

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

March 19, 2024

A hybrid meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, March 19, 2024.

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

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Nicholas Fixmer (via ZOOM); Commissioner Dana Martinotti (via ZOOM); 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 (present); Captain Jon Miller, President Metro Pilots (via ZOOM); Captain Kirk Pinto, President Harbor Pilots (via ZOOM); Dorian Smith, Authorities Unit (present), Adam Richardson, President Interport Pilots (present)

Approval of the February 20, 2024 regular meeting minutes

A motion was made by Commissioner Roberts and seconded by Commissioner Fixmer to approve the February 20, 2024 meeting minutes.

Commissioner Martinotti (abstain); Commissioner Dacey (yes); Commissioner Kils (yes); Commissioner Roberts (yes); Commissioner Wowkanech (yes); Commissioner Fixmer (yes); The motion passed.

Resolution #24-04 to approve the March, 2024 Treasurers Report

Ms. Stuckey reported that she has been notified by Bank of America that because the Commission has two separate cards, one for travel and one for purchasing, checks for each card are to be submitted separately. Moving forward there will be two entries for Bank of America on the Treasurers Report.

A motion was made by Commissioner Wowkanech and seconded by Commissioner Roberts to pass Resolution #24-04 to approve the March, 2024 Treasurers Report.

All voted in favor.

Executive Director's Report

- A. Pilot trip log - A copy of the updated pilot log was sent to the Commission.
- B. Update on re-adoption of Regulations - The Re-adopted Regulations with amendments were submitted the Office Of administrative Law. They will be published in the New Jersey Registrar on April 1st and become affective on that date. Ms. Stuckey advised that the Commission's website will be updated, and a burst email will be sent to the regulated community informing all of the updated regulations. The updated regulations will be good for 5 years.
- C. Annual Report - The 2023 Annual Report is 85% complete. Ms. Stuckey is waiting on the information from pilots and Commissioners to be able to complete it. She is hoping to be able to submit a copy for the Commissioners to review 2 weeks before the April meeting.
- D. Pilot Guard Meeting - After the initial meeting last month, Ms. Stuckey attended several follow-up meetings. The company stated that in addition to ladder deficiencies, vessel deficiencies can also be shared on the program. They are recommending that 2-3 pilots from each association be identified to input or change information in the program. All the pilots that are participating in the pilot program

will be using the program for free until December, 2024. Beginning, January, 2025 the pilots will be charged a minimal fee of \$5 per pilot each month. The Commission was provided with a copy of the letter of intent that was circulated to the Docking Pilot Associations. Ms. Stuckey advised that counsel reviewed the letter before circulating it to the Docking Pilot Associations.

- E. Maritime Career Forum - Ms. Stuckey is partnering with the Port Authority and the Maritime Association to put together a Maritime Career Forum on March 27th in Staten Island to address the manpower issues within the port. She encouraged all pilot associations to have representation at the career forum.
- F. Meeting with the New York Commission - Ms. Stuckey was advised to setup a meeting with the New York Commission to discuss the proposed amendments to the Sandy Hook apprentice Training Program. When contacted, the New York Commission was not ready to meet because they had not yet received the proposal from the Sandy Hook Pilots Association. The New York Commission's Executive Director, Andy Garger, advised that he would be going on vacation and would contact Ms. Stuckey to set up a meeting upon his return.
- G. COTP Change of Command Ceremony - The Captain of the Port's change of command ceremony will take place on April 22nd at the Richard Rodgers Theatre in New York. Immediately after, the ceremony for Captain Merchant to be promoted to Rear Admiral will take place. Ms. Stuckey advised that she will be attending both ceremonies and advised the Commissioners if anyone would like to attend to let her know and she will forward the information.
- H. Move to Gateway II - The Commission is scheduled to participate in the first phase of the move in September of 2024. Ms. Stuckey reviewed the layout of the Commission's office space and the furniture that New Jersey Transit is requesting the Commission purchase. The Commission was provided with photos of the furniture and a cost estimate to furnish the new space. Ms. Stuckey advised that the estimate is a little confusing due to the lack of detail. She reached out to New Jersey Transit to get a more detailed assessment. Once received, Ms. Stuckey will review the information and report back to the Commission with recommendations.

- I. Area Maritime Security Committee Annual Meeting - The Annual Area Maritime Security Committee Meeting will take place on April 11th. Ms. Stuckey advised that she will attend the meeting and report anything of note to the Commission.
- J. Maritime Forum with Gateway Chamber of Commerce - Ms. Stuckey will host a virtual Maritime Forum with the Gateway Chamber of Commerce on April 9th. Ms. Stuckey thanked all the Association Presidents for their participation in the forum and advised that the forum will center around the different career paths that are available in the industry.
- K. The Maritime Association is offering a two-day course on April 23-25th on the Introduction into Maritime Port management. Ms. Stuckey asked any Commissioner interested in attending the training to let her know and she will make the arrangements.
- L. Articles of Interest - Ms. Stuckey advised the Commissioners that she had 2 white papers that she found interesting. The first paper reported on the state of the Maritime Industry and the second is the 2024 First Quarter Shipping Report. Ms. Stuckey advised that if any of the Commissioners are interested in the reports, to let her know and she will send hard copies via mail.
- The Commission was sent an article from the Port Authority reporting that the January container volumes indicate that the Maritime Industry will have a strong 2024.
- M. Ms. Stuckey reminded the Commission that the Mandatory in person ethics training is scheduled for the June 18th meeting. She advised that if any of the Commissioners cannot make the in-person ethics training on June 18th, to please let her know as soon as possible so alternative arrangements can be made for them.
- N. The Commissioners were provided with an upgrade schedule for Deputy Pilots through 2028. The Commissioners were advised that once the regulations go into effect, they will need to address the issue of Deputy pilots being upgraded at the end of 6 months for the first two grades. Ms. Stuckey suggested that after receiving all documents stating that the pilot is eligible to be upgraded. A resolution will be added to the agenda. She also suggested

a recommendation be submitted by Mr. Maglin. The Commission will vote on the resolution once both letters are received.

