

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

October 20, 2020

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, October 20, 2020 Via-Teleconference.

Commissioner Dacey called the meeting to order at 10:00 AM.

Audit Committee Meeting

The Commissioners went over the Audit with the Auditor and found the Audit to be satisfactory.

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 Brendan Foley, President Sandy Hook Pilots; Captain Bob Flannery, President Metro Pilots; Captain Robert Ellis, President Harbor pilots; Stephanie Brown, Authorities Unit, Vivek Mehta Esq., DAG.

Approval of the September 15, 2020 regular meeting minutes

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

All voted in favor.

Resolution #20-23 to approve the October, 2020 Treasurers Report

A motion was made by Commissioner Shisha and seconded by Commissioner Lombardi to pass Resolution #20-23 to approve the June, 2020 Treasurers Report.

All voted in favor.

Executive Director's Report

A. Pilot Update - There continue to be no issues regarding Covid19 with the pilots. This is important because there seems to be a second wave of the virus hitting the country. Ms. Stuckey encouraged everyone to continue to be diligent and not let their guard down.

B. Budget Sheets - Ms. Stuckey provided copies of the Commission's budget sheets that show the final numbers for FY20. She advised that the Commission began FY21 with a surplus of \$267,617.28. That does not include the \$125,000 that is still in reserve, but has not been taken. That is still pending however, since the FY20 fiscal year was extended and officially ended on September 30th; the Commission should get a response in the very near future. It is a positive sign that the budget sheets were printed at the end of September and the funds are still listed. Ms. Stuckey has been advised that the Commission will be notified if the budget office receives notice to take the funds, she will continue to follow-up on this issue.

C. Fast Facts - Ms. Stuckey provided the Commission with a copy of the fast facts sheet that will be in the Governor's Budget at a glance book for FY20. It aligns with the Commission's audit figures. The surplus at the end is different because it includes docking pilot fees, which are

not transmitted to Trenton as well as the amount on reserve.

D. Pilot Safety committee Meetings - There was a series of meetings on Thursday, September 24th and held one a week finishing up on Thursday, October 15th. Each week, the Committee discussed a different topic. The meetings were very productive and Ms. Stuckey thanked each of the pilots that participated. She is in the process of writing a report and will circulate it once it is complete. Ms. Stuckey advised that she will go into more detail regarding those discussions during Executive Session.

E. Harbor Ops/Steering Committee - Harbor Ops Steering Committee held a meeting to nominate the new officers. The nominees are for Committee Chair, Andrew McGovern and Captain John DeCruz (President of New York Sandy Hook Pilots Association); Vice Chair, Eric Johansson (Tug and Barge Industry); Genevieve Clifton (New Jersey DOT); Ray Fusco (Engineering Firm); Vice Chair, Sub-Committee, Captain Robert Flannery Jr. (President Metro Pilots Association). The voting members of the Committee have until November 4th to cast their votes and the results will be shared with the Full Committee at the next Harbor Ops meeting. Ms. Stuckey advised that she was not able to attend the September 16th meeting and asked Captains Foley and Flannery to update the Commission during their reports.

F. Meeting Schedule - Ms. Stuckey advised that she would circulate a proposed meeting schedule next week targeting the third Tuesday of each month. She asked that the Commission check their calendars to make sure there are no conflicts and a resolution will be prepared for them to vote on at next month's meeting.

G. Commission's Website - The Commission is at the halfway point in launching its new website. Mr. Hawkins advised that after doing research, he found that there was software that needed to be purchased. That software is currently on

back order. Once the software is received, the Commission's office can move forward with creating the new website. The plans are to have the website operational by the November meeting.

H. The Commission was provided with a copy of an incident report from Captain Charlie Jonas. The New Jersey Commission will not investigate as it occurred while he was working under his Connecticut license. Captain Jonas had to get stitches and will be out of work for at least 2 weeks. Ms. Stuckey advised that she has been in contact with the Coast Guard regarding this incident as it shows clear negligence on the part of the ship's crew. Captain Tama and his staff have shown great interest in ensuring the safety of all pilots and requested that the Commission share any such information with them.

I. Vacation Schedules - Beginning Friday, Ms. Stuckey will take three-day weekends every other week until the week of December 7th which amounts to 5 days. Then beginning on December 17th, she will take her usual end of the year vacation returning on January 4th. As in the past, she will be on call during that time. She advised that she will report on Mr. Hawkins vacation as it is requested and approved.

J. Articles of Interest - The Commission was given several articles of interest and encouraged to read them at their leisure.

Public Comment (s)

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

Captain Foley reported that all Sandy Hook pilots are healthy, but there were a few pilots quarantined due to family members in their household testing positive.

Captain Foley reported that the Pilot boat New York just completed a short yard period and was back in the water this past Friday.

Captain Foley reported that New York continues its conversion up the river in Kingston and that it is schedule to be completed on May 1, 2021.

Captain Foley reported that the dredging is finally underway at the point of Sandy Hook. He advised that the dredging at Perth Amboy anchorage is ongoing.

Captain Foley advised the Commission that he has not had the time to take a look at the apprentice selections list.

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

Captain Flannery reported that the Harbor Ops Full Committee was notified that there will be elections and advised that everyone has representation on the Steering Committee. Therefore, anyone who wanted to see a person put into office should get in touch with their representative.

Captain Flannery reported that Metro Pilots are all healthy minus one pilot who came down with a regular virus unrelated to Covid19.

Captain Flannery reported that all of Metro's apprentices are working. There were some concerns from the apprentices wondering if they had to make up the five months missed due to the pandemic, all at once. He advised that they did not and they would have all the time needed to make the time up because, the missed time was no fault of their own.

Ms. Stuckey advised that per the Commission's regulations, the apprenticeship must be a minimum of two years. So he is in compliance.

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

Captain Ellis reported that Harbor apprentices are all riding again, but advised that there is one service that will not allow anyone but a pilot on the ship.

Captain Ellis reported that all pilots have been healthy and still taking proper precautions.

Committee Reports

A. Pension Surcharge:

1. **Pension Surcharge** - Commissioner Shisha reported that it appears that a rate increase may be needed. There has not been a rate increase in the past three years. The Committee decided to wait until the December meeting in-order to get accurate numbers. Once those numbers are received, the Committee will present it for vote. He advised that the belief is that a rate increase is needed for the short loss over the pandemic.

B. Apprentice Selection

Ms. Stuckey reported that the interviews were finished on the week of September 14th. She advised that the Committee put together a very strong list of candidates. The Committee increased the amount of alternates to five this year because, those five candidates showed a lot of promise but was a little short on their qualifications. They wanted to encourage the alternates to move forward in preparing for the next apprentice selection process.

C. Occurrence Investigation Committee:

- I. **A/S Palatia** - 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 McEwing to accept the recommendations. 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 Lombardi that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:28 AM.

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 11:13 AM.

Adjournment

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

All voted in favor.

The meeting was adjourned at 11:14 AM.