

<u>APPROVED MINUTES</u> <u>RHODE ISLAND STATE PILOTAGE COMMISSION MEETING</u> Thursday, April 5, 2019 Held at 235 Promenade Street, Room 250 Providence, RI 02908	
<u>MEMBERS IN ATTENDANCE</u> Capt. E. Howard McVay, Chair Capt. Peter Fritz, Vice Chair Frank Floor, RIDEM, Member	<u>OTHERS IN ATTENDANCE</u> JoAnne Scorpio, Commission Secretary Atty. Hoefsmit, RIDEM, Commission's Legal Counsel Sean Bogus, Director NEMP Paul Costabile, Executive Director, NEMP
<u>EXCUSED FROM ATTENDANCE</u> Dean Hoxie, RIDEM, Member	

### I. REVIEW OF PREVIOUS MEETING MINUTES

A regular monthly meeting of the RI State Pilotage Commission was called to order at approximately 9:30am on Friday, April 5, 2019 at the headquarters of the RIDEM, Division of Law Enforcement. A quorum was present; the Commissioners reviewed the March 7, 2019 minutes. Vice Chair Fritz **MOVED** to accept the minutes. Member Frank Floor **SECONDED** the **MOTION**. Vote was **UNANIMOUS, 3-0 to approve**.

### II. OLD BUSINESS

- 1) **Commission Meeting Schedule:** Commissioners briefly discussed changing the monthly meetings to the first Friday of each month. They were all in agreement to leave the schedule as is - first *Thursday* of each month.
- 2) **Pilot Training Advisory Panel:** Vice Chair Fritz advised that he emailed "Pilot Review of Rules of the Road" to each of the state pilots. He attached a letter with the training documents advising the pilots to confirm to the commission that they have read the materials and taken the test. VC Fritz also said that if this program proves to be successful, the Panel would like to send out materials every six months or so. He advised that one of the Panel Members, Capt. Joe Murphy (MMA), provided the rules and answer sheet for the test.
- 3) **Review of Pilot Certificates and Expirations Dates:** Commission Secretary advised that Sean Bogus and Vince Kirby have confirmed that they reviewed the materials and have taken the test. Rich Astles will be sent a courtesy reminder that his Radar Certificate expires in June 2019. The Chair reiterated that changes for the Radar Certification requirements are currently in the works.
- 4) **State Pilot Accident Investigation Procedure/Protocol:**  
**VDR data recovery** – Commissioner Floor stated that the new Law Enforcement Chief should be part of the discussion because he/she will be supervising the EPO's. It

will probably be more than a month or so before the new chief is appointed. Chair McVay agreed that it is probably premature to discuss it further.

- 5) **Nepotism Letter**: Atty. Hoefsmit stated she will draft the letter, however, the Commission cannot tell the NEMP how to conduct their hiring practices. Chair McVay stated that once the pilot is in the system and the Commission conducts their interview and makes a final decision, at that point, the nepotism policy should go into effect.
- 6) **Pilot Harassment Policy**: Chair McVay stated that he did some research and sent out an email to the Commissioners stating that “No pilot Commission has yet addressed harassment”, or put anti-harassment policy into regulation. He went on to state that other pilot associations are making their pilots take sexual harassment/harassment training. Member Frank Floor stated that he would like to see certification that pilots have attended training. Paul Costabile said that he will see that the pilots are trained.
- 7) **Pilot Rates**: Rates will be addressed at the Annual Public Hearing.
- 8) **Probationary Pilot Dale Harper**: The Chair advised that Capt. Harper has been proficient in one inbound and three outbounds trips in Davisville. Paul Costabile said that Dale currently has nine trips in and he will have him ride with other pilots to get more time in. Chair McVay said that Association would like to see at least “ten” trips before any pilot is approved for an upgrade. The Chair also said that he wanted to make a motion at next month’s meeting so the Commissioners can vote on Capt. Harper’s upgrade while the Commission is in recess. The Commissioners would like to approve the motion in advance providing Capt. Harper meets all the criteria.

## V. NEW BUSINESS

- 1) **Commissioner Appointments**: Chair McVay advised that he will not be returning to piloting and discussed with counsel what his status is as a member of the commission. Commission Counsel Hoefsmit advised that the statute states that one (member) has to be from the public and the other has to be a licensed pilot with five years’ active service on the water in the state and technically Chair McVay can remain on the commission until his appointment is up. After that, it will be the Governor’s decision as to who she wants to serve. All appointments must be confirmed by the Senate. Chair McVay advised that Capt. Bogus has expressed an interest in replacing him when he resigns and will make a recommendation to the Governor at that time.

Atty. Hoefsmit advised that the Commissioners should seek reappointments. Chair McVay said that he would draft a letter for the Governor’s office, including a letter for Vice Chair Fritz. He also asked Member Frank Floor to have Director Coit submit a letter with her recommendation.

- 2) **Navigational Collision Study**: The Chair will bring a collision study to the May meeting for the commissioners to review.

## VI. ADJOURMENT

There being no further business to discuss, the meeting adjourned at approximately 10:30 a.m. Member Frank Floor **MOVED** to adjourn the meeting. Vice Chair Fritz **SECONED** the **MOTION**. Vote was **UNANIMOUS, 3-0 to adjourn**.

<b>Remaining Scheduled Dates:</b>	Th, May 2	Th, Aug. 1	Th, Nov. 7
	Th, Jun. 6	Th, Sep. 5	Th, Dec. 5
	Th, Jul. 11	Th, Oct. 3	

Meeting dates are subject to change