

**Connecticut Pilot Commission
Summary Report January 21, 2014 Public Meeting
New Haven Regional Fire Training Academy
230 Ella T. Grasso Blvd
New Haven, CT**

1.) The public meeting was called to Order at 10:00 a.m. by the Chairman, Bill Gash. Pilot Commission members Chuck Beck, Wynne Bohannon, Phil Gaughran, Ralph Gogliettino and Dave Pohorylo were also present. Also attending were James Amarante, Gwenda Amarante, Keith Colwell, Capt Ed Cubanski USCG, Tom Dubno, Charlie Jonas, Joe Maco, Dave Rossiter and Ted Sanford. All present were asked to introduce themselves.

2.) A motion was made to approve the summary report of the November 19, 2013 meeting by Wynne Bohannon and seconded by Ralph Gogliettino. The motion passed with 5 affirmative votes. Dave Pohorylo abstained.

3.) Public Comments – Ted Sanford raised a pilotage issue that had been distributed on his behalf prior to the meeting. The information circulated documented the steady (20%) decline in the number of ship arrivals in Long Island Sound and MOA waters. Pilots' earnings have commensurately declined. Presently, the CT licensed pilots pay 6% of the pilotage fees earned to the State of CT General Fund. The proposal is for the 6% tax/fee to be paid by the shipping company instead of the pilots which would amount to a 6% pay raise to the pilots. Chuck Beck stated that making such a change would require a change to the regulations. Ted Sanford asked the CPC to sponsor a request for a regulatory change to shift the burden of the 6% tax/fee. There was some discussion that compared the 6% tax/fee is a double tax. Ted Sanford stated that an alternative solution to improving the pilots' income would be to reduce the number of pilots on the CT side of the rotation to better match the reduced number of ship calls. It was pointed out that the 6% is similar to taxes/fees charged to other professions in CT. The Chairman requested that the pilot organization develop a regulatory change proposal and submit it to the CPC for review/support. He suggested that the matter be brought before the RSEB to obtain a unified request. Charlie Jonas stated that the 6% is not an issue for the NY side of the rotation thus, not a matter for the RSEB. Joe Maco stated that pilots on the NY side of the rotation pay 3% to NY and offered that perhaps an alternative approach would be to ask for the 6% to be reduced to 3%. The Chairman repeated his request for the pilot organization and RSEB to consider the matter and then submit a request to the CPC if deemed appropriate.

Joe Maco offered a summary of a meeting held the week before concerning the ongoing maintenance dredging operation in New Haven Harbor and some pilots' concerns related to the location of dredge equipment during a ship arrival/departure evolution. He reported that the meeting resulted in improved communication protocol between the pilots and the dredgers. Dredger work locations will be provided to Dispatch on a daily basis. Dispatch will provide ship arrival/departure information to the dredge company. Pilots and dredgers will communicate via predetermined cell phones/FM radio frequencies to exchange last minute information.

4.) U.S. Coast Guard – Captain Ed Cubanski reported that there were four ongoing maintenance dredging projects ongoing within the CG Sector LIS AOR: Fire Island Inlet, Jones Beach Inlet, Montauk Inlet and New Haven Harbor. All of the projects are expected to be completed by the end of February-beginning of March. Captain Cubanski reported he was pleased with the outcome of the New Haven Harbor dredging meeting that had been held among the pilots, dredge company and the New England District of the Army Corps of Engineers reported earlier in the meeting. Lastly, he advised that work on the Q Bridge in New Haven Harbor will cause closures of the channel under the bridge in the spring of 2014. The CG will provide advance notice to mariners.

5.) Rotation System Administrator Report – Joe Maco reported that Paul Costabile had informed him that he would not be attending due to the pending weather. Keith Colwell took the opportunity to express his appreciation for the weather updates associated with expected extreme weather distributed by the Dispatch Office.

6.) Rotation System Executive Board (RSEB) Report – The Chairman expressed his pleasure with the CPC being provided a draft copy of the minutes associated with the RSEB meeting held November 19, 2013 as well as a draft of a Grievance Reporting Procedure.

7.) Connecticut Department of Transportation –Dave Rossiter reported he had brought condition surveys of the waters surrounding the State Pier and of New Haven Harbor should anybody desire to review them. In response to a question from Dave concerning application of STCW requirements for state licensed pilots, Captain Cubanski stated that he was unfamiliar with the topic but would research and get back to all.

