

# Maine Pilotage Commission



November 17, 2021

## 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 November 17, 2021.

This, being the first in-person meeting since the beginning of the COVID-19 pandemic, we offer our greatest appreciation and thanks to outgoing commission members, Captain John Worth and Mr. Thomas Dobbins who both served the Commission and the State of Maine with distinction. We also take this opportunity to welcome incoming commission members, Captain Lindsey Pinkham and Captain Carrie Norton.

### Administration:

Maine Pilotage Commission Members constituting a quorum were:

Captain Charles Weeks	– Chair of the Commission
Captain David Gelinis	– Pilot Member (Telephonically)
Captain Gerald Morrison	– Pilot Member
Captain Adam Philbrook	– Pilot Member
Captain Shawn Moody	– Maritime Industry Member
Captain Lindsey Pinkham	– Public Member
Captain Carrie Norton	– Public Member
Mr. Brian Downey	– Pilotage Commission Administrator

Maine Pilotage Commission Interested Parties present were:

Captain Skip Strong	– Penobscot Bay and River Pilot
Captain Robert Peacock	– Eastport Pilot
Captain Michael Ames	– Master Mariner
Mrs. Susan Klopp	– Kennebec/Portland Pilots (Telephonically)

Maine DOT staff present were:

Mr. Matthew Burns	– Maine DOT
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## **Agenda Item 1 – Call to Order (Captain Weeks)**

Captain Weeks opened the meeting at 1300 and acknowledged a quorum.

*Amendments and Carry-Over Items:* There were no carry over items from the July 26, 2021 meeting. Hearing no objections, it was thus:

RESOLVED to accept the agenda.

## **Agenda Item 2 – Review/Approval of the Minutes from July 26, 2021 (Captain Weeks)**

After considering the content of the July 26, 2021 minutes, Captain Morrison motioned to accept the minutes from the July 26, 202 meeting. Captain Philbrook seconded the motion. Hearing no objections or abstentions it was thus:

RESOLVED to accept the minutes of the July 26, 2021 Maine Pilotage Commission meeting.

## **Agenda Item 3 – Detailed Formal Introductions & Commission Appointments (Brian Downey)**

Mr. Downey reviewed new vacancies in designated casualty investigator roles (which had been Tom Dobbins and John Worth). Captain Moody remains in place as a designated investigator, however, to maintain full readiness, the commission should have at least two or three commission members designated as investigators. Commission members interested in serving as investigators should contact the Administrator for more information.

Recognizing Captain Weeks pending retirement from the Commission, the forum will require an additional member to fulfill its seven-member mandate. Moreover, when Captain Weeks fully retires (upon gubernatorial appointment and placement of a new member), the commission will also need to elect a new commission Chair.

## **Agenda Item 4 – Financial (Brian Downey)**

Mr. Downey reported on *Ports and Marine Accounts* which has a current balance of \$6,184.50 which has not changed since July 2021. License income and insurance expenses flow through this account. There were no receipts or disbursements since the last Commission meeting. The *Pilotage Training Account* currently has a balance of \$89,209.72 which reflects \$4,275 of disbursements for Investigation/Root Cause Analysis course for one commission member and BRM-P course for four pilots. There were \$668 of additional disbursements for ECDIS for pilots in October 2021, with additional pending ECDIS for pilots expected by the end of CY 2021.

Ports & Marine Account Cash			
Cash Balance			
30 June 2021	Beginning Cash Balance		\$6,184.50
Incoming Cash Receipts			
	Cash Receipts	N/A	\$00.00
	Total Cash		\$6,184.50
Cash Disbursements			
	Operating Expenses	Newspaper advertising	\$00.00
31 October 2021	Ending Cash Balance		\$6,184.50
Pilotage Training Fund			
Pilotage Training Fund Balance			
30 April 2021	Beginning Pilotage Training Fund Balance		\$94,152.72
Incoming Training Fund Receipts			
	DEP Receipt		\$00,000
	Total Fund		\$94,152.72
Training Disbursements			
	Training Reimbursement	BRM-P (MITAGS) Investigation/Root Cause Analysis (ABS Academy) ECDIS for Pilots (MMA)	(\$3,375.00)  (\$900) (\$668)
31 October 2021	Current Pilotage Training Fund Balance		\$89,209.72

