Minutes of the Regular Meeting of The

New Jersey Maritime Pilot and Docking Commission

June 20, 2017

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, June 20, 2017 at One Penn Plaza East, Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:00 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

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

Approval of the May 16, 2017 regular meeting minutes

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to approve the May 16, 2017 meeting minutes. All voted in favor.

Resolution #17-21 to approve the June 20, 2017 Treasurers Report

A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to pass Resolution #17-21 to approve the May 2017 Treasurers Report.

Ms. Stuckey pointed out that the amendment was made to the Treasurers Report to reverse the check that was printed twice.

The motion was put to a vote to approve the report. All voted in favor.

Executive Director's Report

Ms. Stuckey welcomed David Hutchinson from the DAG's office who was sitting in for David Kahler.

A. Updates on Commission Regulations - The regulations were published in the New Jersey Register and became effective on June 4, 2017. Ms. Stuckey provided a copy of the amendments as published to the Commissioners. She intends to distribute a copy of the full regulations with amendments to all pilots, apprentices and interested parties within the community when the Annual Report is distributed to save on postage.

B. Hudson River Update - Since the Commission's last meeting, there have not been any reports of transport jobs on the Hudson River.

C. FY18 Audit - Ms. Stuckey provided a copy of the proposal letter with the RFP form that went out to the 12 approved auditors that were on the Treasury's website. As recommended by the Audit Evaluation Committee, the request included a copy of the FY16 audit.

D. Fleet Week - Ms. Stuckey and Mr. Hawkins attended the parade of ships that kicked off fleet week on May 24, 2017. They rode in on the Kearsage which was the fifth vessel in the parade. Although the day was rainy and overcast, the experience was great. This year vessels broke away from the parade to dock in Brooklyn, Staten Island and the Manhattan Cruise Terminal. Although 19 vessels were expected, only 12 participated. Daniel Blair who retired from Interport Pilots on March 30, 2017 was the Sea pilot. He informed Ms. Stuckey that this trip will be his last job on his federal license and she believes it would be a great story for the Commission's 2017 Annual Report. She was able to get some great photos to accompany the article.

E. Harbor Ops - Ms. Stuckey attended the Harbor Ops meeting on May 17th. The primary focus of the meeting was to discuss the parameters that need to be put into place for the SULCV's and what each agency should do or is doing to prepare for them. A lot of the conversation focused on the potential surge that can

be caused by the large vessels and the potential for ships to break away from its berth.

The Waterfront Alliance Committee announced that the City of Water Day will take place on July 15, 2017 on Governor's Island. This year they are expecting 200 Kayaks to participate in the Manhattan Kayak Circumnavigation. Ms. Stuckey provided a copy of the route they will take with the time line.

The Coast Guard reported that the parameters for the Macy's Fourth of July parade will remain essentially the same as last year with minor changes.

Ms. Stuckey congratulated Captain Robert Flannery for being an elected member to the Maritime Associations Board of Directors.

The following dredging updates were given:
Maintenance dredging in the Newark Bay will begin in September and should be completed by April 2018.
Maintenance dredging of the Sandy Hook channel will be done in the fall of 2017.
Maintenance dredging of berths at Maher/APMT and Global will begin in July.
A fund has been established for a project with the Port Authority and the Army Corps to evaluate the dredging that has been done in the ports. The purpose of the study is to assess the need for additional anchorages, deeper anchorages and other projects that may be needed. The study is anticipated to take three years.

F. Goethals Bridge - The channel will be closed for a maximum of 36 hours sometime mid-late August for the removal of the old bridge span. VTS is coordinating with all stakeholders to find a time frame that would be the least disruptive to commercial traffic. Piers and footers are scheduled to be removed in April, 2018 and the temporary enclosure is scheduled to be installed July 2018. The cantilevers are scheduled to be removed sometime late 2017, early 2018. During this phase, barges may be present. However, they will be moved on demand. For the most part the project is still on schedule and the project managers have agreed to distribute monthly updates of all work.