8.) Executive Session: None called.

9.) Continuing Business:

A. Investigative Processes for Marine Incidents/Accidents – The Chairman referenced the DOT response dated November 6, 2013 to the CPC letter dated July 19, 2013 both contained in the meeting package. He stated that the DOT is waiting on the CPC to provide job specifications for a marine investigator. Alan Blume is working on the specifications but not present to provide an update to the topic will be carried to the February agenda.

B. P.O.R.T.S. Update – Chuck Beck advised that the DOT submitted a bond request to the December Bond Commission for \$265,647 for upgrading the New Haven PORTS equipment as well as the equipment in New London and Bridgeport. However, OPM did not include the PORTS request on the agenda for the December meeting. DOT is submitting the request for consideration at the January Bond Commission meeting. Beck added that the New Haven Port Authority had entered an MOA with NOAA to provide funds to keep the New Haven PORTS equipment functional for the next year. In response to a question from the Chairman, Beck added that the state bond request for upgrading the equipment included O&M costs for the New Haven equipment for 5 years.

C. CT State Marine Pilot Licensing Requirements – The Chairman pointed out that the meeting package included a letter from Mike Peszke to the DOT requesting an “extension of route” for Western LIS as well as a response from the DOT indicating that the request did not meet the minimum requirements. Phil Gaughran referenced CGS 15-13(g) that allows the DOT Commissioner to issue limited licenses. Such licenses may be limited according to a pilot’s qualifications for operating a vessel, which shall include, but not be limited to, the type, size, gross tonnage or draft of a vessel. Phil asked if Peszke sent in another letter asking for a limited license whether it would be approved or not. Chuck Beck replied that another request regardless of the basis would still need to provide the proper documentation showing that the minimum requirements have been met. Beck explained that the problem with the Peszke letter was that a number of the trip reports submitted with the letter either fell outside of the 36 month window or indicated that the trips had been conducted on a vessel less than 4,000 GT, the minimum specified in the Statute. Beck continued that during the evaluation, the trips reasonably outside of the window were under consideration but the vessels less than 4,000 GT were well under the required size thus, discounted. The DOT has allowed a trip on any size vessel to be used for maintaining recency of a current license but has never allowed such vessels to count towards and original license. DOT has applied CGS 15-13(g) to issue a CT state license for a specific waterway vs requiring a pilot to be qualified in all of the MOA waters before being issued a CT

state license. Phil raised the problem of the lack of work and the 3 year limit on trips as a major impediment for a pilot to obtain a CT pilot license. Beck repeated that the DOT was being as flexible as possible over the years and particularly on the trips made/submitted by Peszke with the primary consideration being safety of navigation and the protection of the marine environment. Counting a ride on a pilot boat did not meet either the spirit or intent of the minimum requirements. Beck reminded all that it was the pilots who requested the minimum standards when the regulations were first being established during "the competition days" as a means of controlling/limiting who could obtain a license. Beck added that if the current minimum standards were no longer usable then they needed to be changed via a statutory change. He suggested a working group that could evaluate what new minimum standards might be as to not decrease safety. Ralph Gogliettino suggested a change in the regulations that would establish a 2 tier system based on the volume of traffic. The Chairman stated that the pilots would be in the best position to develop a set of minimum standards. He asked Phil Gaughran what he thought the pilots would consider as a reasonable minimum. Phil responded that the biggest issue is the 4,000 GT limit. The pilots would like to get more of the CT licensed pilots authorized/licensed to operate smaller vessel like 100 GT yachts. Granting a limited 100 or 500GT license would provide a solution. In response to a question from the Chairman, Beck indicated that such an idea seemed like a reasonable approach but there would still be the matter of establishing the minimum number of trips regardless of the size of a vessel. An evaluation would need to be made as to whether or not to lower the minimum number of trips required based on the size of the vessel, how that might affect safety and protection of the marine environment and then ultimately change the Statute. Phil Gaughran asked if the next step would be for Mike Peszke to submit another letter to the DOT requesting a limited license. Beck responded that the Chairman had addressed the next step when he suggested that the best approach would be for the pilot organization to submit a proposal for a statutory change that would address a limited license. A systematic approach from an organization vs. an individual request would have a bigger impact. The Chairman encouraged the pilots as the professionals to develop solutions to perceived problems. Charlie Jonas stated that the 4,000 GT requirement was in the Statute not the Regulations. The only reference in the Regulations was that an apprentice pilot under training would have to demonstrate the ability to pilot a vessel over 10,000 GT. Beck responded that to the best of his recollection, there was language in the Regulations that stated all requirements contained in the Statutes had to be met as a minimum requirement in addition to those set forth for apprentice pilot training. Jonas stated that there is a conflict between the Statute and the Regulations. The regulations require 12 round trips with a senior pilot and the Statute requires 24 round trips as an observer with a pilot licensed by the state or 12 round trips as a pilot of record on a US flagged vessel. Beck repeated that the Regulations makes reference to the minimum requirement of the Statutes. Additionally, the 12 round trips under the observation of a Senior Pilot is for the pilot apprentice training program. The Chairman asked for Beck to bring the comparative language to the next CPC meeting. Ted Sanford recommended that the minimum standard be changed from a minimum GT to a minimum draft. He stated that GT was a meaningless number and that it is the draft of a vessel compared to the depth of the waterway that is more important. He also felt that recency for a licensed pilot on vessel the size of a yacht was not needed. The Chairman recommended that the pilot work the issue through the RSEB and present a proposal to the CPC for consideration. Phil Gaughran stated that he would send an email to all of the pilots soliciting their respective ideas, meet to discuss and then present potential solutions to the CPC at a future meeting. There was some follow-up discussion on the issue being a CT pilot matter vs. something for the RSEB to work. The Chairman acknowledged that NY pilots are half of the RSEB but would still like the RSEB to be involved for continuity. Joe Maco supported the involvement of the RSEB because the NY pilots were dealing with the same issues. The Chairman noted that nay of the aforementioned changes to the Statute/Regulation would potentially be setting a precedent. Dave Rossiter pointed out that to the best of his recollection there is no precedent for CTDOT issuing a limited license for the eastern or western sections of LIS. However, a pilot was issued an original limited license for a CT harbor. More recently, NY implemented a draft limitation affecting FBLIS-BISP pilots reaching 68 years old.

