

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

January 19, 2021

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, January 19, 2021 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 (absent)

Also included in the call were: Andre Stuckey, Executive Director; Al Hawkins, Board Administrator; Captain Brendan Foley, President Sandy Hook Pilots; Captain Robert Ellis, President Harbor pilots; Captain Charlie Jonas, President Interport pilots; Ed Kelly, Executive Director Maritime association; Jamera Sirmans, Authorities Unit, Vivek Mehta Esq., DAG.

Election of Officers

Ms. Stuckey read the names of the current officers; Timothy Dacey, President; Jacob Shisha, Vice President; Dennis Lombardi, Secretary; Bjoern Kils Treasurer.

A motion was made by Commissioner Shisha and seconded by Commissioner Kils to nominate all officers as read.
All voted in favor.

Committee Appointments

Commissioner Dacey made the attached Committee Appointments.

Approval of the December 15, 2020 regular meeting minutes

A motion was made by Commissioner Shisha and seconded by Commissioner Lombardi to approve the December 15, 2020 meeting minutes.

Resolution #21-01 to approve the January, 2021 Treasurers Report

A motion was made by Commissioner Shisha and seconded by Commissioner Lombardi to pass Resolution #21-01 to approve the January, 2021 Treasurers Report.
All voted in favor.

Executive Director's Report

- A. Pilot Update - The MSC Jeanine came into the port with a deceased person on board the vessel. It was alleged that the person had passed away from COVID19 and that at least five other members of the crew has tested positive. Ms. Stuckey learned that those facts were correct which resulted to the exposure of four pilots who had to be quarantined pending their test results. All four have since tested negative. It is very troubling that the vessel is not being held accountable for coming into the port and not disclosing the possibility of exposing state pilots. It was explained to her that they didn't really violate any rules as they were under the assumption that the deceased person passed from a heart attack because he did not display any COVID related symptoms, therefore they didn't mislead anyone before entering the port. Ms. Stuckey pointed out several issues with this situation. First, it is apparent that the port Authority police suspected it was COVID related as they attempted to detain the pilots when they tried to disembark the vessel. Secondly, the Port Authority

police seemed to not be aware of the role of the pilot and had to call to get clearance for the pilot to disembark and lastly, Ms. Stuckey believes the vessel is getting off too easy. In this climate, since we are not really aware of all the symptoms of COVID, it should always be assumed that a person who passed away suddenly could be infected with the virus. She is in the process of trying to contact someone at the Port Authority police to ensure they understand the role of the pilots coupled with continued talks with the Coast Guard. There was also one other positive test within the Associations, the pilot has since quarantined and no other issues have been reported.

- B. Vaccination Classifications - As requested, the letters that were sent to Governors Murphy and Cuomo were forwarded to the Authorities Unit and the Commission requested an update on whether the pilots would be moved up to the 1A category. Ms. Stuckey received an email from Transit stating that their employees that interact with the public are being prioritized and encouraged to sign up to receive the vaccine when it becomes available. Ms. Stuckey feels that the pilots and Commission should be prioritized. She plans to respond to the memo from the Governor's office requesting that the Commission and its employees be moved to the 1B category.
- C. Commission Website - The Commission's website is up and operational. There have been a couple of kinks that have been worked out. The Commission now has direct access to be able to update the site as needed.
- D. Pilot Ladder Training Class - Commissioners Shisha, Kils and Ms. Stuckey will observe the first class which is scheduled for January 28th.
- E. State Exams - There are two pilots that are scheduled to take their exams. The first is Docking Pilot Apprentice Adam Graves. He is scheduled to test the week of January 25th and the second is Maritime Pilot Apprentice Scott Britton and he is scheduled to test the week of February 8th. As previously mentioned, Ms. Stuckey will be able to administer the test following social distancing guidelines. On the day of grading, the designee from the Associations will not be in the office. If there are any challenge questions, Ms. Stuckey can call them via Zoom to discuss any discrepancies.

- F. Docking Pilot Apprentice Selection List - Harbor Pilots made a request to take a person off the apprentice selection list which leaves only Joseph Casais. Ms. Stuckey will discuss the status of the last person in Executive Session; however she mentioned it because the Commission received a request from two of the Associations to begin the apprentice selection process. The current list will expire in May of 2021, so if the Commission agrees, she can print the open ad in the April edition of Workboat and the Professional Mariner Magazine to begin accepting applications.
- G. Meeting Forum - Because all Commissioners have additional responsibilities and the Zoom meetings have been successful, it has been suggested that once the Commission resumes in person meetings, they explore the option of having one zoom meeting each quarter or every third meeting. As for office hours, staff will continue to keep the same hours until they are in position to be able to be vaccinated.
- H. Articles of Interest - Ms. Stuckey provided several articles of interest, of note is the one regarding Admiral Buzby. He has been very proactive in his role as maritime administrator and showed great interest in the pilots and has even gone out on a vessel with the pilots.

