

MINUTES OF THE MEETING

BOARD OF PILOT COMMISSIONERS

One Ocean Resort

1 Ocean Boulevard

Atlantic Beach, FL 32233

January 18, 2013

CALL TO ORDER

Chair Fernandez called the meeting to order at 9:00 a.m.

Members Present

Commissioner Fernandez, Chair

Commissioner Bryson

Commissioner Fox

Commissioner Frudaker

Commissioner Sams

Commissioner Smith

Commissioner Swindell

Commissioner Ulrich

Commissioner Viso, Vice-Chair

Members Not Present

Commissioner Trueba

Others Present

Robyn Barineau, Executive Director

Elise Rice, Government Analyst

Michael Flury, Board Counsel

Dustin Metz, Prosecuting Attorney

Allen Thompson, Tampa Bay Pilots Association

Andy Edelstein, Port Everglades Pilots Association

Chris Mons, St. Johns Bar Pilots Association

Dan Ramsey, Florida Docking Masters

Tom Lisante

Stuart Lilly, Florida Harbor Pilots Association (FHPA)

Stuart Gasecki, Canaveral Pilots Association

Warren Husband, FHPA

Gretchen Rayborn, FHPA

Chair Fernandez welcomed Commissioner Swindell to the Board.

APPROVAL OF THE MINUTES OF THE MEETING

September 28, 2012

MOTION: Commissioner Bryson made a motion that the Board approve the minutes as submitted.

SECOND: Commissioner Sams seconded the motion and it passed unanimously.

January 4, 2013

MOTION: Commissioner Bryson made a motion that the Board approve the minutes as submitted.

SECOND: Commissioner Frudaker seconded the motion and it passed unanimously.

PROSECUTING ATTORNEYS REPORT

Mr. Metz provided the members with a copy of his report. He stated that there were three active cases at this time, with one case ready for probable cause.

REVIEW OF APPLICANTS FOR DEPUTY PILOT APPLICATIONS

Canaveral Pilots Association

Commander Dunton stated that the following applicants met the requirements to take the Deputy Pilot Examination: Grant Begley, Tiffany Brockman, Joseph Casais, Zachery Condon, Ross Coviello, Casey Crowl, Peter Curtis, Justin Facciolo, Joseph Goodwin, Steven Holm, Jonathan Leck, Dustin Leserra, Thomas Lisante, Matthew Lynch, Brett Monthie, Robert Moore, Christopher Moran, William O'Connor, John Pritchett, Joseph Purcell, Robert Reese, Mark Ruppert, Luke Sloane, and Charles Zenter.

MOTION: Commissioner Bryson made a motion that the Board approve Grant Begley, Tiffany Brockman, Joseph Casais, Zachery Condon, Ross Coviello, Casey Crowl, Peter Curtis, Justin Facciolo, Joseph Goodwin, Steven Holm, Jonathan Leck, Dustin Leserra, Thomas Lisante, Matthew Lynch, Brett Monthie, Robert Moore, Christopher Moran, William O'Connor, John Pritchett, Joseph Purcell, Robert Reese, Mark Ruppert, Luke Sloane, and Charles Zenter for the March 2013 examination for the deputy pilot openings with the Canaveral Pilots Association.

SECOND: Vice-Chair Viso seconded the motion and it passed unanimously.

Biscayne Bay Pilots Association

Commander Dunton stated that the following applicants met the requirements to take the Deputy Pilot Examination: Joseph Casais, Kevin Connors, Casey Crowl, Peter Curtis, Eric Dobson, Glenn Fortin, Angel Irlanda Colon, Jason Lake, Jonathan Leck, Dustin Leserra, Thomas Lisante, Jason Mavra, James Maye, Brett Monthie, Keith Morton, William O'Connor, John Pritchett, Angelo Raimondi, Robert Reese, Matthew Riley, Robert Ripley, Jeffrey Robbins, Benjamin Rosson, Mark Ruppert, Thomas Sellers, Steven Tepper, and Michael Villa.

