

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

July 16, 2024

A hybrid meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, July 16, 2024.

Commissioner Dacey called the meeting to order at 10:03 AM.

Open Public Meeting Statement

Roll Call

Commissioner Timothy J. Dacey (via ZOOM); Commissioner Nicholas Fixmer (via ZOOM); Commissioner Dana Martinotti (via ZOOM); 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, Administrative Assistant (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 (via ZOOM), Adam Richardson, President, Interport Pilots (present)

Approval of the June 18, 2024 regular meeting minutes

A motion was made by Commissioner Roberts and seconded by Commissioner Wowkanech to approve the June 18, 2024 meeting minutes.

All voted in favor.

Resolution #24-17 to approve the July, 2024 Treasurers Report

Ms. Stuckey advised that in the report there is a supplemental payment for the Commission's Harbor Inspection Tour. That cost was added to provide food for the pilots and apprentices.

A motion was made by Commissioner Roberts and seconded by Commissioner Kils to pass Resolution #24-17 to approve the June, 2024 Treasurers Report.

All voted in favor.

Executive Director's Report

- A. Pilot trip log - A copy of the pilot log was sent to the Commission.
- B. Move to Gateway - Ms. Stuckey has been advised that the Board Room in the current building will be dismantled and relocated to Gateway 2. The move may provide challenges in securing the room because of the other tenants in the building. Booking of the meeting rooms will be on a first come first serve basis. If there are scheduling issues, the Commission's personal conference room may be able to accommodate the meetings. Ms. Stuckey will do a walk through of the space in early August and report back to the Commission at that time.

Ms. Stuckey also reported that New Jersey Transit has decided to move the Executive offices during the last phase of the move. The Commission's office is currently scheduled to move in January, 2025.

- C. Harbor Inspection Tour - The tour was very successful. Ms. Stuckey thanked all the pilots and apprentices that participated. The new program format was well received, and the apprentices were extremely helpful to Ms. Stuckey in handing out annual reports, giving tours and getting the waivers signed. Ms. Stuckey thanked Sandy Hook Pilot's employee Al Fanelli for doing a great job with the wait staff. She advised that on behalf of the Commission she visited Sandy Hook and gave the staff thank you notes with a small gift of appreciation.
- D. FY24 Audit - Request for proposals have been sent out to the 14 Auditors who are on the Treasury's website. They were given a deadline date of July 29th to submit their proposals. Once the proposals are received, a committee

meeting will take place to review the proposals and a recommendation can be made to the full Commission. The Committee meeting will take place right before the Commission's August meeting.

- E. Harbor Ops - Ms. Stuckey attended the last Harbor Ops meeting before the summer break. There was not much of note to report. The new tunnel project was discussed. Ms. Stuckey gave an update on the project and arranged for the Harbor Ops Chair to receive all notices to mariners. The notices will be shared with stakeholders in the port. Ms. Stuckey received a photo from Commissioner Kils showing that construction has started.
- F. Captain of the Port - The new Captain of the port and his senior staff will attend the Commission's August, 2024 meeting. The purpose of the meeting is to discuss the cooperative relationship between the Commission and the Coast Guard and to discuss Operation Clear Channel.
- G. High Exposure - Commissioner Kils, Andy Garger, Commissioner Ahlstrom, Captain Ferrie, Captain Mahlman and Ms. Stuckey will travel to High Exposure in Nothvale, New Jersey to simulate the use of Karabiners. There will be a video taken of the simulation to present at the Commission's August meeting.
- H. Pilot Ladder Deficiency Report - The Commission was sent a copy of the most recent deficiency report. This report was a little different because the vessel had a trap door arrangement, and the captain of the vessel stated that the vessel would be going to the shipyard to address the issue and bring the vessel up to date in September.
- I. Docking Pilot Invoices - The Docking Pilot invoices have been sent out. The pilots have until the end of July to submit their annual fees to the Commission.
- J. Meeting with Newark Public Schools - Ms. Stuckey reported that on Thursday, July 18, 2024 she will meet with the Superintendent of Newark public schools and the Administration at Kean University to discuss the possibility of adding a Maritime program to their curriculum. Upon completion, the program would allow students to receive their Ordinary Seamans license. They will also discuss the possibility of having the credits from the course qualify for transfer to a Maritime Academy.

