Minutes of the Regular Meeting of The

New Jersey Maritime Pilot and Docking Commission

December 18, 2018

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, December 18, 2018 at One Penn Plaza East, 9A Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:11 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

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

Approval of the November 20, 2018 regular meeting minutes

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

Resolution #18-38 to approve the December, 2018 Treasurers Report

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to pass Resolution #18-38 to approve the December, 2018 Treasurers Report. All voted in favor.

Executive Director's Report

A. Pilot Trip Log - Ms. Stuckey provided the Commission with a copy of an updated Pilot trip log.

B. Hudson River Update - There have been no reports of transport jobs since the Commission's last meeting.

C. Hudson Tank Terminal - Ms. Stuckey provided the Commission with a copy of the pictures of the fender on the breasting barge at Hudson Tank Terminal. The first is the original ones that were taken a couple of months ago. Ms. Stuckey contacted the terminal manager and they were replaced with larger tires. The second photos showed that some of the larger tires have fallen off and due to wear and tear they are not protecting the vessel from hitting the side of the breasting barge and as a result the vessels are getting damaged. Because of the constant issue with the breasting barge, Stolt has written a letter of protest and is threatening not to use the terminal. Ms. Stuckey has reached out to the terminal manager and he advised that new tires have been ordered. Ms. Stuckey and the terminal manager also discussed why the barge was needed. She learned that the first 20 feet from the dock is only dredged to 35 feet and after that it is dredged to 40 feet. Ms. Stuckey then contacted the Port Authority to see if there were any plans to dredge the first 20 feet. It was explained to her that the terminal was recently updated and dredging was not in the plans. Ms. Stuckey explained to them the constant issues the maritime industry is experiencing with the breasting barge and also the pilot ladder deficiency reports provided by the Sandy Hook pilots. All agreed the issue needs to be revisited and resolved. The Port Authority is putting together a conference call to include Ms. Stuckey, the Port Authority, Marine Terminals, the terminal manager at Hudson Tank and Chris Maglin to discuss options to address the problems.

D. Ms. Stuckey provided the Commission with a copy of the Sandy Hook monthly apprentice training report. Apprentice James Britton will begin the Stop-Up phase of his apprenticeship next week. He is currently on station. Ms. Stuckey informed the Commission that his annual appearance has been postponed until January, 2019 so he could complete his last week as the Captain of the pilot boat.

E. Port Authority Annual Briefing - Ms. Stuckey attended the annual briefing on December 6, 2018. They reported on the increase in container traffic and the initiatives that were completed to improve the flow of cargo from the terminals to the distributors. This includes the Bayonne bridge construction, track repairs and the plan to attract and hire more truck drivers and longshoremen.

F. Garret A. Morgan Shadow Day - The conference of Minority Transportation Workers has asked Ms. Stuckey to give the keynote address for the Garret A. Morgan shadow day. The subject of Ms. Stuckey's speech is going to be overcoming obstacles and focus on her journey with the Commission. Ms. Stuckey has also agreed to allow a group of the intern's to shadow her for the day. She plans to take the interns to a couple of the pilot stations for a tour. The program will take place during the week of spring break. They are working on a date that will accommodate all the schools involved.

G. Connie Awards - Ms. Stuckey attended the annual Commie awards ceremony for the Connie (containerization and intermodal institute). The ceremony was very well attended. This year 24 scholarships were given to students in maritime academies and those from other institutions majoring in transportation and maritime related careers.

H. Vacation schedules - After the meeting, Ms. Stuckey will be out of the office until January 2, 2019. However, she will be on call and available via cell phone and email. Mr. Hawkins will be in the office during that time.

I. Articles of Interest - Ms. Stuckey provided the Commission with several articles of interest and encouraged them to read all at their leisure.

Public Comment (s)

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

Captain Oldmixon asked the Commission if there is a date set for Sandy Hook pilots to take the Atlantic City test.