#### **Agenda Item 5 – Penobscot Bay Apprentice Update (Captain Gelinas)**

Captain Greg Smith continues to pursue his state pilotage license training regimen during his vacation time from his primary employment with Crowley Maritime where he currently serves as Chief Mate on tank vessels. Penobscot Bay and River Pilots anticipate that Captain Smith will seek to formally pursue a state license endorsed for Penobscot Bay in 2022. Penobscot Bay and River Pilots do not anticipate taking on any additional apprentices in the near future.

#### **Agenda Item 6 – Bar Harbor Cruise Ship Update (Captain Gelinas)**

Captain Gelinas briefed the Commission regarding the ongoing dialogue to cap passengers/cruise ships in Frenchman Bay/Bar Harbor. The Bar Harbor Town Council met on November 16, 2021 to further discuss measures to control passenger landings in the town. Based upon the outcome of the meeting, the town council did not vote to enact any prohibitions or control measures. It, thus, appears that 2022 cruise ship arrivals will not be impacted and will be fairly robust (barring COVID restrictions from Center of Disease Control). Captain Strong (who attended the November 16 meeting) interjected, that there remain council proposals that, if adopted, could reduce passenger landings by as much as 87% which would significantly impact mid-coast Maine pilotage service. In short, the COVID-19 cruise ship restrictions enforced by Canadian authorities and U.S. Center for Disease Control greatly impacted the Northern New England cruise ship industry, which could be further impacted by local ordinance restrictions. In open discussion, it was offered that 50% of Penobscot Bay and River Pilots Association’s work is directly connected to Bar Harbor

pilotage. Such losses in ship volume could require drastic changes in the Mid-coast Maine pilotage system including significant reductions in active/full time pilots and support resources.

### **Agenda Item 7 – Pilotage Longevity Plans (Brian Downey)**

Mr. Downey raised the issue of pilotage longevity and long-term impacts of wanning shipping volume and potential changes in cargoes of the future. It was suggested that a Commission workgroup be established to examine the issue to determine if action by the commission to address pilotage longevity should be considered. Captain Gelinas offered the current down-turn in ship traffic isn't necessarily within the Commission's purview but rather a transportation promotion issue. Captain Morrison expressed concern regarding pilot trainee recruitment as an obstacle as there is little incentive to serve as a pilot in low volume areas. Captain Peacock elaborated that point and offered that training is a concern as the number of ships is so limited that providing adequate training for pilot apprentices could be a challenge in low volume areas. Captains Philbrook and Pinkham offered that recruitment isn't as much of a concern as finding the best qualified apprentices in a suggested narrowing pool of candidates.

After continuing general discussion, Captain Pinkham motioned to establish a workgroup of the Maine Pilotage Commission to discuss the and assess pilotage longevity. Captain Norton seconded the motion. Further follow-on discussion then sought volunteers to participate on the workgroup, and it was thus:

RESOLVED to establish a Pilotage Longevity Workgroup to assess pilotage longevity in the State of Maine with the following members comprising the group:

#### WORK GROUP PARTICPANT ROSTER

- Mr. Downey (non-member-Facilitator)
- Captain Pinkham (Commission member)
- Captain Philbrook (Commission member)
- Mr. Burns (Maine DOT)
- Captain Ames (Public member)
- Mrs. Klopp (Public member)<sup>1</sup>

- Captain Morrison (Commission member (alternate as needed))
- Captain Norton (Commission member (alternate as needed))

<sup>1</sup>As requested post meeting on November 18.

### **Agenda Item 8 – Training Plan Update (Brian Downey)**

Mr. Downey briefed the Commission regarding pilot training. Despite the global pandemic, the Maine Pilotage Commission succeeded in meeting most of its training goals as detailed in the current three-year training plan, with the exception of manned model training which was deferred to protect against exposure to COVID-19.

