Minutes of the Regular Meeting of The

New Jersey Maritime Pilot and Docking Commission

May 28, 2019

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, May 28, 2019 at One Penn Plaza East, 9th Floor Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:12 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

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

Approval of the April 16, 2019 regular meeting minutes

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to approve the April 16, 2019 meeting minutes.

All voted in favor.

Resolution #19-13 to approve the May, 2019 Treasurers Report

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to pass Resolution #19-13 to approve the May, 2019 Treasurers Report.

All voted in favor.

Executive Director's Report

A. Deputy Pilot Rule proposal - The new rule became effective on May 20, 2019. Ms. Stuckey provided a copy of the rule that was published in the New Jersey Register. Captain Speiser advised the Commission that the new rule has been put in place and all deputy pilots are piloting under the new rule.

B. Docking Pilot Apprentice Selection Process - The Docking Pilot Apprentice Selection Committee has received a total of five applications. The Committee will meet following the Commission's board meeting to review the applications and select candidates for interviews.

C. Docking Pilot Test - Joe Casaletto sat for his state exam on April 24th and 25th and passed with high marks. He appeared before the Commission to be sworn in as a Docking Pilot with the Metro Pilots Association. As part of the grading process, the apprentices are allowed to challenge an answer if it is marked wrong. Captain Casaletto exercised this right and was able to back up his challenge with the Rules of the Road booklet. The question was regarding a whistle signal that is no longer used. This has prompted Ms. Stuckey to reach out to Captain Bates who is the consultant that the Commission used to prepare the test to have him review the modules and update them as needed.

D. Maritime Security Training Course - The New York Commission has applied for a training grant for active shooter training for their pilots. They have asked if the New Jersey Commission would be willing to do a joint training for all New Jersey state licensed pilots. If the grant is approved, they will contract someone from MITAGS and the training will be done at a site that is convenient for all. Ms. Stuckey provided the Commission a copy of her letter to the Coast Guard confirming New Jersey intention to have their pilots participate in the training.

E. Pilot Ladder Deficiency Report - Ms. Stuckey provided the Commission with a copy of the most recent pilot ladder deficiency report that has been reported and rectified. Ms. Stuckey gave thanks to Chris Maglin for taking the lead role and setting up this program.

F. Legislative Cruise - The Legislative Cruise is set for June 18, 2019 and boarding will begin at 4:30pm at berth 23 in Port Newark. This year there will be a formal program. When the vessel

approaches significant areas of the harbor, an apprentice will give a brief summary and why it is significant to the maritime industry. Ms. Stuckey believes this will encourage more participation while educating the attendees on the harbor and the work of the New Jersey State Pilots.

G. Harbor Ops – Ms. Stuckey attended the May 15th Harbor Ops meeting and provided the Commission with a copy of the agenda. She advised the Commission that during his report, Captain Tama pointed out that the offshore wind project is moving very quickly and is expected to begin by July of 2020. The Atlantic Coast Port Access Route Study will have to be taken into consideration and the Coast Guard is working closely with BOEM to look at the impact to the port as it relates to the ACPARS.

   The Empire Winds has completed an initial draft of the assessment of the lease area in New York. The Coast Guard will make comments on the draft after a complete review.

   There is a current anchorage study looking at the use of Graves End Bay as deep-water anchorage. The Coast Guard has approved the project to continue with a draft that will be ready for public comment by the end of June.

   The both states have working groups set up to address offshore winds. Any notices that come up for comment will be circulated by Harbor Ops. They encourage any group with an interest to comment when these notices are circulated. Captain McGovern has been in contact with each states working group to ensure the issues of the maritime community are addressed.

H. LNG Bunkering – Ed Kelly is the chair of that Committee and is working to set up its first meeting.

I. New York Waterfront Plan – Every ten years the city of New York develops a looking forward waterfront plan. The last plan was completed in 2010 and they are beginning meetings and public hearings for the next ten years. Ed Kelly met with the New York Department of City Planning to discuss commercial concerns. As the new plan develops, Ms. Stuckey will keep the Commission updated.

