



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION
CONNECTICUT PILOT COMMISSION



Connecticut Pilot Commission
Summary Report January 14, 2009 Public Meeting
Coast Guard Sector Long Island Sound
New Haven, CT

1.) The public meeting was called to Order at 9:05 a.m. by the Chairman. Pilot Commission members Rick Barry, Chuck Beck, Alan Blume, Peter Boynton, Bill Gash and John Love were present forming a quorum of six. Also attending were Alan Stevens and Dave Rossiter of CONNDOT; CDR Kevin Oditt and Dawn Kallen of the USCG; Charlie Jonas, Keith Kellsey, Joe Maco and Bill Mulligan.

The minutes of the New York Board of Commissioners of Pilots for the month of December were electronically distributed prior to the meeting.

2.) Having a quorum of 6 members present, on the motion of Rick Barry and second by Bill Gash, the summary record of the December 12, 2008 public meeting were approved unanimously.

3.) Continuing Business:

A. Fuel Surcharge Index – Bill Gash led a discussion on the Fuel Surcharge Index. He reported that he had determined that tracking the price of fuel on daily a basis through OPIS (www.opisnet.com) could be done at a subscription cost of \$112.50 per quarter at the New Haven rack and \$225.00 per quarter at both the New Haven and Providence racks. Chuck Beck provided information regarding a CT Dept of Administrative Services web site that tracked the daily price per gallon of several different fuels (http://www.das.state.ct.us/Purchase/Fuel_Location.asp). Although marine diesel was not one of the prices tracked, the differentials in prices of different fuels changed equally. Thus, for the purpose establishing a fuel surcharge index, the cost changes of any fuel could be used. The CPC would still need to determine a base price to which the indexed adjustment would be made. There was further discussion on the need for the CPC to determine the frequency that adjustments would be made (daily, weekly monthly, quarterly, semi-annually, etc). The consensus was that quarterly provided a balance between timeliness and manageability. The consumption rate of the pilot boats was raised. Bill Gash provided information he collected from the Northeast Marine Pilots and from Interport Pilots. The Chairman asked Chuck Beck if he put together a paper to show how the fuel index would work. Chuck Beck asked Charlie Jonas (Interport) and Joe Maco (NE Marine Pilots) if they could provide additional information (such as labor, maintenance, etc costs) related to the operating cost of the boats. Both agreed.

B. Training and Certification Funding – Alan Blume led the discussion by reviewing a “training needs” document he had drafted. The document outlined two aspects of pilot training; initial and continuing. The document also provided “next steps” necessary to establishing a training program for CT licensed marine pilots. One of the key issues is who to pay for pilot training. Seeking legislative action during the 2009 session to divert the 6% of pilotage fees from the State of Connecticut’s general fund is one possibility. Making a training fund part of a future pilotage rate change is another. Obtaining a grant funding from the CT Maritime Coalition (CMC) via the Department of Economic and Community Development (DECD) for pilot training is another. The Chairman questioned who would hold/administer the training fund if established. Chuck Beck reminded all that the most recently passed pilotage rate increase request that recommended the diversion of the 6% presently paid to the state to a training fund would have

been held in escrow/administered by the Joint Rotation Administrator. The Chairman also wondered if the State required other professionals (doctors, engineers, lawyers) who are licensed by the State to participate in a continuing training/re-certification program and at whose cost. The Chairman asked Chuck Beck to investigate to see if there are some existing examples that could be used. John Love offered that lawyers are required to earn CEU credits but at their personal expense. Alan Blume stated that in other states, the pilot association takes on the responsibility and funding for continuing training for its members. Joe Maco offered minor word changes to the Blume document. In response to a question about the history of the 6% of the pilotage fees going to the state general fund, Dave Rossiter stated that the 6% was a tax or tariff that was established in 1981.

C. Heavy Weather Pilot Station - The Chairman stated that he had met with the DOT Aviation and Ports Bureau Chief and inquired about the status of the recommendation for the establishment of a Heavy Weather Pilot Transfer Station in Block Island Sound submitted to the DOT Commissioner by letter in June 2007. However, no resolution was offered as yet. The Chairman reminded all that the NY Board of Commissioners of Pilots and the RI Pilot Commission have submitted letters of opposition.

