

**Connecticut Pilot Commission
Summary Report October 18, 2011 Public Meeting
Coast Guard Sector Long Island Sound
New Haven, CT**

1.) The public meeting was called to Order at 8:33 a.m. by the Commissioner Bill Gash. Pilot Commission members Chuck Beck, Alan Blume, Phil Gaughran, Ralph Gogliettino, John Love and Dave Pohorylo, were also present. Also attending were Dave Rossiter and Alan Stevens of CTDOT, Capt Joe Vojvodich and CDR Amy Beach of CG Sector LIS, Charlie Jonas, Brad Pimer, Jim Miller, Alex Woodworth, Dan Coleman, Paul Costabile and Tom Dubno. All present were asked to introduce themselves.

2.) A motion was made to approve the summary report of the September 20, 2011 meeting by Alan Blume and seconded by Ralph Gogliettino. There was no discussion. The motion passed by unanimous vote.

3.) Continuing Business:

A. Goals and Objectives – Due the absence of Chairman Boynton the discussion was tabled until the November meeting

B. Apprentice Pilot Update - Chuck Beck provided an update on the apprentice selection process. He stated that interviews of the four (04) applicants eligible had been scheduled for the morning of November 14, 2011. There was some discussion about the interview process and questions. Beck explained that the process used a year ago would be followed. At the Chairman's request Vice Chairman Barry had generated the questions to be asked. Phil Gaughran expressed an interest in submitting questions for the interview. Dave Pohorylo made a motion that all of the Commissioners should be given the opportunity to submit questions to the Chairman no later than November 1, 2011. The motion was seconded by Ralph Gogliettino and passed with 6 affirmative votes and one abstention.

C. Pilotage Rates and Fees – (1) Pilotage Rates: Phil Gaughran made reference to a letter dated 10/15/2011 electronically submitted to the CPC by Charlie Jonas on 10/15/2011. The letter requested a 12% pilotage increase, 4% for three consecutive years. Additionally, the letter requested an increase in other incidental charges as listed on a tariff sheet provided with the letter. After reading the letter, Phil Gaughran made a motion to accept the rate increases in the letter. Dave Pohorylo seconded the motion. During the discussion Dave Pohorylo eluded to the fact that the rate increase had been introduced to the CPC by the Pilots months before. The only reason action was postponed was question related to the boat launch fees which had recently been resolved. Thus, no discussion was really necessary. Chuck Beck stated that part of the reason that the rate increase had been deferred was the lack of supporting information. The proposal submitted a few months before had been returned to the pilots via Phil Gaughran who had indicated he would get the supporting information. Even at the September CPC meeting, Phil Gaughran stated that he would gather the information but would appreciate assistance in the type of information needed. Chuck Beck provided electronic copies of the records related to the previous rate increase to Phil to be used as a guide. Beck continued that the 10/15/2011 request still lacks supporting information. Alan Blume agreed that the letter as written lacked justification. However, he recommended that the CPC forward the request to the CTDOT as to not delay the request any further. Since it is not clear how much more information is needed, if the DOT needed additional justification the DOT could request the information from the pilots. Chuck Beck read and analyzed each of the 4 bullets presented in the 10/15/2011 letter. All 4 bullets merely stated how the pilots had redistributed the total share of the pilotage earned as opposed to justify why a rate increase was justified. John Love concurred. Alan Blume thought there might be a cross communication leading to a misunderstanding of expectations. Bill Gash stated that his awareness of the regulatory process was that various forms complete with detailed justification was needed to be reviewed and approved by agencies outside of DOT such as OPM and the Regulations Review Committee. Thus, the CPC needed to assist by forwarding the best information possible instead of pushing the matter onto DOT. In response to a question to Phil Gaughran about needing assistance, Phil responded no. Ralph Gogliettino stated that perhaps the matter could be resolved/voted on by the CPC electronically to expedite the request. Alan Blume reminded all of the need for public involvement thus an "electronic meeting" was not a

good idea. Dave Pohorylo withdrew his second. Phil Gaughran withdrew his motion. Phil Gaughran agreed to once again provide the supporting documentation to the CPC. Alan Blume asked if the DOT could review the revised proposal prior to the next CPC meeting. Beck indicated he could accommodate if the request was submitted in a timely fashion. Gaughran agreed. Bill Gash indicated that the pilotage rate increase request would be reviewed by the CPC at the November meeting. Chuck Beck stated that any rate increase had to be coordinated with the NY Board and asked if a companion letter of request had been submitted to the Board by the NY side of the Executive Board. After some clarification of the question, Charlie Jonas answered in the negative. Beck recommended that letters of request for an increase in the pilotage rates be submitted simultaneously by each side of the Executive Board to their respective regulating body; DOT and the NY Board.

(2) Fuel Surcharge: Chuck Beck stated that he had reviewed the Chairman Boynton's e-mail request that the DOT "implement the surcharge mechanism per the Block Island Pilot written proposal, using either receipts or actual costs or fuel rack price, and this be implemented September 1, 2012 and the \$200 surcharge continued until then." Beck reported that although easy to understand the direction, implementing the direction as a regulation could be very difficult thus would take time. The current temporary fuel surcharge will not expire until August 1, 2012. The last extension was for a year vs 6 months and was done so unilaterally by CTDOT due to the last minute requests without CPC action the last two cycles.

