

Maine Pilotage Commission



MaineDOT ~ Room 216 Conference Room
June 11, 2015

Minutes of Meeting

In compliance with MSRA 38 § 85 and in fulfillment of the Commission's duties addressed in MSRA 38 § 90, a meeting of the Maine Pilotage Commission was held on April 9, 2015 in Augusta Maine.

Moreover, pursuant to Maine's Administrative Procedure Act, a Pilotage Rate Adjustment Hearing immediately preceded the regular Commission meeting commencing at 1030. The Pilotage Rate Adjustment Hearing was conducted under the Maine Pilotage Commission's authority to make and establish rates under MSRA 38 § 90-1B. The Rate Adjustment Hearing was formally recorded and transcribed and is available separately for inspection and review.

Administration:

Maine Pilotage Commission Members constituting a quorum were:

Captain Charles Weeks	– Chair of the Commission
Captain David Gelinis	– Pilot Member
Captain Gerald Morrison	– Pilot Member
Captain Shawn Moody	– Maritime Industry Member (Telephonically)
Captain Earl Walker	– Pilot Member
Captain John Worth	– Maritime Public Member
Mr. Tom Dobbins	– Maritime Industry Member (Telephonically)
Mr. Brian Downey	– Pilotage Commission Administrator

Maine Pilotage Commission Interested Parties present were:

Mr. Rob Elder	– Director, Office of Freight Transportation and Business Services (MaineDOT)
Captain Skip Strong	– Penobscot Bay and River Pilot
Captain Robert Peacock	– Quoddy/Eastport Pilot

Agenda Item 1 – Call to Order

Captain Weeks opened the meeting at 1115, acknowledged a quorum and facilitated introductions around the room.

Amendments and Carry-Over Items: There were no requests to change the agenda and there were no carry over items from the April 9, 2015 meeting. Hearing no amendments, Agenda Item One was closed.

Agenda Item 2 – Commission Discussion of Proposed Rate Adjustments and Hearing.

Captain Weeks led a post hearing discussion regarding the preceding Rate Adjustment Hearing and sought formal Pilotage Commission concurrence on all proposed rate adjustments that were formally proffered during the hearing.

- Kennebec - Based on the testimony of Captain Walker and Captain Walker's letter of November 20, 2015, both offered in the preceding hearing, Captain Worth motioned to accept the proposed rate adjustment, Captain Gelinis seconded the motion. Hearing no Commission objections and with Captain Walker's abstention it was thus:

RESOLVED to approve the proposed rates (for Zones A, G, and J) as outlined in the proposal letter of November 20, 2015.

- Eastport - Based on the testimony of Captain Peacock and Captain Peacock's letter (and enclosures) of April 30, 2015, both offered in the preceding hearing, Captain Gelinis motioned to accept the proposed rate adjustment, Captain Worth seconded the motion. Hearing no Commission objections and with Captain Morrison's abstention it was thus:

RESOLVED to approve the proposed rates (for Zone F) as outlined in the proposal letter of April 30, 2015.

- Penobscot Bay and River - Based on the testimony of Captain Gelinis and Captain Gelinis' two letters of April 9, as amended by his letter of May 20, 2015, all offered in the preceding hearing, Captain Morrison motioned to accept the proposed rate adjustment, Captain Worth seconded the motion. Hearing no Commission objections and with Gelinis' abstention it was thus:

RESOLVED to approve the proposed rates (for Zones B, C, D, E, H, and I) as outlined in the aforementioned letters of April 9 and May 20, 2015.

Captain Walker commended the Penobscot Bay and River Pilot Association for established a Training, Technology, and Capital Construction fee. Captain Strong supported citing that training has become a major pilot expense that often goes without reimbursement. Captains Morrison and Peacock agreed.

Captain Moody offered his appreciation to Captain Gelinis for his work in modifying the proposed rates (per his May 20, 2015 letter).

The pending rate adjustments will be held in abeyance until the close of a 30 day comment period which was advertised to conclude on July 13, 2015. If no comments are received by July 13, 2015 the rates will be considered valid and may be phased in at the discretion of each sponsoring pilotage organization.

