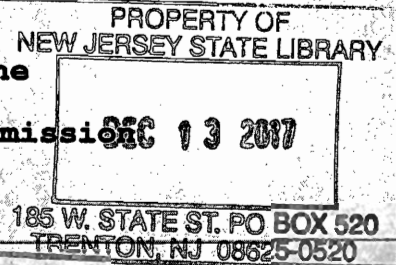


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Minutes of the Regular Meeting of The  
New Jersey Maritime Pilot and Docking Commission  
November 21, 2017



The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, November 21, 2017 at One Penn Plaza East, Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:08 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (Via tele-conference); Commissioner Jacob Shisha (present); Commissioner Charles Wowkanech (present).

Approval of the September 19, 2017 regular meeting minutes

A motion was made by Commissioner Wowkanech and seconded by Commissioner Shisha to approve the September 19, 2017 meeting minutes. All voted in favor.

Resolution #17-31 to approve the October/November, 2017  
Treasurers Report

A motion was made by Commissioner Wowkanech and seconded by Commissioner Shisha to pass Resolution #17-31 to approve the October/November 2017 Treasurers Report. All voted in favor.

## Executive Director's Report

A. Hudson River Update - There has only been one Hudson River transport job reported since the Commission's last meeting.

B. AMSC Annual Meeting - Ms. Stuckey attended the Annual Area Maritime Security Committee meeting on October 12, 2017 at the Brooklyn Passenger Ship Terminal. The port of New Jersey/ New York and Albany were presented with the Maritime Security Committee of the year award. Several other awards were given to New Jersey's local fire, police and Coast Guard officers for their heroic efforts throughout the year. The general focus of the meeting was cyber security and several presentations were given on the topic.

C. Harbor Ops Meeting -

- Goethals Bridge demolition - The Commissioners were given a copy of the advisory notice that was sent out by the Coast Guard. It outlined the different phases of the demolition project, including channel closures, no meeting or overtaking zones, etc.
- The SULCV transits are going well and beginning this week, they will begin to come on regular schedule.
- NOAA has updated their nautical chart website. Ms. Stuckey also informed the Commission that the charts in the New Jersey Commission's office need to be updated.
- The Port Authority has finished the soundings on the berths they manage and will distribute them shortly. They are also going to deepen Pier 55 and 57 at PNCT and 55 and 56 at Maher to 50 feet.
- The Deep Draft working group has issued an Advisory dated October 12, 2017. The advisory makes the distinction between ULCV and SULCV's and gives guidance and guidelines on operating each. Captain Oldmixon gave the Commission a brief definition that is now being used for the ULCV's and SULCV's.
- NOAA is currently looking for sites to place current meters for a 30 day assessment period. The information will be used to update the current and tide tables that will be published in 2018.
- The next Oil/Terminal roundtable meeting will be held following the Harbor Ops January 17, 2018 meeting. The

issue of unsafe gangways was not properly handled so the Sandy Hook Pilots have come up with their own solution. A copy of a pilot boarding deficiency report that will address the issue of unsafe gangways was provided to the Commission. Director of Operations, Chris Maglin gave a brief description of what happens when you receive one of these reports from a pilot.

- D. The Sandy Hook Pilots hosted Admiral Buzby on November 15, 2017. He was able to spend the day observing the pilots at work. The Commission was provided with the thank you note he sent to the Sandy Hook Pilot's Association.
- E. Admiral Buzby will be honored at the USMMA annual meeting that is scheduled to be held on December 14, 2017 at Iberia Peninsula in Newark, NJ. Ms. Stuckey recommended that the Commissioners attend.
- F. Raritan River Bridge Replacement Project - The Commissioners were provided with a copy of the notice issued by The Federal Transit Administration with a finding of no significant impact for the replacement project.
- G. Letter regarding Foreign Flagged Public Vessels - The Commission was provided with a copy of the letter that was sent to Captain Lou Bettinelli, outlining the Commission's stance on the Public Foreign Vessel issue. All interested parties were copied on the letter. Ms. Stuckey thanked David Kahler from the DAG's office for working with her to get the letter finalized.
- H. Letter to all New Jersey licensed Pilots - The Commissioners were provided with a copy of the letter that went out to all New Jersey licensed pilots and registered apprentices reminding them of their reporting requirements outlined in the Commission's regulations. At the request of the Commission, Ms. Stuckey pointed out a few misconceptions that generally come up. For instance, a conviction for failure to take a breathalyzer test is not enforceable by the Coast Guard, but will be enforced by the Commission.
- I. Monthly training report - A copy of the Sandy Hook monthly apprentice training report from Chris Maglin was provided to the Commission. Ms. Stuckey reported that Apprentice Sal Rivas is scheduled to take his state exam the week of December 11, 2017.



- J. Letter from Interport Pilot's Association - Ms. Stuckey received a letter from Interport Pilot's Association stating that apprentice Adam Richardson has completed his apprenticeship and is ready to sit for his state exam. She will meet with Apprentice Richardson after the meeting to give him a study guide and schedule a date for the test.
- K. Port Industry Day - Ms. Stuckey and Mr. Hawkins attended Port Industry Day. The forums were very interesting and provided a great opportunity for networking. Captain John DeCruz the president of the Sandy Hook New York Pilots gave a very informative presentation on the arrival of the SULCV's.
- L. Annual meeting of the Containerization and Intermodal Association - On December 11, 2017, Ms. Stuckey will be attending the meeting. This year's honoree will be the Port Authority of New York and New Jersey for the work they spear headed in raising the Bayonne Bridge.
- M. Ms. Stuckey informed the Commission that on December 13, 2017, she will attend the New York Commission's annual meeting.
- N. Ms. Stuckey is beginning to work on the New Jersey Pilot Commission's Annual Report. She informed the Commission that this year, Captain Jonathan Miller will be the pilot that will be highlighted and Chris Maglin will be the Administrator that will be highlighted.
- O. Vacation Schedules - Ms. Stuckey informed the Commission that after the meeting, she will be taking vacation time and returning on Monday. Mr. Hawkins will be in the office until Wednesday and then he will take off Thursday and Friday for the holiday.
- P. Articles of Interest - Ms. Stuckey provided several articles of interest. She encouraged the Commissioners to read them at their leisure. Of particular interest is the one from the Wall Street Journal in which Captain Robert Flannery gives an interview on the maiden voyage of the Theodore Roosevelt into the New Jersey/ New York Harbor.

