

**Connecticut Pilot Commission
Summary Report September 21, 2010 Public Meeting
Coast Guard Sector Long Island Sound
New Haven, CT**

- 1.) The public meeting was called to order at 8:32 a.m. by the Chairman. Pilot Commission members Rick Barry, Chuck Beck, Alan Blume, Peter Boynton, Vincent Cashin, Bill Gash, Ralph Gogliettino and Dave Pohorylo were present forming a quorum of eight. Also attending was Alan Stevens and Dave Rossiter of CTDOT, CDR Amy Beach of the USCG, Paul Costabile, Tom Dubno, John Jamroga, Charlie Jonas, Keith Kelsey, Joe Maco and Alex Woodworth.
- 2.) A motion to approve the summary report of the June 15, 2010 meeting was made by Rick Barry, seconded by Vin Cashin and approved by 7 affirmative votes and 1 abstention (Pohorylo)
- 3.) Continuing Business:

A. Goals and Objectives

(1) Apprentice Selection and Training Regulation - Chuck Beck stated that the Apprentice Selection and Training regulation had been advertized in the CT Law Journal with a 30 day comment period allotted for public comment (August 17 to Sept 17. Two responses were received and are in the process of being reviewed. In general, most of the comments were recommending minor changes to the language. There was one substantive issue that would have to be addressed. Charlie Jonas asked if the public comments would be made public. Chuck Beck responded that he wasn't certain but believed that they would as the comments and CTDOT responses would be presented to the Legislative Regulation Review Committee. In response to a question on the timeline for the rest of the process, Beck stated that once the comments were considered and addressed, the revised regulation would go to the Attorney General's office for review/approval and then to the Regs Review Committee. It is feasible that both reviews could be completed by the November CPC meeting and possibly the October meeting. Joe Maco asked if the CPC would have a chance to comment on any changes made to the draft regulation as a result of the public comments. The Chairman stated that the COC did not have a final role. Alan Blume asked a question about ex parte communication rules relative to the rest of the review process. Specifically could the CPC weigh-in after any changes are made to the regulations that appeared in the CT Law Journal. Chuck Beck stated that he did not know. Dave Rossiter asked if any other state statute would have to be changed as a result of the regulation being implemented. No body knew but Chuck Beck stated he did not believe so.

The Chair recognized CDR Beach 's presence and welcomed her to CT and the CPC meeting.

(2) Review and Discuss Goals and Objectives – Chuck Beck reminded all that at the June meeting the Chair asked the CPC Commissioners to review the Objectives and Goals and to submit comments to him no later than July 1, 2010. Beck stated that he was not aware of any response. The Chairman stated that he was not aware of any response.

B. Pilot Boat Operating Costs – Chuck Beck reminded all that the temporary fuel surcharge in place since February 1, 2010 was set to expire on August 1, 2010. He stated that due to the cancellation of the July 2010 CPC meeting, in cooperation with the NY Board the CTDOT took action to process the request to extend and increase the temporary fuel surcharge without a CPC recommendation.

C. Recency Issues –Chuck Beck pointed out that contained in the meeting package was correspondence initiated by Captain Phil Gaughran concerning an assignment to pilot a vessel into Port Jefferson. The problem presented was that there had not been any traffic requiring a state licensed pilot for quite some time thus the current licensed pilots did not have any recency

for the port. Beck stated that working with the Executive Director of the Board of Commissioners of Pilots for the State of NY, a solution had been developed that would provide the pilot services requirement while insuring safety. The information had been widely distributed via e-mail to all concerned. Questions were raised by Vin Cashin concerning the Western End of LIS and lack of opportunities. In response to a question about alternatives, Vin Cashin stated that the 2 trips per year (1 per 6 months) should be relaxed to 1 trip per year. Alan Blume brought up safety vs reality issues. The Chairman asked Chuck Beck to check with the NY Board to see how they felt about alternatives. Rick Barry restated his thoughts expressed at a previous meeting that the use of computer simulation as a trip requirement was not a good idea. He also raised the need for day and night recency trips. Vin Cashin stated that the navigable waterways of LIS haven't changed in the 45 years he has been navigating them. Joe Maco stated that the regulations do not differentiate between the size or type of vessel and the number of trips required. Rick Barry countered that the size type of vessel was a matter of ship handling not navigation. Chuck Beck asked for how the CPC wanted to proceed. The Chairman stated that some sort of relaxation of the recency requirement seemed appropriate but that he wanted to hear from the NY Board. Dave Pohorylo voiced his opposition to relaxing the recency requirements. Bill Gash agreed. Dave Pohorylo stated that the pilots should hire and/or ride other vessels to make the runs. Vin Cashin stated that the CT licensed pilots had chartered a Miller Marine boat recently but it is difficult to get all of the pilots together at one time to minimize the expense. Requiring a day and night trip would double the cost at a minimum. In a response to a question as to why the pilot boats couldn't be used, Vin Cashin stated that they are all located and on duty in the eastern end of LIS. The Chairman brought the discussion to a close by repeating that the CPC was not ready to make a recommendation at this time and wanted input from the NY Board. Chuck Beck stated that there was a second part of recency that needed to be addressed: smaller ports where there is no Federal pilot license required. However, the conversation moved to comparing the Federal pilot license recency requirement of 1 trip per 5 years to CT's 1 trip per 6 months. Joe Maco and Alan Blume voiced their opinion that the Federal requirement was too lax. The Chairman asked if anybody knew what other states used for the recency requirement. Hearing no response the Chairman asked and Alan Blume agreed to investigate.

