



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION
CONNECTICUT PILOT COMMISSION



Connecticut Pilot Commission
Minutes of December 12, 2008 Public Meeting
Coast Guard Sector Long Island Sound
New Haven, CT

1.) The public meeting was called to Order at 8:28 a.m. by the Chairman. Pilot Commission members Chuck Beck, Peter Boynton, Vincent Cashin, Bill Gash and John Love were present forming a quorum of five. Also attending were Alan Stevens and Dave Rossiter of CONNDOT; CDR Kevin Oditt and CWO Basilici of the USCG; Paul Costabile, Charlie Jonas, Richard Jermak and William Mulligan. The Chairman expressed his gratitude to the members in attendance for fighting through the weather to get to the meeting.

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

2.) Having a quorum of 5 members present, on the motion of Bill Gash and second by Vincent Cashin, the summary record of the November 13, 2008 public meeting were approved unanimously.

3.) Continuing Business:

A. Fuel Surcharge Index - John Love led a discussion on the Fuel Surcharge Index. He noted that the invoices submitted by Interport after the November meeting proved the volatility of the price of fuel. He stated that he had drafted a formula that would allow the fuel surcharge to be adjusted based on an index. He identified a potential index, a web site (www.opisnet.com) that provides the minute by minute price of fuel plus and average rack price. However, John stated that the CPC needed to determine a base price to which the indexed adjustment would be made. A variance from the base price before an adjustment would be applied would need to be defined. The CPC would also need to determine the frequency that adjustments would be made (daily, weekly monthly, quarterly, semi-annually, etc). One issue with the web site is that it provided the cost per ton of fuel vs. the cost per gallon. The discussion centered on how to establish a base charge for fuel. Bill Gash inquired on how neighboring states' pilot commissions handled a pilot boat fuel surcharge. Paul Costabile (Executive Director of Block Island Sound Pilots) provided information on Rhode Island's attempts to address the issue. RI currently has a \$200 surcharge on pilot boat fees but has not yet established a "floating Charge". He also stated that NY has a capital surcharge but reminded all that the volume of traffic in NY harbor negates the need for minor pilot boat fee adjustments. The Chairman expressed concern about the fuel surcharge lagging the actual price for fuel. Use of an average price and average consumption was discussed as a means for mitigating the lagging issue as well as different fuel burn rates by the different size of boats presently being used. It was stated that there are currently 3 pilot boat operators who use 5 boats. The boats are of different sizes thus burn fuel at different rates. Plus, with two approved pilot transfer stations (Point Judith and Montauk) the distance traveled should be a consideration. Representatives of two of the three boat operators (Interport and Northeast) were present and asked if they could provide data on the fuel consumption rates (gallons/hour) of their respective boats. Vin Cashin was asked and agreed to contact the third boat operator (Long Island Sound Pilots) and request similar data from him. Bill Gash offered to gather the data and put it all into a table (matrix/spreadsheet) to determine the average fuel consumption per hour of operation. Charlie Jonas agreed to contact OPIS to determine if there were any subscription charges. The discussion ended with the Chair thanking the members for volunteering their time towards resolution of the issue.

B. Training and Certification Funding – Due to the absence of Dave Pohorylo and Alan Blume due to the weather, the discussion was limited to a review of past actions and potential steps. 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. Obtaining a grant funding from the CT Maritime Coalition (CMC) via the Department of Economic and Community Development (DECD) for pilot training is another. However, the current state of the economy and state budget could be a major stumbling block on both issues. Bill Gash stated that the Transportation Committee of the CT General Assembly had indicated support for legislatively establishing a training fund during a CMC meeting with its co-chairs several months ago. Another path to establish a training fund would be through a pilotage rate increase, the amount of the increase to be set aside for training. Vin Cashin provided a list of training/courses that should be "routinely" provided to licensed pilots as a means of maintaining/improving the margin safety. It was stated that Alan Blume had draft a statement of needs document but due to his absence it was not available. The item will be continued on the next agenda of future meetings.

C. Heavy Weather Pilot Station - Chuck Beck reported that there has yet to be any definitive action to the request submitted by the CPC to the CONNDOT Commissioner via letter dated May 30, 2007. The CONNDOT replied to the request on June 26, 2007 indicating that the establishment of a heavy weather boarding station would have to be considered in consultation with the NY Board of Commissioners of Pilots in keeping with the MOA. The Rhode Island Pilot Commission submitted a letter on May 7, 2008 to the CONNDOT in opposition to the establishment of a heavy weather pilot station in Block Island Sound. The NY Board of Commissioners of Pilots submitted a similar letter dated June 16, 2008 stating that they could find no justification for establishing a heavy weather boarding station in Block Island Sound. The original request letter from the CPC as well as letters of opposition from NY and RI have been brought to the attention of the new CONNDOT leadership. The Chairman stated that he meets with the DOT Commissioner and the Aviation and Ports Bureau Chief on a regular basis and would make an inquiry.