Ms. Stuckey advised Captain Oldmixon to inform her when the Sandy Hook pilots are ready to test and she will schedule their test date at that time.

Captain Oldmixon reported that the Sandy Hook pilots have been very busy with work coming in regularly.

Captain Oldmixon reported that the pilot boat New York is sitting at the station waiting for Coast Guard inspection.

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

Captain Flannery reported that Marine Terminal meeting went very well. He reported that one of the topics of discussion was procedures when moving the cranes. He reported that Maher Terminal has been doing a very good job calling Metro and asking if they need the cranes lifted.

Captain Flannery reported that MSC is bringing bigger ships into the harbor and he believes that it is a good thing for business.

Captain Flannery reported that everyone involved is on the same page with understanding the way of doing business in the harbor now and when ships do not leave on time, it affects everyone. He believes with better communication, delays can be minimized.

Captain Flannery reported that the next Round Table meeting will include Marine agents in January, 2019.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly advised the Commission that the Maritime Association has officially moved to New Jersey at 1201 Corbin Street in Elizabeth.

Mr. Kelly reported that there has been an increase in the number of container ships entering the port. He reports the bigger ships, are a major factor and new services are coming from south- west Asia instead of coming east through Panama. He reports that because of the weight and daft there has been a lot more calls for services in this port, which is good for business.

Mr. Kelly reported that Off-Shore wind is a critical issue for the safety of this region. He reported that there are multiple areas that is not policed. Mr. Kelly reported that the

plans for this project will be happening shortly and leases are being handed out. Those lease areas directly interfere with the shipping lanes. He believes that if New York and New Jersey allow these things to continue, it will become a problem. He reported that no commitments were made to address setbacks. He reported BPU is the lead agency and BOEM just want to make money so they will lease as much as they possibly can. Mr. Kelly believes that it will help if the Commission goes on the record expressing their concerns.

Ms. Stuckey advised Mr. Kelly that the Commission has gone on record with a letter to BPU, but she feels that at this point; it may be something that the Authorities Unit could help with.

Mr. Sternbach advised Ms. Stuckey to send all relevant documents to him and he will make sure that the proper people receive them.

Mr. Kelly reported that the shipping lanes will be cut by the wind farms, this means there will be mixed vessels sizes and capabilities into a potential constrained area. He reports that it could be very dangerous. Mr. Kelly reported that BOEM is currently proposing a 1 mile setback, Harbor Ops and the Coast Guard believe that 2 miles from the entrance area to the international shipping separation area is needed. He believes this has a potential to shut this port down.

Mr. Sternbach reported that he will follow up with the Governor's office and forward the name of the person of contact for this matter.

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

Captain Richardson reported that Interport Pilots Association would appreciate any help that the Commission can give on the Hudson Tank Terminal barge issue.

Ms. Stuckey reported that she has made Port Authority aware of the situation and advised Mr. Richardson that now that they understand the Commission's concerns, if there is no resolution to the problem it can be taken to the next step.

Mr. Sternbach advised Ms. Stuckey to send him a follow up email and he will contact Port Authority and report back to the Commission.

Committee Reports

A. Investigation Committee:

I. **MV Ocean Glove** - Based on the investigators report, Ms. Stuckey recommended that the Commission find no fault on the pilots and the file closed. However, she would like to make mention in the letter to the pilot how his quick thinking stopped the vessel for having any further damage. A motion was made by Commissioner McEwing and seconded by Commissioner Shisha to accept the recommendations. All voted in favor.

B. Pension Surcharge Committee:

II. Ms. Stuckey reported that she and Commissioner Shisha would be attending a Pension Surcharge meeting following the Commission's board meeting.

Resolution #18-39 to set the meeting dates for 2019

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to pass Resolution #18-39 to approve the amended meeting dates for 2019. All voted in favor.

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 10:55 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 11:39 AM.

Adjournment

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

All voted in favor.

The meeting was adjourned at 11:41 AM.