

**Connecticut Pilot Commission  
Summary Report March 22, 2011 Public Meeting  
Coast Guard Sector Long Island Sound  
New Haven, CT**

1.) The public meeting was called to order at 8:00 a.m. by the Chairman Peter Boynton. Pilot Commission members Rick Barry, Chuck Beck, Alan Blume, Bill Gash, Phil Gaughran, John Love and Dave Pohorylo were present forming a quorum of eight. Also attending was Alan Stevens and Dave Rossiter of CTDOT, Rich Astles, Vince Cashin, Paul Costabile, Tom Dubno, Keith Kelsey, Joe Maco and Alex Woodworth. Prior to starting the agenda, the Chairman asked that any issues requiring a vote be moved to the top of the agenda because he had to depart early. All present agreed.

2.) A motion to approve the summary report of the February 22, 2011 meeting was by Vice Chairman Barry, seconded by Alan Blume. Bill Gash raised the issue about Charlie Jonas' concerns expressed in an e-mail that comments made at the February meeting might have been misinterpreted. Charlie Jonas was not present. It was stated that others did not interpret Jonas's comments in a negative manner. The motion to accept the summary report as prepared passed with 7 affirmative votes. Dave Pohorylo abstained.

3.) Continuing Business:

A. Goals and Objectives –No comments offered.

C. Request of Apprentice Pilot – Moved to the top of the agenda, the Chairman asked all to read/review the draft letter that had been distributed as part of the meeting package concerning a CPC recommendation to the Department on the CT State Pilot's letter of request for an apprentice pilot. Rick Barry made a motion to approve the draft letter that was seconded by Alan Blume. During the discussion, Chuck Beck reminded all of the comments made by Deputy Commissioner Martin at the February meeting. Deputy Commissioner Martin stated that maritime safety is critical and that the apprentice selection and training process is a key element. He further stated that the CTDOT Commissioner had indicated that he wants to look at the apprentice selection process, the proposed activity, the current number of pilots, the projected number of pilots needed as well as other factors. He also asked that the current work load share (70/30) to be reviewed as part of the discussion about the need for new pilots. Dave Pohorylo stated that the pilots were in the best position to determine how many licensed pilots were needed. There is no need to review the apprentice program recently codified in regulation. He also stated there is no need to look at the 70/30 split in the work between the pilots working on the CT and the NY side of the rotation. Rick Barry agreed and added that the amount of work varies thus its difficult to determine the number of pilots needed. Bill Gash recommended that the draft letter be modified to strike the sentences expressing Deputy Commissioner Martin's concerns. Alan Blume acknowledged the Deputy's concerns but concurred with modifying the letter. Vin Cashin was recognized and supported Dave Pohorylo's position. He added that the CT State Pilots were looking at an increase in projected work at a time when more of the currently CT licensed pilots were approaching retirement validating the need to bring new pilots onboard so that proper training can be accomplished. Joe Maco stated that he felt the draft letter properly addressed all of the issues that needed to be considered and resolved and to do otherwise would be a failure to look a the big picture. He reminded all that at one time the Block Island Pilots organization was formed to unite all of the pilots operating in Long Island Sound. Chuck Beck asked if the request should be for 2 vs 1 apprentice citing the recent request of a new license less than a year ago. He reminded all of the age of the currently licensed pilots. Both Dave Pohorylo and Phil Gaughran stated no. Dave Pohorylo stated that pilots associated with Northeast Marine Pilots worked on the NY side of the rotation. The CT State Pilots who work on the CT side of the rotation have asked for 1 apprentice, need 1 apprentice and should be allowed 1 apprentice. The

Chairman asked for and got an amended motion to approve the revised draft letter as recommended by Bill Gash. He also stated that the CT State Pilot letter of request be referenced and provided as an enclosure. A call for a vote on the revised draft letter resulted in 7 affirmative votes. Chuck Beck abstained.