D. Apprentice Selection and Training – Rick Barry and Vin Cashin had provided apprentice pilot evaluations sheets from two different pilot organizations. Bill Gash raised an issue of mileage reimbursement for CPC Commissioners (see discussion under DOT Comments). Vin Cashin had previously volunteered to combine the documents and adjust the language for CT use and present the new document at the January 2009 meeting of the CPC (see Dec 2008 minutes). In the absence of Vin Cashin, the Chairman asked Chuck Beck to work on merging the documents for presentation at the February CPC meeting. Chuck Beck brought to all's attention the working document as reviewed/edited by the CONNDOT legal unit (a copy was part of the package). He had met with a staff attorney the week before. However, he had not had time to incorporate the considerable changes recommended. Chuck Beck also stated that an opinion by the legal unit on the issue of designating a specific pilot organization as stated in paragraph 6 (m) of the Apprentice Selection and Training document had not yet been rendered. Beck will try and have a cleaned-up revised document ready for the February CPC meeting.

Charlie Jonas stated that the MOA between NY and CT called for an apprentice training program to be established back in January 2004. It was pointed out that the MOA was signed in 2003 and that it was actually the CT Regulations that codified the MOA and Pilot Rotation and called for the CT licensed pilots to submit to the CPC and the DOT Commissioner for their consideration and/or approval a proposed program for the training of new pilots within six months of the effective date of the regulation Sept 2003. Charlie Jonas then stated that CSMJ submitted a program and numerous programs have been submitted since. When asked about the point of his comments, Charlie Jonas indicated that an apprentice program had been discussed in CT for over 5 years without any results. He felt that the existing pilot organizations should be allowed to select an apprentice from those holding a Federal license to pilot enrolled vessels in the CT waters and waters of the MOA. People holding a Federal license should not actually be considered an apprentice. Rick Barry responded that the draft Apprentice Selection and Training document provided allowances/credits to applicants with the most experience. He further stated that Charlie's proposal would be an end run around the CPC. Other CPC members concurred. Charlie Jonas raised the point that the NY Board of Commissioners process is to bring an applicant before them after reviewing his credentials, schedule an exam, and upon passing awards a NY license. It was pointed out that the NY Board only entertains applications recommended by the pilot organization after that individual has completed an extensive pilot organization training program. The key to the process is dealing with the pilot organization. There was some additional discussion about the length of time it has taken CT to incorporate an

apprentice program. Charlie Jonas indicated that people (2) previously interested in working for Interport eventually sought work elsewhere. Charlie also voiced concerns about the CPC selecting and apprentice that Interport would have to accept working on its pilot boat. Alan Blume advised that from an Interport perspective there would be two possible tracks to becoming an apprentice. One would be as a member of Interport. Others holding a First Class license but aligned with another organization like working for a towing company could be considered. Rick Barry raised the issue the CPC needing to determine the number of CT licensed pilots required to better determine the number of apprentices to bring on board.

E. Temporary Fuel Surcharge – A copy of the letter signed by the Chairman to the DOT Commissioner recommending another six month extension of the temporary fuel surcharge at a reduced level (\$150.00) as well as a memo approving and a copy of the Public Notice were part of the package.

4.) New Business

A. License Renewal Letters– Chuck Beck stated that responses to letters of request to renew CT marine pilot licenses had been mailed on 18 December 2008. A spreadsheet summary was provided in the meeting package. It was noted that two renewal requests had been denied; one due to an incomplete application (no physical submitted) and one due to a medical concern. Another pilot had only recently submitted his application which had not as yet been reviewed. Alan Blume revisited the number of CT licensed pilots needed issue. Bill Gash stated that work in Long Island Sound was down 12-15%. Joe Maco pointed out that of the three pilots whose licenses were not yet renewed, two worked on the NY side of the rotation. He also stated that he would like to see the 70% CT-30% NY share of work changed to 50-50. Rick Barry stated that determining the number of CT licensed pilots on the CT side of the rotation should be a priority of the CPC. It was agreed that it was necessary to have the pilot apprentice and training program in place before making a recommendation to CT DOT regarding the need for new pilots.

B. Pilot Boat Consolidation – Dave Pohorylo asked for the issue to be on the agenda. Thus, due to his absence the item will be carried over to the next meeting.