D. Pilot Exchange Card – At the request from Bill Gash, Chuck Beck provided a summary of the issue which had been deferred at the September meeting to the October meeting. The topic was raised as a result of a request for joint support of a card the NY Board had drafted for NY licensed pilots based on a court case on an incident in NY Harbor. The desire was to have a unified card for all pilots operating in the MOA waters of LIS. The discussion centered on the language contained in the draft card and liability issues. A recommendation was made to get a legal opinion. It was decided to table the issue until the November meeting to allow more time to research the liability concerns. Bill Gash asked Beck to forward the NY Board's e-mail to all of the CPC Commissioners so that they could study the language and potentially redraft. Before the discussion ended in response to a question, Charlie Jonas stated that the CT Pilots had a pilot card drafted some years ago by Vin Cashin but it was not always used and the CPC had never reviewed/voted on acceptance. Bill Gash requested that the CT Pilots provide a copy of the card to the CPC. A copy was presented on the spot.

E. Pilot Boat Certification – Bill Gash summarized the issue as a request initiated by Tom Walker to get his pilot boat certified by the CTDOT as specified in the State Statutes. Chuck Beck stated that in 1997 when the MOA was being put together and following enactment of enabling legislation, DOT issued a Temporary Certificate of Compliance for Pilot Boats. Section 15-15e of the state statute required the DOT to adopt regulations to establish standards and procedures for the issuance and renewal of a Certificate of Compliance. In 1997, Tom Walker denied inspectors access to certain compartments of the pilot boat he was operating at that time. The inspection was considered incomplete, thus a Temporary Certificate of Compliance was not issued. The DOT has never inspected/certified pilot boats since the initial offer. DOT did draft proposed pilot boat regulations but the regulations have never been implemented mainly due to opposition by certain state licensed pilots who operated boats. Beck added that he was submitting a legislative change that would require pilot boat owners/operators to get their pilot boats certified by a marine surveyor in accordance with current industry standards. Resolution of the topic was deferred to the November meetings.

4) New Business -

A. 2011 Meeting Schedule Adjustment: Chuck Beck advised that Chairman Boynton was requesting the consideration of the rest of the Commissioners to change the CPC meeting schedule for the November and December 2011 meetings from the third Tuesday of each month to the third Monday due to a conflict with his new job position. Dave Pohorylo made a motion that was seconded by Ralph Gogliettino to move the November meeting to Monday morning 14 November 2011 and the December CPC meeting to Monday morning 19 December 2011. It was

pointed out that the Apprentice Pilot Interviews would have to be rescheduled but should not be a problem. The motion carried by unanimous vote.

B. 2012 Meeting Schedule: A draft 2012 meeting schedule had been part of the CPC meeting package for consideration. The draft schedule was based on meeting the third Tuesday of each month. Due to the action taken in 4A, a revised draft was quickly penned moving the meetings to a day earlier to the third Monday of each month. The revised meeting schedule will be checked against location availability and reviewed/approved at the November CPC meeting.

C. Joint Rotation Adjustment: The decision was made to discuss the Joint Rotation issues in Executive Session.

5) Connecticut Department of Transportation comments

Dave Rossiter advised all that he had forms for the pilots present needed to initiate their respective CT Pilot License renewals. He also had a copy of recent hydrographic surveys for the review of anybody interested.

6) U. S. Coast Guard -

A LIS AMSC CDR Amy Beach advised all of the ongoing OPSAIL2012CT planning taking place. OPSAIL2012CT will take place in New London harbor and adjacent waters from Friday 6 July until Monday 9 July 2012. CDR Beech also provided an update on the ongoing Montauk and Block Island Sound PARS. CCGD1 Waterways Management is reviewing the recent comments submitted.

B LIS HSC UPDATE – CDR Amy Beach brought the attention to all an e-mail recently distributed by Scot Graham concerning the need to review/become familiar with voice communications emergency codes used for consequence management.

Off topic Dave Pohorylo asked questions about the State Pier RFP and its relationship to the RFP for the Study of the Strategy for the Economic Development of New Haven, New London and Bridgeport harbors mandated by the CT Legislature (PA 11-57). Chuck Beck stated that the timelines of the two RFP efforts had been coordinated among the state agencies involved to run in parallel.

7) Public Comments - None offered.

8) Executive Session – The public meeting was recessed at 0945 for an Executive Session. The public meeting was reconvened at 1035. The acting chairman reported that no motions were made nor votes taken during the Executive Session.

9) Adjourn - A motion was made by Dave Pohorylo to adjourn, seconded by Alan Blume and unanimously approved. The meeting adjourned at 1036.

The Commission's next public meeting is scheduled for 8:30 a.m. on Monday November 14, 2011 at the Coast Guard Sector Long Island Sound in New Haven, CT

Bill Gash
Connecticut Pilot Commission