

Maine Pilotage Commission



MaineDOT ~ Room 227B Conference Room
November 18, 2024

Minutes of Pilotage Commission Meeting

In compliance with MRSA 38 § 85 and in fulfillment of the Maine Pilotage Commission's duties addressed in MRSA 38 § 90, a meeting of the Maine Pilotage Commission was held on November 18, 2024.

Maine Pilotage Commission Members constituting a quorum were:

| | |
|-----------------|-------------------------------------|
| Carrie Norton | – Public Member (Chair) |
| David Gelinias | – Pilot Member |
| Levi Ross | – Industry Member |
| Jerry Morrison | – Pilot Member |
| Lindsey Pinkham | – Public Member |
| Shawn Moody | – Industry Member |
| Adam Philbrook | – Pilot Member |
| | |
| Brian Downey | – Pilotage Commission Administrator |

Interested Parties present were:

| | |
|--------------|----------------------------------|
| Mark Klopp | – Klopp Marine Services |
| Susan Klopp | – Klopp Marine Services |
| Calvin Klopp | – Portland Pilots, Inc. |
| Jim Cohen | – Attorney |
| Skip Strong | – Penobscot Bay and River Pilots |
| Mike Ames | – Interested Party |

MaineDOT and legal staff present were:

| | |
|--------------|-----------------------------------|
| Chris Mayo | – MaineDOT |
| John Belisle | – Maine Attorney General's Office |
| Matt Burns | – MaineDOT |

Call to Order (Carrie Norton)

Carrie Norton opened the meeting at 10:34 a.m. and acknowledged a quorum.

Review/Approval of the Minutes from September 23, 2024 (Carrie Norton)

After considering the content of the September 23, 2024 Pilotage Commission meeting minutes, Lindsey Pinkham moved to accept the minutes as drafted; Jerry Morrison seconded the motion. Hearing no objections or abstentions, it was thus:

RESOLVED to accept the minutes of the September 23, 2024 Maine Pilotage Commission meeting.

Review/Approval of the Minutes from October 31, 2023 Legislative Subcommittee Meeting (SUBCOMMITTEE VOTE ONLY)

After considering the content of the October 31, 2023 Legislative Subcommittee Meeting minutes, Jerry Morrison moved to accept the minutes as drafted; David Gelinas seconded the motion. Hearing no objections with Carrie Norton abstaining, it was thus:

RESOLVED to accept the minutes of the September 23, 2024 Maine Pilotage Commission meeting.

Finance (Brian Downey)

Mr. Downey gave a synopsis of the current state of funding for both the Ports and Marine Account as well as the Pilot Training Fund. The *Ports and Marine Accounts* has a current balance of **\$4,829.54** which reflects both disbursements and income since June 2024. License income and insurance expenses flow through this account.

The *Pilotage Training Account* currently has a balance of **\$78,641.81**.

| Ports & Marine Account Cash | | | |
|----------------------------------------|------------------------------------------|---------------|--------------------|
| Cash Balance | | | |
| 18 June 2024 | Beginning Cash Balance | | \$4,829.54 |
| Incoming Cash Receipts | | | |
| | | | 00.00 |
| | Total Cash | | \$4,829.54 |
| Cash Disbursements | | | |
| | Narrow Straits Piloting Services | Reimbursement | \$770.85 |
| 18 Nov 2024 | Ending Cash Balance | | \$4,049.69 |
| Pilotage Training Fund | | | |
| Pilotage Training Fund Balance | | | |
| 18 June 2024 | Beginning Pilotage Training Fund Balance | | \$78,641.81 |
| Incoming Training Fund Receipts | | | |
| | | | \$00.00 |
| | Total Fund | | \$78,641.81 |
| Training Disbursements | | | |
| | Training Reimbursement | | \$00.00 |
| 18 Nov 2024 | Current Pilotage Training Fund Balance | | \$78,641.81 |

Meeting Procedure (John Belisle)

Mr. Belisle broadly discussed the Freedom of Access Act as it pertains to the proceedings of public boards and commissions. In particular, he discussed prohibitions of communication of Commission members regarding commission business outside of a formal meeting setting. Anecdotally, Adam Philbrook suggested that the Commission members receive formal training on the Freedom of Access Act.

Investigation (Brian Downey)

Mr. Downey outlined the very broad details of a minor investigation case that is in the final stages of analysis and promulgation. He also delivered a brief refresher training discussion regarding drug testing requirements for pilots following Serious Marine Incidents. He further reviewed the post incident reporting requirements for both the Maine Pilotage Commission as well as the U.S. Coast Guard.

Draft Commission Legislation (Chair)

Mr. Downey reviewed the goals of the Sub-committee as a non-voting review entity to analyze the language of draft legislation that would shift jurisdiction the of the Maine Pilotage Commission to include the sea pilots serving Portland Harbor and Casco Bay.

The sub-committee is reviewing the draft legislation and partnering with the author to ensure maximum alignment of expectations between the interested parties before a Bill is introduced to the State Legislature.

