

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

**August 20, 2019**

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, August 20, 2019 at One Penn Plaza East, 9<sup>th</sup> Floor Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:06 AM.

Open Public Meeting Statement

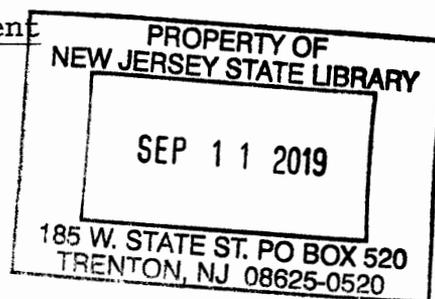
Pledge of Allegiance

Roll Call

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

Audit Committee Meeting

The Commissioners reviewed proposals received from Kayode Agunbiade & Co. and Yusafali & Associates to complete an audit of the Commissions financial records for the 2019 fiscal year. Commissioner Dacey explained that both proposals are close in price, however since Kayode Agunbiade & Co. has been auditing the Commission's books for the last five years, he thought it would be a good idea to change auditors. Ms. Stuckey also reminded the Commission that the Audit Evaluation Committee set the criteria for choosing an auditor based mostly on price. The Commission decided that since Yusafali & Associates quoted \$3,500 (\$250 less than Kayode Agunbiade & Co.) that they should be awarded the audit contract.



Approval of the July 16, 2019 regular meeting minutes

A motion was made by Commissioner Shisha and seconded by Commissioner Dacey to approve the July 16, 2019 meeting minutes. All voted in favor.

Resolution #19-28 to approve the August, 2019 Treasurers Report

A motion was made by Commissioner Shisha and seconded by Commissioner Dacey to pass Resolution #19-28 to approve the August, 2019 Treasurers Report. All voted in favor.

Executive Director's Report

- A. Apprentice Report - Ms. Stuckey provided the Commission with a copy of the Sandy Hook Apprentice update report. Ms. Stuckey advised the Commission that apprentice James Britton will be testing next week and upon his passing the exam, he is scheduled to join the rotation board on October 1, 2019. She also provided a copy of a letter that was sent to all the applicants on the docking pilot apprentice selection list. The letter outlines the testing process and includes a copy of the Commissions statute, regulations and current annual report. Lastly, Ms. Stuckey provided the Commission with a copy of an email that was sent to the presidents of all the docking pilot associations with a copy of the current list which includes any stipulations that the applicants need to satisfy before being eligible to be called from the list.
- B. FY 2019 Surplus - Ms. Stuckey provided the Commission with a copy of the budget sheet that she received from DOT that shows the Commission's accounting for the fiscal year. She advised that the Commission began FY19 with a surplus of \$125,402.71 the receipts for the year were \$669,416.63 and the Commission expended \$370,580.09. This leaves the Commission with a surplus of \$424,239.25 to begin the FY2020 fiscal year. At the request of the Governor's office, the Commission will table any discussions regarding future actions until the September 2019 meeting so that Stephanie Brown from the Authorities Unit can be a part of those discussions.
- C. Docking Pilot Invoices - Ms. Stuckey advised that the docking pilot invoices for 2019 have been mailed and to date, the Commission has received approximately 80% of the docking pilot fees. The Treasurer's Report does not reflect

any fees that were received after the agenda was distributed. Ms. Stuckey sent reminders to the 20% of pilots that not have submitted their fees.

- D. New Jersey Transit Lease - After a series of meetings, the Commission has finally come to an understanding with New Jersey Transit to enter into a lease agreement for the next five years. There was some confusion with current staff over the Commission's building access, internet access and the use of transit space. Based on the current market, the Commission will enter the new lease with the same understanding as was previously in place starting with an annual rent of \$2,150 which is \$125 less than the Commission is currently paying. This amount will continue to be subject to an adjustment per the current consumer price index every July 1<sup>st</sup>. Ms. Stuckey is happy to report that New Jersey Transit feels that the Commission is a good partner and tenant and are happy to have the Commission stay.
- E. Operation Kitty Hawk - Last month, Ms. Stuckey reported on the Kitty Hawk program that was to have vessels that are equipped to carry one passenger transport from Bayonne to Jersey City as a pilot program. To date the program has not launched and Ms. Stuckey is hopeful that they will take time to contact the stakeholders in the port before continuing with this program.
- F. Meeting with Port Authority - Ms. Stuckey has been contacted by Jason Grove a Senior Political Analyst from the Port Authority to discuss the Commissions practices for appointing apprentices which led to a discussion regarding the function of the Commission. Ms. Stuckey will be meeting with him this coming Thursday to discuss the Commission's statute, regulations and core mission.
- G. Upcoming Events - September is a very busy month for the Maritime Industry. The Marine Society Annual Harbor Cruise will be held on Thursday, September 12<sup>th</sup> leaving from Battery Park in Manhattan at 5pm, The Sandy Hook Industry Annual Harbor Cruise will take place on Friday, September 13<sup>th</sup>, leaving from Berth 23 in Port Newark at 11am, Port Industry Day will take place at Liberty State Park beginning at 8am on Monday, September 16<sup>th</sup>, The first Harbor Ops Full Committee Meeting since the summer break will be held on Wednesday, September 18<sup>th</sup>, in Fort Wadsworth at 10am and there will be an Offshore Wind Power planning meeting

