

**Connecticut Pilot Commission
Summary Report Public Meeting
January 20, 2015
New Haven Regional Fire Training Academy
230 Ella Grasso Blvd
New Haven, CT**

- 1.) Call to Order and Introductions - The public meeting was called to Order at 10:05 a.m. by Chairman Bill Gash. Pilot Commission members/designees Chuck Beck, Alan Blume, Wynne Bohannon, Mike Eisele, Phil Gaughran, Ralph Gogliettino and Dave Pohorylo were also present. Also attending were Paul Costabile, Tom Dubno, CDR Jason Gunning, Charlie Jonas, Dave Rossiter and Alan Stevens.
- 2.) Approval of Minutes - A motion was made to approve the summary report of the December 16, 2014 meeting by Mike Eisele, seconded by Wynne Bohannon and passed by unanimous affirmative votes.
- 3.) Public Comments – Charlie Jonas noted that business was picking up. There have been additional (new business) ship arrivals of bulk cargo at Gateway's Harbor Terminal.
- 4.) U.S. Coast Guard Comments – No USCG representative was original present. Upon the arrival of CDR Gunning on or about 10:15 the Chairman asked if there was an update on the Facility Access Notice to Proposed Rule Making (NPRM). CDR Gunning stated that he was not aware of any complaints from mariners relative to entering/departing port facilities/terminals in the LIS AOR. The Chairman indicated that the CPC might submit comments to the NPRM solicitation. Ralph Gogliettino stated that comments had to be submitted by February 27th but that deadline might be extended. Charlie Jonas asked a question about the Port Jefferson range lights. CDR Gunning stated that the plan is to reestablish the day boards. The CG Civil Engineering Unit in Providence, RI is working on the project to improve visibility of the range. When asked if there was a set timeline, CDR Gunning stated that he wasn't aware but would get the information to the CPC.
- 5.) Connecticut Department of Transportation – Dave Rossiter stated that the New England District of the Army Corps of Engineers would be conducting a condition survey of New London Harbor in the spring of 2015. The last condition survey was conducted in 2010. Hopefully the Army Corps will be able to extend the survey to include the area between the CVRR and State Pier as well as the approaches to the piers from the channel. In response to a question from Phil Gaughran, Dave Rossiter indicated that the repairs to the CVRR Pier had been slowed due to the winter weather as well as obstructions being encountered along the sheet pile line. The best guess for completion of the repairs is late spring. In response to a question from the Chairman, Rossiter stated that the condition survey would start immediately south of Thames River lift bridge, in a fashion similar to the 2010 survey.
- 6.) Continuing Business:
 - A. P.O.R.T.S. – Chuck Beck reported that P.O.R.T.S. Bond request had been approved at the January 12, 2015 Special Bond Commission meeting. He further stated that a draft MOA to be used to transfer the state funds from DOT to NOAA had already been drafted and is being reviewed by DOT legal.
 - B. Draft Changes to CGS Chapter 263 Harbors and Rivers – The Chairman stated that he had signed and mailed the letter requesting the DOT pursue changes to CGS Sec 15-13 to define extension of route. Chuck Beck stated that he was aware the letter had arrived DOT and had been sent to the DOT Legislative Coordinator for staffing.

C. Draft Changes to the CT State Agency Regulations –The Chairman asked that the topic be deferred to the February 2015 CPC meeting to allow for the final disposition of the requested change to the CGS.

D. Connecticut Port Authority Working Group (PAWG) –Dave Pohorylo provided a summary of the last PAWG meeting held January 6, 2015. He stated that Tim Sullivan had provided an overview of the current status of the PAWG. Tim also provided a draft report to be reviewed and adjusted by the PAWG members. The target of the PWAG is to have a final draft report to the Legislature completed for consideration at the February 5th PAWG meeting. Dave stated that several members representing small CT harbors made presentations and expressed their collective concerns about not being included in the CPA, particularly on infrastructure improvements. Dave stated that in response to a question at a recent press conference, Governor Malloy made a comment that the CPA policy will focus on the movement of cargo at the three deep draft ports and some of the next tier ports like Stamford. Dave further stated that people on the PAWG were coming around on what the focus of the CPA should be; the three deep draft ports. In closing, Dave stated that the PAWG report will most likely be transmitted to the Governor and Legislature as an attachment to a letter from DECD that will recommend changes to the legislation to facilitate implementation of the CPA.