- ECDIS for pilots was offered through two convenings at Maine Maritime Academy Continuing Education Department at their Bucksport facility with a course completion in October of 2021 and a second offering December 6-7, 2021. ECDIS for Pilots is recommended to be refreshed every five years by the American Pilots' Association.
- It is recommended that manned model training be pursued for any pilots who have not yet taken a manned model course.

Mr. Downey will start the process of developing a new three-year training plan for the next three years with an emphasis on Manned Model training, casualty analysis training for any new investigators, as well as other relevant courses that will improve navigation safety.

### **Agenda Item 9 – Commission/License Status (Brian Downey)**

Mr. Downey reviewed the status of Pilotage Commission appointments. He reported that three of the seven expired Commission appointments have been filled with Captain Philbrook filling the vacant pilot member seat and Captains Pinkham and Norton filling outgoing member seats. Captain Weeks submitted a resignation letter to the Governor's office, which solicited the appointment of a replacement for his seat which is now expired. All other sitting member appointments remain expired. Applications for re-appointment (of those expired) submitted to the Office of Boards and Commission all remain pending.

- Commission Renewals
  - Captain Pinkham (October 1, 2024)
  - Captain Norton (October 1, 2024)
  - Captain Philbrook (October 1, 2024)
  - Captain Gelinias (October 7, 2019 (applied for re-appointment))
  - Captain Moody (August 21, 2020 (applied for re-appointment))
  - Captain Morrison (August 21, 2020 (applied for re-appointment))
  - Captain Weeks (October 21, 2021 (retirement letter proffered and pending))

Mr. Downey also reviewed recent and upcoming license renewals/actions which are as follows:

- License Renewals
  - Captain Klopp September 30, 2021
  - Captain Gelinias November 17, 2021
- Upcoming Renewal
  - Captain Morrison April 28, 2022

### **Agenda Item 10 – New Business/Old Business (Brian Downey)**

**New Remote Meeting Policy** The COVID-19 pandemic necessitated regular and routine use of remote meetings leveraging technology to provide the best access to the public. On July 30, 2021, the emergency law permitting remote public proceedings during the COVID-19 pandemic expired. In its place, the Legislature enacted a new law, codified at 1 MRS § 403-B which requires an effective policy to utilize remote meeting options.

In accordance with Title 1, MRS § 403-B, the Administrator developed a remote meeting policy to allow its Commission members to participate remotely in Commission meetings under certain circumstances and using certain methods of remote participation.

The policy was shared with all commission members electronically for review in advance of the meeting. Additionally, Mr. Downey reviewed the policy in a paraphrased reading to assure observers were apprised of the policy contents. Following the review, Captain Morrison motioned to adopt the policy. Captain Moody seconded the motion. Hearing no objections or abstentions it was thus:

RESOLVED to adopt the Policy 1-21 entitled Remote Meetings.

**Statistics** – Mr. Downey requested data regarding ship arrival and inter-port moves to better serve the Commission from pilotage groups. Mr. Downey will send an excel spreadsheet for population of basic ship traffic fields.

**Member Vacancy** – Mr. Downey requested nominations for the pending vacancy of Captain Weeks’ seat. Post meeting, Mr. Levi Ross, Manager of Wholesale Operations at Dead River Company was offered by Captain Strong to be acted upon by the Administrator.

**Captain Weeks’ Plaque** – In recognition of Captain Weeks retirement from the Maine Pilotage Commission after 23 years of distinguished service, the Commission presented a plaque commemorating Captain Weeks’ commitment to the State of Maine. Thank you Captain Weeks! Fair Winds and Following Seas!

**Agenda Item 11 – Adjourn (Captain Weeks)**

The meeting was adjourned by the Chair of the Commission, Captain Charles Weeks at 1500.

**Next Meeting:** The next meeting will be held March 16, 2022 at Maine DOT at 1030 at Maine DOT Headquarters in Augusta. The next meeting announcement will be posted on the Maine Pilotage Commission website - [www.maine-pilotage.org](http://www.maine-pilotage.org).

Respectfully submitted:

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Brian J. Downey Jr.  
Administrator, Maine Pilotage Commission

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Captain Charles Weeks  
Chair, Maine Pilotage Commission