on June 1st, all apprentices will return to their regular training rotation.

Captain Foley reported that arrival and departures as of April, 2020 are down 20%, cruise ships have stopped transiting to the harbor and tankers were a little slower in April. He advised that the main liners have begun to reinstate their Trans Pacific sailings, in late May. Captain Foley reported that there are no expectations for cruise to resume ships and container ship sailings have hit the bottom at this point with anticipations that the second half of 2020 will be better.

Captain Foley reported that cruise ships are planning to start as early as August 1st in Miami and Galveston but in the North East, there are no dates to resume.

Comment from Jake Shisha, Commissioner, New Jersey Pilot Commission.

Commissioner Shisha inquired about the Sandy Hook Pilots Association's pension surcharge status during the pandemic.

Captain Foley reported that Sandy Hook has built up a reserve that should cover for the remainder of the year. The Committee will have a meeting in the third quarter of the year to review.

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

Captain Flannery reported that all Metro Pilots are well and healthy.

Captain Flannery reported that Bayonne will be adding to their pier and that should be done shortly.

Captain Flannery reported that Metro Pilots are planning to bring their apprentices back on June 1st.

Captain Flannery reported that in June, there are plans to have a full Harbor Ops meeting via Zoom.

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

Captain Jonas reported that all Interport pilots are healthy and they are still following COVID-19 protocol.

Captain Jonas reported that Interport has not suspended their apprentice training program.

Ms. Stuckey advised Captain Jonas that Captain Tomalo informed her that his training program was suspended and he was not riding ships until he gets the clearance when things get back to normal.

Captain Jonas advised that he was not aware of that and he would follow up with Apprentice Tomalo and report back to the Commission.

Resolution #20-13 to Adopt an Operating Budget for FY21

Ms. Stuckey advised the Commission that she previously reported that the Governor had extended the fiscal year until September. After a call with Ron Calderon, he stated that although the fiscal year is extended, it is just extended for the revenue stream; but all authorities are expected to pass a budget before the June 30th deadline. Ms. Stuckey submitted budget recommendations to the Commission. Based on the current climate, she recommended a budget that came in \$6,000 less than the previous year. She also recommend that the Commission put a freeze on any personnel actions until the New Year.

Ms. Stuckey reported that she has submitted the Commission's proposed budget to the Governor's office and asked Ms. Brown if there were any issues.

Ms. Stephanie Brown reported they are still visiting the budget and she will get back to Ms. Stuckey with any feedback as she receives it.

Ms. Stuckey advised that the Commission will vote on the proposed budget today and if there are any issues, they will be addressed at next month's meeting.

After further discussion, a motion was made by Commissioner Lombardi and seconded by Commissioner McEwing to approve Resolution #20-13 to Adopt an Operating Budget for FY21.

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 Kils that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:26 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 10:56 AM.

Commission's Budget Reserve - The Commission advised Ms. Stuckey to look into putting in a request of exemption on the grounds that the \$150,000 reserve that is frozen is not tax payer dollars. She will look into the proper procedures and report back to the Commission.

Adjournment

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

All voted in favor.

The meeting was adjourned at 10:57 AM.