C. Pilot Rate Increase– Chuck Beck stated that he and Vin Cashin had a preliminary discussion on drafting a rate increase starting July 2010. Bill Gash asked for the process to be “transparent” via copying all on any e-mail exchange. It was pointed out that by copying all of the CPC Commissioners, a virtual public meeting would be created without providing the public access. Chuck Beck stated that all of the previous discussed items (pilot boat fees, fuel surcharge, apprentice selection and training program, training fund) as well as any pilotage rate increase will all have to be codified in the CT Regulations. Joe Maco stated that the NY Board of Commissioners of Pilots was considering changing the size of yachts required to take a state pilot aboard and that any change to the CT regulations should do the same. Bill Gash questioned the point and suggested it be a new agenda item at a future CPC meeting. The item will be carried on the agenda of future meetings.

D. Designation of Pilot Organization – The issue was covered during the Apprentice Selection and Training discussion. The CONNDOT legal unit still has under review. Issues raised previously by Captain T. Walker were once again deferred due to his absence.

E. Block Island Sound (BIS) Port Access Route Study (PARS) – As the CPC member to the CG's BIS PARS workgroup, Alan Blume provided an update. A conference call was held in December. The tug company representative (Reinauer) requested consideration for a north-south

fairway from Montauk Channel to the RI coast along the west side of Block Island. The RI Pilot Commission submitted an e-mail stating that it did not support adding any type of graphic on nautical charts showing a recommended traffic lane through the area west of Block Island. A face to face meeting is being planned the end of January in New London. Joe Maco asked who was driving the issue; the CG the state or users? CDR Oditt stated that a PARS is a routine process initiated by the CG involving stakeholder input.

5. CONNDOT Comments – Chuck Beck provided information about two obstructions reported in the Thames River that morning by NOAA via e-mail. He handed out chartlets that were attachments to the NOAA e-mail. CDR Oditt stated that the CG had a Broadcast Notice to Mariners out. Dave Rossiter brought attention to an MOA being worked on between CG Sector LIS and the NY Board of Commissioner relative to sharing information on joint investigations of marine incidents. There was a discussion that the CPC consider entering a similar MOA with the CG. Bill Gash questioned the authority of the CPC to conduct investigations. It was pointed out that the State Statute (Sec. 15-13c(g)(7)&(8)) actually charges the CPC with conducting investigations even though the expertise of the CPC is somewhat lacking. The Chairman asked the CG if they could share a copy of the draft MOA to allow the CPC to consider the matter. CDR Oditt stated it would be provided.

Alan Stevens and Chuck Beck addressed the mileage reimbursement issue. Chuck Beck stated that there had been no reimbursement paid for the last two years for two reasons. No funding had ever been provided in the DOT budget for CPC mileage reimbursement. A policy level interpretation of the definition of “necessary expenses” does not include mileage to attend a regularly scheduled meeting of the CPC.

6. USCG Comments - CDR Oditt stated that buoy #10 in New Haven Harbor would be lighted in the near future as a result of a Waterways Analysis and Management System (WAMS) review. He also stated that consideration was being given to establishing a range in Port Jefferson Harbor. CDR Oditt stated that a CG Boarding Team protocol would be forthcoming soon. The protocol is intended to improve communications between the CG and the pilots; i.e. manage expectations of what is expected if and when a CG boarding team wants access to a vessel under pilotage. The Chairman asked the CG to provide a draft to the CPC.

In response to an issue raised at the December 2008 meeting, Dawn Kallen provided information on a recent Navigation and Vessel Inspection Circular (NVIC 04-08) on Medical and Physical Evaluation Guidelines for Merchant Mariner Credentials. In response to a question, she stated that the NVIC was prompted by technological improvements in the medical field as well as some lessons learned from recent marine casualty investigations. Joe Maco raised concerns about the timing between a possible suspension/denial of a Federal license due to a medical hold and the renewal of a state marine pilot license.

7. Executive Session - The Commission did not meet in Executive Session.

8. A motion to adjourn was made by Alan Blume, seconded by Bill Gash and passed by unanimous vote. The meeting adjourned at 1103.

The Commission's next public meeting is scheduled for **9:00 a.m. on Wednesday February 11, 2009 at the Coast Guard Sector Long Island Sound in New Haven, CT**

Peter Boynton
Chairman, Connecticut Pilot Commission