

**Connecticut Pilot Commission
Summary Report May 21, 2012 Public Meeting
Coast Guard Sector Long Island Sound
New Haven, CT**

- 1.) The public meeting was called to Order at 8:31 a.m. by the Acting Chairman, Bill Gash. Pilot Commission members Chuck Beck, Alan Blume, William Borek, Phil Gaughran, Ralph Gogliettino and Dave Pohorylo were also present. Also attending were Paul Costabile, Tom Dubno, CWO Greene, Charlie Jonas, Dave Rossiter and Alex Woodworth.
- 2.) Since there was not a quorum at the April meeting, a motion was made to approve the summary report of the March 19, 2012 meeting by Ralph Gogliettino and seconded by Bill Borek. There was no discussion. The motion passed unanimously. Bill Gash asked that a discussion on the meeting dates and time be added to the agenda. There was no opposition.

3.) Continuing Business:

A. Goals and Objectives – Referring to the outline of the previously approved Goals and Objectives in the meeting package, Alan Blume noted that there were a couple of items upon which the CPC still needed to address. One of the items noted was a continuing training program for licensed pilots. He reminded all of the unsuccessful past efforts of the CPC to divert the 6% fees paid to the state to a training fund as part of the last pilotage rate increase. Another item noted is the lack of any policy or procedure on how the CPC would investigate a marine accident or incident. Alan Blume cited the manner in which the San Francisco Bay pilot commission was able to react to the Cosco Busan incident. Bill Gash asked Alan Blume to draft a white paper on the issue for future discussion and consideration. Phil Gaughran asked about who would handle an investigation of an incident involving a NY licensed pilot in a CT port. Charlie Jonas offered that such a case would be investigated by the CG since a NY state licensed pilot was operating on his federal license when operating in a CT port. Alan Blume corrected Jonas' statement pointing out the difference between piloting a coastwise, registered and foreign flag vessel. Phil Gaughran stated that the Port Jefferson harbor is not specifically mentioned in the definition of the waters of Long Island Sound.

B. Apprentice Pilot Update – Chuck Beck to start the discussion by referencing the documents in the meeting package; specifically the CPC letter to CTDOT requesting Alex Woodworth be granted a license and the CTDOT Commissioner's reply. Alan Blume questioned the reference in the CTDOT letter to "other elements" in the regulation. He stated that he was aware that Woodworth had completed the ship handling courses. Chuck Beck asked Alan how he was aware then stated that the CTDOT Commissioner's denial of the request was based on what was presented or not as supporting documentation with the CPC 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 2 were documented. Beck reported similar documentation deficiencies for the transit of LIS, and New Haven Harbor. There was a discussion on the ability of the CTDOT to issue a geographically limited license as well as whether or not trips performed and evaluated prior to an individual being selected as an apprentice would count. An argument was raised about the trip requirement in the statute vs in the regulation. Chuck Beck stated that there wasn't a conflict. Charlie Jonas stated that twelve round trips on American vessels under enrollment as pilot of record or twenty-four round trips as observing pilot on foreign or registered vessels is required by the CT General Statute. Chuck Beck added that the Apprentice Selection and Training Regulation similarly required an Apprentice to make twelve (12) round trips over each pilotage section of the Waters. Apprentices shall be trained, instructed and evaluated by Senior Pilots licensed to operate in the Waters. The key is the evaluation by the senior pilot. There was a discussion on the evaluation forms submitted as documentation vs the form that had been crafted by the CPC over a year ago. Chuck Beck stated that the forms submitted were not the issue. Although the CPC forms had not been used, those provided were similar enough. Charlie Jonas stated that the CPC forms limited the evaluated trips to 2 per quarter. Nobody had a copy

of the form but Chuck Beck thought that the 2 per quarter was a minimum requirement not a limit. Bill Gash asked for a motion to authorize the CPC to resend the letter with the proper documentation to the CTDOT requesting Alex Woodworth be granted a license. After a momentary silence, Chuck Beck provided the motion that was seconded by Ralph Gogliettino. Additional discussion revolved around how to address trips performed by Woodworth as a pilot of record while acting on his federal license as there would not be any observation or evaluation form. The discussion circled back to the need for any and all documentation of trips made and the other requirements of the regulations to be explained in the letter so that the CTDOT could make an informed decision. Bill Gash declined an offer by Chuck Beck to draft the letter.

C Pilotage Rates and Fees – Chuck Beck provided a draft reply to Captain Paul Costabile's 16 April 2012 letter requesting a 12% pilotage rate increase (4% per year for 3 years) that included a draft change to the regulations. He noted that the letter submitted to both the CTDOT and the NY Board on behalf of the RSEB provided the details absent in the previous correspondence submitted over the past year. The draft reply and proposed regulation change distributed for discussion purposes agreed to a 12% pilotage rate increase but at 3% per year over 4 years. The CTDOT proposal also included the establishment of some additional fees such as codifying the pilot boat fee and establishing a training fee. Dave Pohorylo stated that he needed time to review and then discuss the proposal and questioned why the CTDOT was acting on its own. Bill Gash stated that he wanted the pilots input before any action taken by the CPC. Chuck Beck stated that the draft was distributed to get input from the CPC and interested parties, not a unilateral action on the part of the CTDOT. He further stated that he had preliminary discussions with the NY Board Executive Director about the RSEB request and the counter proposal. Although the NY Board has not taken an official position on the RSEB request, the indication was that spreading the 12% increase over 4 years was more palatable. Charlie Jonas reported that the 12% increase over 3 years that the CT State Pilots lobbyist had been working through the NY State Legislature was opposed by an Ad Hoc committee. He reported that the Ad Hoc committee approved a similar rate increase submitted by the Sandy Hook Pilots. Jonas also stated that if the 12% over 4 years was approved by CTDOT/Regulation Review Committee, it would most likely pass in NY. Alan Blume asked that the CTDOT proposal be electronically provided and recommended delaying any action until the June CPC meeting.