The Commission and the Sandy Hook Pilots both agreed to move forward with Ms. Stuckey's recommendation.

Committee Reports

A. Maritime Pilot Apprentice Selection Committee:

Ms. Stuckey reported that due to the change of command ceremony, the Maritime Pilot Apprentice Selection Committee meeting has been changed to April 24th to review applications. She advised that she received the opinion from counsel on whether birth certificates, picture ID's and physicals can be requested during the application process. Counsel advised that since the regulations have specific age and physical requirements, it is ok for the Committee to request those items. Criminal background information should not be requested until the decision has been made to offer an applicant a position on the list.

B. Occurrence Investigation Committee:

I. One Swan - 2/8/2024 - Ms. Stuckey recommended that based on the investigators report, the Commission find no fault on the pilots and the file closed. It was also suggested that a copy of the report be sent to the Coast Guard, Terminal Manager, and vessel agent.

A motion was made by Commissioner Martinotti and seconded by Commissioner Roberts to accept the recommendations.

All voted in favor.

Public Comment (s)

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

Captain Ferrie congratulated Captains Luke Carrick and Joe Bosch for being sworn in and wished them both healthy and safe careers.

Captain Ferrie reported that dredging has taken place at the Sandy Hook channel.

Captain Ferrie reported that the Pilot Boat Yankee is back from rehab and in full service.

Captain Ferrie reported that the Sandy Hook Pilots association will not be participating in the Pilot Guard program and advised that the APA is not in favor of the program.

Captain Ferrie reported that business for the association has been equal to February of 2023.

Captain Ferrie advised that the Sandy Hook pilots believe that their own software can track vessel deficiencies that will eventually be shared with other associations within the APA. He advised that his opinion on the program is that if a ship shows up with deficiencies, who has the authority to turn that ship away.

Ms. Stuckey advised Captain Ferrie that in addition to the Commission having access to the information, there would be a designated person at the Coast Guard with access to the information. The Coast Guard can then enforce those rules.

Captain Ferrie reported that the Sandy Hook Pilots regularly share their deficiency reports with other agencies in the New York/ New Jersey ports and thanked the Commission for respecting the association's decision not to participate.

Captain Ferrie reported that last week, he and Captain Mahlmann presented their proposed training program to the New York Commission, but they have yet to take any action on the proposal.

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

Captain Pinto reported that the Harbor Pilots are excited to get Captain Joe Bosch started and congratulated Captain Luke Carrick for being sworn in as a Deputy Pilot.

Captain Pinto reported there have been some discussions on the situational variance with some of the bigger ships coming in the channels. The issue is being addressed as fast as it can be.

Captain Pinto reported that the plan is to get Captain Bosch on the rotation board as soon as possible.

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

Captain Miller reported that the Port Jersey channel will be finished with dredging by November and the project has full funding. He advised there is work being done to complete dredging in the AK channel to 50 feet.

Captain Miller reported that the Metro Pilots Association is preparing for the Disney cruises that will be increasing this year.

Captain Miller reported that the Metro Pilots is in a good place with manpower. After Captain Andrew Beaird is sworn in he will join the rotation board on May 1st.

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

Captain Richardson reported Captain Sean Meade had a good first month after being licensed. He believes that Interport is in a good position with pilots and apprentices.

Captain Richardson reported that the Interport Pilots Association will not bring in any new apprentices. They are comfortable with the position they are in. He advised that Captain Meade will pick up the slack when Captain Richter moves to a half share pilot in July.

Comments from Captain William O'Neill, Harbor Pilots Association:

Captain O'Neill reported that he is excited about Captain Bosch being sworn in and advised that he will be a huge welcome to the rotation board.

Resolution #24-05 to Approve the Issuance of a Deputy Maritime Pilot License to Captain Luke Carrick.

A motion was made by Commissioner Fixmer and seconded by Commissioner Martinotti to pass resolution #24-05 to Approve the Issuance of a Deputy Maritime Pilot License to Captain Luke Carrick.

All voted in favor.

Captain Luck Carrick was sworn in by Commissioner Dacey.

Captain Carrick thanked his family and the Commission for all their support during his apprenticeship.

Captain Ferrie congratulated Captain Carrick and expressed that he can't wait to get him started as a pilot.

Resolution #24-06 to Approve the Issuance of a Docking Pilot License to Captain Joseph Bosch, Jr.

A motion was made by Commissioner Roberts and seconded by Commissioner Fixmer to pass Resolution #24-06 to Approve the Issuance of a docking Pilot License to Captain Joseph Bosch, Jr. All voted in favor.

Captain Joseph Bosch was sworn in by Commissioner Dacey.

Captain Bosch thanked his family, McAllister and the Commission for all the support during his apprenticeship.

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 Fixmer that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:47 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 11:22 AM.

Resolution #24-07 to Upgrade Captain Scott Britton to a Pilot of the Fifth Grade effective April 1, 2024.

A motion was made by Commissioner Roberts and seconded by Commissioner Wowkaneck to pass Resolution #24-07 to Upgrade Captain Britton to a pilot of the Fifth Grade effective April 1, 2024.

All voted in favor.

Ms. Stuckey informed the Commission that she will be taking a vacation the last week of July to get married.

The Commissioners wished her well.

Adjournment

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

All voted in favor.

The meeting was adjourned at 11:24 AM.