

## PEP TAC Meeting Summary - August 15, 2011

The following is a summary of the first meeting of the recently reconvened TAC held in the first floor meeting room at Cornell Cooperative Extension in Riverhead.

- Out of the 112 people invited to participate in the PEP TAC there were 30 people in attendance in addition to 2 contractors-see Appendix I.
- Agenda items included:
  - TAC Administration-
    - Rick Balla discussed by-laws, selection of a chairperson, and conflict of interests. At the meeting, Draft By-Laws were handed out as well as a Draft Conflict of Interest form for members to sign and submit to program office.
    - Also discussed was the schedule of future TAC meetings. Specifically mentioned, and seemingly agreeable with the TAC, was the third Monday of August, November, February and May. If this schedule is formally agreed upon, **the next meeting of the TAC would be Monday, November 21, 2011**. It was hopeful at the meeting on November 21<sup>st</sup> that a Chairperson and Vice Chairperson of the TAC would be selected.
    - A TAC webpage ([www.peconicestuary.org/TAC.html](http://www.peconicestuary.org/TAC.html)) was added to the Peconic Estuary Program website in order to present technical reports and documents in addition to soliciting TAC member comments and responses. Recent updates to the webpage include:
      - Water Quality Status & Trends presentation at TAC meeting on 8-15-11
      - Meetinghouse Creek Dredge Feasibility Report
      - Draft By-Laws
      - Draft Conflict of Interest Sheet
      - Suffolk County Comprehensive Water Resources Management Plan
      - A Blog space for members to share ideas or give other input.
        - Some potential topics for the next meeting are currently posted on the Blog and **members are encouraged to suggest additional possible topics for future meetings here.**
  - Peconic Estuary Status & Trends (update on report)- consultants (Dave Berg and Robert Svadlenka of Cameron Engineering) hired by the County to prepare a comprehensive assessment on the water quality status and trends of the Peconic estuary, gave a power point presentation of findings and status of project to date. This presentation is available on the TAC webpage. **Members are encouraged to comment on this presentation and the progress to date on this report.** Comments should be directed to Alison Branco at [alison.branco@suffolkcountyny.gov](mailto:alison.branco@suffolkcountyny.gov)
  - Meetinghouse Creek Dredge Feasibility Report- Mike Jensen discussed the report which was prepared by Cashin Associates. The report was intended to develop a feasibility study and plan to dredge the duck sludge deposits within the creek, an action that would likely partially alleviate nutrient loading to surface waters and improve D.O. levels. The study concluded that full scale dredging of the entire length of the creek was recommended. The report offered two other alternatives to consider, albeit, less beneficial. They were: 1) dredging of the creek mouth only and 2) dredging of the upper creek and mouth. The discussion following the presentation of these dredge options were of possible other solutions to the problem of sediment nutrient loading. Other options discussed included capping or placement of dredged spoil material on local deteriorating marshes to offset elevation losses.

**Appendix I.** Attendees of August 15, 2011 PEP TAC Meeting

<b>Name</b>	<b>Affiliation</b>
Rick Balla	USEPA Region 2
Julie Nace	NYSDEC Marine Habitat
Kim Shaw	SC Department of Health Services
Chris Lubicich	SC Department of Health Services
Walter Dawydiak	SC Department of Health Services
Mike Jensen	SC Department of Health Services
Emily Fogarty	SC Department of Health Services
Lisa Liquori	Fine Arts & Sciences LLC
Gerrod (Roddy) Smith	Shinnecock Indian Nation-Trustee
Gregg Rivara	Cornell Cooperative Extension, Suffolk County
Chris Pickerell	Cornell Cooperative Extension, Suffolk County
Charles deQuillfeldt	NYSDEC Marine Habitat
Chris Schubert	USGS
Larry Penny	Town of East Hampton
Becky Wiseman	Cornell Cooperative Extension, Suffolk County
Brian Frank	Town of East Hampton
Tim Green	Brookhaven National Laboratory
Camilo Salazar	SC Department of Environment & Energy
Martin Trent	SC Department of Health Services, Retired
John Maniscalco	NYSDEC Finfish & Crustaceans
Joe Hall	Town of Riverhead
Jennifer Skilbred	Group for East End
Mark Terry	Town of Southold
Jim Matthews PhD	Town of East Hampton
James Ammerman	NY SeaGrant
DeWitt Davies	SC Department of Planning
Susan Filipowich	SC Department of Planning
Christine Fetten	Town of Southampton
Tony Leung	NYSDEC Division of Water
Dale Moyer	Cornell Cooperative Extension, Suffolk County
Dave Berg	Cameron Engineering (Contractor)
Robert Svadlenka	Cameron Engineering (Contractor)