G. Harbor Ops - The next Harbor Ops meeting is scheduled for June 21, 2017 and Ms. Stuckey will attend.

H. Oil Terminal Roundtable Meeting - Ms. Stuckey also attended the Oil Terminal Roundtable meeting on May 17, 2017. The focus of the meeting was on the parameters set for the ULCV's. A lot of time was spent discussing the need to ensure that lines are not only tight, spread out and tendered. The discussion of unsafe gangways seems to have been put to bed. The Coast Guard has stated that they have no intention of enforcing any fines or penalties against a terminal for unsafe gangways. They have mentioned that they are dealing with the same issues. Ms. Stuckey recommended that the pilots refuse to board if the gangway is unsafe, and that the Commission would support their decision. The Coast Guard representative stated that he believed that was the proper course to take and if enough people did so, the terminals would have no choice but to update them. The next meeting is scheduled for September 2017.

   Ms. Stuckey provided the Commission with a copy of a policy and procedure statement from Sandy Hook presidents to all pilots and apprentices to follow when piloting cruise ships. This came in light of the Disney Magic incident and the company's recommendation that the cruise ship masters take a joint training course with New Jersey licensed pilots.

   Ms. Stuckey provided the Commission with a copy of an email correspondence with Ron Calderon from the DOT's budget office. She is attempting to keep the lines of communication open and set up a way to monitor the Commission's funds, so they can be adjusted as needed.

I. Atlantic City Licenses - After some research Ms. Stuckey has been able to locate the test that was given to the Sandy Hook pilots that wanted to be licensed for Atlantic City by the Commission. The last test was given to New York pilot Captain Neil Keating in 1991. During the time when Atlantic City was thriving, there was a need to have several pilots licensed by the Commission and endorsed by the Coast Guard for that route. Over the years there have been significant changes to the channel. As a result the channel can no longer accommodate the vessels that would require federal pilotage, (i.e., more than 1600

gross tons or certain tugs and barges carrying petroleum in large quantity) therefore a Coast Guard endorsement is not needed. Ms. Stuckey asked the Coast Guard to send a statement recognizing this fact so that the Commission can proceed with updating the current test and licensing new pilots for that route. The statements are needed from the Coast Guard to satisfy the requirement in the Commission's regulations that requires a pilot to have a first class endorsement for the routes to be traversed. If the Coast Guard states that the endorsement is not needed in that channel, the Commission can then waive that requirement. Ms. Stuckey provided the Commission with a copy of the email correspondence with herself and Commander Edgardo Cruz, Chief Prevention Department of the Coast Guard Sector Delaware Bay and the test.

The Sandy Hook Pilots hosted a tour on June 2nd with Stella Maris to bless the port on the pilot boat New York. The tour began with a mass celebrated by Cardinal Joseph Tobin. The pilot boat then toured a lot of the projects, monuments and even the Sandy Hook construction site, at which time the cardinal gave a brief blessing at each location.

J. Training Seminar with Captain Christian Sondergaard - Captain Sondergaard and Ms. Stuckey met to develop an outline of the topics that will be discussed during the training seminar. The three areas that are planned to be addressed are the portable laptops and what they can and cannot do; bridge presence and lastly pilot to pilot exchange. The seminar will be mandatory for any junior docking pilots and apprentices that did not attend the Commission sponsored joint training in 2008. The seminar will also be open to any senior pilot that wants a refresher. Chris Manglin from Sandy Hook has agreed to work with the Commission on the seminar. The next step is to set up three dates over the summer and then begin to schedule pilots to attend.

Meeting with the New York Commission and Olthuis Maritime - The meeting was to discuss Olthuis Maritime working with both Commissions to continue to deliver and update the Maritime Pilots Test. The test will be administered by Ms. Stuckey, and Chris Manglin from Sandy Hook will be there for the grading of the exam.

