Minutes of the Regular Meeting of The

New Jersey Maritime Pilot and Docking Commission

November 20, 2018

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, November 20, 2018 at One Penn Plaza East, 10A Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:17 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

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

Approval of the October 16, 2018 regular meeting minutes

A motion was made by Commissioner Dacey and seconded by Commissioner McEwing to approve the October 16, 2018 meeting minutes. All voted in favor.

Resolution #18-34 to approve the November, 2018 Treasurers Report

A motion was made by Commissioner Dacey and seconded by Commissioner McEwing to pass Resolution #18-34 to approve the November, 2018 Treasurers Report. All voted in favor.

Executive Director's Report

A. Hudson River Update - The Commission has not received reports of any transport jobs since their last meeting.

B. Charitable Contributions - Ms. Stuckey provided the Commission with a copy of a notice regarding holiday gifts, receptions, seasonal secondary employment and charitable contributions that she is required to provide annually.

C. Docking Pilot Apprentice Selection List - Metro pilots has submitted a request for the Commission to appoint the last person on the Docking pilot apprentice selection list into their apprentice training program. The resolution is on today's agenda. Ms. Stuckey will meet with the Presidents of the Docking Pilots Associations to see whether there is a need to replenish the list immediately or if the process can wait until the New Year.

D. Maritime Pilot Monthly Apprentice Update - Ms. Stuckey provided the Commission with a copy of the maritime pilot apprentice report. Apprentice James Britton is the next apprentice to be tested in the fall of 2019.

E. Sandy Hook Deputy Pilot Upgrade - Ms. Stuckey provided the Commission with a copy of the annual Sandy Hook Deputy Pilot upgrade schedule. The Deputy pilots usually come a month before their upgrade date to allow the Commission time to review their files and any address issues or negative comments they may have received from their fellow pilots.

F. Northern Jaguar - Ms. Stuckey provided the Commission a copy of the commendation issued to the crew of the pilot boat New Jersey and the Phantom by the Sandy Hook New Jersey and New York presidents. The crews participated in the search effort of the crew member from the Northern Jaguar that was washed overboard while trying to open the hatch of the bow docking station. It is believed that it was an anomaly that one large sea swell pulled one crew member into the water and pushed another back. After interviewing the ship's crew, it was learned that this occurrence happened during the second attempt to open the hatch and the person that was pulled overboard did not have on a life jacket. Once the mayday call was made, the crews

of the Sandy Hook assets stayed on the scene and assisted in the search. Unfortunately, the person was not found and his family had to be notified.

G. Meeting with the Coast Guard - Ms. Stuckey, Frank Keane, Captain Oldmixon, Captain John DeCruz and Chris Maglin met with the Coast Guard regarding the incident aboard the Northern Jaguar. Captain Tama is concerned about protocol for pilot boarding in bad weather. It was explained that the Commissions do not micromanage this issue and because the Commission trusts their highly trained pilots, they are allowed to make these boarding calls at sea. The pilots themselves are taking extra steps to talk to other associations through the APA to determine the protocol in other ports. Once the feedback is received, all parties will reconvene to review and discuss possible parameters for the ports of New Jersey and New York. In the meantime, the pilots will meet with the Marine police to give them a presentation about the pilots and what they do and also to discuss rescue procedures in case a pilot does fall over board. Captain Tama also agreed to back the pilots if they stopped operations if they deemed that boarding was unsafe for a pilot. Interestingly enough, this scenario came to play Thursday night during the storm. Ms. Stuckey asked Captain Oldmixon to inform the Commission of the particulars. Ms. Stuckey reported that they are all working together in the interest of port safety.

H. Ethics Training - The Commission received a notice from Brian Wilton the Deputy Chief Counsel of the Governor's Authorities Unit informing her that all members of the Commission had to undergo on-line ethics training. Ms. Stuckey reported that the training has been completed and the certification has been submitted to the authorities unit.

Ms. Stuckey reported that after the Commission's December 18th meeting, there will be a Pension Surcharge meeting and Commissioner Shisha has been notified and will attend.

