

NEW JERSEY BOAT REGULATION COMMISSION MEETING
March 9, 2022
Ocean City Yacht Club
100 Bay Road
Ocean City, NJ 08226

I. ROLL CALL: MEMBERS PRESENT

Acting Chairperson Ed Harrison Jr.
Kenneth Ryan
Bruce Strigh
Roland Gehweiler Jr.
Leonard Mangiaracina
Shaun Blick

STAFF

DAG Kevin Dronson	Office of the Attorney General
Sergeant Robert Frake	NJSP, Marine Services Bureau

PLEDGE OF ALLEGIANCE

II. SUNSHINE LAW ANNOUNCEMENT (OPEN PUBLIC MEETINGS LAW)

The meeting was called to order at 10:18 AM by Acting Chairperson Ed Harrison Jr., at which time he also announced that this meeting is being held in compliance with the provisions of Chapter 231, Public Law 1975, known as the Open Public Meetings Act. Notice of this meeting was given by annual notice filed with the Secretary of State, the Department of Law and Public Safety website, the New Jersey State Police website and it was posted at State Police Headquarters, West Trenton, NJ.

III. MINUTES OF THE PRIOR MEETING

Minutes from the October 2021 Boat Regulation Commission meetings were approved.

IV. UNFINISHED BUSINESS

No unfinished business noted or mentioned.

V. NEW BUSINESS

- **Recognition for Sergeant First Class Chris Jones, New Jersey Boating Law Administrator:**

Acting Chairperson Ed Harrison Jr. recognized SFC Jones for his performance as Boating Law Administrator. Kenneth Ryan announced his own transition to Emergency Management, while seconding the congratulatory message for SFC Jones on his success, and applauded the continuity which SFC Jones position will foster, specifically between the National Association of State Boating Law Administrators and the State of New Jersey.

- **Virtual / Remote Capabilities for the Commission and Designated Email Address:**

Commission members were receptive to remote meetings if called for. The Homeland Security Information Network was presented by Sgt. Robert Frake as a potential platform for public meetings. The HSIN network is described in further detail on the dhs.gov website. It is available for use by the Commission. Leonard Mangiaracina stated that any problems achieving quorum might be resolved with remote meeting options. Shaun Blick stated that the Zoom style mechanism can open a forum for the public if they are unable to attend a meeting. Bruce Strigh mentioned that due to distance, the public would be able to have access to statewide meetings. Kenneth Ryan mentioned that these virtual platforms do indeed give us options. The question was presented by Bruce Strigh to consider whether or not these virtual platforms could be opened up for the public all the time, or just for pandemic style states of emergency. Sgt. Robert Frake explained that currently the HSIN network would only be activated by the New Jersey State Police as an option for pandemic style states of emergency. The Commission members suggested a trial run of a virtual meeting.

In Public Comment, Melissa Danko of the Marine Trades Association stated that their organization is capable of virtual meetings where they have 100 or so participants.

Acting Chairperson Ed Harrison Jr. suggested that the public would need to be notified in advance of Commission meetings of their option to potentially have virtual accessibility to attend. Bruce Strigh reminded that additional staffing such

as a moderator would need to be created for virtual meetings to work correctly.

Sgt. Robert Frake explained the availability of an NJSP email address for the Commissioners to utilize. The email could be utilized to field questions from the public in the event of virtual meetings. Sgt. Robert Frake advised that although he had created an email within the New Jersey State Police Marine Services Bureau, consultations with the Office of the Attorney General had suggested that ‘best practices’ for Commission meetings would be to have them live and in a public forum.

Bruce Strigh commented about how currently, Boat Regulation Commission meetings are spread out all over the State of New Jersey. He questioned the ability for a member of the public to attend meetings statewide. Sgt. Robert Frake answered to the ability of the Commission to reschedule venues in the coming years to different times of the year, rather than always remaining with the same location in the same month year after year. This would allow populations in various geographic locations a chance to attend meetings during the boating season and also take into account additional seasonal factors. Acting Chairperson Ed Harrison Jr. mentioned considering the Hudson River as a potential future location. Shaun Blick suggested that moving the meetings around would make them into a “moving target,” at which time he proposed having a singular location for hosting all of the meetings. Kenneth Ryan stated that an email address for the public Commission would allow for better public access to get involved with the meetings, regardless of their geographic location. Acting Chairperson Ed Harrison Jr. agreed. Roland Gehweiler Jr. proposed hosting the meetings at the State Police facility on the Garden State Parkway. In open conversation amongst the Commission the PNC Arts Center was mentioned in addition to the need for an auditorium. Acting Chairperson Ed Harrison Jr. expressed desire to make it easier for the public to find meeting locations, and he noted that a venue would need to be ADA compliant. Bruce Strigh suggested a State Police facility. Kenneth Ryan clarified that credentialing would be required at State Police facilities, and suggested that a non-NJSP location might be better suited. Acting Chairperson Ed Harrison Jr. closed the issue for now stating that it would require further discussion.

- **Designated Email for Boat Regulation Commission**

Shaun Blick expressed the need for electronic public comment via the New Jersey State Police, adding that a direct link to the Boat Regulation Commission email address could be posted near the Commission’s existing information. Posting the new email address was motioned by Acting Chairperson Ed Harrison Jr. and

seconded by Shaun Blick, regarding placement on the New Jersey State Police website.

- **Hudson River Meeting Location Proposal**

Acting Chairperson Ed Harrison Jr. suggested finding a location on the Hudson River for meetings. Shaun Blick mentioned Jersey City. Kenneth Ryan mentioned Liberty State Park which might have a State building available for use. Commission suggested checking for ADA compliance for accessibility, and Sgt. R. Frake advised this can be further researched.

