



Town of Lancaster

Regionalization Analysis: Conservation Agent

Division of Local Services / Technical Assistance Section

March 2010

Introduction

The current economic climate is dramatically altering the fiscal landscape for Massachusetts' 351 cities and towns. The recession and concurrent decline in revenues have strained local governments; the stagnant real estate market has sapped property values and pushed many communities closer to their levy limit; and, recession in the construction industry has stifled housing starts and choked off new growth. Municipal budgets are increasingly tight and a steady decline in the number of government employees has resulted. At the same time, towns have statutory responsibilities that, to be met, require them to employ staff, perform functions and maintain facilities. As a result, many municipalities are being forced to explore how to meet their legal responsibilities with fewer employees and still deliver the level of service that taxpayers demand, or to investigate new ways of conducting business.

The Board of Selectmen in the Town of Lancaster made the request for this analysis to determine whether the town's conservation efforts and performance could be enhanced by a cooperative effort for conservation agent services, citing a desire to take advantage of our expertise in municipal management and regionalization issues. Our findings and recommendations are based on interviews and a survey of town conservation commissions by a DLS team from the Technical Assistance Section. During our visits and interviews, the team gathered information from the Lancaster town administrator and planning director, the Montachusets Regional Planning Commission (MRPC) executive director, the Berkshire Regional Planning Commission (BRPC), and the conservation agents and commissions of MRPC member and neighboring towns. We examined such documents as annual town conservation commission budgets, job descriptions, and local bylaws, as well as collected data on conservation committee activities, revenues and expenditures for FY2007, FY2008 and FY2009.

The scope of our review focused on:

- the duties and responsibilities of local conservation commissions
- the historical workload of local conservation agents and commissions
- the regional level of professional support for local commissions
- identification of possible partners for shared conservation agent services
- the advantages and disadvantages of alternative resource sharing models

We want to especially thank the following people for their assistance in completing this project: Town Administrator Orlando Pacheco and Planning Director Noreen Piazza from the town of Lancaster, Executive Director Glenn Eaton of the Montachusets Regional Planning Commission (MRPC), Tom Matuszko, Associate Director of the Berkshire Regional Planning

Commission (BRPC) and Conservation Agent Tracy Plantier Eucker of the Berkshire Conservation Agent Program (BCAP).

With this report, we have intended to add information to local discussions on how cooperative efforts might help local communities to hold down the cost of municipal government and maintain required services in the constant struggle over scarce local resources. More broadly viewed, this effort has allowed DLS to produce some options for communities throughout Massachusetts that seek to achieve similar goals. It is our hope that the analysis presented here can provide some insight and assistance to communities seeking to share or regionalize, not just conservation activities but, other local government services as well.

The completion of our report is based on one presumption. Being considered are ways to share the cost and services of a conservation agent. Each town's conservation commission would continue to function as it has in the past and its files and records would remain in a town location.

Background Information

Located in Worcester County in north central Massachusetts, the Town of Lancaster has a population of approximately 7,000 and serves as a bedroom community for the larger urban centers of Leominster, Worcester and the Boston metro region. Lancaster is bordered by the towns of Bolton, Clinton, Harvard, Lunenburg, Shirley and Sterling and the city of Leominster.

The town is governed by open town meeting and a three-member board of selectmen. The board appoints a town administrator who acts as their agent, provides professional support and oversees day-to-day operations. The town offers a full range of municipal services which are primarily funded through a combination of property taxes, state aid and other local receipts. For FY2009, town meeting appropriated a total budget of \$16,838,340.

The Lancaster Conservation Commission is a seven-member appointed board with two associate members, and meets on the first and third Thursdays of each month. The Commission is responsible for tracking compliance with the State Wetlands Protection Act and the Lancaster Wetlands Protection Bylaw (adopted October, 2007), and for issuing decisions relating to proposed development projects. The two project applications most often reviewed by the commission are Requests for Determination of Applicability (RDA) and Notices of Intent (NOI). The commission also performs other regulatory functions, including enforcement, such as reviewing Resource Area Delineation (RAD) applications.

Typically, the local conservation agent reviews all applications for completeness and accuracy, conducts a site visit, reports his or her findings to the commission including recommendations to mitigate potential impacts on the water resources of the community. The commission may then deny or approve the project, with or without conditions. The commission is responsible for continued conservation of open space properties and maintains current land placed in its custody and care. Toward that end, the conservation agent will also work with potential developers to acquire from them permanent conservation easements or similar remedies for path systems and other conservation-oriented projects, so that town residents can continue to enjoy public access to open space and recreational lands. (See Appendix E for typical conservation agent job description).

Most important, the conservation agent enforces the provisions of the state Wetlands Act and local wetlands bylaws, when they are more stringent than state regulations. On individual projects, the conservation agent monitors site work and compliance with any order of conditions. Otherwise, he or she must ensure that no work is done by anyone in the town without a permit, and that illegal activities do not take place. These responsibilities demand the conservation agent's time primarily in the spring, summer and fall and depending on variables like economic conditions and real estate investment levels, can be time consuming.

On major projects, the conservation commission might engage the services of outside consultants. This occurs when the area of study is particularly complex or requires specialized knowledge beyond that of a conservation agent. Civil engineering specifications relative to storm water management or wetlands delineations are typical areas when a third party peer review is sought. In these instances, the project developer is required to cover the consultant's cost. The funds are deposited in a revolving fund created in accordance with M.G.L. C. 44, §53G and payment is a mere pass-through.

In FY2009, the Lancaster Conservation Commission received and issued determinations on 16 applications for project review—down from 31 and 32 applications in FY2007 and FY2008, respectively. While the workload related to proposed development projects in Lancaster is reduced—in part because of general economic conditions—the commission's involvement in enforcement and training on conservation and wetlands issues has not diminished.

The Conservation Commission provides education for both town residents and commission members on conservation and wetlands issues. Programs have included speakers from the Massachusetts Department of Environmental Protection (DEP) Circuit Rider Program as well as other conservation agents. Lancaster commission members are currently working toward the Massachusetts Association of Conservation Commission (MACC) certification. Several are contributors to the Lancaster Open Space and Recreation Plan, which includes a town-wide survey of residents on open space issues.