4.) New Business

A. Annual Report – Chuck Beck stated that a draft of the 2009-2010 Annual Report was part of the meeting package. The Chairman advised that he had some comments relative to the draft Annual Report but did not have them with him. There were no comments/edits offered by the other CPC Commissioners. The Chairman stated that he would e-mail the edits. It was suggested that once the edits were incorporated, the revised draft Report would be electronically distributed to the CPC Commissioners so that they could electronically vote on approving/disapproving the document.

B. Pilot Role and Exchange – Chuck Beck brought all's attention to material contained in the meeting package concerning the use of a Pilot Information Card as well as a NY Board memorandum on the use of wireless communication devices while piloting. Vin Cashin stated that the Pilot Information Card had been discussed last year. He believed that some CT licensed pilots use it and some don't. Alan Blume stated that given the focus on use of wireless communication devices in recent TSB investigations on marine accidents, the NY Board restrictions were appropriate and that he would support a similar restriction recommendation by the CPC. Rick Barry agreed. There was considerable discussion on whether or not a letter similar to the NY Board letter should be sent by the CPC to either CTDOT, the pilot association or the Joint Rotation Administrator. The Chairman felt that the NY Board letter was an example of a proactive recommendation. Bill Gash stated that cell phone calls were captured in phone records and asked why the pilots needed to be reminded on something he felt was a matter of professionalism. Although the Chairman agreed, he stated that the TSB investigations had made recommendations that parties be reminded. Vin Cashin stated that some ships he has piloted prohibit the use of a cell phone while in the pilot house. Bill Gash stated that the matter was one he felt was an internal matter for the pilot association but supported a letter from the CPC to the

association asking that the association pass the information to its members. The Chairman stated he favored a CPC letter to the CTDOT asking that guidance be sent to the pilots. Alan Blume suggested a middle ground. He recommended that a letter be sent from the CPC to the pilot association encouraging the association to establish use of wireless communication devices in their association working rules. The Chairman commented that Alan Blume's idea would allow the CPC to consider other options at a later date. Chuck Beck made a motion that the CPC send a letter to the pilot associations recommending that they establish use of wireless communications devices in their working rules and that the NY Board letter be an enclosure. Rick Barry provided a second. During discussion on the motion, Joe Maco stated that the JRA had already distributed the NY Board letter. Paul Costabile inquired as to whether or not the JRA was to be included in the process anymore; in other words why isn't the letter going to the JRA for further distribution or inclusion in the Sound Pilots Working Rules. Charlie Jonas asked that the letter be sent to Interport from the JRA as opposed to all of the CT pilots. The motion passed unanimously. Bill Gash asked that the item be kept on the agenda for the next meeting for an update.

C. Port Facility Security – Chuck Beck stated that it would be best to discuss port facility security in executive session.

After asking for indulgence, Alan Blume stated that the IMO Navigation Safety Committee has been discussing/studying the issue of the role of the pilot as part of the bridge team. The consensus of the working group was that a ship's bridge team that trained together was often disrupted by the integration of the pilot. Alan Blume stated that he will track the topic and provide a summary document at a future CPC meeting

5. CONNDOT Comments – Dave Rossiter asked if anybody had seen a copy of the New York Board's 2009 Annual Report. Chuck Beck stated that he thought he had a copy. Dave Rossiter then asked about the status of the NY Board's proposal to limit the tonnage of a vessel that could be assigned to a pilot based on age. Joe Maco stated that the Sandy Hook Pilots already have such a rule. He felt that a similar action would be taken for LIS for consistency sake.

6. USCG Comments

A. LIS AMSC – CDR Amy Beach announced that the LIS Anchorage Regulation had been published as a Final Rule on 09/20/2010. She provided several copies to the CPC Commissioner's before the meeting ended and committed to providing an electronic version to be distributed to the CPC bang list.

B. LIS HSC – CDR Beach had nothing to report

7. Executive Session – An Executive Session was requested. The CPC Commissioners recessed into Executive Session at 0931. The CPC reconvened the public meeting at 0955. Chairman Boynton announced that no motions were made and no votes were taken during the Executive Session.

8. A motion to adjourn was made by Dave Pohorylo, seconded by Vin Cashin and approved by unanimous vote. The meeting adjourned at 0957.

The Commission's next public meeting is scheduled for **8:30 a.m. on Tuesday October 19, 2010 at the Coast Guard Sector Long Island Sound in New Haven, CT**

Peter Boynton
Chairman, Connecticut Pilot Commission