Public Comment (s)

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

Captain Foley reported that all of Sandy Hook's pilots and crew are all healthy in regards to COVID19. Since the last meeting, Sandy Hook had one New Jersey pilot that contracted the virus, but has recovered. There were also two New York pilots who were on their off rotation when they tested positive, quarantined and was cleared by their doctors to return to work. The New Jersey pilot was informed very soon after his exposure, so he was able to be isolated immediately and he did not come into contact with any of the docking pilots. The other two pilots were able to quarantine and they tested negative prior to returning to work.

Captain Foley reported that the ship that arrived in the port with the deceased crew member, did have a stroke and the

body was tested for anti-bodies. After speaking to the CDC, the decision to let the vessel come in to the port went fairly high up the ranks and although they knew of the potential for the death to be COVID related, they still let the ship come into the port. That caused Sandy Hook to call a meeting with the CDC, New Jersey Department of Health and the Coast Guard. Captain Foley advised that he does not believe they had a clear understanding of who was actually boarding and getting off the vessel. He reported that what came out of the meeting was the need for a centralized location to establish the direct questioning amongst the agencies and come to decisions conclusively. It was very unclear on who was making the call on what ships are allowed in. Now, after explaining to all the agencies how things work, hopefully in the future they will air on the side of caution, so this situation does not happen again. That same week, a car carrier came in after leaving Baltimore and had a crew member who showed symptoms of COVID. They did not let anyone know and arrived in the port, set the crew member ashore and he tested positive for COVID. The vessel was held in port for 14 days. The third vessel, the Dublin Express a crew member in their transit up the coast of Florida had taken the test in Florida, got the results before they made the port call and they were able to hold her off-shore and she did her full quarantine off-shore.

Ms. Stuckey advised that the Port Authority was involved with trying to stop the pilots from disembarking. She advised that there is some concern with the Port Authority not knowing what the pilots do so she reached out to the Port Authority in an attempt to speak to someone but her efforts were not successful.

After several discussions, Captain Foley advised that Sandy Hook had to send the Port Authority charts and show them where the anchorages were located. They don't want a vessel to leave and a ghost vessel show up in another port because everyone onboard is stricken by the pandemic. He believes that those who are going to make decisions were on the call and now have a better understanding, coupled with a central location to address ships will help going forward.

Captain Foley reported that the new New York is in its second phase. They closed off the decks and the house which was being built in two pieces. The first section should be going up this week and still has a target date of mid May for completion.

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

Captain Ellis reported that Harbor Pilots are all healthy and doing well, but they do have one pilot out that tested positive for COVID on his off time. He does have a shoulder injury and will not be able to get an MRI until he tests negative, so there is no time table for his return. He advised that he would update the Commission once he is clear on the pilots return back to work.

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

Captain Jonas reported that Interport Pilots are all healthy and advised that in the past month they finished the bulk head on their property at Port Monmouth.

Captain Jonas reported that their third pilot boat that they were doing maintenance on has been completed. He advised that he hopes to get his fit for duty slip this week.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that the Maritime Association has sent out letters to the Governor's office as well as the Federal Government, but he has not heard anything about pilot classifications.

Mr. Kelly reported that today is the closing date to the Army Core for ongoing harbor deepening and improvement study.

Ms. Stuckey advised that the Commission's drafted letter was circulated, she received the last few comments and the final letter will be sent out this afternoon.

Committee Reports

A. Occurrence Investigation Committee:

- I. Maersk Sebarok - Tabled until February, 2021 meeting.

B. Pension Surcharge Committee:

Commissioner Shisha reported that the Committee has agreed to increase the percentage to 7.5% and that increase took effect on January 1, 2021.

Resolution #21-02 to Approve the appointment of a Docking Pilot
Apprentice Charles Fannon

Ms. Stuckey reported that he will be registered with Harbor Pilots, but was not able to appear today because he was still working. An appointment will be scheduled for him to receive his New Jersey apprentice credentials at the Commission's office and appear before the Commission at the February meeting.

A motion was made by Commissioner Lombardi and seconded by Commissioner Kils to pass Resolution #21-02 to approve the appointment of a Docking Pilot Apprentice Charles Fannon.

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 Lombardi that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:41 AM.

Return to Public Session

A motion was made by Commissioner Roberts and seconded by Commissioner Kils that the Commission return to Public Session.
All voted in favor.

The Commission returned to Public Session at 11:25 AM.

Resolution #21-03 to Approve the upgrade of Captain Karen
Nola to a pilot of the First Grade

A motion was made by Commissioner Roberts and seconded by Commissioner McEwing to Approve the upgrade of Captain Karen Nola to a pilot of the First Grade.

All voted in favor.

Captain Nola was sworn in by Commissioner Dacey.

Resolution #21-04 to Approve the upgrade of Captain Mark
Wanderer to a pilot of the Third Grade

A motion was wade by Commissioner Shisha and seconded by Commissioner Roberts to Approve the upgrade of Captain Mark Wanderer to a pilot of the Third Grade.

All voted in favor.

Adjournment

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

All voted in favor.

The meeting was adjourned at 11:26 AM.