

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

August 15, 2023

A hybrid meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, August 15, 2023.

Audit Committee Meeting

The Audit Committee met and reviewed proposals received from two firms, Kayode Agunbiade LP and Yusufali & Associates, LLC. Both firms worked with the Commission in the past. Even though the proposal from Kayode Agunbiade LLP came in \$500 over the amount budgeted, the Committee agreed that he should be appointed this year to allow a fresh set of eyes to review the Commission's accounts. Ms. Stuckey was advised to notify both of the Committee's decisions while encouraging Yusufali & Associates to continue to bid on future opportunities.

Regular Monthly Meeting

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 (present); 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, Board Administrator (present); Captain Timothy Ferrie, President, Sandy Hook Pilots (via ZOOM); Captain Russel Henschman (via Zoom), Vice-President Harbor Pilots; Captain Jon Miller, President Metro Pilots (via Zoom); Captain Adam Richardson, President Interport Pilots (present); Dorian Smith, Authorities Unit (present), Fredric Cohen Esq., DAG; (via Zoom)

Commissioner Dacey lead a moment of silence for the passing of Captain Robert Flannery.

Approval of the July 18, 2023 regular meeting minutes

A motion was made by Commissioner Roberts and seconded by Commissioner Fixmer to approve the July 18, 2023 meeting minutes.

All voted in favor.

Resolution #23-21 to approve the August, 2023 Treasurers Report

A motion was made by Commissioner Wowkanech and seconded by Commissioner Roberts to pass Resolution #23-21 to approve the August, 2023 Treasurers Report.

All voted in favor.

Executive Director's Report

Ms. Stuckey provided the Commission with a copy of Captain Flannery's obituary and expressed her pride in how the maritime community came together in support of Captain Flannery's family. She expressed how much Captain Flannery will be missed and stated her belief that without him, the Commission and the maritime community would not be what it is today.

Ms. Stuckey welcomed DAG Fredric Cohen to the meeting.

Mr. Cohen gave a brief summary of his background and advised that he was very excited to work with the Commission and is looking forward to learning about the Maritime industry.

Ms. Stuckey advised Mr. Cohen that the pilots will host an industry tour and an invitation will be extended to him.

A. Updated Pilot Log - A copy of the updated pilot log was sent to the Commission.

B. Meeting Forum - The Commission's hybrid meeting forum appears to be working well. There will be an issue in

November and December with the conference room's availability. Ms. Stuckey is working with New Jersey Transit to rectify the issue. If an alternate plan cannot be reached, the Commission's November and December meetings may need to take place via Zoom. All of the Commission's 2024 board meetings are scheduled and booked, so there shouldn't be any issues in 2024.

- C. Peter Rooss State Exam - Apprentice Rooss sat for and passed his state exam during the week of July 31st. He will appear before the Commission at the October 17th meeting to be sworn in as a Deputy Maritime pilot. Apprentice Rooss is scheduled to join the rotation board on November 1st.
- D. Austin DiMatteo State Exam - Apprentice DiMatteo is scheduled to sit for his state exam during the week of August 21st. Assuming he passes his exam, he will come before the Commission to be sworn in as a Docking Pilot at the September 19th meeting. Additionally, Moran has made a request to select an apprentice from the open Apprentice Selection List. The apprentice will be appointed at the September meeting.
- E. Conversation with Stasinis - Ms. Stuckey met with one of the owners of Stasinis Marine, James Stasinis. The conversation was more of an introduction. She explained to Mr. Stasinis the role the Commission plays in the Maritime community and advised that if they would like to set up an apprentice training program, the Commission would guide them through the process. Ms. Stuckey reported that the owners of Stasinis are in attendance to introduce themselves.
- F. Maritime Forum with Assemblyman Atkins - The Forum went very well. Ms. Stuckey thanked all the pilots that participated and advised that the Assemblyman requested another forum that would include an educational tour for the children and their parents. Ms. Stuckey reported that because of liability issues, there will not be a tour but she will work with the pilots on other alternatives.
- G. Commission ID Machine - The new ID machine was received, and will be set up by New Jersey Transit's IT Department. Ms. Stuckey reported that the new system will allow for pilots and apprentices to provide a picture and signature electronically eliminating the need to visit the

Commission's office for ID distribution. For anyone that prefers, an email will be sent to advise them to call and setup appointments.