This program would be helpful to the tug companies. Hopefully it will attract persons interested in becoming a pilot.

Commissioner Roberts advised Ms. Stuckey that if she needs any help with getting the program started, he would be willing to help with those efforts.

Ms. Stuckey advised that she could use the help and will reach out to Commissioner Roberts at a later date.

- K. BFG and Associates - The Commission was contacted by Shanda Williamson from BFG and Associates from Port Newark. BFG is having a reception/toy drive in December and solicited the Commission to co-sponsor the event. She suggested that Ms. Stuckey be the guest of honor and they would use her name to promote the event. Ms. Stuckey advised Ms. Williamson that as a state agency, the Commission is not able to co-sponsor the event. Ms. Stuckey also advised her that it would be an ethics violation to use her name to promote the event. She informed Ms. Williams that she will speak with the Commission about providing a onetime donation for the event.
- L. Port Authority Press Release - The Commission was sent a copy of a power point presentation from the Port Authority's press release on June 5, 2024. The purpose of the press release was to advise on how the Harbor Maintenance Fund will be allocated. Ms. Stuckey encouraged the Commission to read the release at their leisure.
- M. Articles of Interest - The Commission was provided with 2 articles of interest. Ms. Stuckey highlighted the one from the Port Authority stating that the port of New York/New Jersey has regained its title as the nations top port in the month of May. Ms. Stuckey encouraged the Commissioners to read the article at their leisure.
- N. Vacation Schedules - Ms. Stuckey reminded the Commission that she will be on vacation the week of July 22nd. A Maritime Pilot Apprentice Selection Committee meeting was scheduled for July 22nd and Ms. Stuckey will attend the meeting. Ms. Stuckey advised that she will be traveling with her laptop and able to deal with any issues or emergencies that may arise.

Mr. Hawkins has requested vacation time for August 8th and 9th.

Committee Reports

A. Apprentice Selection Committee: The Apprentice Selection Committee has a scheduled meeting on Monday, July 22nd. At the meeting, the Committee will review the applications and test results. There were 57 applicants that were advised to contact IFP and to go through the testing process. Of the 57 applicants, 53 complied. The Committee will decide which candidates will advance and be interviewed. All interviews are scheduled for the weeks of September 2nd and 9th. During that time, Ms. Stuckey will be working off-site at the Sandy Hook Pilot's station house.

Public Comment (s)

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

Captain Richardson thanked all for doing a great job with the Commission's Harbor Inspection Tour.

Captain Richardson reported that all is well and quiet with the Interport Pilots.

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

Captain Miller Reported that Captain Tom Farrel retired at the end of June and the Metro Pilots will select an apprentice from the list to begin his apprenticeship.

Captain Miller advised that he and Captain Kirk Pinto are looking to start another Docking Pilot Apprentice Selection list in the next few months.

Ms. Stuckey advised that the new Docking Pilot Apprentice Selection list is on the agenda to be discussed later in the meeting.

Ms. Stuckey also advised Captain Miller that the Docking Pilot's proposed continuing education program was approved at last month's meeting.

Captain Miller reported that he is waiting for the investigation on the alleged allision on the Carnival Venezia to be completed so he can be updated on the findings.

Captain Miller reported that the dredging is becoming confusing. He advised that the Port Authority has reported there are not enough funds. Entry into Port Jersey and north of the AK50 will have limited drafts. CMA has gotten very busy at New York Container Terminal. They are pushing for more volume; however, it will be tough to handle the extra ship traffic.

Captain Miller reported that new cranes coming into Port Liberty and dock 3 will be open by the end of the year. The simulation exercises are to prepare for some of the changes going on at Port Liberty.

