

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

July 21, 2020

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, July 21, 2020 Via-Teleconference.

Commissioner Dacey called the meeting to order at 10:05 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (absent); Commissioner Jacob Shisha (absent); 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 Adam Richardson, Vice President Interport Pilots; Captain Brendan Foley, President Sandy Hook Pilots; Robert Ellis, President Harbor Pilots; Vivek Mehta Esq., DAG. Ed Kelly, Executive Director Maritime Association.

Approval of the June 16, 2020 regular meeting minutes

A motion was made by Commissioner Roberts and seconded by Commissioner Lombardi to approve the June 16, 2020 meeting minutes.

All voted in favor.

Resolution #20-16 to approve the July, 2020 Treasurers Report

A motion was made by Commissioner Roberts and seconded by Commissioner Kils to pass Resolution #20-16 to approve the July, 2020 Treasurers Report.

All voted in favor.

Executive Director's Report

- A. Pilot database - A copy of the pilot trip log was sent to the Commission prior to the meeting.
- B. Budget Sheets - Ms. Stuckey provided a copy of the Commission's budget sheets for the month of July. The Commission is starting fiscal year 21 with a surplus of \$ 257,970.08 with a reserve amount of approximately \$125,000.00 that has not been swept by the Governor's office. There was one correction from the information Ms. Stuckey was given last month. She advised that after speaking with Ron Calderone from the office of Budget and Management, he advised that each authority would only receive a quarter of their budget authority to begin the fiscal year. What he should have stated that each authority was asked to submit a budget for the first quarter. The Commission will not have to resubmit their budget.
- C. Pilot Update - Tab C of the agenda shows an updated memo that was submitted to all ships operating within the port through their agents and agencies. This was done in response to the Maersk Idaho that entered the port with crew members that tested positive for COVID-19 and one was even hospitalized. The four pilots that boarded the vessel have all been quarantined and tested negative for the virus. Ms. Stuckey believes they are all back to work at this point. The memo was also distributed by Harbor Pilots Association and Metro Pilots Association.

Ms. Stuckey reported that she spoke with Chuck Wolfe at the Coast Guard regarding this issue. They have been investigating the incident and are at the point where they are looking to determine what type of sanctions to impose. With the Coast Guard, the wheels move a little slower because issues must be approved in Washington before they

can move forward. He has advised that he will keep the Commission updated.

Ms. Stuckey provided the Commission a letter from NOAA announcing that the two Currents meters that have been in the works for some time have currently been installed and are operational in the NY/NJ Harbor.

Ms. Stuckey also provided the Commission with an email received from the Coast Guard giving an update of their operations as they work to transition through the pandemic. She encouraged the Commission to read it at their leisure.

D. Apprentice Update - Apprentice Scott Britton is tentatively scheduled to take his state exam the week of February 8th. The first interview will take place on August 11th. All other interviews will take place the weeks of September 7th and 14th. The Committee is still in the process of reviewing the applications to cut the number of applicants down from 51 to 40.

E. Harbor Ops - Ms. Stuckey participated in the Zoom Harbor Ops meeting on June 17th. She did not have to bring up the issue regarding how the Standing Committee members are selected, as that was explained during the meeting. Those persons are selected by the Community in which they represent. Ms. Stuckey was able to make the request to have Commissioner Kils appointed to the Standing Committee as a non-voting member. She was advised that the Committee would visit the request at their meeting and get back to the Commission. To date, she have not received a response. Most of the meeting was used to catch up as the full committee has not met since the pandemic began. The new Deputy Captain of the port Commander Zita Merchant was introduced. When the Commission resumes its regular meeting schedule, Ms. Stuckey will invite Commander Merchant to a meeting.

One of the topics discussed was the dip in shipping and the cancellation of many of the events that normally take place within the port. The participation in the Coast Guard auxiliary is down as most of those persons are elderly and in the high-risk category. The Coast Guard is looking to begin sending broadcast to mariners via mobile devices. This will enable them to get them quicker. There is a large turnover at the Coast Guard, two people that Ms. Stuckey works directly with are Eric Rivera, who was the head of investigations and Josh Buck, who was the Chief of

Waterways Management. Greg Hitchens is currently serving as the interim Chief of Waterways Management and Commander Rivera's replacement has not been announced yet.

