

**Minutes of the Regular Meeting of The
New Jersey Maritime Pilot and Docking Commission
February 18, 2020**

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, February 18, 2020 at One Penn Plaza East, 9th Floor Board Room, Newark, NJ 07105.

Ms. Stuckey announced that Commissioner Dacey sends his apologies for being absent. She stated that his wife was taken to the hospital last night and he is at her side. Commissioner Shisha as the Vice President will chair the meeting.

Commissioner Shisha called the meeting to order at 10:12 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (absent); Commissioner Brian McEwing (present); Commissioner Jacob Shisha (present); Commissioner Bjoern Kils (present); Commissioner Dennis Lombardi (present); Commissioner Brendan Roberts (present)

Committee Appointments

Ms. Stuckey reported that Commissioner Dacey has appointed all Commissioners to the Committees they selected and advised if any Commissioner has any questions on the responsibilities of their Committee appointments, please let her know.

Approval of the January 21, 2020 regular meeting minutes

A motion was made by Commissioner McEwing and seconded by Commissioner Roberts to approve the January 21, 2020 meeting minutes.

All voted in favor.

Resolution #20-04 to approve the February, 2020 Treasurers Report

A motion was made by Commissioner McEwing and seconded by Commissioner Kils to pass Resolution #20-04 to approve the February, 2020 Treasurers Report.

All voted in favor.

Executive Director's Report

- A. The Commissioners were given a copy of the Commission's February, 2020 budget sheets showing their accounts to date. The Commission expended \$234,292.59 for the current fiscal year and still has \$563,575.18 in their account. Ms. Stuckey advised that the Commission adjusted the percentage of pilotage fees beginning January 1, 2020 from 1.5% to 1%.
- B. 2019 Annual Report - A copy of the cover for the 2019 Annual Report was provided to the Commission. The theme this year is going to focus on moving forward. A new section called "Investigators Corner" will be included, where Ms. Stuckey will pick one of the investigators each year to write a story about their observations over the past year. This year's investigator is Mark Clark. He will write the article and it will focus on the safety of pilots boarding the ULCV's and SULCV's. Captain Kevin Walsh will be the spotlight pilot and Captain Don Occhipinti is writing an article about his reserve service in Spain. She is hoping to have a first draft to present to the Commission at next month's meeting and is looking to finalize the report by April.
- C. Kitty Hawk - Pictures of the Kitty Hawk hovering crafts were provided to the Commission. Ms. Stuckey wanted the

Commission to visualize the crafts and why they may be of concern.

- D. Maritime Pilot Apprentice Update - The committee held its first meeting on Thursday, January 30th. They met with Tara Tyberczy from the Career Counseling Center to discuss the testing process and her reports. Another topic of discussion was the interview process and to set dates moving forward. The meeting to review the applications and decide which applicants to send for testing will be on April 23rd. The committee has also set up three weeks for interviewing, the first is the week of August 10th, the second the week of September 7th and the last will be the week of September 14th.
- E. Apprentice Robert Flannery III - Apprentice Robert Flannery III sat for his state exam and passed with high marks. His chartlets, essays and written exam are in the Commission's office for review. He will appear before the Commission at the March meeting to be sworn in and will join the rotation board on April 1, 2020.
- F. Docking Pilot Apprentice Update - Ms. Stuckey has spoken to each of the Presidents of the Associations to see if they believed there was a need to begin the application process. Each of the Associations have an ample number of apprentices and the current list still has two persons on it, so there is no immediate need to replenish the list.
- G. The Commission was provided with a notice from Mr. Chris Maglin from Sandy Hook. There will be a Hackensack and Passaic River recency cruise on Thursday, April 2nd leaving Edgewater at 4pm. Ms. Stuckey advised the Commissioners if any of them would like to attend, please let her know.
- H. The Commission was provided with a copy of the OPRA request sent to the Commission's office. The request is looking for all audio, video and photographic records the Commission has on the Carnival Horizon and final copies of all incident reports from 2018 to date. Ms. Stuckey has consulted with counsel and received guidance on how to

respond. The response will be completed within the 7 working day timeframe.