4.) New Business (moved as discussed above)

C. Pilotage Rates and Fees – Chuck Beck reminded all of the information that was contained in the meeting package as well as the supplementary package. The supplementary package included a letter dated 03/16/2011 from the Rotation Administrator that requested a 4% pilotage rate increase for each of the next 3 years. The letter also requested that the pilot unit minimum and maximum fees for all Harbors be brought in line with those already established for the Sound (150 PU min and 500 PU max). Lastly the letter requested adjusting some of the supplementary fees as noted in an enclosed spreadsheet. John Love asked if future rate increases should be tied to the Consumer Price Index (CPI). He was reminded that the CPI had been negative to zero lately. Bill Gash asked for clarification on who originated that request. He was advised by Phil Gaughran that it came from the Rotation Administrator on behalf of the Rotation System Executive Board (RSEB) which is comprised of 6 pilots; 3 from the CT side and 3 from the NY side of the rotation. Dave Pohorylo stated that he was promised years ago that the cost of the harbor launch boats would be addressed by the Department but nothing has been done. He wants the harbor launch boat fees addressed before any rate increase is considered. The lack of action on the part of the Department has resulted in increased launch fees without any input from industry. The Chairman countered that he recalled efforts on the part of the Department to gather cost information on pilot boats but the boat operators failed to provide. Dave Pohorylo stated that request was for pilot boats not the harbor launches. Chuck Beck stated that information from the harbor launch operators was also sought but like the pilot boat operators they refused to provide information claiming proprietary information. Bill Gash asked again how the 4% pilotage rate increase was received and was again directed by the Chairman to the 03/16/2011 letter that had been electronically distributed to the CPC and interested parties the week before. Phil Gaughran provided background information on the pilotage rate increase advising that it had been discussed at the last RSEB meeting on 02/22/2011. He also noted that the harbor launch fees are not presently part of the pilotage regulations. Alan Blume stated that the harbor launches are used for other than pilot transportation to boats at anchorage. Chuck Beck expressed a concern that the state can establish the fees charged by a launch operator for one particular group (the pilots) when the launch service has multiple users. Alan Blume thought that the fact that the launch supports pilot operations would allow the state to regulate the fee charged. The Chairman countered with a question on whether or not that would allow the state to regulate the laptop computer manufacturers who make computers used by the pilots. Another analogy was made using the cost of car services to get the pilots from one port to another. Discussion followed related to the pilots using only one of the several possible launch services thus creating a monopoly. Alan Blume indicated that all of the boat launch services are required to be inspected by the CG but the regulations are aimed at the transporting passengers, not necessarily at embarking or disembarking people at sea as is the case with pilots. Use of only one launch has provided the opportunity for that launch service to charge the shipping agent a premium price reportedly higher than what is charged other users. Vincent Cashin acknowledged that the rates being charged by the one service provider were high. However, the pilots choose to use the one launch service because the boats are considered safer than the others. Given the doubt expressed about the ability of the state to regulate what the launch operator could charge for a single customer, the idea of setting a limit by regulation on what the pilots could be reimbursed was explored. Any cost for a launch above the authorized reimbursement would be borne by the pilot. Paul Costabile stated that the RSEB and the JRA had solicited for boat launch operators in the past. The RFP included minimum operational and safety standards required by the pilots. The effort was unsuccessful. The Chairman acknowledged the short notice of the request for a fee increase and recommended that the item be tabled to allow further study. Bill Gash recommended and Phil Gaughran agreed that the pilots should be asked for their ideas on how the boat launch service costs could be mitigated. Bill Gash stated that the minimum safety requirements for a launch boat needed to be identified. The discussion returned to the need for

the pilotage rate increase. Phil Gaughran stated that the last phase of the previous increase had taken effect in July 2009. The requested increase would cover some of the cost increases that occurred in the intervening time but CT pilotage rates would still be lower than those in neighboring ports. Chuck Beck stated that he would like to see a pilot training and safety equipment fund addressed in a rate increase proposal. The Chairman brought the discussion to a close asking the pilots to provide input on the best way to address the harbor boat launch costs. A motion to table the pilotage rate increase item was made by Dave Pohorylo, seconded by Bill Gash and approved by a unanimous vote. Peter Boynton departed at 0857 and turned the meeting over to the Vice Chairman, Rick Barry.