It has been decided that Olthuis Maritime will have no communication with the apprentices and all study materials will be distributed by Sandy Hook. Ms. Stuckey provided a copy of the contract and went over specifics during Executive Session.

K. Updating of the Docking Pilot Test - Since the amendments of the regulations are effective, Ms. Stuckey has contacted Captain John Bates to update the laws and regulations section of the Commission's docking pilot test.

Ms. Stuckey provided a copy of the Sandy Hook monthly apprentice training report. Apprentice Nicholas Pitch is scheduled to take his exam with the New Jersey Commission during the week of August 7th. He will appear before the Commission at the September 19, 2017 meeting to be sworn in and will join the rotation board on October 1, 2017.

Ms. Stuckey provided a copy of the May 1st advisory from the deep draft working group. Co-chairs Captain Bob Flannery and Captain John Oldmixon gave brief comments about the advisory.

L. Retirement Announcements - Ms. Stuckey has been advised that Captain Richard Reilly retired on Friday from the Metro Pilots Association. The Commission has an occurrence that he is involved in that is still open. Once that case is closed, the Commission will invite him to a future meeting to be recognized for his years of service.

Captain Christian Sondergaard attended the meeting. He will work with Ms. Stuckey through the summer on the seminars and plans to retire around October 1, 2017. The Commission will also bring him to a future meeting to be recognized.

The Commission's office has begun their summer schedule; the office will now close at 2pm on Fridays.

M. Vacation plans - Ms. Stuckey and Mr. Hawkins are beginning to look at scheduling time off. For the short term, Ms. Stuckey's son is graduating from High School this week. She will attend the Harbor Ops meeting on June 21, 2017 and then be off the rest of the week. She and Mr. Hawkins will sit down to discuss time off to ensure someone is always in the office.

For those times that it is not possible, the Commission will hire a temp.

Ms. Stuckey asked the Commissioners to give her their vacation plans to ensure there is no conflict with any future meetings.

N. Articles of Interest - Ms. Stuckey provided several articles of interest. Normally she would give a brief summary of each one, however there has been so much going on in the port she didn't take the time out to do so, but encourages the Commission to read them at their leisure. She particularly favored the article on Captain Flannery being interviewed by the Waterfront Alliance.

Public Comment (s)

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

Captain Flannery reported on the Deep Draft Committee. He states that regarding the SULCV's, the wind is 20knots, but no more than 25knots with 1hour slack water, four tugboats with a mile and a half visibility. The Regular ULCV's were changed to 30knot winds, but no more gust than 34knots. Yesterday Metro Pilots Association had a big 10,000 TEU ship go under the Bayonne Bridge that went to berth 61. The trip was uneventful.

Comments from Captain John Oldmixon, President, Sandy Hook Pilots Association:

Captain Oldmixon reported that the MITAG simulation exercises finished up last month. The last exercise was the same as all the others, but the only difference was the explanation of the E-Pilot role. He forwarded the new E-Pilot role via email to Ms. Stuckey. He states that business is starting to pick up for Sandy Hook, their new building is coming along with the anticipation of the building opening by the second week in August, 2017. He also reports that Sandy Hook has scheduled a harbor tour, but he is uncertain of the date and will forward that information to the Commission as soon as he confirms the date.

Committee Reports

A. Investigation Committee :

I. **M/R Aquarius** - 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 McEwing to accept the recommendations. All voted in favor.

II. **Resounder** - Investigation is complete, but was tabled for next meeting so Mark Clark could be present to answer any questions.

ULCV PowerPoint Presentation

Captain Oldmixon gave a Power Point Presentation on the parameters set for the SULCV's.

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 10:43 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 11:31 AM.

Resolution #17-22 to Approve the Upgrade of Maritime Pilot Graham Merganthaler to a pilot of 6B Grade

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to pass Resolution #17-22 to approve the upgrade of Maritime Pilot Graham Merganthaler to a Pilot of Grade Sixth B. All voted in favor.

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 11:32 AM.