

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

November 15, 2022

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, November 15, 2022 Via-Zoom.

Audit Committee Meeting

The Commissioners went over the Audit with the Auditor and found the Audit to be satisfactory.

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 (absent); Commissioner Charles Wowkanech (present); Commissioner Brendan Roberts (present)

Also included in the call were: Andre Stuckey, Executive Director; Al Hawkins, Board Administrator; Captain Tim Ferrie, Vice-President, Sandy Hook Pilots; Captain Kirk Pinto, President Harbor Pilots; Captain Jon Miller, President Metro Pilots; Captain Adam Richardson, President Interport Pilots; Dorian Smith, Authorities Unit, Brian Ashnault Esq., DAG.

Ms. Stuckey advised that Commissioner Kils is at MITAGS attending the Active Shooter training and will report his experience to the Commission at the December meeting.

Approval of the October 18, 2022 regular meeting minutes

A motion was made by Commissioner McEwing and seconded by Commissioner Roberts to approve the October 18, 2022 meeting minutes. All voted in favor.

Resolution #22-33 to approve the November 2022 Treasurers Report

A motion was made by Commissioner Roberts and seconded by Commissioner Wowkanech to pass Resolution #22-33 to approve the November, 2022 Treasurers Report.

All voted in favor.

Executive Director's Report

- A. Pilot trip log - Ms. Stuckey reported that the updated pilot log was not completed in time for the meeting so the Commission will be provided an updated copy after the meeting.
- B. Ethics Briefing - The Commission was previously provided with a copy of the memo from Noreen Giblin, Deputy Chief Counsel of the Authority's Unit regarding the Ethics and Cannabis briefings. The briefings are online training modules that the Commissioners and Executive Director are required to take. Ms. Stuckey advised that the training is to be completed by December 5th. Once the training is completed, all training receipts must be forwarded to Ms. Stuckey for submission to the Governor's office.
- C. Commission's Lease - The Commission's lease is up for renewal in 2023. Ms. Stuckey has begun discussions with Justin Davis, New Jersey Transit's Chief Of Staff. He has advised that New Jersey Transit is interested in renewing the Commission's lease, but would like to meet to discuss

the new procedures that have been implemented in the building since the last lease was signed. Ms. Stuckey hopes to have an updated lease agreement before the Commission in early 2023.

- D. Docking Pilot Apprentice Regulations - Ms. Stuckey will be meeting with the Docking Pilot Presidents on Friday, November 18th to discuss the current Apprentice Selection List moving forward, and review the current regulations to determine if there are any changes that can be made to bring the regulations up to date. She advised that if there are any urgent developments before the December meeting, she will report it to the Commission at that time.
- E. USCG Port Recovery Exercise - Ms. Stuckey attended the Port Recovery Exercise on November 1st. A report of the exercise was previously sent to the Commission and in the report Ms. Stuckey expressed concern that most of the involvement was on the New York side. Ms. Stuckey advised that a discussion was had with Captain Merchant and Mr. Dolan regarding her concerns and they advised that they would make sure that New Jersey is more inclusive in whatever future exercises they perform.

After a brief discussion, the Commission expressed concern that it appears to be a Port Authority and New York response and wants to ensure that the New Jersey Governor's office is properly informed.

- F. Right Whale Comments - Copies of the comments on the Right Whale Regulations were sent to the Commission. The pilots are requesting an exemption for all pilot boats, to retain the current deviation clause and to exclude Federal channels from the new proposal. The Commission was also provided with an article on Chile using hi-tech buoys to protect migrating Right Whales. Those buoys would alert nearby vessels to reduce noise and avoid collisions. There are other trials going on outside of Chile, Ms. Stuckey urged the pilot Presidents to notify the Commission of any other trails they are aware of.

Captain Foley reported that the Georgia pilots have set a buoy offshore to monitor migrating Right Whales. He advised that the new ruling does have language in there that states, if there is technology that can provide a way for

the Whale migration to be tracked in real time then perhaps the over reach isn't necessary.

- G. Marine Terminal Roundtable Meeting - The Marine Terminal Roundtable meeting took place on October 26th. Ms. Stuckey reported that there was not a lot of agents present. The conversations were very good and productive. There were conversations regarding the communications between not only the agents and terminals, but also between the terminals and pilots so that the pilots are not stuck on a ship when a vessel is delayed. They have set up a plan where they have direct lines to communicate with each other.

Ms. Stuckey advised that this meeting was the first since a year before the pandemic. The Deep Draft Committee has agreed to be the group to disseminate the information regarding spring lines, movement of cranes and other information that needs to be shared with people within the port community.

- H. Meeting with the Sandy Hook Presidents and New York Executive Director - The New York Commission will resume their annual meeting this year and it will take place on December 13th. Ms. Stuckey reported that she plans to attend the meeting.

Ms. Stuckey reported that she met with New York Commission's Executive Director Andy Garger along with Captain's Foley and DeCruz last week and that meeting will be discussed in Executive Session.

- I. Proposal for Hudson Canyon National Marine Sanctuary - Previously sent to the Commission was a proposal for a Hudson Canyon National Marine Sanctuary. It is Ms. Stuckey's understanding that the appropriate persons in the port were not advised of the proposal, therefore there was not any participation from the pilots in the four public meetings that took place.

