



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION
CONNECTICUT PILOT COMMISSION



Connecticut Pilot Commission
Summary Report June 16, 2009 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 Chairman. Pilot Commission members Rick Barry, Chuck Beck, Peter Boynton, Vincent Cashin, Bill Gash, Ralph Gogliettino and Dave Pohorylo were present forming a quorum of seven. Also attending were Dave Rossiter of CTDOT; CDR Kevin Oditt of the USCG; Joe Maco, Charlie Jonas and Tom Dubno.

The minutes of the New York Board of Commissioners of Pilots for 12, 19 & 26 May 2009 as well as 2 June 2009 were distributed electronically prior to the meeting.

2.) A motion to approve the summary report of the May 19, 2009 meeting was made by Vin Cashin and second by Rick Barry. The motion carried unanimously.

3.) Continuing Business:

A. Fuel Surcharge Index – Chuck Beck stated that Alan Stevens had prepared formula and justification on creating a fuel index formula. However, Alan was not able to attend the meeting so the matter was tabled until the next meeting.

B Training and Certification Funding – The Chair stated that he had met with the Aviation and Ports Interim Bureau Chief (Mark Daley) the week of June 8, 2009 to discuss training as well as other items that have been pending at CONNDOT. The Chair reported that Mark Daley opined that pursuing the diversion of the 6% of pilotage fees presently collected by the state and deposited in the General Fund to a pilot training fund was a non-starter. Creating a fee charged on an invoice managed by a single pilot organization was felt to be a viable solution. CONNDOT could set the training standards but was not the best solution to manage any training fund. In response to a question, clarification was provided that the funds being discussed would be used on training for practicing CT licensed pilots not apprentice pilot training. Most agreed to the concept of one pilot organization managing training funds. Some commented that there were not aware of other organizations whose members are required to obtain and pay for a state license and must also pay a commission to the state in addition to personal income taxes. It was felt by some that pursuit of a legislative solution to divert the 6% should be continued. Comments were made that training was a safety issue and should not come down to money versus safety. Doing so make the state vulnerable and liable should a marine casualty occur and an investigation sites a lack of a training program as a contributory factor. Chuck Beck offered a three prong approach: long term, mid term and short term. For the long term the CPC should continue to work with legislators to legislatively divert the 6% of pilotage fees going to the General Fund to a training fund. In the mid term, the CPC could pursue a rate change/increase via regulation. The increase in pilotage rate would be set aside into a training fund managed by a pilot organization. In the short term, it was suggested that the CT licensed pilots could agree among themselves to contribute a share of the present pilotage fees to a training pool to be managed by a single pilot organization. Dave Pohorylo questioned whether or not legislatively creating a tax credit for the funds the pilot would contribute to a training fund should be considered. It was pointed out that legislative solutions would be a long term approach. Ralph Gogliettino inquired about the cost of a training program. Discussion centered on types of training courses, and safety equipment that should be included. There was further discussion related to income tax payments, whether or not other states fund pilot training and the possibility of dividing the 6% between the General Fund

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and a training fund, before the discussion circled back to the recommendations made by Mark Daley. All agreed that a key element was for a single pilot organization to be identified to manage any proposed training fund.

C. Heavy Weather Pilot Station – The Chairman reported on his discussion with the Aviation and Ports Interim Bureau Chief regarding obtaining a response to the CPC's recommendation made in May 2007. Although a written reply has yet to be drafted, the Chair learned that the CONNDOT does not support the establishment of a heavy weather pilot transfer station within Block Island Sound in lieu of the current Montauk pilot station during heavy weather; instead, the CONNDOT supports use of the current Point Judith pilot boarding station during heavy weather. The Chair relayed Mark Daley's comments regarding the possibility of eliminating the Montauk Point (MP) Boarding Station in the event that lost time due to last minute diversions of ships from MP to Point Judith (PJ) were having a negative impact. However, no steps would be taken to eliminate MP at this time, and the Chair clarified that this point had only been mentioned as a potential option if circumstances warranted. Vin Cashin stated that most pilots are using PJ more so than MP regardless of weather due to the ports being used as home base by the pilot boat operators. Down turn in cruise ships and banana boats who were the primary users of the MP boarding station has helped focus on use of PJ. Bill Gash inquired about the possibility of re-positioning the pilot boats to RI and was informed that most have already done so. The Chair emphasized that the CONNDOT did not indicate that it did not support MP but that prior track line planning on the part of vessels could minimize delays of using PJ vs MP. Bill Gash worried about delays being added by not using MP and how that might affect decision of shipping companies considering returning to use of Bridgeport harbor. The discussion concluded with comments concerning proper track line planning, proper use of MP and Captain/Pilot coordination during boarding evolution.

