

**Connecticut Pilot Commission
Summary Report July 17, 2012 Public Meeting
Coast Guard Sector Long Island Sound
New Haven, CT**

1.) The public meeting was called to Order at 10:00 a.m. by the Acting Chairman, Bill Gash. Pilot Commission members Chuck Beck, William Borek, Mike Eisele, Phil Gaughran, Ralph Gogliettino and Dave Pohorylo were also present. Also attending were Paul Costabile, Tom Dubno, CDR Beach, Dave Rossiter, Alan Stevens, Joe Maco and Alex Woodworth.

2.) Since there was no meeting in June due to a lack of a quorum, a motion was made to approve the summary report of the May 21, 2012 meeting by Ralph Gogliettino and seconded by Dave Pohorylo. There was no discussion. The motion passed unanimously.

3.) Continuing Business:

A. Goals and Objectives – Due primarily to the absence of Alan Blume, there was no discussion.

B Apprentice Pilot Update – Phil Gaughran asked about the status of the CPC recommendation to license Alex Woodworth. Chuck Beck provided a summary stating that the documentation initially submitted by the CPC was inadequate as it did not match the contents of the letter. Beck pointed out that the letter requested Woodworth be granted a license for New London Harbor but only 2 of the required 12 round (24 individual) trips were documented. There were similar documentation deficiencies for the transit of LIS, and New Haven Harbor. Beck also addressed the more recent letter from Attorney Kevin Reynolds requesting a CT state marine pilot license for Alex Woodworth. The letter included a numerous Pilot of Record, Pilot Observer and evaluations forms. Unfortunately, some of the observed trips were not eligible due to not being under the watchful eye of a Senior Pilot as defined in the regulations. Fortunately the abundance of documentation provide was sufficient to overcome those that were not eligible with one exception; New Haven Harbor. Beck explained that he had reached out to Woodworth, Attorney Reynolds and Bill Gash about the matter on or about 6/28. He further stated that he recommended that if Woodworth could get the three trips deficient for New Haven Harbor within the next week or so, they would be added to the package. Attorney Reynolds forwarded the additional documentation on or about 7/12. In response to a question, Beck stated that the licensing letter for Alex Woodworth had been drafted for the Commissioner's signature but could not speculate as to when it might be signed.

C Pilotage Rates and Fees – Bill Gash initiated the discussion pointing out that a new revision of the draft change to the pilotage regulation was in the meeting package and had been distributed by Chuck Beck a couple of weeks ago. Dave Pohorylo challenged why the new draft had the 12% increase spread out over 4 years vs the three as originally requested and voted on by the CPC. He also stated that the section on setting a fee for the pilot boat was inappropriate as the operation of the boat was the internal business of the pilot organization not the DOT. He added that it was appropriate for DOT to regulate safety but not fees. Beck noted that the DOT attempted to change the state statute regarding inspection of the pilot boats last session but it was not considered. In response to a question from Bill Gash, Paul Costabile stated that the pilots had not met to discuss the revised draft regulation thus, could not offer their view. Mike Eisele stated that some of the pilots have a business interest in the boats and others do not. Dave Pohorylo recommended that the pilotage rate increase be tabled until after the pilots met. Paul Costabile reported that a meeting of the RSEB was to take place immediately following the CPC meeting. Beck reminded all that there is no scheduled CPC meeting in August so the next time the matter would be discussed is September. Dave Pohorylo questioned why the DOT had not gotten around to setting fees on the harbor lunches as promised by the Aviation and Ports Bureau Chief several years ago. He also pointed out that the temporary fuel surcharge is not paid by the shipping agent as written in the draft regulation but is paid by the vessel. Beck thanked

