

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

April 16, 2019

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, March 19, 2019 at One Penn Plaza East, 9th Floor Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:09 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (present); Commissioner Jacob Shisha (present);

Approval of the March 19, 2019 regular meeting minutes

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to approve the March 19, 2019 meeting minutes.

All voted in favor.

Resolution #19-11 to approve the April, 2019 Treasurers Report

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to pass Resolution #19-11 to approve the April, 2019 Treasurers Report.

All voted in favor.

Executive Director's Report

- A. Ms. Stuckey informed the Commission that Jeff Bader, President and founder of the Bi-state Motor Carriers Association passed away suddenly on April 4th.
- B. Deputy Pilot Rule Proposal - Based on the office of Administrative Laws publication schedule the Deputy Pilot Rule Proposal will be printed in the May 20, 2019 edition of the New Jersey Register and become effective on that date. The Commission will not do a mass mailing, but will send out electronic notifications to all pilots and interested persons in the community of the newly effective rules and where they can be found.
- C. Docking Pilot Apprentice Selection Process - To date, the Commission has received two complete applications and based on inquiries, Ms. Stuckey anticipates the Commission will receive at least three more before the deadline date of April 30th. Ms. Stuckey will then schedule a brief Committee meeting following the Commission's May board meeting to review the applications and select those candidates to be interviewed.
- D. Docking Pilot Test - Apprentice Joe Casaletto came in for his test review and is scheduled to take his state exam on April 24th and 25th. Assuming he passes it is Metro's intention to have him appear at the May 21st board meeting for his final review as an apprentice and to be sworn in as a pilot.
- E. Meeting with New Jersey Transit - Ms. Stuckey had a meeting with New Jersey Transit's Chief of staff to discuss the Commission's lease that expires on June 30th. Management stated that the Commission is a good partner and enjoys having them in the building. Ms. Stuckey discussed issues the Commission has been experiencing with parking and conference room availability. Ms. Stuckey has been assured that they will be addressed. The rule of no food remains in place as they are protecting the large investment they put into the board room. Ms. Stuckey advised the Commission that the big issue is that when the initial lease was constructed, the Commission's offices were on the other side of the floor in a smaller space around 630 sq. ft. The realty department will review the Commission's current space and notify Ms. Stuckey whether the rent will be

increased based on the current square footage. Ms. Stuckey estimates the current space to be approximately 700 sq. ft. Ms. Stuckey advised the Commission that she will let them know as soon as she is notified.

- F. Annual Report - The annual report is about 90% complete. Ms. Stuckey advised that she is waiting on submissions from three persons, the spotlight pilot, one president's message and a piece on recurrent training. Ms. Stuckey has contacted each person and gave them a deadline date. Her goal is to get the Commission a draft by April 29th with a week to review and get back to her with edit ideas. Ms. Stuckey will then forward the draft to the Governor's press office for their approval with the hopes of getting a response in time for the Commission to vote to approve the annual report at the May meeting and move forward with print and distribution.
- G. Sandy Hook Monthly Apprentice Training report - Ms. Stuckey provided the Commission with a copy of the Sandy Hook monthly apprentice training report. Apprentice James Britton is scheduled to take his state exam the week of August 26th. Assuming he passes, he will probably appear at the October board meeting to be sworn in and join the rotation board on November 1st.
- H. Ms. Stuckey provided the Commission with a copy of the ballot and proxy form for the Maritime Associations annual elections. She will send the Commission's proxy to the New York Commission's Executive director Frank Keane to act on their behalf.
- I. Ms. Stuckey provided the Commission with a write up from the Maritime Association's Executive director Ed Kelly regarding the New York Comprehensive Waterfront Plan. Ms. Stuckey advised the Commission to read the plan at their leisure.
- J. Garret A. Morgan Shadow Day - Ms. Stuckey reported that on March 22nd she gave the keynote address and participated in the Garret A. Morgan Shadow Day. She gave the Commission a brief description of all of events during the shadow day. Ms. Stuckey advised that the Advisors asked the Commission to begin their own Maritime Shadow Day in which the industry can be introduced to a larger group.