Captain Miller reported that they are having issues with the Captain of the Liberty of the Seas. The captain is undermining the pilot's orders upon docking. Although there have not been any occurrences, it is a dangerous situation.

Ms. Stuckey reported receiving a call from the Coast Guard to discuss both issues. In the case of the Carnival Venezia the pilots were not notified during the transit. They were both thanked for doing a great job and after returning to their station houses, received a phone call stating that an allision may have occurred. The Coast Guard got involved because the vessel's owner and agent called them to complain. The Commission's investigation showed that the captain has made several allegations in other ports. There was no proof of an allision and the Coast Guard closed their investigation.

After discussion, the Commission advised Captain Miller that they do not have jurisdiction over the situation with the Liberty of the Seas but will write a letter in support of the pilots if necessary.

Comments from Captain Timothy Ferrie, President, Sandy Hook Pilots Association:

Captain Ferrie expressed that he was happy with the Commission's Harbor Inspection Tour. There was plenty of traffic in the harbor for the guest to see firsthand what the pilots do.

Captain Ferrie reported that the Sandy Hook Pilots will be involved in an operation that will run from South Hook Marine Terminal out to sea that will follow the post trench that is

being dug for the offshore wind project. The project will take 2 months to complete, and the pilots will be removing debris on the trench line.

Captain Ferrie reported that the Pilot launch Roma is being refurbished in Savannah Georgia and should be up and ready for work very soon.

Ms. Stuckey advised that when the Sandy Hook Pilots purchased the new boat, she received a notice from Captain Tim McGovern stating that there may have to be a Capital Improvements Surcharge meeting. Ms. Stuckey asked that herself and Commissioner Roberts be notified when that meeting takes place.

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

Captain Pinto reported that the Harbor Pilots are trying to get Captain Joe Bosch off the tug and into the rotation.

Captain Pinto agreed that there is an issue with the Liberty of the Seas. Last Year they refused to bring a ship in because they had bunkers. They advised that they would never do that again. The situation is frustrating and very dangerous.

Captain Pinto reported the Harbor Pilots are happy to have no open incidents, and all is healthy.

Discussion Re: Docking Pilot Apprentice Selection Process.

Ms. Stuckey reported that it is time to complete another Docking Pilot Apprentice selection process. There was a discussion regarding the 2 remaining candidates on the list.

After discussion, the Commission agreed that the two remaining candidates be carried over to the new list.

Maritime Pilot Apprentice Training Program

Commissioner Dacey updated the Commission on previous discussions and advised that the meeting with the New York Commission is scheduled for July 30th.

Resolution #24-18 to Ratify Maritime Pilotage Rates Approved by
the New York Legislature.

Ms. Stuckey reported that the pilotage rates are set by the New York Legislature and must be presented to the New Jersey Pilot Commission within 30 days before its effective date for them to become effective on the same day. These new rates were already proposed and approved with an effective date of July 1st. There was a breakdown in the process, and the New Jersey Commission was not informed of the new rates. Ms. Stuckey reported that she spoke with Captain Ferrie and informed him that any rate increases are to be presented to the New Jersey Commission when they are proposed. The new rates only apply to vessels over 1,650ft.

Ms. Stuckey provided the Commission with the updated regulations and the new rate card. She advised that in 2023 there was a 5-year rate schedule that was passed. The new rate will only affect the larger vessels and in January, 2025 all rates will increase as previously approved.

Captain Ferrie advised the Commission that the Governor did not sign the bill until the June 29th, and he apologized for not notifying the New Jersey Commission sooner.

Ms. Stuckey advised that in the future, proper procedures are to be followed when it comes to the rate changes.

A motion was made by Commissioner Wowkanech and seconded by Commissioner Roberts to pass Resolution #24-18 to Ratify Maritime Pilotage Rates Approved by the New York Legislature. 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 Martinotti and seconded by Commissioner Wowkanech that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:39 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 11:10 AM.

The Commission agreed to provide a one-time donation to BFG Associates in December for their toy drive and networking event.

Adjournment

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