Agenda Item 3 – Approval of April 9, 2015 Commission Meeting Minutes

After considering the content of the April 9, 2015 meeting minutes, Captain Walker motioned to accept the minutes. Captain Gelinias seconded the motion; and hearing no objections or abstentions it was thus:

RESOLVED to approve the minutes of the April 9, 2015 Maine Pilotage Commission meeting.

Agenda Item 4 – Update on LD 198

Mr. Downey reviewed the status of the legislative action to amend MSRA 38 § 87-A to include non-commercial vessels up to 253 feet in length (77 meters). The Bill was signed by Governor LePage on April 3, 2015. If passed, LD-198 will go into effect 90 days following the Adjournment of the legislature sometime in mid-late June making the new law effective in the early Fall of 2015.

Agenda Item 5 – Pilot Training

Mr. Downey briefed the Commission that the Maine Department of Environmental Protection supported pilot training funding with a renewed one year Memorandum of Understanding which facilitated the transfer of \$20,000 to the Pilot Training Fund. Further, he detailed his research in obtaining Azipod training at Holland College. Through discussion amongst to Commission members it was determined to maintain a relationship with Holland College but not commit to Azipod training at this time. Finally, he detailed his ongoing dialogue to organize a one day Fatigue Management Seminar offered by MITAGS. The event, was proposed by the Commission members, to be held at Maine Maritime Academy in early-mid November. Further, he instructed by the Commission members to promote the Seminar beyond the confines of the Pilot Commission to share the training experience with other interested parties including Maine Maritime Academy faculty and students.

Agenda Item 6 – Financial

Cash Report: Mr. Downey reported on *Marine Accounts* which has a current balance of \$13,673.66. License income and insurance expenses flow through this account.

Total cash received since April 9, 2015:

- Total Cash Receipts: \$50.00.

Cash disbursements since April 9, 2015:

- Board Travel: \$462.68; and
- Rate Workshop Travel: \$199.28.

Training Fund Balance: The **Pilotage Training Account** currently has a balance of \$48,212.83.

Total Receipts since April 9, 2015:

- \$20,000 from Maine Department of Environmental Protection

Cash disbursements since April 9, 2015:

- Since April 9, 2015, there was one training fund expenditure of 2,838.54 to Captain Strong for an Azipod course.

Agenda Item 7 Pilot Continuity

Mr. Downey led an open discussion regarding pilotage in some low traffic areas in Boothbay Harbor and Sheepscot River and potential additional activity in the Quoddy/Eastport areas. He urged Commission members to approach qualified candidates to obtain pilotage for the Sheepscot River and Boothbay Harbor areas as those routes are only served by one pilot currently. Although currently these waters see little commercial traffic, Captain Gelinas offered that the cruise ship industry is starting to seek low volume ports such as Boothbay Harbor.

Agenda Item 8 – Other/Miscellaneous

Commissions: Captain Walker's Commission will expire in September 2015. Captain Mark Klopp was nominated to assume the vacancy as the Kennebec River Pilot member. He submitted his application in early May which was endorsed by the Pilotage Commission Administrator in a letter to Governor LePage on May 7, 2015.

Verified Tasks: Mr. Downey reviewed tasking that was initiated during the meeting which included:

- Keep the Commission members apprised of any written comment received regarding the pending pilotage rate adjustments.
- Engage with MITAGS to organize a one day Fatigue Management Seminar at Maine Maritime Academy in November. The seminar will be intended to reach beyond the pilot pool (other interested parties including MMA faculty and students) to maximize the impact of the training.

New Business: Mr. Downey reminded the Commission of the upcoming Maine Maritime Museum event to honor past and present pilots. He requested the names and addresses of retired or inactive Maine pilots who may be interested in attending so that he can facilitate formal

invitations. The event will be held at the Maine Maritime Museum in Bath, ME on August 26, 2015.

Agenda Item 9 – Adjourn

The meeting was adjourned by the Chair of the Commission, Captain Charles Weeks at 1230.

Next Meeting:

The next meeting will be set for November 19, 2015, 1030 MaineDOT Building.

Respectfully submitted:

Brian J. Downey Jr.
Maine Pilotage Commission Administrator

Captain Charles Weeks
Chair, Maine Pilotage Commission