Discussion shifted to the RSEB letter of request dated 4 May 2012 that the Temporary Fuel Surcharge be extended for another 180 days and increased from the current \$200.00 per transit to \$290.00. Chuck Beck offered for discussion a proposal to extend the Temporary Fuel Surcharge for another 12 months but to only extend the charge from \$200.00 to \$250.00. He offered a couple of reasons. The reason offered for the 12 month period is that it takes the pilots, CPC, DOT and NY Board a significant amount of time to initiate and process the fuel surcharge requested. The reason offered for the \$250.00 vs \$290.00 is that previous adjustments were in the \$25 to \$50 range and a \$90 increase might not be palatable to industry. Beck further stated that he had preliminary discussions with the NY Board Executive Director about the RSEB request and the counter proposal. Although the NY Board has not taken an official position on the RSEB request, the indication was that a \$50 increase was more acceptable given the present decline of fuel prices. Dave Pohorylo asked if the CTDOT used the formula previously generated by the CPC. Paul Costabile stated that the RSEB did use the formula. There was a follow in discussion about where the pilot boat fueled (RI) and the prices being less than anywhere in CT. Bill Gash asked what actions were expected to be taken by the CPC and was told concur, counter or delay. The discussion centered on the use/lack of use of the formula, the amount of the increase, the time period for the extension and the need to take some action now as to not have the temporary fuel surcharge lapse. There was a discussion on the rack price vs the price at the marinas where the pilot boats fueled. Dave Pohorylo suggested taking no action and revisiting the topic at the June meeting. Alan Blume emphasized the need for the temporary fuel surcharge to be automatically adjusted in the future. Dave Pohorylo requested that the past discussions held on the automatic adjustments and the formula created be circulated to the CPC. Bill Gash returned the discussion to action on the proposal presented. Alan Blume suggested that CTDOT talk to the NY Board and the RSEB and attempt to determine what is politically acceptable.

Chuck Beck restated that he had spoken to the NY Board Executive Director and the sense was that the NY Board was OK with the 12 month extension but at a \$50 vs \$90 increase. Dave Pohorylo moved that the temporary fuel surcharge be extended for only 3 months at an increased rate of \$290.00. The motion was seconded by Ralph Gogliettino and passed by unanimous vote.

D. Legislative Update – Chuck Beck reported that the CT Legislature had not as yet produced its end of year report. He did note that it appeared that the couple of statutory changes that would have affected the CPC and/or pilots (cause for suspension of license, self-certification of pilot boats) had not made it out of committee.

4.) New Business

A. Correspondence – 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. 2012 Meeting Schedule – As requested at the beginning of the meeting a discussion was held concerning the current meeting schedule: 0830 on the third Monday of every month. The discussion centered on early Monday morning being a bad day and time. Everybody concurred. After Chuck Beck checked on the availability of the CG Sector LIS Command Conference Room, a motion was made by Alan Blume to move the monthly CPC meeting to the third Tuesday of each month and to change the start time from 0830 to 1000. Bill Borek provided the second and the motion was passed by unanimous vote

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

6.) Connecticut Department of Transportation – Comments Dave Rossiter recommended that in addition to the CPC developing a procedure for dealing with accident investigations, a procedure/policy should be developed on dealing with the media during a crisis. He also circulated pictures of the Trelex fender system at the State Pier in New London. The picture showed a vessel alongside with a built in molded rub rail that has the potential of getting caught on the top or bottom of the Trelex fenders with the rise and fall of the tide. He asked for the support of the RSEB and pilots to circulate and be mindful of the potential problem.

7.) U S Coast Guard -

A LIS AMSC Update – Nothing offered.

B LIS HSC Update – CWO Greene provided an update on the Port Jefferson Range light repair. The PEL sector light previously considered as a replacement for the original two station range light will not be used. Instead a Vega VLS46 Range Light will be installed during the summer of 2012.

8.) Public Comments - Alex Woodworth asked for a breakdown on the trip documented with the CPC letter dated 15 April, 2012. Chuck Beck agreed to provide after the meeting.

9) Executive Session – None called

10) Adjourn - A motion was made by Alan Blume to adjourn, seconded by Phil Gaughran and unanimously approved. The meeting adjourned at 1017.

The Commission's next public meeting is scheduled for **10:00 a.m. on Tuesday June 19, 2012 at the CG Sector Long Island Sound Command Conference Room in New Haven, CT.**