D. Apprentice Selection and Training – Prior to the meeting, Rick Barry and Vin Cashin had provided apprentice pilot evaluations sheets from two different pilot organizations. The discussion centered on the differences between the documents. Vin Cashin volunteered to combine the documents, adjust the language for CT use and present the new document at the January 2009 meeting of the CPC. The discussion turned to the language of the Apprentice Selection and Training document. Chuck Beck stated that he had made several minor changes to the previous version based on feedback from the Assistant Attorney General that works in the Bureau of Aviation and Ports. He provided a quick summary of the changes. Chuck Stated that the DOT Legal Unit was still reviewing the legality of designating a specific pilot organization as stated in paragraph 6 (m) of the Apprentice Selection and Training document. Some additional changes were raised and agreed upon relative to the use of the evaluation forms. An item to be discussed at the next meeting is the definition of "successful completion". Chuck Beck then noted the e-mail received from Tom Walker concerning the designation of Interport Pilots d.b.a. CT State Pilots as the organization. The e-mail had been electronically provided to the CPC Commissioners prior to the meeting and a copy was distributed at the meeting. Tom Walker's concern is that policies and guidelines need to be established by to promote and protect all of the CT Pilots individually as well as a whole should a single organization be designated. The Chairman decided with the concurrence of the members that the issues raised by Tom Walker be tabled until the January 2009 meeting. He also stated that Tom Walker should be invited to the next meeting to discuss his concerns. All agreed that a requirement for new pilots to be under one organization would be big step in brining order and resolution to a host of issues.

4.) New Business

A. Temporary Fuel Surcharge - The draft letter from the Chairman to the DOT Commissioner recommending another six month extension of the temporary fuel surcharge at a reduced level (\$150.00) had been previously provided to the CPC Commissioners for review. There were no recommended changes. The Chair will stop by the DOT HQ building enroute to work to sign the letter.

B. License Renewal Applications – Chuck Beck stated that he would be working with his staff next week to review the applications submitted by the CT licensed marine pilots for renewal of their respective licenses.

C. Pilot Boat Consolidation – Dave Pohorylo asked for the issue to be on the agenda so his absence limited the discussion. It is believed that the discussion was to attempt to use consolidation of boats for a more efficient, cost effective operation. Vin Cashin stated that 6 of the 8 CT licensed pilots on the CT side of the rotation had consolidated by using only the Interport pilot boats. There was some discussion about the exclusion of one of the CT licensed pilots from using others boats. A liability concern was raised related to the CPC or CT “designating a specific pilot boat or boats. It could be argued that the designation construed the boats being safer thus potential ramifications should an accident occur. It was agreed that the matter would be carried as an agenda item for the January 2009 meeting.

D. Pilot Rate Increase– Vin Cashin stated due to the length of time for the administrative process to take place, now is the time to start discussion on need for a rate increase starting July 2010 which is the conclusion of the current phased increase. The discussion centered on the need for a comprehensive pilotage rate regulatory change that would encompass the pilot boat rates, fuel surcharges, training and safety equipment, etc. Vin Cashin offered to assist Chuck Beck with drafting a proposal. The item will be carried on the agenda of future meetings.

5. CONNDOT Comments - Dave Rossiter stated about 12 of 15 CT licensed marine pilots had returned their respective renewal packages. He also stated that a copy of the Army Corps of Engineers survey of New Haven Harbor that was conducted in February 2008 was out. He had a copy with him and the copy would be available at the State Pier for review by all. Vin Cashin noted that an area of the channel reported to have shoaled by pilots was indeed indicated as such on the survey. He then asked if the dredging/deepening of New Haven was being considered. Chuck Beck stated that Congresswoman DeLauro had arranged for the \$100,000 for the improvement needs study to be authorized each of the last 2 fiscal years. However, Congress did not appropriate the money either year. He further stated that the maintenance and improvement dredging of New Haven is on the list of dredging needs projects created by the CT Maritime Commission. The CTMC list has been forwarded to CT DOT for consideration should proposed “stimulus package” for transportation infrastructure projects materialize.

6. USCG Comments - CDR Oditt provided a summary of the LIS Area Maritime Security Commission issues. He provided an update on the Transportation Worker Identification Credential card program: compliance rate good; resolution to problems at the TWIC Center; the New Haven TWIC Center moving to Branford. CDR Oditt also provided a summary of the LIS Harbor Safety Committee: the Heavy Weather Plan for CG SECTOR LIS; the Block Island Sound Port Access Route Study (PARS) workgroup; the anchorage and liting zones establishment. There are representatives from the RI, NY and CT pilot commissions as well as 2 pilots and the towing sector on the PARS workgroup. A new Notice to Proposed Rule Making (NPRM) will be out soon on Automated Identification System (AIS) carriage requirements on vessels. New Right

Whales speed reduction rules are in place. A Waterways Analysis Management System (WAMS) review is being conducted for Port Jefferson, NY due to the re-establishment of fuel deliveries to the port. The anchorage and lightering NPRM should be out in January 2009.

The Chairman expressed his appreciation of the CG's attendance at the CPC meetings. He also related that a TWIC card issue that was brought to his attention as the Director of TSA CT has been resolved. The issue was that some TSA security officials did not recognize the TWIC as a government issued identification card at a Bradley International Airport check point.

Dave Rossiter inquired about the implementation of NAVIC 2-98 concerning health standards for licensed mariners. The CG will provide an update at the January meeting.

Vin Cashin handed out a copy of the Connecticut State Pilots Pilot-Master Exchange card now being used.

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

8. A motion to adjourn was made by Vin Cashin, seconded by Chuck Beck and passed by unanimous vote. The meeting adjourned at 1005.

The Commission's next public meeting is scheduled for **9:00 a.m. on Wednesday January 14, 2009 at the Coast Guard Sector Long Island Sound in New Haven, CT**

Please note the change of day of the week and start time from previous years.

Peter Boynton
Chairman, Connecticut Pilot Commission