

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

September 23, 2021

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Thursday, September, 2021 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 (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 Adam Richardson, Vice-President Interport pilots; Captain Robert Flannery, President Metro Pilots; Ed Kelly, Executive Director Maritime Association; Jamera Sirmans, Authorities Unit, Brian Ashnault Esq., DAG.

Approval of the August 17, 2021 regular meeting minutes

A motion was made by Commissioner Roberts and seconded by Commissioner Kils to approve the August 17, 2021 meeting minutes.

All voted in favor.

Resolution #21-24 to approve the revised August, 2021 Treasurers Report

A motion was made by Commissioner Lombardi and seconded by Commissioner Kils to pass Resolution #21-24 to approve the revised August, 2021 Treasurers Report.

All voted in favor.

Executive Director's Report

A copy of the updated pilot log was sent to the Commission.

- A. Ms. Stuckey attended the memorial service for Captain Timothy Murray. It was a very nice ceremony that was well attended. Not only was there current Maritime pilots, but retired pilots and Docking pilots were in attendance.
- B. 9/11 Memorial Booklet- The Commissioners were sent a copy of a 911 Memorial Booklet. The booklet was put together based on the firsthand experience of the retired New York Commission Executive Director, Robert Pouch. Not only did he witness the events firsthand, but he also participated in the effort to get people safely off the Island and the clean-up.
- C. 9/11 Tribute and Blessing of the Fleet - Ms. Stuckey attended the 9/11 tribute and blessing of the fleet on Friday, September 10th. The tribute included remarks from Rick Larrabee, who was working in the second tower at the time of the attacks, but was able to get out safely before it collapsed. There were also comments from Senator Kirsten Gillibrand and Admiral Karl Schultz. After the remarks, approximately 100 vessels participated in the parade and blessing of the fleet led off by the pilot boat New York. This is probably the pilot boat New York's last season with Sandy Hook Pilots so it was a nice send off.
- D. Harbor Ops - Ms. Stuckey attended the September 15th virtual Harbor Ops meeting. Of note, they discussed the meeting forum. It has been decided that the meetings will remain virtual until the end of the year. All previously reported dredging projects are currently ongoing with no updates. They also discussed two important updates that are being proposed by the Coast Guard. The first is regarding testing procedures. They will no longer publish test questions online. This has been decided after a STCW (standards of training certification and watchkeeping) audit. They found

that posting the questions is a quality control issue. The Coast Guard is also proposing to change the requirement for submitting medical exams to them from every two years back to every five years. Although mariners are still required to get them every year and should be prepared to produce them when requested.

Captain Merchant commented that the Committee on Homeland Security complimented the way things are done in the ports of New York and New Jersey and would like to replicate those procedures in other ports.

- E. Apprentice Craig Tomalo - Apprentice Craig Tomalo passed his state exam. He is present today to be sworn in as a Docking Pilot. He will meet with Ms. Stuckey next Wednesday to receive his Credentials and notarize his oath.
- F. Captain Flannery - Ms. Stuckey was pleased to report that Captain Flannery has completed all of his break-in trips and is back to work full time.
- G. There has been an incident involving a Greek tanker. She was traveling southbound off KMI Carteret when the lines on a Reinauer barge allegedly parted injuring one of the line handlers who has suffered a broken leg. In his report, the pilot states that he saw a lineman heaving lines on a capstan as he approached the vessel, but didn't see any surge. The pilot was informed of the alleged incident two hours after he left the vessel. Ms. Stuckey will work with Commissioner Kils and Captain Mark Clark on this incident.
- H. Return to office procedures- The Commission's office staff is currently on track to return to the office full time on October 18th. The Commission will discuss vaccine status and protocol during Executive Session.
- I. Vacation Schedule- Ms. Stuckey will be taking vacation time beginning this afternoon returning to the office on Tuesday, September 28th but will be available via phone or email for any emergencies. Ms. Stuckey reported that her Godmother has been put into hospice and was told that she has 72 hours to live. She advised that if she passes, she plans to take a couple of days off to be with family and will keep the Commission posted.

J. Articles of Interest - Several articles of interest was sent to the Commission and they are advised to read at their leisure.

Public Comment (s)

Comments from Captain Robert Flannery, President, Metro Pilots Association:

Captain Flannery reported that dredging at Tuck's Point is completed however, there has been no official word but he is expecting to get the official word of completion by early next week.