Mr. Cohen summarized edits resulting from the last sub-committee meeting in which he teamed with John Belisle (Maine Pilotage Commission counsel and Assistant Attorney General) to refine certain language of the draft legislation.

Currently, the bill remains without a sponsor. It was further discussed that the incoming legislature will be seated around December 4 and that the draft legislations is desired to be presented by the end of December. It was asked by a public observer, if MaineDOT could sponsor the Bill. Mr. Mayo indicated that while MaineDOT could not directly sponsor the Bill that they could support a Bill. David Gelinas expressed concern over the timeline indicting the Commission should take the time it needs to ensure the legislation accurately reflects the goals and mission of the Commission. It was tacitly decided that another sub-committee meeting was needed to finalize the language of the draft legislation and would be set up for November 21, 2024.

Administrator Transition Plan (Brian Downey)

Mr. Downey formally announced the commission administrator position will be vacated on 01 January 2025. Lindsey Pinkham volunteered to fill the administrator role on an interim basis and offered to vacate her commission seat if the position were to become a full-time paid position. Jerry Morrison moved to appoint, Lindsey Pinkham to serve as the interim Maine Pilotage Commission Administrator. Hearing no objections or abstentions, it was thus:

RESOLVED to appoint Lindsey Pinkham to serve as the interim Maine Pilotage Commission Administrator.

Opportunities for Improvement

No opportunities for improvement were offered and none had been received via the web-link.

Commission/License Status (Brian Downey)

Mr. Downey reviewed the current status of commissions and licenses as noted below.

Commission/License Status (Brian Downey)

- Commission Renewals
 - Pinkham (August 18, 2025)
 - Norton (August 18, 2025)
 - Philbrook (August 18, 2024)
 - Gelinas (August 18, 2025)
 - Moody (May 17, 2023) (Re-filed)
 - Morrison (August 18, 2024) (Re-filed)
 - Ross (August 18, 2024) (Re-filed)
- License Renewals
 - Lord
 - Strong
- Upcoming Renewals
 - None

New Business/Old Business (Carrie Norton)

Mr. Downey raised the issue of reissuing Pilotage Commission Identification Cards to active pilots and Commission members. Cruise ships, in particular tend to observe higher security and often require pilot identification. Further, the recent investigation conducted on October 14, 2024 highlighted the need for Commission members, especially designated investigators, to be issued credentials.

Mr. Downey offered that Doug Fournier is voluntarily shifting to an inactive state pilot licensing status.

Adjourn (Carrie Norton)

Carrie Norton moved to adjourn, Lindsey Pinkham, seconded the motion. Hearing no objections or abstentions, it was thus:

RESOLVED to adjourn the Maine Pilotage Commission meeting. Carrie Norton adjourned the meeting at approximately 12:20 p.m..

Recognizing the next meeting was inadvertently unscheduled, Carrie Norton moved to reconvene the meeting of the Maine Pilotage Commission to formally schedule the next meeting. Levi Ross seconded the motion. Hearing no objections or abstentions, it was thus:

RESOLVED to reconvene the Maine Pilotage Commission meeting at approximately 12:22 p.m..

Carrie Norton moved to set the next meeting for January 23, 2025, Lindsey Pinkham, seconded the motion. Hearing no objections or abstentions, it was thus:

RESOLVED to convene a meeting of the the Maine Pilotage Commission on .
January 23, 2025.

Carrie Norton moved to adjourn, Adam Philbrook, seconded the motion. Hearing no objections or abstentions, it was thus:

RESOLVED to adjourn the Maine Pilotage Commission meeting. Carrie Norton adjourned the meeting at approximately 12:24 p.m..

Next Meeting: Legislative Subcommittee

November 22, 2024 at 1:00 p.m.

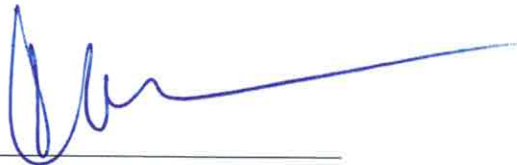
MaineDOT
Room 216
24 Child Street
Augusta, ME 04330

Following Meeting: Full Commission Meeting

January 23, 2025 at 10:30 a.m.

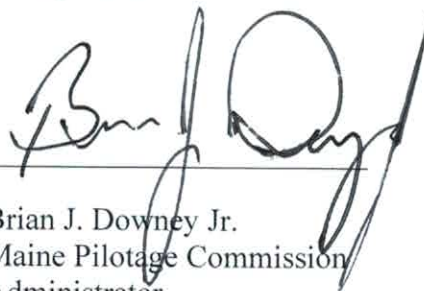
MaineDOT
Room 227B
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Augusta, ME 04330

Respectfully submitted:



Carrie Norton
Maine Pilotage Commission
Chairperson

Respectfully submitted:



Brian J. Downey Jr.
Maine Pilotage Commission
Administrator