Historically, the town has funded conservation activities through a Wetlands Protection revolving fund established under M.G.L. c.131, §40. The receipts and disbursements shown in the next chart are drawn from year-end the Schedule A submitted by the town to DOR.

Receipts Reserved for Appropriations-- Conservation Commission
(Wetlands Protection Fund)

<u>FY</u>	<u>Beg. Bal.</u>	<u>Revenues</u>	<u>Exps.</u>	<u>End Bal.</u>
2002	0	3,634	1,464	18,192
2003	18,192	1,212	0	19,404
2004	19,404	2,784	440	21,748
2005	21,748	9,344	360	30,732
2006	30,732	7,897	12,393	26,236
2007	26,236	3,630	8,067	21,799
2008	18,514	8,340	17,038	11,625
2009	11,625	18,831	17,446	13,010

A part-time conservation agent first provided technical support to the Lancaster Conservation Commission in FY2005 and the position was intended to be self-sustaining from

the revolving fund. However, with a decline in local projects and therefore fees, less revenue became available to cover commission activities and the needed services of a conservation agent. Therefore, at an October 2008 special town meeting, the town approved an additional \$19,000 for a conservation agent in FY2009. It is our understanding that the appropriation was intended to pay for up to 16 hours per week. The position became vacant in August 2009 with the resignation of the then incumbent agent. The appropriation was not continued in the FY2010 budget as the conservation commission is once again intending to fund wages and expenses solely through the wetland revolving fund. Since that time, individual conservation commission members have on a volunteer basis filled the void. Their ability to complete the work normally done by the agent is helped, however, by the low reduced number of applications brought to the commission. In addition, a part-time administrative assistant provides clerical support by splitting her time among the Conservation Commission, the Planning Board and the Zoning Board of Appeals.

Although a degree in environmental sciences is a solid foundation, there is no specific college or certificate program for conservation agents. It is our understanding that many gravitate from the science fields or have land use backgrounds. Given that so much of the work of a conservation agent is observational in nature, and requires judgments to be made based on site visits, experience is an important criterion when hiring. Job candidates with credible work experience command hourly pay rates in the mid-\$20 range. A lower pay rate is likely to attract an individual with fewer years in the field.

During the discussions relative to filling the vacant conservation agent position, the Lancaster Town Administrator and Planning Director began to consider possible alternatives to a local part-time conservation agent.

With the realization that other towns faced similar constraints, the discussions expanded to possible regional solutions to the problem. Representatives from the DLS Technical Assistance Section subsequently met with Lancaster town administrator, the town planning director and the executive director of the MRPC. As a result of that meeting, the Lancaster board of selectmen made the request for this analysis.

Regionalization Considerations

There are circumstances and events in government that create a favorable, or conducive, environment for consolidating services and sharing costs between or among towns. They can be manufactured but frequently appear during the normal course of governing. More importantly, they can sometimes be anticipated and present an opportunity to plan.

Timing may be the most critical factor when towns are looking at the possible merger of services. An opportune time arises when:

- A vacancy occurs in a town position;
- Outside funding for a program is terminated, or another fiscal need arises;
- An opportunity to enhance a service presents itself;
- A new position is created or a new service or program is initiated;
- A major purchase of equipment or vehicles is under consideration;
- A major building construction project is planned; and/or
- Outside incentives are offered.

These circumstances are not necessary to begin exploring the feasibility of sharing services among communities, but they represent a good starting point. Other considerations, including those specific to conservation services, must also be addressed in order to determine whether a sharing arrangement makes sense.

Receptiveness—Any effort to collaborate with a neighboring town is bound to fail unless municipal leaders first, and town residents as well, are willing to compromise and work cooperatively. Sharing resources will likely involve the loss of some local control. Unless all the communities involved are open and receptive to the collaboration efforts, they are bound to be unsuccessful no matter what government service is under consideration. A strong indicator of receptiveness is often a town's history of prior collaborations.

Community Compatibility—A willingness to engage another community in talks about collaborations is influenced by the mutual belief that compatibility exists. Discussions are not likely to advance beyond initial stages unless local leaders see connections or similarities with potential partners. Relative size, demographic make-up, government structure, spending practices and general like-mindedness are among the areas where parallels can be drawn.

Proximity—When communities that share services are geographically distant from each other, time and money are expended on the road. How that time is accounted for and who pays when no services are being rendered can become contentious issues. They can be resolved, but finding a way to address the issues beforehand can lead to a stronger agreement and working relationship.

Historic Workload—All conservation commissions are charged with the same responsibilities. How active they, and their conservation agents, are depends on the number of

applications for review each receives. Understanding the workload experience of each community is critical to arriving at an equitable division of labor and costs relative to a shared position or department.

Projected Workload—The total square miles of land, wetland acres, vacant parcels, even new growth might provide insights into the potential for future development projects and the possible volume of applications to the conservation commission.

Spending—When municipalities spend vastly different amounts for the same service, it generally reflects a limited expenditure tolerance or an expenditure priority by residents. When a wide disparity in spending exists between towns, allocating costs and assigning service levels becomes more difficult. A comparison of overall town spending can be informative. More relevant are the individual pay rates each town approves as compensation for a position to be shared.

Governance—The significance of local government structure resides in how it might impact the approval of budgets or expenditures relating to the shared service, changes to the agreement and to the matter of conflict resolution.

Local Wetlands Bylaw—A shared agent will be required to have specific knowledge with respect to the local bylaws depending on which towns participate in an agreement. We point this possibility out as a caution to be aware of but it does not appear to be a major concern as the local bylaws we examined appear to be similar from town-to-town.

Equity—Finally, agreements to consolidate positions must provide for an equitable means to allocate salaries, benefits and other costs between communities. Each participating town must be satisfied that a balance of rights, obligations and benefits exists. Issues of control, performance and accountability must be adequately addressed to ensure, among other things, that costs and services are shared fairly and financial controls are not weakened. Even though these issues form the substance of a final agreement, they should not be ignored early in the process.

