

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

**June 16, 2020**

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, June 16, 2020 Via-Teleconference.

Commissioner Dacey called the meeting to order at 10:01 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 (present); Commissioner Dennis Lombardi (present); Commissioner Brendan Roberts (present)

Also included in the call were: Andre Stuckey, Executive Director; Al Hawkins, Board Administrator; Captain Robert Flannery, President Metro Pilots; Captain Charlie Jonas, President Interport Pilots; 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 May 19, 2020 regular meeting minutes

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to approve the May 19, 2020 meeting minutes.

All voted in favor.

Resolution #20-14 to approve the June, 2020 Treasurers Report

A motion was made by Commissioner Shisha and seconded by Commissioner Lombardi to pass Resolution #20-14 to approve the June, 2020 Treasurers Report.

All voted in favor.

Executive Director's Report

- A. Pilot Activity Spreadsheets- Copies were sent to Commission of the updated pilot activity spreadsheets with the retired pilots deleted.
- B. Budget Sheets - Ms. Stuckey sent copies of the budget sheets for June 1<sup>st</sup>. There is \$304,701.73 in the Commission's account and that does not include the \$125,000.00 that has been put into reserve. Ms. Stuckey spoke with Ron Calderone at the office of budget and management regarding the reserve amount as well as the Commission's FY21 budget. She inquired about starting the conversations about an exemption for the reserve amount to be taken from the Commission's account. He stated that in his opinion, they were looking to sweep accounts with larger amounts upwards of \$500,000.00. The last time the Commission's accounts were swept, there was a surplus of upwards of \$800,000 and that is when the \$675,000 was taken to fund other agencies. Ms. Stuckey advised Mr. Calderone that the Commission would be looking to secure an exemption since the Commission's funds are not tax payer dollars and he has advised that he will look into the issue further and get back to her ASAP. He also advised that beginning July 1, 2020 he has been advised that each account under his supervision would only be allocated  $\frac{1}{4}$  of its budget authority. He was not sure how that would affect the Commission since the Commission is in but not of agency. The Commission will continue to watch for any changes in the monthly budget sheets and he has advised that he will keep Ms. Stuckey up to date on any actions he is told to take that may affect the Commission's accounts. Ms. Stuckey advised that currently there is no reason to take any action on the pilotage fee.
- C. Pilot Update - Ms. Stuckey reported that to her knowledge there are no Covid-19 related issues in the pilot community. She would like to report that many of the pilots

have spoken and praised the response of the Association presidents for their organization and the Commission for allowing business to be conducted remotely without disruption to the system.

- D. Coast Guard - Ms. Stuckey sent copies of the Coast Guard Marine Safety Information Bulletin 08-20, which updates guidelines for Merchant mariner credential endorsements, Medical certificates and course approvals. They have extended the expiration date of same until December 31, 2020. This only applies if the current documents that expire are in good standing. At the April 17<sup>th</sup> meeting, the Commission passed resolution #20-10 to relax the state requirements of these documents for three months. In keeping in line with the Coast Guard, Ms. Stuckey will prepare a resolution for the July meeting to relax the requirements until December 31, 2020.

Ms. Stuckey reported that the Coast Guard has discontinued its weekly teleconference meetings and are focusing on beginning phase one of their reconstitution plan.

- E. Harbor Ops - There will be a Harbor Ops meeting tomorrow via Zoom. Ms. Stuckey advised that she will be joining in on the meeting. She sent the Commission the agenda and draft bylaws.
- F. On June 17<sup>th</sup> the International Transportation Worker's Federation sent a statement to all seafarers to encourage them to stop working. This has been in response to them waiting weeks for the government to establish guidelines for crew changes. Ms. Stuckey will watch this issue closely to see how it impacts shipping in the ports of New York/ New Jersey.
- G. Annual Report - The printed Annual report has been received and will go out via regular mail on Friday. The distribution list includes all members of the Governor's office, New Jersey legislature, the Coast Guard, the regulated community, neighboring townships with waterfronts, as well as those persons that have attended the Harbor Inspection tour.
- H. The Commission's current schedule of working in the office on Mondays, Wednesdays, Fridays and working from home on Tuesdays and Thursdays will continue. Ms. Stuckey remains on call and will head into the office as needed. New Jersey

Transit has begun to bring staff back into the building in a limited capacity. She plans to monitor their progress and will come back to the Commission with a recommendation on the Commission's operations in early July. Ms. Stuckey made a recommendation that the Commission continue with the remote board meetings and revisit the issue in September.

Public Comment (s)

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

Captain Foley reported that all Sandy Hook pilots are currently healthy and all apprentices have returned to their regular three week rotation on June 1<sup>st</sup>.

Captain Foley reported that all 2020 industry and outreach cruises have been cancelled due to the Covid-19 pandemic.

Captain Foley reported that the American Pilot Association Convention that was scheduled to take place in New York has been cancelled. He advised that there will be a meeting in Washington, DC and at that time, it will be determined if this area will receive another date in 2022 or 2023 to host the convention.

Captain Foley reported that apprentice Scott Britton is still on track to be stopped-up on July 1, 2020.

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

Captain Flannery reported that all Metro pilots are doing well and healthy. He advised that Metro initially planned to restart their apprentice training program on June 1<sup>st</sup>, but that has since been pushed back to July 1<sup>st</sup> or July 15<sup>th</sup> and he will update the Commission when they set that date.

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

Captain Jonas reported that all Interport pilots are healthy and they have not suspended their apprentice training program. He advised that their apprentice training program had continued through the Covid-19 pandemic.

Captain Jonas reported that an administrative person at their offices had tested positive and is quarantined.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that all Maritime Association's operations are still operating remotely. He advised that they are still collecting information on the large ship activity in the harbor and will circulate that information as it comes in.

Mr. Kelly reported the harbor's ship traffic is down by 94 and the five year count from last year is down by 213 vessels.

Mr. Kelly reported that tomorrow there be a full Harbor Ops Committee meeting that will be conducted via-zoom and advised if anyone needed the information, he would send it to them.

Mr. Kelly reported that the International Hall of Fame Dinner that was scheduled to be held in May was originally pushed back to September, but due to the current Covid-19 situation that has now been pushed back to May 12, 2021.

Mr. Kelly reported that the Maritime Association held elections and during the election, Commissioner Dennis Lombardi was voted in as a new Director and Captain Robert Flannery was voted in as Secretary.

Comments from Captain Bob Ellis, President, Metro Pilots Association:

Captain Ellis reported that all Harbor Pilots are healthy and following protocol.

Captain Ellis reported that all apprentices have restarted their apprentice training programs today with safety procedures.

Resolution #20-15 to Approve the Upgrade of Captain Graham M. Mergenthaler to a Pilot of the Third Grade

Ms. Stuckey reported that after reviewing Captain Mergenthaler's file, she is recommending that he be upgraded to a pilot of the third grade.

A motion was made by Commissioner Roberts and seconded by Commissioner Kils to pass Resolution #20-15 to Approve the Upgrade of Captain Graham M. Mergenthaler to a Pilot of the Third Grade.

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

All voted in favor.

The Commission went into Executive Session at 1:25 PM.

#### Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 1:50 PM.

#### Adjournment

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

All voted in favor.

The meeting was adjourned at 1:50 PM.