MOTION: Commissioner Bryson made a motion that the Board approve Joseph Casais, Kevin Connors, Casey Crowl, Peter Curtis, Eric Dobson, Glenn Fortin, Angel Irlanda Colon, Jason Lake, Jonathan Leck, Dustin Leserra, Thomas Lisante, Jason Mavra, James Maye, Brett Monthie, Keith Morton, William O'Connor, John Pritchett, Angelo Raimondi, Robert Reese, Matthew Riley, Robert Ripley, Jeffrey Robbins, Benjamin Rosson, Mark Ruppert, Thomas Sellers, Steven Tepper, and Michael Villa for the March 2013 examination for the deputy pilot openings for the Biscayne Bay Pilots Association.

SECOND: Vice-Chair Viso seconded the motion and it passed unanimously.

Commander Dunton stated that William Capone was shy 68 days of qualifying sea time and, therefore, he was not qualified to take the examination.

Following discussion, the following action was taken.

MOTION: Commissioner Bryson made a motion that the Board deny the application for William Capone as he did not meet the requirements.

SECOND: Commissioner Frudaker seconded the motion and it passed unanimously.

Commander Dunton stated that Charles Leonard did not meet the requirements to sit for the examination.

MOTION: Commissioner Ulrich made a motion that the Board deny the application for Charles Leonard as he did not meet the requirements.

SECOND: Commissioner Bryson seconded the motion and it passed unanimously.

Commander Dunton stated that Peter Palumbo's time did not meet the requirements and, therefore, he was not qualified to take the examination.

MOTION: Commissioner Bryson made a motion that the Board deny the application for Peter Palumbo as he did not meet the requirements.

SECOND: Vice-Chair Viso seconded the motion and it passed unanimously.

Commander Dunton stated that Justin Pierson was shy 84 days of sea time. He withdrew his application as he went back to sea.

MOTION: Commissioner Bryson made a motion that the Board deny the application of Justin Pierson as he did not meet the requirements.

SECOND: Vice-Chair Viso seconded the motion and it passed unanimously.

Commander Dunton stated that the following applicants had information that was pending and he asked that they be approved pending receipt of the information by February 1, 2013.

Commander Dunton stated that William Donaldson had applied for both ports, however, his Coast Guard license has expired and he is waiting for the renewed license to be received.

Following discussion, the following action was taken.

MOTION: Commissioner Bryson made a motion that the Board approve William Donaldson for the deputy pilot examinations for both ports if he submits a current Coast Guard license by February 1, 2013.
SECOND: Vice-Chair Viso seconded the motion and it passed unanimously.

Mr. Flury stated that William Donaldson would be approved for the examinations upon submission of the documentation.

Commander Dunton stated that Sean Morrissey applied for the Canaveral opening. He was shy 65 days, however, he is waiting to receive his certificate of discharge to submit which should give him the time needed.

Following discussion, the following action was taken.

MOTION: Commissioner Frudaker made a motion that the Board approve Sean Morrissey for the deputy pilot examination for the Canaveral Pilots Association if he submits his sea time by February 1, 2013.
SECOND: Vice-Chair Viso seconded the motion and it passed unanimously.

Commander Dunton stated that Matthew Pizzedaz applied for the Miami opening. He is missing his drug test and sea time.

Following discussion, the following action was taken.

MOTION: Commissioner Bryson made a motion that the Board deny the application of Matthew Pizzedaz to sit for the deputy pilot examination for the Biscayne Bay Pilots Association as he did not meet the requirements.
SECOND: Vice-Chair Viso seconded the motion and it passed unanimously.

Commander Dunton stated that Keith Morton applied for the Miami opening. He was arrested in March, 2012, for DUI and is on probation until February 1, 2013. He stated that he complied with all the criteria set by the court. Commander Dunton added that the Coast Guard was aware of this, and they are monitoring Captain Morton. Commander Dunton stated that this was his first offense.

