

**Connecticut Pilot Commission  
Summary Report April 15, 2014 Public Meeting  
New Haven Regional Fire Training Academy  
230 Ella Grasso Blvd  
New Haven, CT**

- 1.) The public meeting was called to Order at 10:02 a.m. by Chairman Bill Gash. Pilot Commission members/designees Chuck Beck, Wynne Bohannon, Mike Eisele, Phil Gaughran, Ralph Gogliettino and Dave Pohorylo were also present. Also attending were Paul Costabile, Keith Colwell, Captain Ed Cubanski USCG, Tom Dubno, Charlie Jonas, Joseph P. Maco, Bill Mulligan, Dave Rossiter, Ted Sanford, Alan Stevens, and Alex Woodworth.
- 2.) A motion was made to approve the summary report of the March 18, 2014 meeting by Mike Eisele and seconded by Ralph Gogliettino. The motion passed by unanimous vote.
- 3.) Public Comments – None offered
- 4.) U.S. Coast Guard Comments – Captain Cubanski advised that CG Sector LIS had received a request from the company dredging the New Haven Harbor to move a couple of channel buoys to facilitate the project. Unfortunately, the untimely request could not be met due to a lack of a buoy tender asset. Not temporarily moving the buoys could result in approximately 1,000 cubic yards of material not being relocated from the edge of the channel. Captain Cubanski remarked that in preparation for a Chamber of Commerce presentation he learned that New Haven Harbor ranks 57<sup>th</sup> in tons of cargo handled in the US, 49<sup>th</sup> if only domestic products are considered. Bridgeport is ranked 113<sup>th</sup>. Captain Cubanski stated that budgetary concerns are driving a look at reducing the number of buoys in the field. Partial justification is the advancement of e-navigation. Chuck Beck stated that from his experience the CG does such a review every 5-7 years with marginal results. Floating aids to navigation coupled with e-navigation provides redundancy thus, a greater margin of safety. Ted Sanford remarked that e-navigation tells a mariner where they were. Channel markers provide the opportunity to see where the mariner is going. Joe Maco took the opportunity to raise the Port Jefferson range issue again. Captain Cubanski responded that he was aware that the current aid was out of tolerance but being worked on. Charlie Jonas stated that the major factor in the current Port Jefferson aid is the inability to locate it. The Chairman intervened stating that if there was a desire by anybody to further discuss the Port Jefferson range to let him know and he would put it back on the agenda for a future meeting.
- 5.) Rotation System Administrative Report – Paul Costabile stated that the JRA had received a letter from the CPC concerning the M/V Queen Busan and responded to the Chairman with the details requested. He offered to entertain questions. There were none.
- 6.) Rotation System Executive Report – Phil Gaughran stated that there was nothing to report since there had not been an official meeting of the RSEB since the last CPC meeting in March. The RSEB did meet informally after the March CPC meeting and intended to meet at least informally again after the April CPC meeting.
- 7.) Connecticut Department of Transportation – Dave Rossiter asked if anybody present had any information on the status of the Tug Patricia Ann that had apparently been taken out of service by Thames Towing. Phil Gaughran responded that he had heard that the Patricia Ann had an engine problem and may be scheduled for a new engine.
- 8.) Executive Session – None requested.

9.) Continuing Business:

- A. Investigative Process for Incidents/Accidents – In the absence of Commissioner Alan Blume the topic was deferred to the May meeting.
- B. P.O.R.T.S. – Check Beck reported that the PORTS bond request has still not made it to a Bond Commission agenda. It is hoped that it will be on the next Bond Commission agenda that should be published next week.
- C. Pilot Licensing Requirements – Phil Gaughran stated that he had solicited ideas on how to amend the regulations to both CT and NY pilots but had only received one response from Charlie Jonas. He referenced a December 2, 2013 letter sent to DOT Commissioner Redeker by Mike Peszke that contained all of the points that need to be considered to remedy the recency and initial trip requirement problem caused by a lack of ship visits to Long Island Sound and CT ports. He passed around a copy of the letter. Chuck Beck stated that he had found pilot training and trip requirement information on the Washington State Pilot Commission web site and passed the information around. The requirements were more restrictive than CT. Mike Eisele said that recency in WLIS has been a problem for quite some time and what is needed are solutions. The Chairman responded that he felt it was up to the pilots to make specific recommendations to change the current requirements to the CPC for consideration and possible forwarding to the CTDOT. Phil Gaughran raised the foreign flag recreational boat issue suggesting that perhaps pilotage on such shallow draft vessels could be done without a WLIS endorsement. In response to a question from the Chairman, Chuck Beck stated that he would never advise the DOT Commissioner to waive a regulatory requirement. The proper course of action would be to change the regulation. The ensuing discussion was a list of ideas from various CPC members and interested parties ranging from establishing a two tier system (deep draft and shallow draft vessels) to basing the trip requirement on draft not tonnage, to establishing a unified CT license (licensed anywhere in the MOA waters/licensed for all). The age of the current CT licensed pilots and a lack of anybody in the apprentice program was raised. The need to coordinate any regulatory change with the NY Board was raised by Mike Eisele. Check Beck reminded all that the current trip requirements and other baseline requirements had been originally set at the request of the pilots as a means of controlling who could get a license back in the "competition days". The discussion circled back to the need for the pilots to draft some proposals and recommendations to the CPC for consideration and further forwarding to the CTDOT.
- D. Pilot Training and Safety Equipment Fee – The chairman decided that the topic had been adequately discussed in the discussion above.
- E. Gross Earnings Tax – Discussion centered on a preliminary draft letter prepared by Mike Eisele. The draft letter addressed to CTDOT Commissioner proposes that the 6% gross earnings tax on pilotage earned by CT Licensed marine pilots established by regulation be changed. The proposed recommendation poses three alternatives. The first possibility is that the 6% fee be abolished. Doing so would increase pilot distributions by a corresponding amount without increasing the pilotage rates/cost to shippers. The second possibility is that pilotage rates would be reduced by a corresponding amount, which would presumably be of some help in attracting business to Connecticut. The third possibility is that the money would be directed to the already-existing training and safety equipment fund established as part of the last pilotage rate change. Ted Sanford commented that his month and a half dialogue with the CT Department of Revenue Services had hit a dead end. Mike Eisele remarked that the gross tax revenue had been established back in the 1980s but could not find any statutory reference to back up the regulation. He further commented that the gross earning tax was on revenue not earnings, was not reasonable and is on top of the 5.5% paid by the pilots to the JRA and each individual pilot's income tax obligations. When there was significantly more vessel

traffic, the 6% gross earning tax generated approximately \$100K for the State's General Fund. The 6% gross earnings tax netted approximately \$50K in 2013. In response to a question from Mike Eisele about the sense of DOT with respect to the 6% Gross Earnings Tax, Chuck Beck reminded all that an attempt was made by the DOT to divert the 6% to a training and safety equipment fund as part of the rate increase back in 2007. OPM would not approve the diversion of the 6% from the General Fund. Dave Pohorylo suggested that the Chairman reach out to his contact in OPM to get a sense if OPM would approve a diversion of the 6% this time. There was additional discussion on the rank order of the alternatives with diverting the 6% to the training and safety equipment fund the first choice. It would also be the simplest change to the regulations to make as opposed to a full pilotage rate change. Charlie Jonas added that on average a full share pilot on the CT side of the rotation makes approximately \$123,000 per year after paying the 6% Gross Earnings Tax and the 5.5% Administrative fee to the JRA. All other expenses incurred by a pilot (ground transportation, pilot boat services, insurance, training, safety equipment, etc.) come out of the \$123K. Joe Maco stated that the CT pilots are at the low end of salaries in the country which makes it difficult to recruit apprentices. Mike Eisele added that the current level of traffic in LIS cannot support 8 pilots. He brought the discussion to a close stating that Florida pilots make 3 times more in salaries (average salary about \$300K) for runs not nearly as long.

#### 10.) New Business

A. M/V Queen Busan – The Chairman stated that he had learned that the shipping agent that had submitted the complaint concern the expenses incurred due to the late docking of the M/V Queen Busan was contemplating seeking legislative and/or court action. He recommended that the topic be tabled for the time being as to not interfere with the legal recourse process. Mike Eisele stated he had zero interest in the matter. He questioned why it was a matter for the CPC and recommended removing it from the agenda. After noting no opposing remarks, the Chairman stated that the topic would not be carried as a CPC agenda issue.

Before adjourning, Ted Stanford asked for indulgence to bring up a topic that he should have raised during the Public Comment period. He requested CPC assistance in convincing NOAA to provide a more detailed chart for the waters surrounding the Riverhead platform. He stated that he had made the inquiry to NOAA but budgetary issues were cited. Captain Cubanski reiterated the budgetary pressures that the CG and NOAA were under and made reference to some recent documents. Chuck Beck offered to contact LCDR Brent Pound on behalf of the CTDOT and the CPC to raise the issue.

10. Adjourn - A motion was made by Commissioner Bohannon to adjourn. The motion was seconded by Commissioner Gaughran and unanimously approved. The meeting adjourned at 11:02 AM.

The Commission's next public meeting is scheduled for 10:00 a.m. on Tuesday May 20, 2014 at the New Haven Regional Fire Training Academy located at 230 Ella Grasso Blvd. in New Haven, CT.