Ms. Stuckey previously sent to the Commission a copy of a publication put out by the Maritime Association entitled Maritime Matters. They do a great job of consolidating all the issues and information within the port. She encouraged the Commission to read it at their leisure.

F. Annual Report - The annual report has been distributed.

G. Office Hours - With the recent surge in coronavirus cases the re-opening has come to a halt. The Commission's office staff will continue to work 3 days in the office and 2 days from home and wait to see how things play out. The New York Commission is now working 2 days in the office and three from home.

H. Articles of Interest - Ms. Stuckey provided the Commission with three articles of Interest and encouraged them to Read.

I. Vacation Schedules - Ms. Stuckey reported that she will be taking a staycation the week of August 24th. Mr. Hawkins does not have vacation plans at this time. DOT has advised her that unused vacation days will not be carried over this year.

Public Comment (s)

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

Captain Foley reported that all of the Sandy Hook pilots are healthy and continue to follow Covid19 protocol taking advantage of the NYC testing initiative and their apprentices returned to regular rotation on June 1st.

Captain Foley sent out a formal request to the Coast Guard's field testing team to assess when testing for Federal licenses and pilotage will resume.

Captain Foley reported that maintenance dredging started yesterday in the Port Jersey channel and that is to return to spots back to 53ft.

Captain Foley reported that the new pilot boat New York is being prepared for a shakedown cruise in September which is a cruise to test all of the boats systems. He advised that all apprentices will take part in the cruise however, they have yet to start phase 2 and 3 of the renovation project that is expected to start shortly.

Captain Foley reported that there were six fewer arrivals in June compared to May. The Port Authority expects that the numbers will continue to drop and the next forecast will come out in October.

Comments from Captain Robert Ellis, President, Harbor Pilots Association:

Captain Ellis reported all of their pilots are currently healthy and their two apprentices are back riding ships.

Captain Ellis reported that there was a little slow down with business, but advised that they expect the numbers to pick up in the month of August.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that the Maritime Association will perform a series of seminars in September, 2020 on forecasting and operations in the port of NY/NJ. He advised that he will keep the Commission updated as that information is made available.

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

Captain Richardson reported that all pilots are healthy and the person from their office that contracted the Coronavirus has since been cleared and is back working.

Captain Richardson reported that business is up from the beginning of the pandemic. He advised that all apprentices are riding again however, they really never stopped their program they just scaled things back.

Captain Richardson reported that Interport has started cycling their pilot boats through the yard period for the summer. The first boat is now in the yard and the other two will follow.

Committee Reports

A. Occurrence Investigation Committee

- I. MSC Giovanni - 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 Lombardi and seconded by Commissioner Roberts to accept the recommendations. All voted in favor.

Resolution #20-17 to Amend Resolution #20-10 to Relax Certain State License Requirements

Ms. Stuckey advised that the Commission is following the Coast Guard's guidelines. They have extended the expiration date for the documents listed through December 31, 2020.

A motion made by Commissioner Roberts and Seconded by Commissioner Lombardi to Amend Resolution #20-10 to Relax Certain State License Requirements.

All voted in favor.

Resolution #20-18 to Upgrade Captain Kevin J. Walsh to First Grade Pilot

Ms. Stuckey reported that she interviewed Captain Walsh and his file is up to date and advised that the Commission received the letter from Sandy Hook requesting he be upgraded. The notice was posted at the station house and there were no negative comments. She advised that normal procedures for when a pilot is upgraded to a pilot of the first grade, they have to take another oath. She advised that Captain Walsh is part of the Apprentice Selection Committee and when she goes to Sandy Hook for the interview of the apprentices, she will give him the oath at that time.

A motion was made by Commissioner Roberts and seconded by Commissioner Lombardi to approve Resolution #20-18 to Upgrade Captain Kevin J. Walsh to First Grade Pilot.

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 Roberts and seconded by Commissioner Lombardi that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:32 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 10:41 AM.

Ms. Stuckey advised the Commission that on the week of the commission's board meeting, her and Mr. Hawkins change their in office day from Monday to Tuesday so they can conduct the meeting via tele-conference in the office.

Adjournment

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

All voted in favor.

The meeting was adjourned at 10:42 AM.