These variables provide communities with a framework for assessing whether there are potential partners with whom they can share the cost of services. In this context, we examine towns which surround Lancaster and other members of the MRPC.

Potential Partners

At first blush, conservation agent services appear to be conducive to a shared position on the basis of the characteristics we identified in the previous section. While any Massachusetts governmental unit, including a regional planning commission, is a potential partner for Lancaster, the choice of likely participants in a cost or resource sharing arrangement is more limited by a number of practical considerations. As noted in the prior section, geographic proximity, workloads, pay scales, a prior working history of cooperation, and some other organizational tie are all factors to be used to identify and select potential partners.

We initially researched the seven towns that share a boundary with Lancaster and the other 13 MRPC member towns as possible partners.¹ These towns were chosen in part because of their proximity to Lancaster; the furthest distance between any two town halls was 40 miles. In addition, many of the towns have a prior history of working on common issues with each other and through the MRPC. We excluded the MRPC cities, Fitchburg, Gardner and Leominster, because, as larger communities, their workload was already sufficient to require a full-time conservation agent. Also, the three cities expressed no interest in sharing conservation agent type services when surveyed by MRPC.² However, that is not to say that Fitchburg, Gardner and Leominster would lack interest in sharing services in the future to help offset some of their costs, especially if they find they have some excess capacity.

On the subject of potential partners, we also reviewed the previously cited MRPC survey of the 27 communities that comprise the Montachusets and North Quabbin regions of Massachusetts. The regional planning commission asked a series of questions to gauge the willingness of towns to regionalize services. The survey asked which services towns currently share and which services they may be willing to share in the future. Almost all of the 15 respondents indicated that their community already participates in a joint purchasing arrangement for items including fuel, heating oil, health insurance and office supplies. Cost savings was the primary reason why municipalities wanted to share services (70.6 percent of responses) followed closely by more professional service (58.8 percent of responses) in the MRPC survey.

We are aware that various combinations of towns in northern Worcester County share a veteran's agent, a building inspector, an animal control officer and a public health nurse. In

¹ Lancaster neighbors Bolton, Clinton, Harvard, Leominster, Lunenburg, Shirley and Sterling. The MRPC includes the towns of Ashburnham, Ashby, Athol, Ayer, Berlin, Clinton, Groton, Harvard, Hubbardston, Lancaster, Lunenburg, Petersham, Phillipston, Royalston, Shirley, Sterling, Templeton, Townsend, Westminster and Winchendon.

² "Regionalizing Municipal Services and Group Procurement Survey", Montachusets Regional Planning Commission, June 30, 2009.

some instances, an inter-municipal agreement defines the relationship. In others, one person provides the same services to several communities under separate, unrelated contracts.

Finally, as part of this analysis, DLS with the assistance of the MRPC conducted its own survey of these 20 towns specifically about their conservation activities. Lancaster and eight other towns returned information related to the employment, hours and wages of conservation agents and conservation commission activity. Not listed are Hubbardston and Phillipston which responded to questions, employ a conservation clerk, but do not fund a conservation agent position.

DLS Survey Data

Town	Hours	Rate *	Annual	2009 actions	3-Year actions
Harvard	20	\$11.07	\$11,071	57	179
Shirley	12	\$17.00	\$10,200	32	143
Townsend	20	\$19.08	\$19,080	31	109
Templeton	20	\$23.32	\$23,320	68	274
Lunenburg	10	\$23.60	\$11,798	1	104
Ashburnham	20	\$24.57	\$24,573	50	197
Westminster	15	\$25.50	\$19,125	63	173
Groton	40	\$27.00	\$54,000	68	263
Lancaster	16	\$23.75	\$19,000	16	79
Avg		\$21.39	\$17,024**	53 ***	180
High		\$27.00	\$24,573**	68	274
Low		\$11.07	\$10,200	31 ***	104

* Hourly rate is estimated based on a 50 week work year.

** Groton omitted

*** Lunenburg omitted.

Four towns employ a part-time conservation agent for 20 hours per week; four towns employ part-time agents for fewer than 20 hours per week; only Groton employs a 40-hour, full-time agent. The conservation agent position in Lancaster is budgeted for 16 hours per week and was last funded at \$19,000 annually, but is currently vacant.

We estimated hourly wage rates assuming conservation agents work 50 weeks a year on average. As a result of our calculation, wages paid to conservation agents range from a low of \$11.07 per hour in Harvard to a high of \$27.00 in Groton, with an average of \$21.39. When the high and the low are omitted, the range narrows to \$17.00 to \$25.50 and the average increases to \$22.18. A similar relationship emerges when total annual salaries are viewed. Lancaster, at \$19,000, is higher than the average and still within the high-low range indicated by the other towns.

We also collected data on activity level as measured by applications and requests submitted to conservation commissions. Reported are totals for 2009, and the aggregate activity level for 2007, 2008 and 2009. The numbers primarily reflect applications for reviews, but other business is included. (See Appendix A for details). Although the Lancaster number (16) is low in 2009, applications totaled 31 and 32 in 2007 and 2008, respectively, which is closer to the overall range indicated by the other communities.

Employment information was also returned about clerks who serve the conservation commission, but we have not detailed it here. Overall, ten towns and Lancaster responded that they fund a conservation commission clerk. We have concluded that a clerk performs in-office functions that differ from the responsibilities of a conservation agent. Because individual conservation commissions will continue to have a local role, even if the conservation agent is shared, the need for a local clerk will remain.

Among the ten responding towns, a strong majority identified financial savings as the primary motivation for sharing services. Other less emphasized reasons included gaining more professional service employees and greater efficiency. All but Templeton and Phillipston had adopted local wetlands bylaws.

The nature of conservation agent work is directly correlated with the level of development activity in each town. One indicator of the workload of a conservation commission is the number of applications and requests for permits and amendments to plans. Generally speaking, a property owner or developer is required to file an application with the conservation commission before proceeding. If an Order of Conditions is imposed, it is the duty of the agent to monitor projects for compliance on an ongoing basis. Certificates of Compliance are issued when a project is completed and require a subsequent inspection by the conservation agent.