Captain Flannery reported that he told Royal Caribbean that it is too dangerous to close the channel because of the problem navigating the ships at the dock. The ships are too big and it is very dangerous. He advised that he will speak with Port Authority again about the issue and report back to the Commission once a resolution has been reached.

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

Captain Foley thanked everyone for attending the memorial for Captain Tim Murray.

Captain Foley reported that on September 11th, there was a ceremony celebrating the ships that helped transport people from Manhattan to safety on the day. It also was a well-attended event.

Captain Foley reported that the Oasis of the Sea came into the port in October, 2020 and since that time, there have been ULCV's coming into the port daily. He advised that Sandy Hook has been working the Docking pilots to assist when necessary to try and control the amount of movement during that time. This particular ship will be recalled and replaced by a smaller vessel at the end of October. The Port Authority is aware of the problems that exist. There are talks taking place right now about what will happen because she is scheduled to return next summer.

Captain Foley reported that cruising is slowing coming back. The Crystal Symphony was inbound, she will load passengers tomorrow for departure. The Scarlet Lady has come and gone spending a few days at port mostly as an exhibition to bring aboard agents just to show her off and then she will be heading

south. The Norwegian Breakaway is at the cruise terminal today for the same purpose, but he is not sure when she will return to regular service.

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

Captain Ellis reported that all of their pilots are healthy and working.

Comments from Captain Charlie Jonas, President, Interport Pilots Association:

Captain Jonas reported that Captain Tomalo will be issued his New Jersey Docking Pilot License today and he will be returning his New Jersey state license within the next month or two.

Captain Jonas reported that all of Interport's pilots are healthy.

Captain Jonas advised that he will not be retiring from all piloting, and he plans to continue holding the President of Interport Pilots Association moving forward.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that port volume remains very high as it relates to cargo. Although the terminals are somewhat congested, they have extended hours to help combat that problem. The port compared to others around the country have very minimal delays. The number of vessels remain slightly up from last year with the increase in tankers coming to the port.

Mr. Kelly advised that if anyone has not yet purchased a ticket for their International Maritime Hall of Fame dinner on October 5th, you can visit their website or give him a call. Mr. Kelly advised that the Maritime Association is following the New York City's protocol that anyone who purchases a ticket, will have to physically bring proof or use New York's website to prove vaccination status. Once in the event, there is no mask requirements.

Mr. Kelly reported that the Maritime Association is still looking for his replacement, but is still on target to replace him at the close of this year.

Committee Reports

A. Occurrence Investigation Committee:

- I. Cosco Shipping Orchid - 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 Kils to accept the recommendations. All voted in favor.

Resolution #21-25 to Award the Audit Contract

Ms. Stuckey reminded the Commission that they had went over the proposal at last month's meeting and the Commission voted to proceed with same auditor from last year. She advised that the audit should be done by the October meeting.

A motion was made by Commissioner Lombardi and seconded by Commissioner Shisha to pass Resolution #21-25 to Award the Audit Contract.

All voted in favor.

Resolution #21-26 to Approve the issuance of a New Jersey State Docking Pilot License to Craig Tomalo

A motion was made by Commissioner Lombardi and seconded by Commissioner Shisha to pass Resolution #21-26 to Approve the issuance of a New Jersey State Docking Pilot License to Craig Tomalo.

Captain Tomalo thanked everyone for all their help along the way and advised that he is happy to finally be a pilot.

All voted in favor.

Captain Tomalo was sworn in by Commissioner Dacey.

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 Kils that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:30 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 12:07 PM.

Resolution #21-27 to Approve the Upgrade of Captain Ryan Pakalik to a pilot of the Third Grade.

A motion was made by Commissioner Roberts and seconded by Commissioner Shisha to approve Resolution #21-27 the Upgrade of Captain Ryan Pakalik to a pilot of the Third Grade.

All voted in Favor.

Resolution #21-28 to Approve the Upgrade of Captain Nicholas Pitch to a pilot of the Fourth Grade.

A motion was made by Commissioner Roberts and seconded by Commissioner Lombardi to Approve Resolution #21-28 the Upgrade of Captain Nicholas Pitch to a pilot of the Fourth Grade.

All voted in favor.

Adjournment

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

All voted in favor.

The meeting was adjourned at 12:09 PM.