- H. Communication with on-line Jet Ski rental companies - Ms. Stuckey contacted a few Jet Ski rental companies. She was advised that each company provides clients with a form prior to renting a Jet Ski stating the rules while renting that must be signed before a rental is completed. They do not provide any information on the dangers of operating near or in the path of the larger vessels. They advised that the reason for not providing such information is because their agreement states that renters are not supposed to be in the channel where the larger vessels operate. Ms. Stuckey was advised that if they were given information on the dangers of entering the channel, they would be happy to distribute it to the renters. Ms. Stuckey plans to meet with the pilots to get this information ready for distribution to the rental companies.
- I. Hudson County Community College Advisory Board invitation - Ms. Stuckey reported that she received an invitation to join the Hudson County Community College Employer Advisory Board. A copy of a flyer outlining the purpose and the scope of the board was sent to the Commission. Ms. Stuckey advised that being on the board is an unpaid, voluntary position that will meet quarterly and she was pleased to accept the invitation.
- J. Counsel on Port Performance 3rd Quarter Meeting - Ms. Stuckey attended the meeting where she gave a report on some of the Commission's activities. The Commissioners were provided with a copy of the meeting minutes to review.
- K. Nautical Education Center - The newly opened Nautical Education Center will hold its first annual dinner on October 12, 2023. The purpose of the center is to provide training for high school students that are interested in maritime careers. Commissioner Dacey and Ms. Stuckey received a verbal invitation to attend the dinner. Ms. Stuckey advised that once the formal invitations are sent, it will be circulated and anyone interested in attending should contact her and she will make the arrangements.
- L. Meeting with the Newark Board of Education - Ms. Stuckey had a meeting with the Newark Board of Education's

Assistant Superintendent regarding adding Maritime components to their schools curriculum. There was also discussion about participating in career day. The program is currently in its infancy and Ms. Stuckey will continue to work with Dr. Ortiz and Superintendent Leon to aid in establishing a proper curriculum. She has committed to attending future career days.

- M. Pilot-Gard test program - Ms. Stuckey was contacted by the German Pilot Association regarding the Pilot-Gard test program. They would like the Commission and the regulated community to participate in the program. Ms. Stuckey advised that before the Commission can commit to the program, all information and directives must be provided for review by the Commission and pilots. They have agreed to provide Ms. Stuckey with the information to circulate.
- N. Amtrak working tour - The working tour with Amtrak is scheduled to take place on August 29th and will depart from the Sandy Hook Pilot's headquarters at 10am. The tour will provide a forum for pilots to have dialogue with the contractors. Ms. Stuckey advised that it is important that representation from all of the pilot associations participate.
- O. Sandy Hook Pilots Port Industry Cruise - The Sandy Hook Pilot's Port Industry Cruise will take place on Friday, September 15th with a boarding time of 11am at berth 23. Ms. Stuckey reported that the Commission should receive an electronic invitation shortly and advised that it will be a great opportunity to interact with the stakeholders of the port and she encouraged all to attend.
- P. Vacation Schedules - Ms. Stuckey reported that she will be leaving this afternoon for a doctor's appointment and may be required to get foot surgery. If the surgery is needed, Ms. Stuckey advised that she will be working from home for two or three days. Additionally, she plans to take vacation beginning August 31st returning on September 5th. During that time, she will be available and working remotely.
- Q. Articles of Interest - The Commission was sent an article regarding container volumes returning to pre-pandemic levels. Ms. Stuckey encouraged the Commissioners to read the article at their leisure.