at the South Brooklyn Marine terminal on Thursday, September 26<sup>th</sup>, beginning at 8am. Ms. Stuckey plans to attend each meeting outside of the Offshore Wind meeting. There will be representation there from the Maritime Association and the pilots and Ms. Stuckey asked that they bring an update to the Commission at the October meeting.

- H. LNG Meeting - The LNG meetings took place on July 24<sup>th</sup> and 25<sup>th</sup> in Manhattan at the passenger Ship Terminal. The purpose of the meeting was to work on the operational logistics of supplying the fuel to the necessary vessels, so the involvement was limited. After the logistical pieces come together (and they are anticipating this fall) the Committee plans to open the issue to other agencies that may be able to help them with any legal issues that may arise. It is anticipated that a full report will be given at the September, 2019 Harbor Ops meeting.

Mr. Kelly reported that the LNG meetings were well done, centering on safety and security and advised that he was very pleased with the meetings.

- I. Vacation Schedules - Currently Ms. Stuckey is scheduled to be out of the office the week of September 2<sup>nd</sup>. Mr. Hawkins is working on scheduling his vacation beginning August 30<sup>th</sup> returning on September 4<sup>th</sup>. There may be an overlap of one day. There will be no one physically in the office on that day however, Ms. Stuckey will cover via cell phone and email. Ms. Stuckey thought of getting a temp for that day, however there is so much personal information on the pilots in the Commission's office and she is not comfortable having a temp in the office without supervision.

- J. 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 there had been successful simulations done at MITAGS on the LNG ships.

Captain Foley reported that on July 16<sup>th</sup> the Sandy Hook Pilots hosted a Harbor Inspection tour for 100 Port Authority of New York/New Jersey employees. Captain Foley reported that it was great for them to see how the port functions on a day to day basis.

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

Captain Flannery reported that ACGM is building five LNG container ships and he believes that they will be coming to the New York/New Jersey harbor.

Captain Flannery reported that the Army Corps of Engineers are working to widen the Berths and Channels in the Kills to improve the flow of traffic.

Captain Flannery reported on August 28<sup>th</sup>, Metro Pilots Association will have their bi-annual meeting and he advised the Commission that they plan to take one of the apprentices off of the apprentice selection list.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that the Army Core is in partnership with the Port Authority of New York/ New Jersey to review the original 50ft channel project. He advised that the review will be a three month study with a three million dollar budget and is scheduled to be completed within three years.

Mr. Kelly reported that LNG fuel is definitely coming, he advised that Carnival Cruise Lines has 11 LNG ships currently in operation. He advised that LNG is the fuel of the future and will be in the port of New York/New Jersey very soon.

Mr. Kelly reported that he will be in New Orleans next week to attend the Hyper Graphic Service Review Panel meeting. He advised the Commission that the meeting will cover a lot of issues that impacts the port of New York/New Jersey operations and advised that if anyone has issues or topics, to let him know and he would bring them to attention at the meeting.

#### Committee Reports

##### A. Occurrence Investigation Committee.

- I. Atria - 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 Dacey and seconded by Commissioner Shisha to accept the recommendations. All voted in favor.

- II. Madha Silver - 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 Dacey and seconded by Commissioner Shisha to accept the recommendations. All voted in favor.

Resolution #19-29 to hire an Auditor

A motion was made by Commissioner Shisha and seconded by Commissioner Dacey to pass Resolution #19-29 to hire an Auditor. All voted in favor.

Presentation of Retirement Plaque to Captain Robert Britton

Commissioner Dacey presented Captain Britton with a Plaque of retirement.

Captain Britton thanked his fellow pilots and the Commission. He advised that he enjoyed his time as a pilot and is very proud of the career he had.

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 Dacey 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 11:26 AM.

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 11:26 AM

