

Maine Pilotage Commission



MaineDOT ~ Room 227 Conference Room
June 28, 2018

Minutes of Meeting

In compliance with MRSA 38 § 85 and in fulfillment of the Commission's duties addressed in MRSA 38 § 90, a meeting of the Maine Pilotage Commission was held on June 28, 2018 in Augusta, Maine.

Administration:

Maine Pilotage Commission Members constituting a quorum were:

Captain Charles Weeks	– Chair of the Commission
Captain David Gelinias	– Pilot Member
Mr. Tom Dobbins	– Maritime Industry Member (Telephonically)
Captain Shawn Moody	– Maritime Industry
Captain Jerry Morrison	– Pilot Member
Captain Mark Klopp	– Pilot Member
Mr. Brian Downey	– Pilotage Commission Administrator

Maine Pilotage Commission Interested Parties present were:

Captain Douglas Fournier	– Penobscot Bay and River Pilot
Captain Adam Philbrook	– Penobscot Bay and River Pilot
Captain Skip Strong	– Penobscot Bay and River Pilot
Captain Dave Smith	– Penobscot Bay and River Pilot

Maine DOT staff present were:

Matthew Burns	– Maine Port Authority
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Agenda Item 1 – Call to Order

Captain Weeks opened the meeting at 1030, and acknowledged a quorum.

Amendments and Carry-Over Items: There were no carry over items from the March 29, 2018 meeting. One amendment was requested by Captain Gelinias, to include a discussion of possible ferry service returning to Bar Harbor. The agenda was thus:

AMENDED to include ferry service under Agenda number 9 “Other/
Miscellaneous.”

Hearing no further amendments or objections, it was thus:

RESOLVED to accept the agenda and Agenda Item One was thus closed.

Agenda Item 2 – Approval of March 29, 2018 Commission Meeting Minutes

After considering the content of the March 29, 2018 meeting minutes, Mr. Dobbins motioned to accept the minutes. Captain Morrison seconded the motion; and hearing no objections or abstentions it was thus:

RESOLVED to approve the minutes of the March 29, 2018 Maine Pilotage Commission meeting.

Agenda Item 3 – Low Volume Areas

Mr. Downey reviewed the status of the Low Volume Area project which seeks to attract and maintain a qualified pilot pool for low volume areas. Captain Klopp will not be pursuing pilotage for Boothbay Harbor, however, Captain Philbrook and Captain Fournier have volunteered to initiate training for pilotage on that route.

No yachts have scheduled visits to Boothbay Harbor, Somes Sound, Eastern Way or Blue Hill Bay at the time of this meeting.

Agenda Item 4 – Portland Pilotage/Board of Harbor Commissioners Decision

Mr. Dobbins updated the Commission regarding a recent legal decision from the Maine Superior Court dated June 1, 2018 resulting from an ongoing suit between “Bay Ferries, Ltd, and the Board of Commissioners for the Port of Portland,” regarding rate setting. Bay Ferries disputed that a recent Portland rate change. The decision resulted in the matter being “Remanded for further proceedings consistent with the [court’s] opinion. The Portland Board of Harbor Commissioners is appealing that decision.

Agenda Item 5 – Rate Adjustments

After open Commission discussion it was collectively decided a pilotage rate policy was not needed and will not be pursued.

Separately, the agenda item to discuss a possible rate change (to better support pilot boat expenses) for Eastport was opened. The Eastport Pilots are now withdrawing their proposal to modify their rates at this time. It was thus:

RESOLVED to remove Eastport rate adjustments from the Pilotage Commission agenda.

Further, Captain Strong indicated that Penobscot Bay and River Pilots do not intend to propose any rate adjustments in the foreseeable future.

Agenda Item 7 – Training Update

Mr. Downey briefed the Commission regarding pilot training. On a May 23, 2018, Captain Weeks signed a Memorandum of Understanding with Maine DEP which provides \$20,000 for pilot training. Additionally, Mr. Burns briefed the Commission, that he had pursued separate funds from the Submerged Lands program which also has a strong interest preserving the environment through the preventative (supported through pilot training). In short, a \$50,000 grant is being provided by Submerged Lands to the Maine Port Authority which may be used to fund a variety of Port Authority interests including Pilotage Commission administration and training. This is a welcome grant at a time when pilot training has slowed due to a limited funding source. Captain Morrison motioned for the Commission to express its appreciation to the Submerged Lands Program in a letter; hearing no objections, Captain Weeks accepted the motion, so it was thus:

RESOLVED to assign the Administrator to draft a letter of appreciation to the State Lands Program.