Public Comment (s)

Comments from Captain John Oldmixon, President, Sandy Hook Pilots Association:

Captain Oldmixon reported that the Theodore Roosevelt came into the Harbor this morning. He states that there have been a few ULCV's that have come through the ports. Captain William Hansen helped bring in the OCL France which is the same size ship as the Roosevelt. Captain Oldmixon feels that things are going very well with the larger ships. He also reports that the Sandy Hook Pilots Association will be moving into their new building.

Comments from Captain Frank Reinbold, Pilot for the Metro Pilot Association:

Captain Reinbold reports there have been no issues so far with the SULCV's. He also states that all of the docking pilots have been informed of the dates that the Goethals Bridge will be closed.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that the Coast Guard proposed rules to establish 43 additional anchorages from the Hudson River all the way up to Albany. He states that there has been a lot of protest against those anchorages. After several test done by the Coast Guard, they have decided to table the anchorage proposal. Mr. Kelly believes that it is disappointing to the Maritime industry because there is not enough anchorages in that area. He reports that there will be some meetings on the issue in March, 2018 and he will update the Commission at that time.

Committee Reports

A. Pension Surcharge Committee:

- I. Ms. Stuckey provided all of the financial paperwork from the Pension Surcharge meeting to the Commissioners.

Commissioner Jacob Shisha reported that at the moment, there will not be any surcharge increase and things are in good standing. He states that with the new size vessels and high marginal rates that the Committee will eventually recalculate the surcharges because the ships are different. But, he is happy to report that the Pension Surcharge is currently in good shape.

Resolution #17-32 to approve the appointment of Peter G. Rooss, Jr. as a Maritime Pilot Apprentice.

A motion was made by Commissioner Wowkanech and seconded by Commissioner Shisha to pass Resolution #17-32 to approve the appointment of Peter G. Rooss, Jr. as a Maritime Pilot Apprentice.

All voted in favor.

Mr. Rooss, Jr. was presented with a certificate of appointment by Commissioner Dacey.

Apprentice Rooss, Jr. gave a brief summary of his background to the Commission and thanked them for the opportunity.

Peter Rooss, Sr. expressed how proud he is to be able to work with his son.

Swearing in of Captain Kenneth Barsch as a Docking Pilot

Captain Barsch was sworn in by Commissioner Dacey.

Ms. Stuckey reported that due to the cancellation of the October meeting, Captain Barsch came in on October 18<sup>th</sup> to take his oath so he could begin working.

Captain Barsch reported that he is now a quarter share pilot, working on primary tankers and car ships. He states that so far all has been going great and he is very excited to finally be working on his own.

Ms. Stuckey informed the Commission that Captain Eric Lavin had come in to take his oath of office on October 19<sup>th</sup>. He had planned to come to the meeting for his formal presentation, but he was dispatched to Puerto Rico to help in the relief efforts.

Resolution #17-33 to set the meeting dates for calendar year 2018

Commissioner Dacey made the recommendation to amend the May 15, 2018 meeting to May 22, 2018.

A motion was made by Commissioner Wowkanech and seconded by Commissioner Shisha to pass Resolution #17-33 as amended.

All voted in favor.



### Resolution #17-34 regarding pilotage rates

Ms. Stuckey reported that the pilotage rate changes will begin on January 1, 2018 with a rate increase over 5 years at 1% year one, 1% year two, 2% year three, 2% year four and 3% year five. She thanked Thomas Huth of the Authorities Unit for working with her on getting the pilotage rate increase ready for approval.

A motion was made by Commissioner Wowkanech and seconded by Commissioner Shisha to approve Resolution #17-34 regarding pilotage rates.

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 Wowkanech that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:49 AM.

### Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 11:34 AM.

### Discussion with Chris Manglin

Chris Manglin thanked the Commission for having him and informed them that the Sandy Hook pilot station is now done. He states that he looks forward to getting into the building so he can get more familiar with the day to day operations around the

station. Mr. Manglin reports that he has implemented a few new programs that he believes will help the pilots and apprentices perform their jobs better. He states that he has regularly attended Harbor Ops meetings and they have been going very well. He states that he is very pleased with the workplace harassment training that he believes is very necessary during the current times. Mr. Manglin expressed to the Commission that he is looking forward to working with the Commission.

Ms. Stuckey reports to the Commission that Apprentice Salvador Rivas is scheduled to take his state exam on December 11<sup>th</sup> and Apprentice Paul Torres is on track to take his state exam during the early part of 2018.

Captain John Oldmixon reports that the Sandy Hook pilots Association Apprentice Committee spends a lot of time evaluating their pilots. The Committee will meet in January to determine their needs for more pilots and he will inform the Commission of their position during that time. He believes that they are in a good position at the moment.

#### Adjournment

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

The meeting was adjourned at 11:50 AM.