- I. The Commission was provided with a copy of the latest pilot ladder deficiency reports. Mr. Maglin has been doing an exceptional job of getting these reports rectified quickly. Mr. Maglin spoke briefly about the progress and how well things are going.
- J. Ms. Stuckey have been asked to be the guest speaker for the Women's History program for COMPTO. The program will be on March 24th and will take place in New Jersey Transit's 9th floor board room. The program will consist of an interview regarding the work that is done at the Commission and then the floor will be open for a question and answer session followed by a luncheon. She advised if any of the Commissioners are available, she would be honored if they could attend.
- K. Active Shooter Training - Ms. Stuckey advised the Commission that she will be traveling to MITAGS from February 23-26 to observe the Active Shooter Training that all Sandy Hook pilots and apprentices will undergo. Pilots have begun to attend, and she understands that for the most part, the feedback has been positive.
- L. Ms. Stuckey provided the Commission with a copy of the updated sheet for the Commission for the Governor's budget book. There are no surprises and the sheet aligns with the numbers reported on the Commission's FY19 audit.
- M. Upcoming Events - The Marine Society's 250th Annual dinner will take place on March 7th. Ms. Stuckey will be presenting a proclamation honoring their 250th Anniversary, which will be voted on later in the agenda. Three of the Commissioners will join her at the dinner, and she would like for them to join her at the podium when the proclamation is presented. Ms. Stuckey reminded the Commissioners to be sure they sign the proclamation before they leave.

N. Ms. Stuckey will host the 2nd Garret A Morgan shadow day for college students on March 20th. Last year the Commission hosted four students and the feedback was so positive that they have doubled the number of students this year. Ms. Stuckey is excited to be able to host this type of event. This helps get the word out to minority students not only about the pilots licensed by the state of New Jersey, but also about other career opportunities within the maritime community. The day will begin with a welcoming continental breakfast in which Ms. Stuckey will give a presentation on the role of the Commission, the pilots and touch on other jobs within the community. She will then take a vehicle tour of Port Newark. Lastly, they will end at the Sandy Hook Pilots Association where they will get to meet some pilots first hand, tour the station house and hopefully tour the pilot boat. Ms. Stuckey thanked Captain Foley and Mr. Maglin for working with her on this endeavor.

O. Maritime Association - The Maritime Association will host its annual Hall of Fame Awards dinner on Wednesday, May 13, 2020. Ms. Stuckey advised that she is planning to attend the event and asked if any Commissioner would like to attend, please let her know so she can make the necessary RSVP's.

P. Articles of Interest - Ms. Stuckey provided the Commission with several articles of interest and advised them to read them at their leisure.

Public Comment (s)

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

Captain Foley reported that the first group of Maritime pilots attended the Security and Active Shooting training at MITAGS. He advised that a possible terrorist situation is a growing concern for the Captain of the port and the area of Maritime Security Committee. The initial reviews were mostly positive and Sandy Hook has seven more groups that will be attending the training between now and this summer. Captain Foley reported that while the pilots are there, Sandy Hook took

advantage of their time and added a day of simulator training and that training was specific to AZIPOD training which also was met with great reviews.

Captain Foley reported that dredging continues at the point of Sandy Hook and the 11 Alpha Buoy is still active. They are targeting a window when the dredging can occur and that window is in March, 2020 to lessen the impact on marine life. He advised that if the dredging is not completed by March, it will be put on hold and completed in October, 2020.

Captain Foley reported that the new New York pilot boat is just about done. She is still up on blocks in the yard and just waiting for some good weather to be painted. He advised that after the boat is painted, she will be put back in the water for incline testing and if all goes well, the first phase will be over and she will then be back to active status. Phases two and three are still waiting to be put out to bid at this time.

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

Captain Flannery thanked the Commission for expediting the swearing in of Captain Richard Wood. He advised that he is pleased that Captain Wood was on the board because Captain Reinbold just went out for neck surgery. He advised that he would inform the Commission on how long he will be out of work when he is informed.

Captain Flannery reported that the Metro Pilots Association will have a meeting on Thursday, February 20th with the Army Corp. of Engineers about moving 18,000 TEU vessels around the port. Included in this meeting will be talks of a new design in the channels, which they have suggested and the simulations for the project will be held in Vicksburg, Mississippi at the Army Corp. facility. Captain Flannery advised that he will inform the Commission on the outcome of the meeting.

Captain Flannery reported that the Metro Pilots Association will hold their bi-annual meeting on February 19th. They will also discuss apprentices as well as perform their annual elections.

Captain Flannery reported that the Innondation storm gates by the Navy is a 20year project. He and the Committee has advised the Navy that the old location was not a good idea due to the traffic during construction and the narrow channel. The Navy has since moved the location. Captain Flannery advised that he will keep the Commission updated on the projects progress.

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

Captain Richardson reported that Interport Pilot's apprentice Craig Tomalo is on schedule to sit for his state exam during the second quarter of this year. Also, all other apprentices are on schedule at this time for their state testing.

Captain Richardson reported that Interport is in the process of talking to a few schools about the Supplemental Training on Emergency Ship Handling.

Captain Richardson advised the Commission that Interport will have their bi-annual elections that will be held in November of this year.

Ms. Stuckey reported that after having a conversation with Captain Charlie Jonas, he advised that he is planning to retire from New Jersey state pilotage if and when apprentice Craig Tomalo passes his state exam and whether Interport pilots can bring a new apprentice by the end of the year.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that the Kitty Hawk project is a little held up with the Coast Guard defining exactly how the vessels will be classified.