**Peconic Estuary Program (PEP) Technical Advisory Committee (TAC)  
Policies on Conflict of Interest, Confidentiality, and Related Matters**

Members of the PEP TAC will be asked to review and provide guidance related to research, data management, modeling, and sampling and monitoring efforts, The TAC will conduct peer review of technical documents, reports and studies by the Peconic Estuary Program Management and or Policy Committee. It is expected that the participation of a committee member/alternate in the work of the committee will reflect the highest professional standards of conduct. Given the technical and scientific focus of the committee's duties, members/alternates should hear, see, and consider all information presented to the committee, and the views and opinions expressed by other members/alternates, in an open and unbiased manner that reflects the essential nature of scientific inquiry. Of special concern are issues relating to conflict of interest and the confidentiality of information presented to and discussed by the committee.

*Conflict of Interest*

The work of the committee may place a TAC member/alternate in situations of real or perceived conflict of interest wherein the member/alternate himself or herself, an immediate family member(s), or colleague(s) at his/her home institution have a financial stake in a matter before the committee. In such situations, the member/alternate is obliged to disclose the real or potential conflict of interest to the TAC chair. The TAC chair will rule on whether the specifics of the situation require that the member/alternate refrain from participating in the discussion and/or any action by the committee on the matter. The names of members/alternates who have recused themselves during a meeting for a conflict of interest will be recorded in the meeting minutes. The concern here is to assure fairness and impartiality in decision-making, and to avoid even the appearance of impropriety.

*Confidentiality*

TAC members/alternates are to treat all information presented to the committee, as well as the discussions and actions of the committee, as confidential unless otherwise advised by PEP Management or Policy Committees. Alternates may share committee-related information with an alternate from their host institution. Any public release of material relating to the committee's work is solely the responsibility of PEP Management and or Policy Committee. Public queries about the committee's work should be referred to these committees.

I have read the above statement. I agree to abide by it during my participation on the Peconic Estuary Program Technical Advisory Committee:

Member's Name: \_\_\_\_\_ Date:

Member's Signature: \_\_\_\_\_

**Peconic Estuary Program**  
**Technical Advisory Committee (TAC)**  
**By-Laws**

ARTICLE I

Name, Location, Authority, Purpose, Function

Section 1 – Name: The name of this organization shall be the Peconic Estuary Program Technical Advisory Committee (TAC). Its area of interest shall include the watershed of the Peconic Estuary in Suffolk County.

Section 2 – Authority: The TAC has been established by the Peconic Estuary Program Management Committee and the Suffolk County Department of Health Services (SCDHS). The TAC reports to the Management Committee and its by-laws and membership are subject to the approval of the Management and Policy Committees.

Section 3 – Offices: The principal mailing address of the TAC shall be:

TAC Chair  
Peconic Estuary Program  
Suffolk County Department of Health Services  
Office of Ecology Suite 2 B  
360 Yaphank Ave., New York 11980  
Phone: (631) 852-5750  
Fax: (631) 852-5712  
E-Mail: [chris.lubicich@suffolkcountyny.gov](mailto:chris.lubicich@suffolkcountyny.gov)

Section 4 – Purpose and Functions: The principal responsibility of the TAC is to provide technical support to the Management Committee. The TAC will review and provide guidance related to research, data management, modeling, and sampling and monitoring efforts, The TAC will conduct peer review of technical documents, reports and studies. The TAC will apprise the Management Committee on emerging environmental topics.

ARTICLE II

Membership and Officers

Section 1 – TAC Composition: The membership of the TAC shall include individuals from local, state and federal agencies with regulatory or management mandates that affect the Peconic Estuary, academia, private and public sectors and user groups interested in fulfilling the goals and objectives of the Peconic Estuary program. The TAC will provide technical/scientific advice to the Management Committee on objectives and issues identified as important to the Peconic Estuary.