   NOAA gave a presentation on the Inundation Dashboard. Ms. Stuckey initially thought to invite the NOAA to do the presentation at one of the Commission's monthly meetings. She believes it would

be more productive to forward a copy of the PowerPoint presentation to the Commission. The presentation will be distributed by the Maritime Association and as soon as it is received, Ms. Stuckey will distribute it to the Commission.

There was a presentation on Ports. Ms. Stuckey advised that they are adding two new current meters this summer that will be operational by fall after the 30-day test period. The meters will be located at Buoy 14 east of Bay ridge and Buoy 18 at the entrance to Newark Bay. They will also distribute the current surveys that were completed last year and begin new ones that will start in June and end in October. The data will be verified and distributed for these surveys in spring of 2020.

The Port Authority announced their final maintenance dredging plan for Oct-Sept:

In Port Newark berths 21, 23, 26 and 28 will be dredged.
In PNCT berth 57 will be dredged.
In Port Elizabeth Maher berth 70 and 72; APMT berths 90-92 and Global berth 2 will be dredged.

J. Fleet Week – In previous years, Ms. Stuckey was on the largest vessel that docked in Manhattan and received the most publicity. This year the pilots let her choose the vessel to ride in on. Ms. Stuckey chose to ride on the USS Jason Dunham. The USS Jason Dunham was being piloted by two New Jersey pilots. Secondly, after she read the history of the boat, she was intrigued and it allowed her the opportunity to experience Fleet Week without all the fluff. The Captain and crew were very accommodating and eager to talk about their individual stories and all were aware and proud of the history surrounding Corporal Jason Dunham. Because there were no reporters, Ms. Stuckey was able to tour the vessel without restrictions and talk with the crew at her leisure. Ms. Stuckey advised the Commission that at the age of 23, Corporal Dunham threw himself on a grenade to protect his battalion.

Captain Kevin Walsh was the Maritime Pilot and Captain Kirk Pinto was the Docking Pilot. Each pilot upon boarding the vessel showed true professionalism while putting the crews at ease. It was a true testament to the Commission's dual piloting system. Ms. Stuckey encouraged the Commission to tour the Dunham, which is docked in Staten Island. There are great tributes to Corporal Dunham in the officer's mess and the crew mess.

K. Commissioner Ragucci's retirement - Ms. Stuckey advised the Commission that the New York Commission is holding a retirement dinner for Commissioner Ragucci. She advised the Commission that she plans to attend and present Commissioner Ragucci with a New Jersey hat and shirt to extend the New Jersey Commissions appreciation for all the joint work he has done with the New Jersey Commission over the 20 years he served on the New York board.

L. Maritime Association annual Hall of Fame dinner - Ms. Stuckey attended the dinner this year and it was a great networking opportunity and an overall very good function. She believes the attendance was up from previous years.

M. Vacation - Currently there are no definite plans to report, but as they develop Ms. Stuckey will notify the Commission.

N. 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 Bill Speiser, Vice President, Sandy Hook Pilots Association:

Captain Speiser reported that on May 29th the container ship Triton managed by Evergreen will make its arrival to the port New York/ New Jersey at 0300 Berth 64, Maher Terminal. The Triton is the largest container ship by dimension to transit down the Panama Canal.

Captain Speiser reported that the Sandy Hook Pilots Association just closed on the Maine Responder, which will replace and be renamed the new pilot boat New York and should be arriving sometime this week.

Captain Speiser reported that the pilot boat New Jersey has completed its dry docking and is back at Sandy Hook's pier. The New Jersey will be relieving the pilot boat New York on station on June 5th for the summer.

Captain Speiser reported that the pilot boat New York will be available for the Blessing of the Port parade on June 7th and the New Jersey Pilot Commission's Harbor Inspection Tour on June 18th.

He advised the Commission that there is no set date for the new pilot boat New York to be ready, but will update the Commission when the details are finalized.

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

Captain Flannery reported that the Docking Pilot Association had its annual meeting in Savannah Georgia. He advised he Commission that the guest speaker was MSC's Vice President Chris Parvin who gave a wonderful presentation on the future of the docking pilot industry.