D. Apprentice Selection and Training (Review of Document, Evaluation Form, Designation of Pilot Organization) – The Chair related the discussion he had with Mark Daley concerning the status of the CONNDOT review and status of these documents.. Mark Daley indicated that he was aware of the issue and suggested a meeting among himself, CONNDOT legal and the Chair might prove useful. Comments were reiterated about the liability exposure of the State should a marine incident occur and the State's lack of a pilot training program, safety equipment provision and updated navigation tools be raised as factors. The Chair related a discussion he had with Mark Daley concerning administrative support by the CONNDOT for the CPC. There is no statutory requirement for CONNDOT administrative support for the CPC like is provided by statute for the CT Maritime Commission (CTMC), and Mark Daley recommended this be added to the proposed list of goals for the CPC. Dave Pohorylo made comments concerning the lack of support from the DOT to react on a timely basis to recommendations made by the CPC, timely meaning not weeks or months, but over a year in several cases . He stated that the only thing accomplished by the CPC through CONNDOT over the past 6 years was the establishment of the joint rotation and the recent pilotage rate increase. The delays caused by the RFP idea, the heavy weather pilot transfer station idea and others have taken way to long to be acknowledged by CONNDOT let alone acted upon. He stated that CONNDOT was not doing its job on behalf of the CT taxpayers. He suggested that the appointed CPC Commissioners should write to their individual appointing authority to place CONNDOT on notice. Dave Pohorylo also brought up the CONNDOT imposed moratorium on new pilots. He asked that the moratorium be added to the July CPC meeting agenda. The discussion concluded with comments made about determining the number of CT licensed pilots needed to meet the demands of the CT side of the rotation, comments on the average age of the current pilots, the future number of vessel calls, etc. Joe Maco asked what the CPC can do to accommodate requests by the NY side of the rotation to have NY apprentice pilots ride with CT licensed pilots. Bill Gash stated that rather than discussing now it should be an agenda item next month. A short discussion followed on the details of two incidents before a final decision was made to add the matter to the July agenda.

E. Reimbursement of Necessary Expenses – The Chair stated that he discussed reimbursement of necessary expenses with Mark Daley. There is a general definition in the state statutes for necessary expenses. There is a specific reference to reimbursement of necessary expenses for members of the CPC in Sec 15-13 of the CGS. The Chair reported that Mark Daley committed to provide clarification on what constitutes necessary expenses as related to CPC member reimbursement.

F. Goals and Objectives – The Chairman had previously provided a draft document on Mission, Objectives and Goals as part of the meeting package. He distributed a revised document at the meeting. The revision was the addition of a goal in 4. Establish Standard Operating Procedures. The Chair stated that he had reviewed the draft document with Mark Daley who thought the document was good and that the Objectives and Goals were in alignment with CONNDOT, and he recommended that if the document was adopted by the CPC, that it should be forwarded under letter to the CONNDOT Commissioner advising him of the goals and requesting his support. After some discussion, Bill Gash moved to adopt the draft as a living document to be adjusted as necessary. The motion was seconded by Vin Cashin. There was ensuing discussion, including a comment that the CPC needed to have more authority. Comments from the interested parties in attendance were all supportive. Dave Rossiter stated that it might be instructive to ask the Assistant Attorney General assigned within the Bureau of Aviation and Ports to interpret the assignment of the CPC to the CONNDOT “for administrative purposes” as stated in CGS Sec 15-123c versus definitions within CGS Sec 4-38f. Charlie Jonas commented on Objective 3 Goal, establishing a single pilot organization stating that the 6 CT licensed pilots on the CT side of the rotation had all agreed to work together within one organization.

4.) New Business

A. Marine Highway Corridors – Chuck Beck stated that he added the item to the agenda merely to make the CPC aware of the MARAD initiative to establish marine highway corridors as a potential solution to highway congestion. Use of the marine highway would take trucks carrying containers off the congested roadways at a reduced cost financially and environmentally. No action is required by the CPC.

5. CONNDOT Comments – Dave Rossiter informed all that by request of the CONNDOT, the CG Sector LIS staff was taking steps through CGHQ, NOAA and the British Admiralty to get the MP Pilot Transfer Station charted. Minutes of the NY Board of Commissioners also indicated the USCG requested the British Admiralty to remove an unauthorized pilot transfer station located within Block Island Sound from the BA charts. Dave asked CDR Oditt if the CG’s request included removal of the pilot station located 7 NM south of Watch Hill Point to be removed from the BA charts as well as their publication Admiralty List of Radio Signals. The CG intended to work with NOAA and the BA to formalize the process of how pilot stations were established and charted.

6. USCG Comments – CDR Oditt reported that he had attended the National Harbor Safety Conference in Tampa recently. There were several interesting discussion panels such as Marine Casualties, Bridge Management and lessons learned from recent investigations. He stated that he would provide a link to a presentation. CDR Oditt also commented on comments made by the Marine Pilot Institute on over reliance on AIS and the negative affect on bridge to bridge radio communications. He stated that the Heavy Weather Plan for CG Sector LIS would be distributed shortly. He reported that the Long island sound Area Maritime Security Committee had met last week at ort Jefferson, NY. The main topic was the updated AMS Plan which focuses more on marine transportation recovery post incident. It is anticipated that advisory boards will be instituted to facilitate implementation of the AMSP. Lastly, CDR Oditt stated that the Notice to Proposed Rule Making document related to the establishment of anchorages in Long Island sound should be published next week.

On a related issue, CDR Oditt stated that a container vessel had arrived at the New Haven

anchorage with plans to stay for an extended period of time awaiting a cargo assignment.

Bill Gash asked for CPC attendance to be added to the next agenda.

7. Executive Session – The Commission adjourned into Executive Session at 1019 and reconvened the public meeting at 1035.

8. A motion to adjourn was made by Bill Gash, seconded by Vin Cashin and passed by unanimous vote. The meeting adjourned at 1036.

The Commission's next public meeting is scheduled for **8:30 a.m. on Tuesday July 21, 2009 at the Coast Guard Sector Long Island Sound in New Haven, CT**

Peter Boynton
Chairman, Connecticut Pilot Commission