Mr. Lyman from the Maritime Association attended the last hearing. He advised Ms. Stuckey that there will be a presentation of the proposal at the next Harbor Ops Steering Committee meeting. Also, Harbor Ops is having an election this year and those results will be reported at the December, 2022 meeting. There will be more information

available at that time and Ms. Stuckey will report that information back to the Commission.

- J. Port Authority Career Fair - Ms. Stuckey attended the Career Fair and advised that it was a very positive event with a large turnout. Ms. Stuckey reported that she has been invited to continue to work with the Port Authority to spread the word about not only pilot careers, but all careers within the port.

Ms. Stuckey reported that at the Career Fair she was introduced to Mr. Glenn Best, Director of Manufacturing and Supply Chain Management. There was a follow up meeting on October 25th, at which time they asked if Ms. Stuckey would become a member of their board. She advised that it is a nonpaid, volunteer position that she gladly accepted.

- K. Partnership with Newark Public School - Ms. Stuckey attended a meeting with Newark's Superintendent of public schools Mr. Leon who is working to set up a partnership with the pilots. The partnership will allow Newark Public Schools to offer an essay contest of a topic picked by the Commission. The top 5 essay participants will be selected with the grand prize being an introductory tour of the Commission's office, a tour of the Pilot Associations including their vessels, a presentation on how to become a pilot. All of the pilot associations are happy to participate with this program.

- L. Harbor Ops - There is a virtual Harbor Ops meeting scheduled for tomorrow morning that Ms. Stuckey will attend and report to the Commission at the December 20th meeting.

The Commission was provided with an invitation to the US Navy League's 120 year celebration. Ms. Stuckey does not plan to attend, but advised if any of the Commissioners are interested in attending, send her an email so she can make the necessary arrangements.

- M. Vacation Schedules - Ms. Stuckey reported that she will be taking vacation time starting after the Commission's December 20th meeting. Ms. Stuckey advised that she will be answering emails and emergency calls from home. Mr. Hawkins has not submitted any vacation plans at this time.

N. Articles of Interest - The Commission was given several articles of interest and encouraged to read them at their leisure.

Public Comment (s)

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

Captain Foley reported that the week of October 16th he attended the bi-annual American Pilots Association Convention. It was a well-attended event with Maritime Pilots around the country. Speakers at the event included, Assistant Commandant for Prevention, Admiral Wayne Arguin; Commanding Officer of Coast Guard's National Maritime, Captain Bradley Clare; CEO of South Carolina Ports, Barbra Melvin; International Maritime Pilots Association President, Simon Pelletier.

Captain Foley reported that there was a Suppliers Expo that provided training opportunities and safety equipment all week.

Captain Foley reported that with maintenance dredging, there are still two contracts that will be finished soon, Newark Bay is more than 50% done with an estimation of completion in February, 2023 and Sandy Hook looks to be done by the end of the year.

Captain Foley reported that the Sandy Hook pilots started a new apprentice in New York, Roy Shaw. He comes to the Sandy Hook pilots with great experience and is excited for the opportunity.

Captain Foley reported that yesterday the Sandy Hook pilots boarded their two permanent Captains for the station boat and they will be training through the end of the year. Sandy Hook does not expect the new Captains to take watch off shore until early next year.

Captain Foley reported that on October 29th, Captain Timothy Murray was inducted into the Suny Maritime College Hall of Honor. The ceremony was held at the Maritime Industry Museum at Fort Schuyler. Captain Foley thanked all who attended.

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

Captain Pinto reported that the Harbor Pilots are looking forward to testing apprentice Charles Fannon in February and the next apprentice should be ready by August of 2023.

Captain Pinto reported that the Harbor Pilots have been having problems with IMTT Terminals. They have had some issues at Pier A and their hooks not working.

Ms. Stuckey advised Captain Pinto that she will put that topic on the agenda for Friday's meeting.

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

Captain Miller reported that he has spoken to IMTT about Pier A and they advised that they ran a test at Pier A and they were not happy with the results, but they are working on it. Metro Pilots expressed that they are not happy with the issues at Pier A.

Captain Miller reported that the Terminal Roundtable meeting was successful with the communication. All have committed to having the meetings every six months.

Captain Miller reported that during the Port Recovery Exercise he met Captain Merchant and he looks forward to working with her.

Captain Miller reported that he has been looking through other port associations documents regarding the verbiage for docking pilot apprentices requirements and that will be discussed on Friday.

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

Captain Richardson reported that all pilots and support staff are healthy.

Committee Reports

- A. Audit Committee: Commissioner Shisha reported that the Committee went over the Audit with the Auditor and found the Audit to be satisfactory.

Resolution #22-29 to Approve the FY22 Audit

A motion was made by Commissioner Wowkanech and seconded by Commissioner Roberts to accept Resolution #22-29 to Approve the FY22 Audit.

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 Shisha that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:28 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 11:30 AM.

Adjournment

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

All voted in favor.

The meeting was adjourned at 11:31 AM.