K. Harbor Ops - Ms. Stuckey reported attending the March 20, 2019 Harbor Ops Meeting. Of interest were the following:

- The Coast Guard reported that there was a cyber - incident on a US flagged vessel. Although they didn't give the name of the vessel they reported that 15 thumb drives were found with fishing and malware on them in an attempt to hack the crew's personal information and banking accounts. Cyber - attacks on vessels are becoming a new and emerging threat.
- Fleet Week will begin on May 22nd this year. Sandy Hook is making arrangements for Ms. Stuckey to participate in the parade of ships. She advised the Commission that if anyone is interested in attending, please let her know.
- There was a Hudson River Harbor Ops meeting on March 25th. Ms. Stuckey advised that if anyone had anything to report, please do so during the public comment session.
- The Army Corps is doing an anchorage study to try to determine how much of the port can benefit from 50 foot anchorages.
- A committee is being established to begin a working group to look into LNG bunkering within the port. Ed Kelly has been designated as the person to put the Committee together. Ms. Stuckey advised Mr. Kelly that as that develops to please keep the Commission updated.
- The Staten Island Economic Development Corp is researching the idea of having an air Tran from Staten Island to Bayonne. If it works out, the air Tran is expected to move approximately 4,000 people per hour.
- There is a plan being established to push out the Manhattan coastal area 500 feet called the lower Manhattan New York City Coastal Resilience Study. The plan is in the early stages and Ms. Stuckey advised the Commission that she will keep them updated as it progresses.
- NOAA has a new tool called the Coastal Inundation dashboard. It will work with all tide stations and can melt all information for flood, weather service, etc. and can report it as it is coming up. It can also be targeted to a specific area. There will be a presentation of the tool at the June Harbor Ops meetings.

- NOAA has named a civilian Ms. Colleen Roche as the Northeast Navigation Manager. Her appointment should provide stability to that position.
- The following dredging updates were given: Newark Bay will be dredged between August-October. The Sandy Hook Channel will be dredged between September and October. The dredging in Port Elizabeth is complete. There has been a request submitted to surveys done for New York Marine Terminals to identify berths to dredge.
- NYSA is hiring close to 700 longshoremen and checkers.

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

Public Comment (s)

Comments from Captain Bill Speiser, Vice President, Sandy Hook Pilots Association:

Captain Speiser reported that in March, 2019 the port of New York/New Jersey saw the arrival of 15 Neo Panamax vessels. These vessels are 12,000 feet long and 168 feet wide. These are the largest ships that can fit into the Panama Canal. The port has seen an increase in the amount of these ships over the past two months.

Captain Speiser reported that the Deputy pilots have been given notice that the rate changes will take place on May 20, 2019.

Captain Speiser reported that the Sandy Hook Pilots Association are finalizing contracts for new PPU's and the training procedures for these ships will begin in August, 2019 and last until September, 2019.

Captain Speiser reported that port of New York/New Jersey has been receiving smaller and larger ships over all.

Captain Speiser advised the Commission that once the Deputy Pilot rule proposal becomes effective, Sandy Hook will go back and apply the new scale to all deputy pilots.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that the Harbor Operations Education Sub-Committee held their 6th annual Shared Harbor Day, where they had 30 people on a boat tied up in lower Manhattan. He reported that they had several discussions from professional mariners, recreational mariners, the Coast Guard and NYPD amongst others from the maritime community. The panel discussions in the morning were about VHF usage, rules of the road, plaining trips, hot spots etc. Mr. Kelly reported that it was a good event and was very well received.

Mr. Kelly reported that New York City is getting very active and looking into their waterfront staff and Comprehensive Waterfront Plan that will layout New York City's ten year plan that will cover all aspects of the water.

Mr. Kelly reported he along with a number of other groups will be testifying in front of the New York City Council Committee to establish an office of the waterfront that will coordinate a lot of the maritime issues in the harbor. The Committee is looking to reach out to New Jersey to have a New Jersey representation to help better understand how the two states interact in the harbor.

Mr. Kelly reported that the Hudson River Safety Committee did meet this month, but it was not a public meeting. He advised the Commission that there were not a lot discussed, the main topic of discussion was in reference to ice season issues.

Comments from Captain Bill O'Neill, Vice President, Harbor Pilots Association:

Captain O'Neill reported that this year's Fleet Week lineup to date is expecting to be smaller than years past.

Committee Reports

- A. Capital Improvement Committee: Commissioner Shisha reported that the Committee has agreed to increase the surcharge. The increase will fund the replacement pilot boat and the new computers that are coming in.
- B. Occurrence Investigation Committee:
 - I. MV E.R. Berlin - 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 McEwing and seconded by Commissioner Shisha to accept the recommendations. All voted in favor.

- II. M.T. Pecos - 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 McEwing and seconded by Commissioner Shisha to accept the recommendations. All voted in favor.
- III. Hafnia Lupus - Ms. Stuckey commended Captain Speiser for his outstanding judgement to assist the crew and freeing the cable and recommended a letter of accommodation to Captain Speiser. 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 McEwing and seconded by Commissioner Shisha to accept the recommendations. All voted in favor.

Resolution #19-12 to Approve the FY2018 Audit

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #19-12 to Approve the FY2018 Audit.

All voted in favor.

Presentation of Retirement Certificate to Captain William Hansen

Commissioner Dacey presented Captain Hansen with a certificate of retirement.

Captain Hansen thanked his fellow pilots, the pilot association and the Commission for all of their support over the years.

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 10:47 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 11:44 AM.

Adjournment

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

All voted in favor.

The meeting was adjourned at 11:45 AM