The following Commissioners were present:

James Mercante, President
Carmine Ragucci
Lucienne Bulow
Russell Johnson
Richard Hendrick
Andrew Garger

UPON MOTION DULY MADE, SECONDED AND UNANIMOUSLY VOTED UPON, (EXCEPT AS OTHERWISE MINUTED) IN A PUBLIC MEETING, WHICH CONVENED AT 10:30 A.M., THE BOARD CONDUCTED THE FOLLOWING BUSINESS:

1. The President called the meeting to order at 10:30 AM.

1a.Appearances in Public Session: None.

2. The Minutes of the 17 November 2015 Regular Meeting were reviewed, amended and approved.

3. Renewed, for a period of one year, (unless otherwise noted), the following New York State pilot license(s) following a personal interview and review of work performance data, training, and medical/health records:

   No licenses were renewed at today’s meeting.

4. The Board adjourned to Executive Session to discuss and/or act on personnel, investigative and/or legal matters.

5. The Board returned to Public Session from Executive Session.

6. Sandy Hook Pilots Association: The Board reviewed a report from the SHPA (NY) President summarizing his recent trip to Texas to observe the Houston Pilots’ SWATH boat operation. The purpose of the trip was to obtain a more thorough understanding of the SWATH technology for possible consideration here in the Port of New York & New Jersey.

7. Hudson River Pilots Association:

7a. The Board was updated on the status of the USCG’s Marine Safety Bulletin concerning Hudson River Anchorage grounds. Continued on the docket.

7b. At the 26 May 2015 meeting, the Board voted in favor (with one abstention) to support proposed amendments to the New York Navigation Law with respect to the creation of a Hudson River Pilots Pension Surcharge Board, and the modification of time restrictions on continuous pilotage for regulated vessels transiting the Hudson River. At the 16 June 2015 meeting, the Board was advised of an amendment to the legislation requested by the Assembly Transportation Committee, which deletes the modification of time restrictions on continuous pilotage in excess of ten hours from the proposed legislation. At the 23 June 2015 meeting, the Board noted the passage of the bill by the Legislature. The Board then continued discussion relative to the deletion of the modification of pilotage time limits from the legislation. At the 3 November 2015 meeting, the Board noted a letter from the Albany Port District Commission to the Governor’s Office concerning the legislation. At today’s meeting, the Board noted a memorandum from the Governor’s Office approving the aforementioned amendment to the New York Navigation Law to create a Hudson River Pilots Pension Surcharge Board. The memorandum also states that approval was based on the Legislature’s agreement in the upcoming session to pass a change to the time restrictions for continuous pilotage on vessels transiting the Hudson River.
7c. The Board previously reviewed correspondence from the HRPA requesting that the Board provide comments to the USCG Captain of the Port (New York) no later than 31 March 2016 on the proposed Champlain Hudson Power Express Transmission Project. The Board took the request under advisement. At the 30 June 2015 meeting, the Board reviewed the Navigation Risk Assessment Template prepared by the project’s developer with respect to potential impacts on navigational safety on the Hudson River. The Board is awaiting a revised abstract from the project’s developer. Continued on the docket.

8. Long Island Sound/Block Island Sound Pilotage:

8a. The Board continued its review of the question raised by Captain Charles Jonas, a Connecticut State Pilot representing Interport Pilots, on whether the term “foreign vessel”, as used in the New York State Navigation Law, includes foreign vessels which are publically owned, such as naval or government-owned and not engaged in commercial trade. At the 11 August 2015 meeting, Captain Jonas appeared before the Board to present Interport’s view in this matter. At the 22 September 2015 meeting Captain Jonas appeared before the Board with additional information stating Interport’s position. The Board is also in receipt of a position paper dated 5 October 2015 prepared by the American Pilots’ Association. At the 27 October 2015 meeting, the Board approved the issuance of a letter to the New York State Office of the Attorney General requesting an opinion with respect to this issue. At the 3 November 2015 meeting, the Board noted a letter from the New Jersey Maritime Pilot and Docking Pilot Commission to the New Jersey Office of the Attorney General seeking an opinion on this matter. The Board also received a Freedom of Information Request (“FOIL”) from Captain Jonas seeking a copy of the American Pilots’ Association position paper. The Board provided the requested information on 12 November 2015. Continued on the docket.

9. REPORT(S) OF MARINE ACCIDENTS/INCIDENTS UNDER INVESTIGATION:

9a. M/V EQUINOX SEAS (Built 2003): 15 November 2015. FBHRP Ian Corcoran. Loss of Steering. Northbound in the upper Hudson River the vessel’s rudder did not respond to the helm. Steering control was switched over to the Non-Follow-up Unit (“NFU”). Control was restored and the vessel steadied on course. Steering was tested in the manual mode and found to be in order however the vessel completed its transit in the NFU mode. The USCG was notified. Cause of the loss of steering was attributed to a malfunction of the amplifier board. No violation of the New York Navigation Law or the New York Codes Rules and Regulations. No personal injury, pollution or damage. The Board voted to close the matter.

9b. M/V BBC SWITZERLAND (Built 2008): 9 November 2015. Loss of anchor. Dep. SHP John McCarthy. The vessel commenced heaving the anchor in Bay Ridge Anchorage to get underway for Albany. As the anchor chain’s swivel became visible, it was discovered that the port anchor was no longer attached to the chain. The vessel re-anchored using the starboard anchor and the USCG notified. The vessel was later cleared to sail to Albany. The loss of the anchor is under investigation by the USCG as well as the status of retrieving the lost anchor from Bay Ridge Anchorage. Continued on the docket.

10. There being no further business to conduct, or public comment, the Board meeting adjourned at 11:30 AM.

Frank W. Keane
Secretary