On the following page is a map showing Lancaster and surrounding communities.

Lancaster and Surrounding Communities



Mechanisms for Cost Sharing

Regionalization efforts succeed, in part, because the legal means to organize, reach agreement or share costs exists. There are 47 state statutes which authorize the establishment of regional districts, joint purchasing or consolidating specific services.³ However; none of these provisions is specific to conservation agent services. Two other models are suited for sharing this type of service. They involve an inter-municipal agreement (IMA) and a host agency.

*Inter-Municipal Agreements*⁴ - The inter-municipal agreements statute (M.G.L. c. 40§4A) allows communities to execute arrangements to jointly provide for any activities or undertakings that town departments are normally authorized by law to perform. As of July 2008, inter-municipal agreements between two or more towns can be executed with approval of the board of selectmen only. The maximum length of an agreement is 25 years. Once lawfully executed, the agreement is binding on the towns notwithstanding any bylaw or charter provision to the contrary.

The inter-municipal agreements statute applies to a broad range of services. It provides that the agreement may cover any “services, activities or undertakings which any of the contracting units is authorized by law to perform” so long as it is duly authorized by the parties. In fact, none of the towns selected for further analysis herein already have a formal contract executing an inter-municipal agreement to share conservation agent services.

The statute is specific, however, as to the financial safeguards that contracts must provide for. They relate to payment details, record keeping, audits, responsible parties and financial reporting. Agreements should also address, when warranted, future capital needs, the range of services to be provided, and the basis for compensation, dispute settlement and termination of the agreement.

As a practical matter, agreements are of three types. Under a *formal contract*, one town agrees to provide a service, typically performed by an individual, to another for an agreed upon price. Under a *joint service agreement*, each town shares the cost to finance and deliver a range of departmental-type services. *Service exchange agreements* involve a commitment by each participating community to provide a defined service, as needed or requested, with no payment for costs.

Although inter-municipal agreements can be executed by a board of selectmen and without town meeting approval, they create financial obligations and can have the force of bylaws. However, unlike the adoption of town bylaws and town charters, the State Attorney

³ See “Towns of Hamilton and Wenham: Enhanced Regionalization and Merger Analysis”, op cit., Appendix G for a complete list.

⁴ Excerpted in part from “Chapter 188 of the Acts of 2008 - Understanding and Applying the New Inter-municipal Agreement Law,” by Laura Schumacher, *City & Town*, Vol. 21, No. 10, pg. 4. See Appendix C for a copy of the statute.

General is not required to review and approve inter-municipal agreements. Therefore, each town should seek the advice of town counsel before formally executing an agreement.

It is also important to know that inter-municipal agreements cannot void or circumvent provisions in collective bargaining agreements. The terms of an agreement can be grieved by a union and its execution can be prevented.

Host Agency - A host agency can include county government, regional planning commissions, councils of government, education collaborative, consortiums and community development corporations. All of these entities exist in Massachusetts and through acceptance of a charter, multiple cities and towns can approve and form a new host agency.

Some of the more appealing attributes of a host agency include the ability to offer a wide range of services to member communities and to grow into new roles. Staff infrastructure and administration are in place at the organization, which relieves communities of having to provide supervision and address personnel issues. The host agency also buffers municipalities from liabilities, insurance costs and other risks associated with providing a service. Typically, communities served by the host agency use and pay for services on an ad hoc basis, pay an annual assessment, or both.

Most prevalent in Massachusetts are 13 regional planning agencies (RPAs), formed under M.G.L. c. 40B§§1-19, whose collective membership encompasses all cities and towns. Each RPA is a consortium of local governments that have banded together to address problems and opportunities that are regional in scope. In addition to the stand alone authorization to provide joint services to its members contained in M.G.L. c. 40B, the inter-municipal agreement statute also authorizes RPAs to enter joint agreements by defining them as a “governmental unit” for the purposes of IMAs. They are funded in part by assessments levied on the member cities and towns and apportioned among member communities on a per capita basis according to the most recent national census. Another major funding source is from grants and contracts entered into with the federal government, the state and local cities and towns. In many cases, the local assessment money is used to fund activities for which no grants are available and/or to meet matching requirements for grants.

Lancaster and 21 other central Massachusetts communities are members of the Montachusett Regional Planning Commission (MRPC) which has its offices in Fitchburg. The MRPC, established in 1968, provides services in the areas of community and economic development, affordable housing planning and development, environmental planning, transit and transportation planning, grant preparation and administration, geographic information system (GIS) and data analysis services. On behalf of its members, MRPC makes studies of the resources, possibilities and needs of the region, and makes recommendations for the physical, social and economic improvement of its individual members and the collective region.

Noteworthy is the Berkshire Regional Planning Commission (BRPC), which operates the Berkshire Conservation Agent Program (BCAP).⁵ It was created to assist conservation commissions in Berkshire County that have been under-staffed and under-funded. Most local commissions function primarily on the efforts of volunteers, have little or no funds for training of commission members and often have a high rate of turnover in membership which leads to a loss of “institutional memory.” The purpose of the program is to provide 33 member towns with the opportunity to access readily available, affordable, highly qualified conservation services to assist them in complying with the Wetlands Protection Act.

Terry Plantier Eucker, former DEP Circuit Rider and former Pittsfield and Hinsdale/Becket Conservation Agent, has filled the BCAP agent position as an independent contractor since the program’s inception. As a former DEP Circuit Rider, she enjoyed instant knowledge of and credibility with the member towns. She has been willing and able to accommodate a flexible work schedule required by the uneven time demands of the job.

The conservation agent program was established with the help of an initial grant. Through an inter-municipal agreement, member towns agree to pay BRPC \$25 per hour for the agent’s time. Helping to sustain the program is a recurring grant which contributes to the cost of the agent’s office space and liability insurance policy. The grant also reimburses the agent for the agent’s work on drafting bylaws, writing grant application and enforcing the wetlands protection act, local wetlands bylaws and orders of conditions.

