

APPROVED MINUTES
RHODE ISLAND STATE PILOTAGE COMMISSION MEETING

Thursday, February 2, 2017
Held at 235 Promenade Street, Room 250
Providence, RI 02908

<u>MEMBERS IN ATTENDANCE</u>	<u>OTHERS IN ATTENDANCE</u>
Capt. E. Howard McVay, Chair Capt. Peter Fritz, Member Frank Floor, Member Larry Mouradjian, Member	Atty. Gary Powers, Counsel to the RIPC Jo-Anne Scorpio, Secretary to the RISPC Rick Astles, RI State Pilot Board Mason Wilcox, USCG Paul Costabile, Executive Director, NEMP Sean Bogus, President, NEMP Vincent Kirby, RI state Pilot Board Dan Morrison, Quonset Pt. Development Corp. Bob Blackburn, Port Director for Davisville

I. REVIEW OF PREVIOUS MEETING MINUTES

A regular monthly meeting of the RI Pilot Commission was called to order at approximately 9:30am on Thursday, February 2, 2017 at the headquarters of the RIDEM, Div. Law Enforcement. A quorum was present; the December 2, 2016 minutes were reviewed. After the Commissioners made corrections, they voted to approve the minutes. Member Capt. Fritz made the motion to accept the minutes; Member Frank Floor seconded the motion. [Voted 3-0 in favor.](#)

II. OLD BUSINESS

- 1) **Probationary License Status for Capt. Sanford:** Commissioners and members of the RI State Pilot Board discussed Capt. Sanford's request to be considered for an upgrade from a 30-foot to a 32-foot draft on vessels of 35,000-gross tons. The Chair read a letter from the RI State Pilot Board to the Commission requesting that Capt. Sanford be upgraded based on his observer trips made over the last two months riding under the supervision of a Full Branch Pilot.

Atty. Powers advised that the Commission did not have the legal authority to grant that approval and their only option would be to vote in an emergency situation only. The Commissioners and Atty. Powers then discussed modifying the regulations that would give them legal authority to vote and approve an upgrade based on similar circumstances as with Capt. Sanford.

Chair McVay requested to entertain a motion to propose that the current regulations be amended to include that the Commission have the ability to approve an upgrade when a

probationary pilot is gaining experience as an observer under the supervision of a senior pilot.

Member Larry Mouradjian moved make a motion that the Commission draft an amendment to the regulations to give the Commissioners legal authority to grant licensure to the Probationary Pilots based on supporting documentation and recommendations in the form of a letter from the State Pilot Board whereby the Commission will be reassured of the Probationary Pilot's progress and proficiency.

The Chair then stated that Member Mouradjian's motion was too broad in definition and thought the motion should be reworded.

Member Mouradjian moved to amend the previous motion to include that the Commission will communicate by email to further define the previous proposal. Member Frank Floor seconded the motion. *Voted 3-0 in favor.* Once the language is agreed upon, the Commissioners will entertain a motion at the next meeting (March). That proposal, if approved, will be included as a topic in the Annual Public Hearing Agenda.

Based on the language of the current regulations, Member Frank Floor made a motion to deny Capt. Sanford's upgrade as the required number of trips that a Pilot has to complete to be considered for an upgrade was not met. Member Capt. Fritz seconded the motion. *Voted 0-3 Denied.*

Commissioners then discussed lifting Capt. Sanford's wind restrictions at Davisville. Commissioner Mouradjian made a motion to approved Capt. Sanford's wind restriction. Commissioner Capt. Fritz seconded the motion. *Voted 3-0 in favor.*

- 2) **Review of Pilot Certificates required by the Commission:** The Commission secretary, Jo-Anne Scorpio explained the License-Medical Tracking Chart with active pilot's license issuance/expiration dates. She will send out a courtesy reminder to the pilots through email 3 months before the pilot's license and/or medical certificate is about to expire. The NEMP Executive Director, Paul Costabile and the Commissioners will also get a "cc" of that reminder.
- 3) **Capital Terminal:** Commission Vice Chair Fritz stated that Capital Terminal has withdrawn their request for a hearing and has agreed to conform to the requirements requested by the Northeast Marine Pilots. Atty. Powers stated that this case be closed and no further action is required by the Commission. Capt. Bogus then advised Sprague Energy sold the terminal and the Army Corps of Engineers is in the process of reviewing the plans set forth.
- 4) **Agenda for Public Hearing:** Commissioners discussed the regulation proposals that will be included on the Public Hearing Agenda. Atty. Powers advised clarifying the regulations for "holding a license" as well as proposed amendment 15.19.
- 5) **Probationary License Status for Capt. Gray:** The Chair referred back to the Board's letter that stated their recommendation for Capt. Gray to be upgraded to a RI State

License Full Branch with no restrictions. Member Capt. Fritz made a motion to approved Capt. Gray to a Full Branch license. Member Frank Floor seconded the motion. *Voted 3-0 in favor.*

- 6) State Pilot Board Updates:
 - Capt. Harper: No updates reported.
 - Capt. Crombie: No updates reported.
- 7) Probationary Pilot Upgrade Guidelines: No new developments.

III. NEW BUSINESS

No New Business.

IV. OTHER COMMENTS

Medical Certification: The Commissioners and Pilots discussed providing the state-required “supplemental form” only instead of the USCG (719K). Member Frank Floor stated that he wanted to hear Gary’s opinion before making a decision.

V. ADJOURNMENT

Commissioner Floor made a motion for the meeting to adjourn. Commissioner Capt. Fritz seconded the motion. *Voted 3 in favor.* The meeting adjourned at approximately 11:45am.

VI. NEXT SCHEDULED MEETING

Next schedule meeting will be Thursday, March 2, 2017, beginning at approximately 9:30am at the Dept. of Environmental Management, Division of Law Enforcement, 235 Promenade Street, Rm. 250, Providence, RI 02908.