I. Harbor Ops Meeting :

1. Ms. Stuckey attended the November 14, 2018 Harbor Ops meeting. A copy of the agenda was provided to the Commission. The only new business discussed was the December 7th ice meeting at Ford Wadsworth. Ms. Stuckey does not plan to attend the meeting since there will

be representation there from the pilots and the Maritime Association and they can report to the Commission at the December 18th meeting.

2. The following updates were given: The Tappan Zee Bridge - There is a plan to use explosives for the final demolition of the old bridge. They are anticipating that this will be done the day after Thanksgiving.

3. Goethals Bridge - The removal of the old span is anticipated to be completed by years end.

4. The NOAA tide current project should be online by the end of 2019.

5. The Army Core gave the following dredging updates: Maintenance dredging in Newark Bay is completed. They are hoping to begin dredging in the Sandy Hook Channel in a month and Rockaway sometime next year.

6. The Port Authority gave the following updates- The Port Authority is working on permits for the maintenance dredging in berths 76 and 92 this is important because of draft restrictions, it is having a big impact on commercial vessels.

7. The Governor of New York reinstated the Waterfront Management Advisory Committee. Ms. Stuckey believes that the same members will return which include Ed Kelly and Andrew McGovern.

8. Ms. Stuckey reported that BPU has put out RFP's for the offshore wind projects in New Jersey. There is a concern that they have not put the restrictions that have come out of the public meetings and comments. The Energy Committee of Harbor Ops will continue to monitor the project to ensure that these issues will get addressed.

J. The Central New Jersey Chapter - The Central New Jersey Chapter of the US Merchant Marine Academy will hold its annual holiday meeting at the Iberia Peninsula restaurant on Ferry Street in Newark on Thursday, December 6th beginning at 6pm. Ms. Stuckey advised the Commission that

if any of the Commissioners would like to attend, please let her know and she will make the necessary RSVP's.

K. The Port Authority - The Port Authority is holding its annual briefing at the Newark Airport Marriott Hotel on December 6th beginning at 6pm. Ms. Stuckey will be attending the briefing.

L. Vacation Schedules- Ms. Stuckey and Mr. Hawkins will both take vacation days the Friday after Thanksgiving. However, Ms. Stuckey will be on call during that time.

Ms. Stuckey is planning to take vacation time December 13-14 and will be out of the office beginning December 20th and returning after the New Year. She will be checking voicemail and email and can be reached via cell phone. Right now, Mr. Hawkins doesn't have any vacation time planned.

M. Articles of Interest - Ms. Stuckey provided the Commission with several articles of interest that she encouraged the Commissioners to read at their leisure.

Public Comment (s)

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

Captain Oldmixon reported that the Aircraft Carrier Queen Elizabeth came into the New York Harbor for a technical operation. They were very grateful for the help they received from Sandy Hook and Moran Association.

Captain Oldmixon reported that the Northern Jaguar incident was an intense situation. He was pleased that the pilot boat New Jersey was there to help in the efforts for eight straight hours. He reported that as a result of that situation, Sandy Hook has been in contact with the Coast Guard to take actions to minimize the chances of this situation happening with N.J. state licensed pilots.

Captain Oldmixon reported that the Pilot boat New York was being stored at the ship yard, which is the reason the pilot boat New Jersey was involved with the Northern Jaguar. The pilot boat New York should be returning to the pier on November 21st and will be inspected by the Coast Guard the following week.

Ms. Stuckey reported that Captain Tama is very impressed that the Commission has never had a pilot go overboard with all of its activity in the Harbor.

Captain Oldmixon reported that Sandy Hook has five pilots currently completing training trips in Atlantic City. Two are licensed in that area and the other three are working on getting licensed in that area. He reported that he has received calls that research and wind farm vessels have been coming into that area, because Atlantic City is the deepest water port on the Southern Coast of New Jersey.

Captain Oldmixon reported having a meeting with the Coast Guard in regards to the accommodation letter and he will meet with the NYPD in Brooklyn to discuss options in case one of the pilots falls overboard. They are actually exploring all options to rescue a pilot that may go overboard.

Captain Oldmixon reported that he attended the active shooting meeting with Homeland Security. He reported that this situation is a big concern for the NYPD and the NJ State Police. Captain Oldmixon reported that he will update the Commission as things move forward.