3.) Continuing Business (returned to agenda)

B. Temporary Fuel Charge –Chuck Beck reminded all that the temporary fuel surcharge was only part of a larger issue: the actual cost of operating a pilot boat and the past refusal of boat operators to provide data. About a year ago an attempt was made to obtain data from the pilot boat operators so that the pilot boat rate could be codified into the CT Regulations. There was a discussion initiated by Dave Pohorylo on the genesis of the temporary fuel surcharge, the volatile market, and the need for using an index. He added that the pilot boat fee was an internal matter for the pilots thus was not the concern of the CPC. He was not in favor of specifically codifying the basic pilot boat fee into the regulations. The cost to the pilot for using the pilot boat should be considered part of the pilotage rate. There was further discussion on a generic model that was created. Chuck Beck stated that he had searched his files for the generic model information but failed. Bill Gash stated that he would provide the generic model to Chuck Beck for distribution to the others prior to the next meeting. The discussion ended with all agreeing to keep the topic on the agenda and to revisit the previous work done on the model.

4.) New Business

A. Rotation System Executive Board (RSEB) Report – There was initial confusion as to why the report was on the agenda. It was explained that the pilots had offered to put the item on the agenda so that they could report out on the RSEB meeting held immediately after the CPC meeting on Feb 22, 2011 to discuss administrative and financial issues. Paul Costabile indicated that the cost data requested had been provided to the pilots. Bill Gash moved that the data be provided to Chuck Beck for distribution to the CPC Commissioners. Paul Costabile challenged having the business of the RSEB on the CPC agenda. In response to a question Phil Gaughran stated that the RSEB would **not** provide a report at the April CPC meeting. Bill Gash withdrew his motion.

B. CT State Pilots (CSP) 5 Year Plan – The item was tabled due to the absence of Charlie Jonas.

5. CONNDOT Comments – Alan Stevens reminded all of the CT Maritime Association (CMA) Conference being held in Stamford, CT. Dave Rossiter provided information on a verbal request from Captain Tom Walker to have his pilot boat certified by the Department. Legislation passed in 1997 (Sec 15-15e(a)) states that owners/operators of a vessel used to transport a CT licensed pilot for the purpose of embarking or disembarking another vessel has to obtain a certificate of compliance from the Commissioner of Transportation. The Department inspected all of the pilot boats in operations in 1997. Tom Walkers boat was not in service in LIS at that time. The Commissioner of Transportation is supposed to issue a certificate of compliance for pilot boats that comply with the requirements specified in regulations. The problem is that no enabling regulations have ever been created. The question was raised as to whether or not pilot boat certification was a matter for the CPC or not. Consensus was that it was not

6. USCG Comments

A. LIS AMSC – Nobody from CG Sector LIS was present to provide a report. Chuck Beck stated that there was a meeting of the LIS AMSC Executive Steering Committee taking

place in Bridgeport as the CPC was meeting.

B. LIS HSC – Nobody from CG Sector LIS was present to provide a report. Joe Maco stated that a Harbor Safety Committee meeting was scheduled to take place in Port Jefferson, NY on April 5, 2011. The meeting is not being held at the usual place (DANFORD'S CONFERENCE CENTER) but at a NYDEC office a couple of miles from the Port Jefferson ferry terminal. LT Coleman is working on providing shuttles from the terminal to the meeting location as well as working on establishing a phone bridge so people can call in.

7. Public Comment – None.

8. Executive Session – Executive Session was not requested or held.

9. A motion to adjourn was made by Dave Pohorylo, seconded by Phil Gaughran and approved by unanimous vote. The meeting adjourned at 0918.

The Commission's next public meeting is scheduled for **8:30 a.m. on Tuesday April 19, 2011 at the ConnDOT HQ Building located at 2800 Berlin Turnpike in Newington, CT 06131.**

Peter Boynton  
Chairman, Connecticut Pilot Commission

Rick Barry  
Vice Chairman, Connecticut Pilot Commission