7.) New Business

A. Pilotage Training Fee – Referring to the draft document provided in the CPC meeting package, the Chairman asked Chuck Beck about the regulatory reference; State Agency Regulation 15-14-1c(i). Beck responded that the reference was the section of the state regulations that was approved during the last pilotage rate increase that established the pilot training and safety equipment account and fee. Beck reminded all that the Chairman had asked Phil Gaughran to talk with the pilots to get their collective input at the December 16, 2014 CPC meeting. Phil was also asked to discuss a distribution plan with Chuck Beck and Paul Costabile, the Joint Rotation Administrator (JRA), prior to the January 2015 CPC meeting. Beck stated that he had not heard anything from Phil between the December 2014 and current CPC meeting. Phil stated that he had met with the CT pilots and sent their distribution preference to the JRA via email but forgot to copy Chuck. Phil further stated that the CT side of the RSEB elected not to draw upon the account at this time to allow the fund to increase. In response to a question, Paul Costabile stated that there was approximately \$7,000 in the account. Alan Blume stated that deferring the use of the fund was OK for now but that a policy on how the funds are to be distributed should be set earlier rather than later. Others agreed. The Chairman reiterated that although it was the desire of the RSEB to delay the distribution, establishing the distribution policy should be set as soon as practicable.

B. Annual Report – Noting one typographical error on page 3, the Chairman asked if any of the CPC Commissioners had any additional edits to make to the draft 2014 Annual Report that was part of the meeting package. Noting none, Mike Eisele moved the draft report as corrected be approved. Wynne Bohannon provided a second. The motion carried unanimously. The Chairman thanked Chuck Beck for staffing the report.

C. Draft Investigative Process for Incidents/Accidents - Alan Blume addressed the documents he had drafted that were in the meeting package. He noted that he had not received any feedback on the draft Connecticut Pilot Commissioner Procedures for Conducting Investigations document. The Chairman reminded all that as a result of a previous letter to the DOT Commissioner, the CPC was asked to provide a job description that could be used to hire an on-call investigator. The Procedures and job description documents would be attachments to a CPC letter to the DOT Commissioner. Alan Blume reviewed the Procedures document section by section providing an explanation of the intent of each section. Paragraphs 5 & 6 under Definitions narrowed the scope of when a CPC investigation would be needed by differentiating between a marine incident and a marine casualty. He cited IMO and CG investigative manuals. Wynne Bohannon made comparisons to the proposal and the investigations conducted by the NY Board, particularly related to hearings held. Alan Blume reminded all that the CT General Statutes requires the CPC to conduct investigations. However the primary focus of the investigations is to

improve safety of navigation. If pilot error/misconduct is determined it would be up to the DOT to pursue. Blume committed to drafting a more detailed job description. He also asked for the Commissioners to review the Procedures document and provide feedback. There was some discussion as to whether the investigative procedures should be incorporated in the CGS or regulations. Mike Eisele and Chuck Beck both suggested the Procedures should be set as a policy document vs either statute or regulation to allow maximum flexibility. The Chairman asked that the draft documents be cleaned up and that the topic be carried over to the February agenda for further discussion.

8.) Executive Session – Dave Pohorylo requested an Executive Session to discuss personnel matters of sort. The public session of the CPC meeting was temporarily adjourned at 1048. The CPC meeting was reconvened at 1132. The Chairman reported that no motions were made no votes were taken during the Executive Session.

After Dave Pohorylo asked that the discussion return to PAWG update, he made a motion that the Chairman be authorized to send a letter to the DOT Commissioner recommending that administrative oversight of the CPC be initially transferred to the CPA. The motion was seconded by Ralph Gogliettino. During the discussion Alan Blume questioned how the current regulatory oversight of the marine pilots in DOT would be handled; would they go to the CPA or be embodied within the CPC. Dave Pohorylo explained that initially transferring the CPC to the CPA would allow the CPA BOD to act upon any further actions relative to the CPC as well as the regulatory functions over the marine pilots currently residing in DOT. He added that it might be best to give the CPC the regulatory authority since the CPA BOD would not be capable at the start to perform the regulatory function. A question was asked about how the CPA or CPC would be funded to perform the administrative/regulatory oversight? It was pointed out that there had not been any discussion at the PAWG meetings about if and how DOT staff positions would be transferred to the CPA. If the State Maritime Office personnel were transitioned to the CPA then there would be knowledgeable people to conduct the administrative and regulatory staff work. Dave Pohorylo stated that there had been discussions on staff transfers. It was mentioned that perhaps the proposed letter should be addressed to both DOT Commissioner Redeker and DECD Commissioner Smith. Upon being asked to amend his motion, Dave Pohorylo moved that the Chairman be authorized to send a letter to the DOT Commissioner with a copy to the DECD Commissioner recommending that administrative oversight of the CPC be initially transferred to the CPA with regulatory authority. Ralph Gogliettino provided a second. There was no further discussion. The motion passed with 7 affirmative votes and one abstention by Chuck Beck. The Chairman stated that he would provide a draft of the letter to the CPC Commissioners for review before signing and sending to DOT.

9.) Adjourn – Chairman Gash made a motion to adjourn that was seconded by Wynne Bohannon and passed by a unanimous voice vote. The meeting adjourned at 11:39 AM

All were reminded that the next CPC meeting is scheduled for **10:00 a.m. on Tuesday February 17, 2015 at the New Haven Regional Fire Training Academy located at 230 Ella Grasso Blvd. in New Haven, CT.**