Captain Oldmixon reported that Wards Point Bend has been dredged and they have raised the draft limit to 36 ½ feet.

Ms. Stuckey reported that the Commission's test for Atlantic City will be done at the beginning of the New Year. She reports that the new test will allow the Commission to start testing pilots for that area.

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

Captain Flannery reported that the Marine Terminal round table meetings are going to be reinstated in December and be held at New York Shipping. All agents and shipping companies will be present to discuss marine concerns. They are going to try and have meetings every six months going forward.

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

Captain Richardson thanked the Sandy Hook Pilots Association for swift action to shut down pilot operations during the unexpected weather that entered the New York/ New Jersey area. He reported that Interport followed and shut down pilot operations also.

Committee Reports

A. Investigation Committee:

I. **Safmarine Mafadi** - 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 Dacey to accept the recommendations. All voted in favor.

Resolution #18-35 to Approve the Proposal of Amendments to the Commission's Regulations

Ms. Stuckey reported that the Commission's Regulations were approved by the Governor's office. The regulations will be submitted to the Office of Administrative Law before the December 5th deadline, to be published in the January 7, 2019 New Jersey Registrar. She reported that the comment period will end on March 8th and anticipates the Commission will be able to move forward by April, 2019. The anticipated effective date will be in May or June, 2019.

A motion was made by Commissioner McEwing and seconded by Commissioner Dacey to Approve Resolution #18-35 to approve the Proposal of Amendments to the Commission's Regulations.
All voted in favor.

Resolution # 18-36 to Approve the Issuance of a New Jersey State Docking Pilot License to Russel L. Henchmann

A motion was made by Commissioner McEwing and seconded by Commissioner Dacey to Approve the Issuance of a New Jersey State Docking Pilot License to Russel L. Henchmann.
All voted in favor.

Russel L. Henchmann was sworn in as a New Jersey State Docking Pilot by Commissioner Dacey.

Captain Henchmann thanked his family, Association and the Commission for the opportunity and helping him to complete the apprentice program.

Resolution #18-33 to Approve the Appointment of Captain Adam R. Graves into the Harbor Pilot's Association Apprentice Training Program

A motion was made by Commissioner McEwing and seconded by Commissioner Dacey to Approve the Appointment of Captain Adam R.

Graves into the Harbor Pilot's Association Apprentice Training Program.

All voted in favor.

Captain Graves thanked the Commission for the opportunity.

Resolution #18-37 to Approve the Appointment of Captain Taylor J. Hobbs into the Metro Pilot's Association Apprentice Training Program

Captain Flannery advised the Commission that Taylor Hobbs was not able to be relieved off the tug and requested that the Commission approve his appointment, so he can begin his apprenticeship and appear at a later date.

A motion was made by Commissioner McEwing and seconded by Commissioner Dacey to Approve the Appointment of Captain Taylor J. Hobbs into the Metro Pilot's Association Apprentice Training Program.

All voted in favor.

Coast Guard Auto Pilot regulations

Ms. Stuckey reported that a few years ago, the Commission did a joint advisory with the New York Commission prohibiting pilots from using the Auto Pilot on ships. She advised that they could resubmit that advisory, in light of the regulations that were published by the Coast Guard; just as a reminder to all that the Commission prohibits usage of the Auto Pilot.

The Commission agreed and advised Ms. Stuckey to circulate the advisory to all pilots as a reminder.

Training Grant request from the Sandy Hook Pilots Association

Sandy Hook has requested a training grant to send the senior New Jersey apprentice to Manned Model ship school. Ms. Stuckey advised the Commission that their FY2019 budget included funding for training grants.

The Commissioners voted to approve the training grant and advised Ms. Stuckey to proceed.

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 McEwing and seconded by Commissioner Dacey that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:48 AM.

Return to Public Session

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

All voted in favor.

The Commission returned to Public Session at 11:53 AM.

Adjournment

A motion was made by Commissioner McEwing and seconded by Commissioner Dacey that the meeting be adjourned.

All voted in favor.

The meeting was adjourned at 11:55 AM.