In addition, formed under the program is the Berkshire Conservation Commission Group (BCCG), a consortium of conservation commission members. It provides town commission members with monthly opportunities to network and to share experiences with various projects, enforcement problems or land conservation activities. Training and education on conservation and wetlands issues are also offered.

⁵ For more information go to the BCAP website, [Berkshire Conservation Agent Program](#).

Service Acquisition Options

This analysis considers the alternatives available to the Town of Lancaster for filling its conservation agent position. The first reflects the town's past practice of hiring a person on staff in a funded position. Neither it nor the second option involves town contracts with a third party to obtain the needed services. The next three alternatives can be accomplished through an inter-municipal agreement. The last option would have the town purchase conservation agent services from a host agency on an ad hoc basis.

Fund a part-time town position. The town could continue to fund a part-time conservation agent position, with no benefits, in the annual budget or through the wetlands protection revolving fund. It would have the flexibility of defining the job by one, or a combination, of the following: work hours per week, total annual compensation, or hourly rate of pay. The agent would be hired by and report to the conservation commission, and would have office hours in town hall.

In FY2009, when the position was last funded in the budget, the salary appropriation was \$19,000 apparently for 16 hours a week, which is an estimated \$23.75 per hour based on a 50-week work year. It was also stated that that town wished to pay \$20 per hour, which at 16 hours per week would be an outlay of \$16,000. In either case, after appropriating \$19,000 in October 2008, the town did not aggressively recruit to fill the position. Instead, conservation commission members took on the agent's responsibilities.

Contract for individual services. It is not uncommon for a part-time employee in one town to serve in a similar capacity in another town under a separate contract. Instead of an individual, the services could be provided by a small firm. The most frequent example of this arrangement in municipal government involves accounting services. If, however, the service provider, who is approached, is already a permanent, part-time employee, he or she may have to obtain permission from that town's selectmen to enter a contract with another town. Town counsel should be consulted on this question.

For Lancaster, contract hours could be negotiated and savings might accrue if the new hourly rate, or annual salary, were less than the town's past experience. However, before taking a savings from a lower pay rate, the town should carefully consider what level of experience it will receive in return. Establishing office hours and priorities for the conservation agent should conflicts arise would seem to be an important part of this arrangement as well.

The town could directly contact or indirectly screen conservation agents currently working in other towns as well as review the conditions of their employment. It could then selectively approach those who meet the town's criteria. Alternatively, Lancaster could solicit other towns which also have a vacancy and then jointly advertise for the position. A prospective

candidate would know in advance that the job involves the equivalent of full-time hours, but without benefits.

Purchase hours from another town. An inter-municipal agreement would allow Lancaster to purchase hours from another town for the services of its conservation agent. In this case, the contract would be with the town and not the individual conservation agent, though his or her approval would seem essential. The agreement would stipulate a number of hours per week, month or year that the purchasing town would receive. Payment to the provider town could be in terms of an hourly rate or total annual compensation. If the agent is receiving benefits from its “home” town, Lancaster might be expected to pay a portion of this cost as well. Incremental cost for additional, or over-time, hours would have to be addressed and, again, rules for setting priorities would have to be established. Under M.G.L. c.40, §4A, an inter-municipal agreement would have to describe a billing and payment process, establish certain financial safeguards, set out how changes to the agreement are made and include a termination clause.

Pursuing this type of arrangement would allow the town to effectively screen potential conservation agents by qualifications, anticipated cost or other criteria. However, the town would be limited by the currently employed conservation agents within a certain geographic area. Typically, while working in Lancaster, the agent would be regarded as an employee of the town relative to job performance, insurance risks and liabilities. Because the town would merely be buying hours, it would not necessarily have a say in hiring practices or in other personnel related matters.

Finally, Lancaster would need a willing partner, meaning another town which is induced by the prospect of some financial benefit. Providing that incentive may impact the financial feasibility of collaboration for Lancaster.

Share cost with a host community. Under an inter-municipal agreement, two towns can share the cost of a conservation agent function where one serves as the host community. Under this agreement, the host would have primary management responsibility and the shared department or function would be fully funded in its annual budget. The service-receiving town would reimburse costs to the host town on the basis of an agreed upon allocation formula, which might include an administrative fee. The inter-municipal agreement would include all the terms and conditions necessary to define the towns’ relationship and satisfy statutory requirements.

This is a more encompassing relationship than merely buying hours from a town. While not a requirement, we would expect the shared position to become full-time, with benefits, if the needs of the two towns are to be met. It would certainly be greater than 20 hours a week and therefore include a benefits package. With a full time position, both towns could expect to attract a highly qualified person, receive more hours of service and enjoy greater long-term stability. However, adding benefits to a top hourly rate position would likely result in a higher

cost than Lancaster has most recently paid. Lowering the hourly rate, or annual salary, to offset benefit costs, could relegate the towns to an inexperienced person in the position.

Purchase services from a host agency. The characteristics of a host agency are examined in the prior section of this report. Under the right circumstances, the host agency concept has proven to be an effective way to provide smaller towns with access to professional services as their need arises. However, the decision for a RPA, for instance, to become a host agency is not easily arrived at.

The host agency must decide whether it will contract with a professional, who would be available to communities usually on an ad hoc basis. In this case, the host agency would charge a fee which it would pass through to the professional providing the service. An administrative charge may or may not be added on.

Alternatively, the host agency would bring a professional on staff, probably with benefits. The cost for the position might be paid by all host agency members through the annual assessment, or by only those using the service either through an annual assessment, on a pay as you go basis, or on a combination of both. Therefore, to cover costs, reaching a critical mass of towns interested in the service is essential. On the other hand, if too many towns seek to participate, the host agency needs to be concerned about quality of service and the cost ramifications of meeting that demand.

In either case, although costs are passed-on to the user towns, the host agency assumes responsibility for managing the position or the contract. It also shields the communities from certain risks and liabilities related to job performance. However, pricing the service so that it will have appeal to member towns remains a major issue.

