Minutes of the Regular Meeting of The

New Jersey Maritime Pilot and Docking Commission

April 17, 2018

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, April 17, 2018 at One Penn Plaza East, Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:05 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

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

Approval of the March 20, 2018 regular meeting minutes

A motion was made by Commissioner Wowkanech and seconded by Commissioner Shisha to approve the March 20, 2018 meeting minutes. All voted in favor.

Resolution #18-09 to approve the April, 2018 Treasurers Report

A motion was made by Commissioner Wowkanech and seconded by Commissioner Shisha to pass Resolution #18-09 to approve the April, 2018 Treasurers Report. All voted in favor.

Executive Director's Report

A. Hudson River Update - Since January of 2018 there have only been reports of two transport jobs on the Hudson River. However, Captain Tribus has reported that he has completed recency trips on the lower and upper rivers.

B. Apprentice Selection Process - We have received 6 docking pilot applications. The committee will meet following today's board meeting to review the applications and determine which candidates meet the criteria for an interview and set interview dates. On the maritime pilot side, there were over 100 applications received. The committee will hold its first meeting tomorrow morning at 10:00am at the Sandy Hook pilot station house. Ms. Stuckey will report on that meeting at the Commission's next board meeting.

C. Meeting with new Authorities Unit representative - Ms. Stuckey, Ed Kelly, Captain John Oldmixon and Commissioner Wowkanech met with Adam Sternbach this morning to discuss the issue with the Hudson River anchorages, the need for more dry dock space and bought him up to date on other maritime related matters. In addition to attending our legislative cruise on June 19th. Ms. Stuckey is hoping to take Mr. Sternbach out on a harbor tour and also a job to observe the pilots at work.

D. Ms. Stuckey provided the Commission with a copy of the save the date notice for the Legislative cruise. Notices were sent to the Governor, Senators, Council persons and Mayors in cities with surrounding waterfront properties and the Coast Guard. She advised the Commissioners that if any of them would like to add anyone else to the invitation list, please let her know.

E. Ms. Stuckey attended the shared Harbor Day on Saturday, March 24th. The event was sponsored by the Educational Committee, a subcommittee of Harbor Ops. Mr. Ed Kelly and his group did a really great job in putting the event together. Captain John Oldmixon was one of the panelists and also spoke well about the danger of the recreational community respecting the blind spots of the commercial vessels. Ms. Stuckey's overall take on the event is that recreational boaters do not fully understand the dangers that are involved in dealing with commercial vessels. Some

of the attendees were outright angry with the restrictions that were discussed. She believes that the committee is moving in the right direction and their work is not in vain.

F. Active Shooter Training for Pilots - Ms. Stuckey informed the Commission that she has been contacted by the New York Commission and that they are filling out a grant proposal to sponsor Active Shooter training for all of their pilots. The New York Commission would like the New Jersey Commission to participate in the training. Ms. Stuckey expressed that she believes the training would be helpful for all pilots. She also informed the Commission that if the grant proposal is not successful, the hope is for both Commission's to split the cost of the training. She will work with the New York Commission to figure out the details and would report back to the Commission when they are finalized.

G. The Coast Guard invited Ms. Stuckey to be the key note speaker at A Woman's Empowerment Luncheon on April 11, 2018 at Sector New York. She was surprised upon arriving that there was a mixed crowd which included the Chief Officer of the Investigations Unit. After her speech, there was a question and answer session and then she spent a little time mingling. Ms. Stuckey was very happy when several persons stated that her presentation was extremely helpful to them and provided guidance on how they could persevere through any difficult situations they were currently experiencing. There are nine more luncheons scheduled and she has been asked by Captain Day to return for another date.

H. Ms. Stuckey provided the Commission with a copy of the Sandy Hook monthly apprentice training report. She reminded the Commission that Apprentice Paul Torres is scheduled to take his exam in July, 2018.

I. Ms. Stuckey informed the Commission that she has received a save the date notice for Captain Day's change of Command ceremony on June 8, 2018. She advised the Commission that if anyone is interested in attending, please let her know.