Section 2 – Terms of Appointment: The Members shall serve until such time as revoked by the appointing authority or the Management or Policy Committees, or, until such time that written notification is submitted to the Chair (or Vice Chair) indicating an intention to be removed from formal membership.

Section 3 – Compensation: All members shall serve without compensation and shall carry out work for the TAC with in-kind services.

Section 4 – Officers: The officers shall be Chairperson and Vice Chairperson. The chair and vice chair of the TAC shall be elected by a majority vote of the members present provided that a quorum (*i.e.*, a majority of the overall voting membership) is present. Re-election for a new chair (or vice-chair) shall occur when the current chair (or vice-chair) has served as chair (or vice- chair) for two years from date of appointment or on a motion of the TAC and majority vote.

Section 5 -Responsibilities of Chairs:

- Chairing the TAC meetings
- Attending TAC meetings on a quarterly, perhaps monthly, basis
- Communicating recommendations and concerns of the TAC to the Management Committee
- Defining agendas for TAC meetings
- Reporting TAC deliberations to the Management Committee
- Representing the TAC on the Management Committee

Section 6 Responsibilities of Vice Chair:

- Substituting for the chair during his/her absence.
- Performing other duties as designated by the chair.

### ARTICLE III Meetings

Section 1 – Meetings: The TAC will hold general meetings at least quarterly or more often if necessary to meet its responsibilities. The meetings will be scheduled by the Program Office or the TAC Chairperson. Members of the TAC shall be notified of meetings by the Program Office thirty days in advance when possible. Meetings of the TAC and subcommittees shall be open to the public. The public may participate in discussion at committee meetings.

Section 2 – Agenda Items: To promote informed discussion, an agenda and materials to be discussed at scheduled meetings will be delivered to TAC members at least 1 week prior to each meeting. Items requiring a decision by the TAC will be indicated on the agenda to allow members not able to attend the meeting to have the option of sending a designated representative. Notice of designated representative must be made to the administrative office at least one day prior to any scheduled meeting. As necessary, additional items can be discussed at ~~any~~ meeting, but prior written notice is required for decision-making. Matters may be placed on the agenda for consideration at meetings of the TAC by any of the following:

- The TAC Chair or Vice-Chair
- A member of the TAC
- The Management or Policy Committee Chair

Section 3 -Conflicts of Interest (COI): No member of the TAC (or staff representative) shall participate in any decision or vote, which would constitute a conflict of interest under federal or state law. Definitions of COI (see attached guidelines) will be distributed to each appointed (voting) member of the TAC and copies will be available at each TAC meeting. Any potential conflicts of interest must be clearly stated by the member prior to any discussion on the agenda item, and the member must abstain from involvement in discussion or preparation of any solicitation for proposals concerning the item, or discussion or voting on contracts or grants concerning the item.

Section 4 - Quorum and Voting: A simple majority of the appointed members or their designated representatives shall constitute a quorum. Whenever possible the TAC shall resolve issues by consensus. Otherwise, issues will be decided by a simple majority vote of the members present, provided a quorum exists. If consensus cannot be reached on an issue, a minority report can be prepared by the dissenting members, provided it adheres to the same completion schedule as the majority report.

Section 5 –Records: The TAC shall appoint a secretary to take notes at all regular TAC meetings. After review by the chair, these will be distributed to the TAC membership within one month after each meeting along with an announcement of the next meeting date and a preliminary agenda.

Section 6 – Parliamentary Procedure: Robert’s Rules of Order, Revised, shall be the parliamentary authority for the conduct of TAC meetings. A copy of Robert’s Rules of order will be provided by Suffolk County Department of Health Services staff for each meeting.

Section 7 – Attendance: Individuals unable to attend or send a representative to three (3) consecutive regular TAC meetings may be replaced. Written notice of appointed delegates should be given to the TAC chair prior to each meeting. As the need arises, members may call on outside expertise to provide information and help perform review activities of the TAC.

Section 8 Revision of By-Laws: TAC by-laws can be revised as necessary by a two thirds (2/3) vote of the total membership.