Observations and Conclusions

The members of the Lancaster conservation commission have in the recent past carried out the responsibilities of a conservation agent. The task has been manageable in part because of the light workload during this economic downturn. The commitment of the conservation commission members to fill the agent's role has saved money, but we are not convinced that this is a sustainable model in the long term. With a vacancy in the position, the time is opportune for Lancaster to explore whether options exist for engaging the services of a conservation agent. In the context of this analysis, we would begin offering the following observations:

- ▶ The market rate of pay for an experienced conservation agent is in the \$25 per hour range. Lancaster has appropriated \$20.00-\$23.75 per hour in the past.
- ▶ A full-time conservation agent position, with benefits, will attract a larger pool of qualified job candidates than a part-time position, with no benefits.
- ▶ The workload in Lancaster does not justify a full time position.
- ▶ Among neighboring communities, there are potential partners for sharing the cost of a conservation agent.
- ▶ There is presently no host agency serving the Lancaster region which offers conservation agent services to its member communities.

The town could offer a 16-hour, part-time position at \$20.00-\$23.75 per hour as it has previously. Funding could come from a budget line-item, or from the Wetlands Protection revolving fund. These appear to be competitive pay rates, but would still be less than full-time hours. Nonetheless, it is not likely that offering a lower pay rate or fewer hours would strengthen the town's hiring position. An effort to contract-out for conservation agent services faces the same hurdles.

An agreement to purchase hours from another town for the services of its conservation agent can place Lancaster in a weak negotiating position. It is difficult to envision interest among other towns without the inclusion of a financial incentive. In the terms of an inter-municipal agreement, the provider town is also in a stronger position to protect its interests, relative to the conservation agent, which may be to the disadvantage of Lancaster.

Finally, towns could benefit if a host agency provided its member communities with access to conservation agent services on an as needed basis. However, no such program currently exists and given start-up uncertainties and risks, the prospects would seem low that a program providing conservation agent services is in the immediate offing. In Berkshire County,

the program succeeds in large part because grant money is available to supplement a \$25 per hour user charge.

While the potential to reduce costs influences virtually every municipal government decision today, there are other reasons to consider alternate ways to fulfill personnel needs. In particular, options to collaborate may help towns attract a more highly qualified person to a job, take advantage of training and education opportunities and create greater long-term stability in the position.

If the Town of Lancaster sees value in these outcomes, entering an agreement to share a conservation agent with another town should have appeal. Otherwise, we see little opportunity for dollar savings in a shared position-shared cost arrangement with another town.

Based on our analysis, the most practical option for the Town of Lancaster is to collaborate with another town, or two, to offer the equivalent of a full-time position, without benefits, created by independent contracts between the conservation agent and each town. Agents currently employed in other towns could be potential job candidates, though it is a limited pool. Offering a pay rate greater than the person's present compensation level and lower than what Lancaster has paid in the past could be attractive to both parties. However, experience and qualifications are issues to be vetted as well as potential work time conflicts between "two masters." On balance, opportunities for collaboration with other towns are few, causing us to conclude that contracting-out for the conservation agent services is the most cost effective and viable alternative for the town.

Appendix A: Conservation Commission Filings by Fiscal Year

	<u>Lancaster</u>	<u>Ashburnham</u>	<u>Groton</u>	<u>Harvard</u>	<u>Hubbardston</u>	<u>Lunenburg</u>	<u>Phillipston</u>	<u>Shirley</u>	<u>Templeton</u>	<u>Townsend</u>	<u>Westminster</u>
Applications											
2007	22	54	67	31	17	62	18	24	71	26	44
2008	26	41	53	22	7	41	12	34	109	19	42
2009	16	27	51	20	8	1	7	19	53	5	35
Amendment requests											
2007	0	0	3	4	--	--	1	1	0	1	0
2008	3	0	1	3	--	--	0	0	0	0	2
2009	0	0	0	3	--	--	0	0	0	1	1
Extension Requests											
2007	0	8	6	8	--	--	1	9	0	1	3
2008	1	3	4	10	--	--	1	4	0	0	9
2009	0	3	4	10	--	--	0	4	0	2	7
Certificate of Compliance											
2007	9	13	16	12	3	--	1	3	13	15	4
2008	2	20	24	17	1	--	2	8	2	2	6
2009	0	18	8	13	1	--	0	5	14	5	8
Emergency Permits											
2007	0	4	5	3	3	--	1	7	5	4	0
2008	0	4	8	5	--	--	0	8	3	5	0
2009	0	1	3	6	--	--	0	2	1	12	6
Enforcement Orders											
2007	0	0	3	2	2	--	1	7	2	4	--
2008	0	0	5	5	--	--	0	6	1	1	--
2009	0	1	2	5	--	--	0	2	0	6	6

Appendix B: Town Comparative Data

Lancaster and Neighboring Towns

	Lancaster	Berlin	Bolton	Clinton	Harvard	Lunenburg	Shirley	Sterling
2008 Population	7,015	2,853	4,530	13,965	6,006	9,946	7,904	7,685
Distance from Lancaster	--	7	5	3	8	14	17	8
Governance	TA	BOS	TA	TA	TA	CAFO	TA	TA
Total sq. mi.	28.19	13.09	20.00	7.30	26.97	27.69	15.90	31.60
Land Area	27.68	12.93	19.93	5.70	26.36	26.42	15.82	30.52
Water Area	0.52	0.16	0.07	1.59	0.61	1.27	0.08	1.08
Vacant parcels	436	228	370	241	276	510	468	431
Wetland ac.								
Road miles	70.07	44.92	64.77	51.95	77.06	93.69	48.77	106.75
New Growth	9,691,849	15,833,846	14,649,363	15,451,879	8,906,659	9,982,315	6,111,518	11,010,313
FY10 Budget -per capita	2,453	3,401	4,241	2,743	3,640	2,823	2,154	2,712
Avg tax bill	4,974	5,127	8,543	3,098	8,529	3,991	3,573	4,449
EQV per cap	138,660	225,827	235,271	100,565	209,317	145,425	91,778	154,825