D. Pilot Training – Chuck Beck stated that the topic concerns the Connecticut State Pilots (CSP) refusal to honor requests from Northeast Marine Pilots for apprentices to ride with CSP in LIS and MOA waters. Referencing the draft minutes of the November 19, 2014 RSEB meeting, the Chairman noted that the topic had been discussed by the RSEB with no action taken. He concluded by stating that the CPC has no further suggestions to provide to DOT on the matter at this time.

10) New Business:

A. 2014 CPC Meeting Schedule – The Chairman made reference to a draft schedule in the meeting package and the need to approve. He added that the New Haven Regional Fire Training Academy seemed to be a good location but he had to confirm its availability for the rest of the year. Contingent on the availability of the New Haven Regional Fire Training Academy facility, a motion to approve the draft 2014 meeting schedule was made by Wynne Bohannon, seconded by Dave Pohorylo and passed by unanimous vote.

B. Goals and Objectives – Noting that the topic had been carried forward from the November 2013 CPC meeting, the Chairman suggested and all agreed to defer the topic to the February CPC meeting.

C. Annual Report – Upon receiving no feedback from the Commissioners present, the Chairman decided to defer action on the 2013 Annual Report until the February 2014 meeting. The Chairman asked Chuck Beck to send the draft Annual Report to the CPC Commissioner again as a separate document.

D. Vice Chairman Election – The Chairman initiated discussion by noting that two of the CPC Commissioners were not present and suggesting that election of a Vice Chairman be deferred until February. Dave Pohorylo countered with a suggestion that the CPC could elect a temporary Vice Chairman on a case by case basis at any meeting for which the Chairman was absent. The Chairman expressed concern about the lost ability to confer with a permanently elected Vice Chairman. After some additional discussion, Dave Pohorylo made his suggestion a motion that was seconded by Ralph Gogliettino. During further discussion Beck paraphrased the language of the Statute that authorized the CPC to elect a Vice Chairman and any additional officials as deemed necessary. After stating that the topic was not important enough to drag out, the motion carried with 5 affirmative and one opposing (Beck) votes.

11.) Adjourn – A motion to adjourn was made by Dave Pohorylo, seconded by Wynne Bohannon and approved by unanimous vote. The Chairman adjourned the meeting at 10:48 AM.

The Commission's next public meeting is scheduled for **10:00 a.m. on Tuesday February 18, 2014 at the New Haven Regional Fire Training Academy located at 230 Elle T. Grasso Blvd, New Haven, CT.**