Following discussion, the following action was taken.

MOTION: Commissioner Bryson made a motion that the Board deny the application of Keith Morton to sit for the deputy pilot examination for the Biscayne Bay Pilots Association per Chapter 310.101(1)(m), Florida Statutes.

SECOND: Vice-Chair Viso seconded the motion and it passed unanimously.

REVIEW OF DEPUTY PILOT TRAINING PROGRAM

Canaveral Pilots Association

Captain Steve Gasecki was present at the meeting. He stated that the training program length was changed to three years instead of the previous two and a half years because of the vessels they handle.

Following discussion, the following action was taken.

MOTION: Commissioner Bryson made a motion that the Board approve the changes to the Canaveral Pilots Association's training program as submitted.

SECOND: Commissioner Ulrich seconded the motion and it passed unanimously.

REPORTS

Chair's Report – Chair Fernandez

Chair Fernandez thanked everyone for their hard work and stated that the Pilotage Rate Review Committee will have a hearing soon.

Chair Fernandez also thanked staff for all that they do.

Deputy Pilot Advancement Committee – Chair Fernandez

Chair Fernandez reported that there had been four conference calls for deputy pilot advancement in which eight deputies were advanced in their training programs.

Finance Committee Report – Commissioner Bryson

Commissioner Bryson reported that the Committee met and voted to recommend to the Rules Committee that the gross pilotage assessment be reduced to seven tenths of one percent (.007) on July 1, 2013.

Rules Committee Report – Commissioner Frudaker

Commissioner Frudaker reported that the Committee met and approved the recommendation from the Finance Committee to decrease the gross pilotage assessment.

Mr. Flury stated that the change in the gross pilotage assessment would not have an impact on small businesses. He also stated that the rule remains open for development.

Following discussion, the following action was taken.

MOTION: Commissioner Bryson made a motion that the Board adopt the recommendation of the Rules Committee to decrease the gross pilotage assessment to seven tenths of one percent (.007) effective July 1, 2013.

SECOND: Commissioner Fox seconded the motion and it passed unanimously.

Probable Cause Panel Report – Chair Fernandez

Chair Fernandez stated that the Probable Cause Panel did not meet at this meeting.

Pilotage Rate Review Committee – Vice-Chair Viso

Vice-Chair Viso reported that an application had been received from the Palm Beach Pilots Association and they are waiting for the Investigative Committee Report to be received. Once that is received, the port tour and hearing will be scheduled.

Board Counsel’s Report – Michael Flury

Mr. Flury did not have a report to give at this time.

Executive Director’s Report – Robyn Barineau

Ms. Barineau reported that the next meeting will be held in late September or early October.

PERFORMANCE EVALUATIONS OF ROBYN BARINEAU, MICHAEL FLURY AND GALEN DUNTON

Chair Fernandez asked Ms. Barineau, Mr. Flury and Commander Dunton to leave the room at this time.

The members stated that Ms. Barineau had done an excellent job and asked that a letter be sent to the Secretary. They stated that she had done a stellar job.

The members stated that Mr. Flury had done an excellent job and asked that a letter be sent to the Attorney General. They stated that he was very accessible, well prepared, and always helpful.

The members stated that Commander Dunton had done an excellent job and was more than stellar. They asked that a letter be prepared with the recommendation that he continue as their consultant.

PUBLIC COMMENTS

Captain Allen Thompson stated that the Tampa Bay Pilots Association chronicled their piloting history with a book which he provided to all the members.

NEW BUSINESS

There was no new business to come before the Board at this time.

OLD BUSINESS

Commissioner Swindell suggested that there be a tour of the port or presentation by the port authority at future meetings.

Captain Thompson suggested that they have the port director or someone from the association come to the meeting and report on their activities. This would be very educational for the Board.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:06 a.m.