Captain Flannery reported that the Deep Draft Committee will propose new parameters via an advisory for a meeting on the entire East Coast. He advised the Commission that when the advisory is distributed, he will provide the Commission with a copy.

Captain Flannery reported that the Metro Pilots Association was contacted and asked to attend MITAGS for bunkering LNG ships. He informed the Commission that after inquiring, he has yet to get a response on the specifics. Captain Flannery advised the Commission that when he hears back from MITAGS, he will update the Commission.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that New York State has received a one million dollar grant to study Off-Shore wind impact on marine mammals. Mr. Kelly advised the Commission that he will be attending the meeting on June 6th to find out the results of that study. He advised the Commission that he will report the findings back to them at the June 18th monthly meeting.

Comments from Captain Adam Richardson, Vice President, Interport Pilots Association:

Captain Richardson reported that last month, Interport pilots Association started using a new navigation software to test their pilot plug setup. He advised the Commission that he will report the results back to them when they are available.

Captain Richardson reported that the Interport pilot Association is putting a program together to cycle all of their pilots through a bridge resource management refresher course that will be completed by the end of the summer. He advised the

Commission that Interport will send the Commission a syllabus for review and approval.

Committee Reports

A. Occurrence Investigation Committee.

I. **Gustav Maersk** - 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. **Red Eagle** - 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. **Tirua** - 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 #19-14 to Approve the 2018 Annual Report

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #19-14 to Approve the 2018 Annual Report.

All voted in favor.

Resolution #19-15 to Adopt an Operating Budget for Fiscal Year 2020

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #19-15 to Adopt the Operating Budget for Fiscal Year 2020.

All voted in favor.

Resolution #19-16 to Adjust Fees Charged to Maritime Pilots

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #19-16 to Adjust Fees Charged to Maritime Pilots.

All voted in favor.

Resolution #19-17 to Approve Personnel Actions Taken by the Commission

Ms. Stuckey advised the Commission that the fees were adjusted last year with the assumption that the larger vessels would mean a slowdown in traffic. Not only did traffic not decrease but it is actually rising. Because of this, the Commission took in more money then needed.

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #19-17 to Approve Personnel Actions Taken by the Commission.

All voted in favor.

Resolution #19-18 to Approve the Issuance of a New Jersey State Docking Pilot License to Joseph D. Casaletto

Captain Joseph Casaletto was sworn in by Commissioner Dacey.

Captain Cassaletto reported that he could not be happier to finally be a pilot and thanked Mr. Hawkins, Ms. Stuckey, Captain Miller and Captain Flannery for all of the support during his apprenticeship.

Captain Flannery congratulated Captain Casaletto and his family on him being excepted into the Metro Pilots Association.

Motor Yacht Utopia

Captain Speiser reported that the length of a vessel overall is what matters because, that determines if the yacht or ship will fit in the space it is intended to go in. He reported that any other length is used when computing gross tonnage.

Captain Speiser reported that according to his training, a pilot needs 1,000 trips before he/she are licensed. He reported that being licensed includes being exposed to the currents, traffic, small boats and the seasonal amount of sport

activities. He believes that a pilot must have that local knowledge in-order to be competent in these waters.

Captain Speiser reported that the Sandy Hook Pilots Association is happy to accommodate any ship or yacht. He advised the Commission that Sandy Hook have pilots that live close to New York City, they are able to provide a pilot to any vessel expeditiously for their convenience and are willing to stay with the vessel as long as they are needed.

After discussion with counsel, the Commission advised Ms. Stuckey to set up a conference call between herself, the Associations and counsel to discuss how to move forward.

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 10:59 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 11:45 AM.

Resolution #19-19 to Approve the Update of Captain Leonard M. Evans to a Full Branch Maritime Pilot

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to Approve the Upgrade of Captain Leonard M. Evans to a Full Branch Maritime Pilot.

All voted in favor.

Captain Leonard Evans was sworn in as a Full Branch Maritime Pilot by Commissioner Shisha.

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 11:52 AM