Other MRPC Towns

	Ashburnham	Ashby	Athol	Ayer	Groton	Hubbardston	Petersham
2008 Population	5,974	2,927	11,570	7,399	10,632	4,482	1,288
Distance from Lancaster	21	20	38	13	17	24	40
Governance	TA	TA	TM	TA	TM	TA	AC
Total sq. mi.	41.00	24.17	33.39	9.57	33.71	41.95	68.30
Upland	38.67	23.80	32.57	9.02	32.77	41.03	54.24
Water	2.33	0.37	0.82	0.55	0.94	0.92	14.07
Vacant parcels	1,089	368	932	406	646	604	253
Wetland ac.							
Road miles	97.84	64.72	111.36	49.38	110.83	85.76	79.05
New Growth	5,775,213	1,796,600	7,079,699	19,138,971	17,079,597	9,374,737	4,016,619
FY10 Budget -per capita	2,453	1,895	1,601	4,057	2,997	1,601	2,764
Avg tax bill	3,680	3,308	2,050	3,170	6,371	2,791	3,482
EQV per cap	122,911	129,241	77,818	146,683	169,646	122,074	132,380

Other MRPC Towns (cont.)

	Phillipston	Royalston	Templeton	Townsend	Westminster	Winchendon
2008 Population	1,787	1,376	7,831	9,400	7,391	10,164
Distance from Lancaster	34	40	28	19	20	29
Governance	AA	BOS	TC	TA	TC	TM
Total sq. mi.	24.64	42.48	32.41	33.11	37.33	44.06
Upland	24.26	41.89	32.04	32.87	35.51	43.28
Water	0.38	0.59	0.38	0.24	1.83	0.78
Vacant parcels	455	NA	842	443	659	1,079
Wetland ac.						
Road miles	51.99	71.87	101.25	95.07	109.36	115.05
New Growth	4,435,819	NA	5,727,100	5,635,198	11,675,924	7,898,244
FY10 Budget -per capita	1,933	NA	1,853	1,863	2,781	2,744
Avg tax bill	2,723	NA	2,227	3,804	3,719	2,564
EQV per cap	127,359	110,699	101,587	108,910	148,511	85,042

Other Montachusets Regional Planning Commission Towns

	<u>Ashburnham</u>	<u>Ashby</u>	<u>Athol</u>	<u>Ayer</u>	<u>Groton</u>	<u>Hubbardston</u>	<u>Petersham</u>	<u>Phillipston</u>	<u>Royalston</u>	<u>Templeton</u>	<u>Townsend</u>	<u>Westminster</u>	<u>Winchendon</u>
2008 Population	5,974	2,927	11,570	7,399	10,632	4,482	1,288	1,787	1,376	7,831	9,400	7,391	10,164
Distance from Lancaster	21	20	38	13	17	24	40	34	40	28	19	20	29
Governance	TA	TA	TM	TA	TM	TA	AC	AA	BOS	TC	TA	TC	TM
Total sq. mi.	41	24.17	33.39	9.57	33.71	41.95	68.3	24.64	42.48	32.41	33.11	37.33	44.06
Upland	38.67	23.8	32.57	9.02	32.77	41.03	54.24	24.26	41.89	32.04	32.87	35.51	43.28
Water	2.33	0.37	0.82	0.55	0.94	0.92	14.07	0.38	0.59	0.38	0.24	1.83	0.78
Vacant parcels	1,089	368	932	406	646	604	253	455	NA	842	443	659	1,079
Wetland acres													
Road miles	97.84	64.72	111.36	49.38	110.83	85.76	79.05	51.99	71.87	101.25	95.07	109.36	115.05
New Growth	5,775,213	1,796,600	7,079,699	19,138,971	17,079,597	9,374,737	4,016,619	4,435,819	NA	5,727,100	5,635,198	11,675,924	7,898,244
FY10 Budget per capita	2,453	1,895	1,601	4,057	2,997	1,601	2,764	1,933	NA	1,853	1,863	2,781	2,744
Average tax bill	3,680	3,308	2,050	3,170	6,371	2,791	3,482	2,723	NA	2,227	3,804	3,719	2,564
EQV per capita	122,911	129,241	77,818	146,683	169,646	122,074	132,380	127,359	110,699	101,587	108,910	148,511	85,042

Appendix C: Conservation Commission Regionalization Analysis Questionnaire

Does your town currently employ a conservation agent? (Y/N): ____

If yes, what specific services does your conservation agent typically provide?

What benefits would you expect from a shared conservation agent? (Check all that apply)

- Financial Savings More professional service More skilled employees
 Improved efficiency Other

Does your town have a local Wetlands Bylaw (Y/N): ____ (If yes, please provide a copy.)

Current Staff:

Conservation Agent: ____ (Y/N) ____ (Hours) Salary: _____

Conservation Clerk: ____ (Y/N) ____ (Hours) Salary: _____

Other: _____

Job Descriptions: ____ (Y/N) (If yes, please attach copies.)

Conservation Commission Activity:

	<u>FY2007</u>	<u>FY2008</u>	<u>FY2009</u>
Applications*:			
Requests for Amendment:			
Requests for Extension:			
Requests for Certificate of Compliance:			
Requests for Emergency Permit:			
Enforcement Orders:			

* Notice of Intent, Request for Determination, or Abbreviated Notice of Resource Area Delineation applications

Conservation Commission Revenues and Expenditures:

Fiscal Year	Total Expenditures	Consultant Expenditures
FY2007		
FY2008		
FY2009		

Fiscal Year	Total Revenues	Appropriations	Fees
FY2007			
FY2008			
FY2009			

Appendix D: Inter-Municipal Agreement Statute - M.G.L. Ch. 40§4A

The chief executive officer of a city or town, or a board, committee or officer authorized by law to execute a contract in the name of a governmental unit may, on behalf of the unit, enter into an agreement with another governmental unit to perform jointly or for that unit's services, activities or undertakings which any of the contracting units is authorized by law to perform, if the agreement is authorized by the parties thereto, in a city by the city council with the approval of the mayor, in a town by the board of selectmen and in a district by the prudential committee; provided, however, that when the agreement involves the expenditure of funds for establishing supplementary education centers and innovative educational programs, the agreement and its termination shall be authorized by the school committee. Any such agreement shall be for such maximum term, not exceeding twenty-five years, and shall establish such maximum financial liability of the parties, as may be specified in the authorizing votes of the parties thereto. A governmental unit, when duly authorized to do so in accordance with the provisions of law applicable to it, may raise money by any lawful means, including the incurring of debt for purposes for which it may legally incur debt, to meet its obligations under such agreement. Notwithstanding any provisions of law or charter to the contrary, no governmental unit shall be exempt from liability for its obligations under an agreement lawfully entered into in accordance with this section. For the purposes of this section, a "governmental unit" shall mean a city, town or a regional school district, a district as defined in section 1A, a regional planning commission, however constituted, a regional transit authority established under chapter 161B, a water and sewer commission established under chapter 40N or by special law, a county, or a state agency as defined in section 1 of chapter 6A.