Ms. Stuckey advised Mr. Kelly that at the last Harbor Ops meeting, it was determined that they would be defined as public vehicles under DOT.

Mr. Kelly advised that it has not yet to be confirmed, but that is what they are expecting them to be labelled as. The Coast Guard headquarters has yet to sign off on the label.

Mr. Kelly reported that there is no current funding for the Inondation walls project at this time, meaning there is no set schedule. He advised that the walls will impede on the anchorage situation and the port already has anchorage issues.

Mr. Kelly reported that the New Jersey Industrial Association is having a morning panel regarding ports and port procurement that will be held in Woodbridge, NJ. He will be attending and will update the Commission at the conclusion of that meeting.

Mr. Kelly reported that on March 23rd, the Maritime Association will be sponsoring their shipping 101 course.

Mr. Kelly reported that on May 9th the Maritime Association in conjunction with the Education Committee will be conducting a shared harbor meeting. The agenda of the meeting will be to talk with people from the boating industry to discuss how to better work together on the shared waterway.

Mr. Kelly reported that from June 11th-13th Sail GP will be returning to the port. He advised that they will be keeping the Westside of the Hudson open to commercial traffic.

Mr. Kelly reported that on March 18th, the Working Waterfront meeting at Suny Maritime will be in conjunction with New York City waterfront plan.

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

Captain Ellis reported that Harbor pilots Jeff McAllister plans to retire at the end of March and Mike Schnepf at the end of June. He advised that they have two apprentices in the pipeline and both are expected to test sometime in the last half of the year.

Ms. Stuckey advised Captain Ellis to keep in mind that the apprentice selection process is a six month process.

Captain Ellis reported that Harbor Pilots Association has their annual elections every two years during the end of December. He advised that he was re-elected as President and Captain Bill O'Neil Vice-President.

Committee Reports

A. Occurrence Investigation Committee

- I. Maersk Varna - Occurrence tabled until next month's meeting due to ongoing investigation.
- II. Amigo - Occurrence tabled until next month's meeting due to ongoing investigation.

Proclamation # 20-01

A motion was made by Commissioner McEwing and seconded by Commissioner Roberts to approve Proclamation # 20-01.
All voted in favor.

Resolution #20-05 To Appoint a Maritime Pilot Apprentice

Ms. Stuckey advised that the apprentice will be taken off the current list and that will bring the number of apprentices from the list that have been appointed up to four. The Commission is going to vote to approve his appointment today, but he is currently finishing his last job with his previous employer and couldn't be here today. She advised that if the resolution is approved today, he will be scheduled to start on March 1st and will appear before the Commission at the Scheduled March meeting.

A motion was made by Commissioner McEwing and seconded by Commissioner Roberts to approve Resolution #20-05 to Appoint a Maritime Pilot Apprentice.
All voted in favor.

Swearing in of Richard Wood as a Docking Pilot Apprentice

Ms. Stuckey advised the Commission that they approved the resolution to appoint Captain Wood two meetings ago. She reported that he was not able to attend the meeting because of work conflicts. Captain Flannery requested that Captain Wood be sworn in before the meeting because they were short on manpower. Ms. Stuckey was able to swear Captain Wood in and he appeared today for his annual review.

Captain Wood thanked the Commission for allowing him to be sworn in early. He advised that after being sworn in, he went back to the Lois Moran tug boat and has been working there for the past three weeks. After getting off the Lois Moran, he had

one day off and docked his 1st ship on February 7th. Captain Wood reported that things are going well and he has a lot of help and support from all of the Metro Pilots. He is now docking ships fulltime and is no longer working on the tugs.

Ms. Stuckey advised Captain Wood that because he is a fulltime pilot, he no longer needs to send in his monthly reports to the Commission unless he is out of work for 30 days or more.

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

All voted in favor.

The Commission went into Executive Session at 10:38 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 11:41 AM.

Sandy Hook Apprentice Peter Rooss

A motion was made by Commissioner McEwing and seconded by Commissioner Roberts to approve the Apprentice and Recurrent Training Committee of the Commission to meet with the Sandy Hook Pilots to further investigate the matter of Apprentice Peter Rooss and come back to the Commission with a recommendation.

All voted in favor.

Resolution #20-06 to Approve the Upgrade of Salvador Rivas III to a pilot of the Fifth Grade A.

A motion was made by Commissioner McEwing and seconded by Commissioner Roberts to approve Resolution #20-06 to Approve the Upgrade of Salvador Rivas III to a pilot of the Fifth Grade A.
All voted in favor.

Adjournment

A motion was made by Commissioner Shisha and seconded by Commissioner Dacey that the meeting be adjourned.
All voted in favor.
The meeting was adjourned at 12:14 PM