

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

December 21, 2021

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, December 21, 2021 Via-Zoom.

Commissioner Dacey called the meeting to order at 10:02 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 Brendan Foley, President Sandy Hook Pilots; Captain Charlie Jonas, President Interport pilots; Captain Robert Flannery, President Metro Pilots; Bob Ellis, President Harbor Pilots; Jamera Sirmans, Authorities Unit, Brian Ashnault Esq., DAG.

Approval of the November 16, 2021 regular meeting minutes

A motion was made by Commissioner Shisha and seconded by Commissioner Lombardi to approve the November 16, 2021 meeting minutes.

All voted in favor.

Resolution #21-37 to approve the December, 2021 Treasurers
Report

A motion was made by Commissioner Roberts and seconded by Commissioner Shisha to pass Resolution #21-37 to approve the December, 2021 Treasurers Report.

All voted in favor.

Executive Director's Report

Updated pilot log - The Commissioners previously received a copy of the updated pilot log with their meeting materials. The log has the end of year numbers for each association and pilot. Beginning January 2022 the log will be zeroed out and will begin the start of reporting on the 2022 pilot numbers.

- A. Return to office update - Currently Mr. Hawkins and Ms. Stuckey returned to the office full time. Previously sent to the Commissioners with their meeting materials were three communications from the Governor's office. The first is outlining protocol for dealing with confirmed positive cases and exposure. The procedures are the same as previously reported and the Commission will continue to follow. The second outlines instances in which an employee may be approved to work from home. Those instances include someone that has taken a half a day for a doctor's appointment, parent teacher conference, home repairs, etc. they may be approved to work from home if their travel time to the office would result in less than half a workday being spent at the worksite. This also applies to someone that is at an offsite meeting. Additionally, if a person is the primary caregiver for a child, parent, spouse etc. and their care facility is shut down due to COVID, that employee may be approved to work from home. The final correspondence is regarding voluntary out of state travel. When the person returns to the state and is required to quarantine due to CDC guidance, the person would have to use their personal time off until the quarantine period is over.

The Commission was advised that New Jersey Transit has a very low vaccination rate, it has been reported that 64% of their employees are unvaccinated. They submit daily reports showing infections within the building. Ms. Stuckey advised that she does not know if they are planning on making any changes or make the decision to shut down their offices. If

they do decide to shut down, the Commission will have a discussion about the staff's work site status.

- B. Apprentice Jesse Malgrem is scheduled to take his state licensing exam the week of January 3rd. If he passes, he will be before the Commission at the January 18th meeting to be sworn in as a Docking Pilot for Metro Pilots Association.
- C. Harbor Ops- Ms. Stuckey attended the November 17th virtual full Harbor Ops Committee meeting. There was nothing of note for her to report to the Commission. The next meeting will take place on January 19th, 2022 virtually. Ms. Stuckey plans to attend that meeting.
- D. The new maritime pilot apprentice selection process will begin in 2022. A copy of the ad that will be published in the March edition of the Professional Mariner and Workboat magazines was sent to the Commissioners with their meeting materials. The publications will be distributed in March. The deadline date to submit applications is April 15, 2022. Ms. Stuckey advised the Commission that in the ad, the age limits have been updated.
- E. Ms. Stuckey reported that beginning this afternoon; she will begin her end of the year vacation. She will be working on an as needed basis; however she will not be coming into the office or signing on daily. At this time, Mr. Hawkins has not reported any vacation plans.
- F. Articles of Interest - Several articles of interest were sent to the Commissioners and they are advised to read them at their leisure. The one article about the vessel that came into the port with 41 COVID cases, Captain Richardson was the pilot assigned to pilot the vessel. He reached out to Ms. Stuckey before boarding the ship to discuss protocol.

Captain Richardson reported that everything was done safely and he stayed on the open deck and stayed six feet away from the Captain. He believes with all of the protocols that were taken the trip was done as safely as possible.

Public Comment (s)

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

Captain Foley reported with the current surge in COVID cases, Sandy Hook pilots are returning to a heightened level of protocols. This will include masking indoors, no visitors, office employees are required to be checked before entering the building. Captain Foley advised that Sandy Hook currently has three active cases all of which were contracted during their off time and they have all since been isolated. One of the cases, the pilot was fully vaccinated so they are taking this very seriously.

Captain Foley reported that the new New York is near completion. Test performed by the ABS with the Coast Guard present went well and stability calculations are now being completed. It will be completed by the second week of January and ready to be approved by the ABS. Then the vessel will be moved to the pilot base. Once she is there, training will begin with the entire crew that will be provided by a third party. This training will be on all the new safety equipment and setting up drills before the Coast Guard until they are satisfied that the vessel is ready to go to sea.

Comments from Captain Flannery, President, Metro Pilots Association:

Captain Flannery reported that Metro has one pilot who was exposed to COVID, he feels fine, been tested several times and is vaccinated. He advised if the pilot test negative in a few days, he will be allowed to come back to work.

Captain Flannery reported that there have been talks of starting to reestablish the Oil Terminal Round Table meetings for Harbor Ops. They are waiting for the Coast Guard to send out an invite for participating parties to show up and he believes there will be more participation if the Coast Guard sends out the invite. He advised that he will still be the chair, but believes there will be more participation if the Coast Guard sends out the invite.

Comments from Captain Ellis, President, Harbor Pilots Association:

Captain Ellis reported that all is good at McAllister and all of their pilots are healthy and working.

Captain Ellis reported that this will be his last meeting as the President of the Harbor Pilots because he plans to retire in two years and believes it would be better for the association to have someone new as President during this time. He advised that he is not sure who the new President will be, but that person will be at the Commission's January meeting and he will let Ms. Stuckey know who that person is as soon as he is made aware.

Comments from Captain Jonas, President, Interport Pilots Association:

Captain Jonas reported that he has turned in his New Jersey license a couple of weeks ago and advised that Interport has enough New Jersey licensed pilots to cover the work in that area.

Captain Jonas reported that his tenure as President of the Interport Pilots Association will be coming to an end very soon and he will keep the Commission updated as things unfold.

Committee Reports

A. Occurrence Investigation Committee:

- I. Hyundai Ulsan - Based on the investigators report, Ms. Stuckey recommended that the Commission find no fault on the pilots and the file closed. A motion was made by Commissioner Shisha and seconded by Commissioner Roberts to accept the recommendations. All voted in favor.
- II. Zim Tarragona - Tabled until January, 2022 meeting.

Resolution #21-38 to Approve the FY 21 Audit report

A motion was made by Commissioner Kils and seconded by Commissioner Shisha to Approve the FY 21 audit report.
All voted in favor.

Resolution #21-39 To Approve Personnel Actions Taken By The Commission

A motion was made by Commissioner Shisha and seconded by Commissioner Kils to approve Personnel Actions Taken by the Commission.

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

All voted in favor.

The Commission went into Executive Session at 10:27 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 11:24 AM

Adjournment

A motion was made by Commissioner Lombardi and seconded by Commissioner Kils that the meeting be adjourned.

All voted in favor.

The meeting was adjourned at 11:24 AM.