Dave for the input. He further stated that was the type of feedback he had hoped to receive after distributing the revised draft on 6/28 and before the CPC meeting. Dave Pohorylo stated that he had never received the 6/28 email and had to get a copy of the revised draft regulation from Bill Gash. There was an exchange of questions and answers between Dave Pohorylo and Paul Costabile on how fees were handled elsewhere such as changes to the notice, on how "welfare" items are handled, and on the regulation review process. In response to a question from Ralph Gogliettino, Chuck Beck stated that the Department felt that codifying the pilot boat fees was important. Doing so would protect both the boat operators as well as the pilots. Should the boat operators cost increase in the future, they could petition the DOT for a fee increase. He reminded all that the revised language of the pilot boat fee paragraph of the draft regulation mirror what is presently being charged. Bill Gash returned the conversation to the question of whether or not the topic should be tabled to allow the pilots to weigh in. He also questioned whether or not the controversial sections of the draft regulation (the pilot boat fee) should be removed and the rest put forward. Dave Pohorylo questioned why CT had to follow the lead of NY relative to setting the pilotage rates on LIS and asked why CT and NY did not coordinate the rate increase. Chuck Beck stated that CTDOT and the NY Board had in fact coordinated the pilotage rate increase but that the CT State Pilots attempted an end around the coordinated 12% over 4 years trying to get the 12% over 3 years. Beck reminded all the original request from the pilots for a 12% increase over 3 years was in part based on the cost of living increases. He also reminded all that Bill Gash had done an analysis of the actual CPI over the past several years which showed that the cost of living was just under/closer to 3% per year. Spreading the 12% over 4 years vs 3 years was a way to provide the total increase requested by the pilots that was more in line with the CPI information available/presented. The CSP hired a lobbyist to attempt to get the 12% increase over 3 years through the NY Legislature. Unfortunately, an ad hoc committee for pilotage in NY opposed the LIS pilotage rate increase. The compromise was to spread the 12% increase over 5 years. Both chambers of the NY Legislature have approved the 12% over 5 years and the Bill awaits the NY Governor's signature. The MOA between the NY Board and the CTDOT requires that pilotage rates be coordinated/the same for the shared waters. That's why the revised draft regulation shows a 12% increase over 5 years for the transit of LIS (shared waters) but a 12% increase over 4 years for CT's harbors. Mike Eisele moved that the draft regulation should be moved forward without the pilot boat fee but with the fuel surcharge language. Bill Borek seconded the motion. There was further discussion much of which was circular about why CT had to follow NY's lead, what the pilots thought about the revised draft regulation, how we got to 12% over 4 years vs 3 years. In response to a question asked by Ralph Gogliettino, Chuck Beck stated that the CTDOT felt it was important to codify the pilot boat fee as charged to do so by the CT Statutes. There was further discussion about exactly what language should be deleted/edited. There was also a discussion on what the charge would be if more than one pilot rode the pilot boat to/from base to different ships at the same time. Eventually a vote was taken on the motion. Gash, Gaughran, Gogliettino, Borek and Eisele voted in the affirmative. Beck and Pohorylo voted no. The motion carried 5-2.

4.) New Business

A. Temporary Fuel Surcharge – Chuck Beck reported that there had not been any comments submitted relative to the Public Notice about extending and increasing the Temporary Fuel Surcharge. Thus the new surcharge would be effective as of August 1, 2012. Two letters in the meeting package were referenced: a letter dated February 23, 2012 from Captain Ted Sanford to CTDOT concerning pilotage share distribution and a letter dated April 2, 2012 from Attorney Kevin Reynolds addressing Captain Sanford's letter. The Acting Chairman decided it would be inappropriate for the CPC to address either letter due to potential liability issues.

B. Proposed Pilotage Rate Increase – Intended to be an in depth discussion, all of the information had been discussed under Old Business.

C. Apprentice Evaluation Forms – No discussion offered.

D. Recency to and from City Island- Phil Gaughran initiated the discussion stating that it was near impossible for the licensed pilots to retain recency for the western end of LIS due to the lack of traffic. He recounted a recent event where he had been assigned to pilot a large foreign registered recreational vessel through the western end but his recency had lapsed. Working with the JRA, the job was passed to a pilot on the NY side of the rotation that was current as allowed by the MOA. Unfortunately the NY Pilot had to cancel so the vessel had to go out and around Long Island. Phil offered examples of how similar instances were handled when piloting in an area for which there was no Federal or state license requirement. Bill Gash recommended that the RSEB discuss the problem at the meeting being held after the CPC meeting and put forward a recommendation to the CPC on how to correct the problem. There was some discussion about low risk yachts vs. higher risk commercial vessels as well as NY's failed attempt a few years ago to change the size of a yacht that required a pilot from 100 ft to 200 ft. In response to a question by Chuck Beck about the Federal license recency requirement for the LIS waters was Phil Gaughran responded 1 trip per 5 years.

5.) Rotation System Executive Board (RSEB) – Paul Costabile, the Executive Director of the RSEB, stated that there was nothing new to report other than an RSEB meeting was being held immediately after the CPC meeting.

6.) Connecticut Department of Transportation Comments - Dave Rossiter requested to know which address the pilots would like future ACOE navigation condition survey reports to be sent. Previous reports were sent to Vin Cashin's home address. Dave was advised to use Charlie Jonas' home address. In response to a question from Bill Gash, Dave identified the vessel off-loading steel at the State Pier as the WAVE FRIEND. Dave also stated that the barge moored on the west side of the pier was a Crowley barge loaded with equipment destined for Canada. The barge was laying over due to a strike in Canada.

7.) U S Coast Guard -

A LIS AMSC Update – Nothing offered.

B LIS HSC Update – CDR Beach stated that the CG was working with the USN to minimize disruptions to traffic on the lower Thames during replacement of the cables associated with the degaussing range. In response to a question from Joe Maco, CDR Beach stated that she did not have any update on the Port Jefferson Range light repair.

8.) Public Comments - Ralph Gogliettino asked if anybody had found a reference for the rack price of marine diesel fuel at New Haven. Bill Gash stated that he had but there was a cost associated with obtaining access to the data. Chuck Beck handed out a summary of over the road diesel fuel prices over the past years that he had come across. The paper also contained the link to the site.

9) Executive Session – None called

10) Adjourn - A motion was made to adjourn, seconded and unanimously approved. The meeting adjourned at 1130.

All were reminded that there is no scheduled meeting in August.

The Commission's next public meeting is scheduled for **10:00 a.m. on Tuesday**

September 18, 2012 at the CG Sector Long Island Sound Command Conference Room in New Haven, CT.