Discussion with Stasinov Marine

James Stasinov gave a brief summary of the Stasinov Marine Company. He thanked Ms. Stuckey for reaching out to them and expressed how they look forward to working with the Commission.

Public Comment (s)

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

Captain Ferrie reported that the Sandy Hook pilot's Port Industry cruise will take place on September 15th. He is looking forward to having everyone participate in the cruise since this will be the first one post-pandemic.

Captain Ferrie reported that the traffic in the harbor has slowed down a bit since the last meeting, but is expected for this time of year. He advised that the cruise and trade ships arriving in the port are up at the moment.

Captain Ferrie reported that the meeting about pilot ladders with Ms. Stuckey and Commissioner Kils went well and everyone is interested in keeping the pilots safe.

Captain Ferrie reported that the Grande Costa ship is getting ready to be moved as a dead ship tow. There has been some concern on where the pilots will be placed during the tow. After discussions, it was decided that there is no need for a maritime pilot to be on the ship.

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

Captain Pinto reported that putting a pilot on the Grande Costa ship would be nice for visibility, but it could be a problem getting pilots on and off the ship. He advised that a tug will be rigged at the dock and the anticipation is when towing the ship it will die right around Bergen Point. It will take a little bit to get the ship back inline, but it should not be that big of a problem. There is still a lot of work to be worked out, so the removal date is unknown. He will update the Commission on any plans that are made.

Captain Pinto reported that Captain Charles Fannon has started working fulltime. He advised that it took longer than anticipated because it took a while to find his relief. Also, the Harbor Pilots are looking forward to getting Captain Daniel Zorovich started as soon as possible.

Captain Pinto reported that all is going well and it was nice to see how much Captain Flannery was loved.

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

Captain Miller reported that it has been a tough couple of weeks with the passing of Captain Flannery. It has been very difficult, but the maritime community got a lot of people through the tough situations. He thanked all for the calls and support.

Captain Miller asked James Stasinis for his contact information to set up a meeting.

Captain Miller reported receiving a call from the Army Corp of Engineers stating that they were dredging near Shooters Island. The company that was doing the dredging in Perth Amboy, has been problematic in the past. They were supposed to start dredging in July or August, now they don't have equipment available so the start date has been moved to October. He advised that this situation has had a significant impact on manpower and safety within all the associations. There are plans for discussion at the next Harbor Ops meeting.

Captain Miller reported that there was a meeting with the New York EDC to report the findings regarding the Shark Center. They were extremely appreciative of the findings. They advised that they will be involved with helping resolve the issue with the expansion of the pier and how it's affecting the passenger industry.

Captain Miller reported that Captain Fred Dashkoff is going to attend the working tour with Amtrak.

Captain Miller reported that last meeting he requested a discussion regarding pilot regulations that could not be discussed in public session. He requested that a committee be put together to discuss the issues further.

Ms. Stuckey was advised to form the Committee and set up a date and time for the Committee meeting to take place.

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

Captain Richardson congratulated the two apprentices for receiving their licenses and advised that he will either attend or send a representative on Interport's behalf to the working tour.

Committee Reports

A. Occurrence Investigation Committee

1. Audit Committee - Commissioner Dacey reported that the Commission followed the process outlined in E.O 122. The Audit Evaluation Committee set the criteria to choose an auditor based on price due to the size of the audit. RFP's were sent to 21 accounting firms that are on the DOT's approval list. The Committee received 2 proposals and after meeting and based on parameters set by the Audit Committee. The Committee recommended the firm of Kayode Agunbiade LLP to perform the FY2023 audit.

Resolution #23-12 to Hire an Auditor

A motion was made by Commissioner Roberts and seconded by Commissioner Martinotti to pass Resolution #23-12 to Hire an Auditor.

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 Wowkanech and seconded by Commissioner Kils that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:36 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 11:20 AM.

Adjournment

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

All voted in favor.

The meeting was adjourned at 11:20 AM.