J. Ms. Stuckey and Mr. Hawkins attended the Marine Society annual dinner on April 16, 2018. Despite the weather, there was a very good turnout. Commissioner Shisha also attended

on behalf of his law firm. Captain Michael Day was made an honorary member of the Marine Society.

K. The Maritime Association's Hall of Fame dinner is scheduled for May 9, 2018. She informed the Commission that there is still time to make reservations if any of the Commissioners are interested in attending.

L. Vacation Schedules - Ms. Stuckey informed the Commission that she will be taking a half of day this coming Friday and then will take vacation time the week of May, 28 through June 1st. Mr. Hawkins will take vacation time on May 4th and May 6th. She informed the Commission that she will continue to keep the Commission updated as vacation plans are cemented.

M. 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 John Oldmixon, President, Sandy Hook Pilots Association:

Captain Oldmixon reported that on April 21st, there will be a crane ship arriving and unloading at Maersk Terminal at berth 92. The arrival of the crane ship is a big deal and they are plaining a big celebration during its arrival.

Captain Oldmixon reports that Bay Way Terminal is starting to get big Tanker ships in. Currently, the pilots have restricted the times the vessels can sail. Outbound transits are restricted to day light hours only and inbound transits can come in at any time.

Captain Oldmixon reported the rules that were in place for Maersk after going to MITAGS for ULCV simulations will stay the same.

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

Captain Flannery reported that ships inbound to Bay Way Terminal will be allowed to come in at any time, but daylight time will be for outbound sailings.

Captain Flannery reported that The Deep Draft Committee has been discussing a rule change and definition for the SULCV's, but at this time the rules are still the same.

Captain Flannery reported that when the Crane ship has arrives and Metro Pilots Association will meet the ship three hours before to get the boat under the bridge, because the ship has very little power.

Captain Flannery reported that when Metro Pilots Association went to MITAGS, it was to become familiar with operating the SULCV's and now the pilots are in real life situations. He reports that there will be More SULCV's arriving in May, 2018.

Comments from Captain Charles Jonas, Acting President, Interport Pilots Association:

Captain Jonas reported that at berth 14 of Port Newark although they have rebuilt the dock, they still have not repaired the barge. He states that at this moment, the barge remains to be steel on steel. Captain Jonas reported that he has brought the issue to Port Newark's attention, but nothing has yet to be done. He states that he has informed Ms. Stuckey of the issue and she has made plans to meet with them and explain the dangers and if not repaired, the Commission's pilots will not service them.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that the Maritime Association partnered with the Counsel on Port Performance to host 350 high school students for a career awareness day. There were several attendees from the Maritime community.

Mr. Kelly reported that the Off-Shore wind farms present a safety issue for the pilot's night vision. He informed the Commission that BOEM has stated that they are only responsible for leasing the bottom of the sea bed. It is not their concern what projects get built into them. Mr. Kelly reported that the Coast Guard was almost finished with their Atlantic Coast Port Access Route study that was meant to identify traffic lanes. They were very close to finishing, but abandoned the study at the last minute. He states that the Maritime community needs to see what regulations we can get to help us figure out where the best spots are to get Maritime safety requirements built into the development of these

projects. Mr. Kelly informed the Commission that he will keep them updated on the progress of the situation moving forward.

Committee Reports

A. Investigation Committee:

I. **Stolt Efficiency** – The Stolt Efficiency matter was discussed in Executive Session.

II. **Hoegh Jeddah** - 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 Wowkanech to accept the recommendations. All voted in favor.

III. **MV Bulk Progress** - 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 Wowkanech to accept the recommendations. All voted in favor.

IV. **SBI Phoebe** – The SBI Phoebe matter was tabled for the Commission's May, 2018 meeting.

Presentation of Certificate of Appointment to Richard Wood

Richard Wood thanked the Commission for the opportunity and all the help he has received. He expressed that he is looking forward to learning all he can and his excitement to be joining the Commission.

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 10:40 AM.