Captain Philbrook delivered a very impressive presentation outlining his recent manned model training at Port Revel near Grenoble, France. The presentation was well received by the Commission and surely cemented the value of this top-flight training.

Captain Strong reminded the Commission that he will attend Manned Model Training at the MPI facility in Covington, LA in the Fall. Captain Strong and Philbrook will collaborate to recommend to the Commission which Manned Model training provides better over-all value for future training consideration.

Mr. Downey reviewed Aziz-pod training and reminded the Commission that Captain David Germond was pre-approved to attend Azi-pod training. Captain Klopp indicated that he likely would not be able to attend until the Fall, which was acknowledged by the Commission. Captain Gelinas completed Azi-Pod training at MITAGS on May 22, 2018.

Agenda Item 8 – Financial

Mr. Downey reported on *Ports and Marine Accounts* which has a current balance of \$11,268.65. License income and insurance expenses flow through this account.

Cash Report:

Total cash received since **February 28, 2018:**

- Total Cash Receipts: \$00.00 (license renewal fees) An undetermined portion of \$50,000 will eventually be deposited from Maine Submerged Lands).

Cash disbursements since **February 28, 2018**:

- Board Travel: \$504.04

Training Fund Balance: The ***Pilotage Training Account*** currently has a balance of \$46,382.70.

Total receipts since **February 28, 2018**:

- None. (However, a \$20,000 deposit is expected from DEP and an undetermined portion of \$50,000 will eventually be deposited from Maine Submerged Lands).

Total disbursements since **February 28, 2018**:

- None. Two training events occurred but have not yet been formally paid out at the time of the meeting.

Agenda Item 9 – Commission/License Status

Mr. Downey reviewed pending transactions including:

License Status:

No license action was completed since March 29, 2018 and no immediate actions appear to be required at this time.

Commission Status:

Captain Klopp's commission is due to expire in August 18, 2018.

Agenda Item 10 – Other/Miscellaneous

Possible Inactive Pilot Status - Mr. Downey explained to the Commission that Captain Read had contacted him to discuss the possibility of a temporary work assignment to Texas. Mr. Downey explained that a letter will be placed in his file outlining a temporary inactive status until he returns.

Bar Harbor Ferry - Captain Gelinis explained that various media reports that an international ferry service may return to Bar Harbor. He recommended that the Commission send a letter to the Town of Bar Harbor, to explain the pilotage requirements for an international ferry and to request to be part of discussions with any possible ferry operators. Captain Weeks agreed to send such a letter under his signature provided any intentions to pursue a ferry service in Bar Harbor become public.

POST MEETING: The Bar Harbor Town Council will host a presentation from a Ferry operator with plans to pursue an international service at its July 17 Council meeting. Based on this announcement, Captain Weeks will finalize and send the letter of interest to the Town of Bar Harbor.

Concluding Commission tasks include:

- Draft a letter of appreciation to the Maine Submerged Lands Program.
- Collect and incorporate any edits to the draft Annual Report of the Maine Pilotage Commission.
- Print and deliver the Annual Report of the Maine Pilotage Commission to the Commissioner of Transportation not later than August 1, 2018.

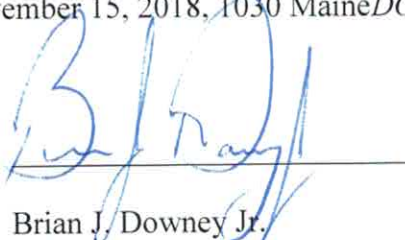
Agenda Item 11 – Adjourn

The meeting was adjourned by the Chair of the Commission, Captain Charles Weeks at 1240.

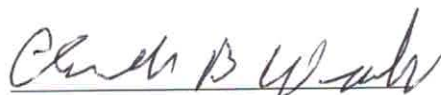
Next Meeting:

The next meeting will be set for November 15, 2018, 1030 MaineDOT Building Room 317A/B.

Respectfully submitted:



Brian J. Downey Jr.
Maine Pilotage Commission Administrator



Captain Charles Weeks
Chair, Maine Pilotage Commission