- **PFD Wear Outreach Campaign**

Acting Chairman Ed Harrison Jr. confirmed that the New Jersey State Police is involved with outreach for this concern. The National Safe Boating Council Personal Flotation Device ‘Wear It’ Campaign exists. Kenneth Ryan mentioned about how the State Police distributes child size PFD’s via the ‘Kids Don’t Float Program’. Kenneth Ryan recognized Sgt. Frake’s work for the ‘Wear It’ Campaign in 2021.

- **Mandatory Seasonal PFD Wear Updates**

The updated wording for the proposed changes to seasonal PFD wear (13:82-1.4) was presented in hard copy and electronic mail to the members of the Commission for review, as follows:

“No owner or operator of a recreational vessel less than twenty-six feet, including rowboats, canoes, kayaks, and stand-up paddleboards shall permit its operation between November first and May first, unless each person on board such vessel is wearing a securely fastened United States Coast Guard approved wearable Personal Flotation Device of an appropriate size while such vessel is underway. A person inside the cabin of a cabin vessel shall be exempt from this requirement.”

Acting Chairperson Ed Harrison Jr. mentioned the change in wording going to a 26’ vessel size for mandatory PFD wear in the winter. November 1st until May 1st were mentioned as effective dates for mandatory wear. Sgt. Frake explained the Pennsylvania rules being 16’ vessel sizes, and the potential justification for determination of a larger recreational vessel threshold in New Jersey, due to our

coastal waters and rougher conditions in the bays, inlets, and offshore. Acting Chairperson Ed Harrison Jr. stated that if they're wearing a PFD, they stand a better chance of being rescued, and he identified May as warm enough to mitigate the hypothermia risk. Acting Chairperson Ed Harrison Jr. also stated that the cabin vessel provides shelter and containment from the elements, and he forwarded a motion to approve the new wording, which is stated verbatim above, and the motion was seconded for approval.

- **Public Posting of New Jersey Approved Boating Safety Courses**

Acting Chairperson Ed Harrison Jr. stated that it would make sense to post New Jersey Boating Safety Courses for easy access by the public to locate a course, but questioned where such a list could be located. Kenneth Ryan advised that the State Police has an all-inclusive list on file, and the course material is approved by the State Police every 36 months. Kenneth Ryan also reminded the Commission that in the past, the State Police would instruct many more of these courses than we do recently, due to the fact that the State Police has become more operationally minded while the courses have been handed over to the public sector. The Commission discussed the matter and stated that the list would need to be posted fairly, possibly alphabetically, and with consideration for geographic location. Leonard Mangiaracina indicated that if a particular course would be available in multiple regions of the State, then this could be listed as such. Sgt. Frake suggested that it might be possible to have certain courses listed as available Statewide, while others are specific to region, based upon the wishes of that particular course provider. Kenneth Ryan forwarded a motion to move forward with this proposal, while Leonard Mangiaracina seconded that motion.

- **Posting of 2021 Minutes on NJSP Public Website**

Melissa Danko of the Marine Trades Association suggested that posting the 2021 Minutes would be a good idea. Acting Chairperson Ed Harrison Jr. questioned the room if there might be any reason why not to do this. Sgt. Frake, as Administrator for the Commission, provided insight that this could be accommodated. Bruce Strigh suggested that the prior year could be posted and then left there indefinitely. Shaun Blick motioned to display all 2021 Meeting Minutes on the NJSP public website, in a manner that is technologically feasible. The Motion was seconded by Bruce Strigh to post those Minutes as stated.

- **Waiver Request for the Lake Mohawk Ski Hawks**

Acting Chairperson Ed Harrison Jr. mentioned the documents which had been presented to the Commission via email, requesting a Waiver. Shaun Blick asked if there were any issues or concerns from last year's waiver. No issues were raised, and Shaun Blick motioned to approve the waiver, which was seconded by multiple members of the Commission.

VI. PUBLIC COMMENT

Marty Kane spoke up under public comment, and mentioned that his geographic location would be hurt by limiting the Commission meetings to one specific site. He stated that the central location of the State would not be helpful. Marty Kane expressed that Lake Hopatcong usually gets a good turnout for the meetings, and he commented that there are real benefits of the Commission visiting each location of the State. Marty Kane stated that his local groups have already held preseason meetings which went well. Marty Kane advised that the Morris County Sheriff is more involved now, and they now have two boats. He stated that the Commission material has been all good and he expressed thanks to the Commission.

VII. EXPRESSION OF APPRECIATION

Acting Chairman Ed Harrison Jr. expressed his appreciation to the providers of the facility.

VIII. AGENDA FOR THE NEXT MEETING

Acting Chairperson Ed Harrison Jr. advised that the Hudson River meeting location will need to be discussed. Leonard Mangiaracina mentioned discussing shuffling the deck for meeting locations. Sgt. Frake confirmed that various locations could be administratively transitioned to differing dates, as discussed earlier.

IX. DATE, TIME AND LOCATION OF THE NEXT MEETING

The next Boat Regulation Commission meeting is posted publicly on the New Jersey State Police website, www.njsp.org, under Public Information, Marine Services, New Jersey Boat Regulation Commission Annual Schedule of Meetings. The meeting is tentatively scheduled for 10:00AM, Wednesday, May 11th, 2022, at Spray Beach Yacht Club, 23rd & Long Beach Blvd., Beach Haven, NJ 08008.

X. **ADJOURNMENT**

The meeting was adjourned via motion at 11:20 a.m. by attending members.