All agreements put into effect under this section shall provide sufficient financial safeguards for all participants, including, but not limited to: accurate and comprehensive records of services performed, costs incurred, and reimbursements and contributions received; the performance of regular audits of such records; and provisions for officers responsible for the agreement to give appropriate performance bonds. The agreement shall also require that periodic financial statements be issued to all participants. Nothing in this section shall prohibit any agreement entered into between governmental units from containing procedures for withdrawal of a governmental unit from said agreement.

All bills and payrolls submitted for work done under any such agreement shall be plainly marked to indicate that the work was done under authority thereof. Any reimbursement for or contribution toward the cost of such work shall be made at such intervals as the agreement provides. The amount of reimbursement received under any such agreement by any governmental unit shall be credited on its books to the account of estimated receipts, but any funds received under the provisions of section fifty-three A of chapter forty-four for contribution toward the cost of such work may be expended in accordance with the said provisions. The equipment and employees of a governmental unit while engaged in performing any such service, activity or undertaking under such an agreement shall be deemed to be engaged in the service and employment of such unit, notwithstanding such service, activity or undertaking is being performed in or for another governmental unit or units.

Appendix E: Conservation Agent Job Description

Massachusetts Association of Conservation Commissions
Massachusetts Association of Municipal Conservation Professionals
Model Job Description
Conservation Administrator

This model description is for a full time professional lead staff person for a Conservation Commission. Many actual positions are part-time, and conditions and needs vary from one community to another. The description should be tailored to the reality for your Commission. Items which may vary, are noted in [].

GENERAL DEFINITION

Provides support, coordination, and professional management for the Conservation Commission in carrying out its mandate and its mission to protect the community's natural resources including its biodiversity, unique natural areas, wetlands and other water resources.

Uses professional expertise, critical thinking and interpersonal skills to accomplish varied functions that range in nature from routine to complex. These require considerable judgment and initiative in determining courses of action not clearly defined by precedent, statute or established guidelines.

Works under the general direction of the Chair of the Conservation Commission [OR of the town manager/administrator and the policy direction of the Conservation Commission] and in accordance with applicable laws and regulations. Provides professional supervision for the Commission's work and projects. Supervises all other Commission staff. Occasionally supervises consultants hired by the Commission, and volunteers working on conservation land or Commission projects. Serves as advisor/liaison to other boards/departments as directed by the Commission.

Has considerable independence and responsibility. Works with minimal supervision on a weekly basis.

WORK ENVIRONMENT

Some work is performed under typical office conditions. Some work is performed in the field, in thick woods, and in wet areas. There is exposure to various weather conditions, including heat, high wind, rain and deep snow. There can be exposure to potential health hazards, such as lyme disease and west nile virus, plant irritants such as poison ivy, and the hazards associated with site work and construction such as noise and heavy equipment.

Work schedule is largely during business hours, but also includes regular evening meetings, some early morning, evening, and weekend field work and site visits. Attendance at relevant training sessions and professional meetings is expected.

Makes regular contact with town departments, state and federal agencies, professional associations and other non-profit organizations, developers, attorneys, engineers and the general public. Contacts involve discussing environmental laws and regulations, approaches and procedures, as well as meeting routine requirements.

Has access to a minimal amount of confidential information; most information is publicly available. Errors could result in delay, have monetary and/or legal repercussions, and cause adverse public relations.

DUTIES AND RESPONSIBILITIES

Open Space/General Resource Protection

Assists the Commission in planning, acquisition, administration and management of municipal conservation land. Some projects are accomplished in cooperation with volunteers, other boards or consultants. Specifically the Administrator:

- * Helps identify unique local resources, prioritize parcels for acquisition, set goals and criteria.
- * Helps prepare Open Space and Recreation Plans to meet criteria for approval.
- * Researches and conducts on-site evaluations of parcels under consideration for acquisition, donation, conservation or agricultural preservation restrictions.
- * Builds relationships with landowners, local and regional land trusts, the Open Space and Community Preservation Committees.
- * Researches/proposes management approaches and plans that provide a diversity of habitats and other conservation values.
- * Oversees/carries out management tasks such as trail building and maintenance, signage, and cleanup.
- * Assures compliance with rules and regulations for conservation lands; issues needed permits; and addresses user problems.
- * Fosters good relations with abutters, builds "friends groups" and other support.
- * Researches, pursues and coordinates grant and other funding opportunities; writes proposals and manages grants.

Wetlands Protection

Assists the Commission in the administration and enforcement of the Massachusetts Wetlands Protection Act [and the _____ Wetlands Protection Bylaw] as follows:

- * Assures legal requirements are met including postings, timeframes, minutes and other records.
- * Reviews Notices of Intent/other filings and associated documents for accuracy, completeness and compliance with the law and regulations. Ensures filing fees are calculated correctly.
- * Schedules meetings/hearings; processes and distributes/submits forms.
- * Arranges and conducts, along with Commissioners, on-site inspections related to filings, permit compliance monitoring, and violations. Prepares relevant forms/reports.
- * Assures or conducts review of field delineations, sensitive areas, presence of rare species etc. Engages, with Commission approval, technical expertise/consultants as needed.

- * Processes forms; evaluates findings; submits recommendations to the Commission; drafts permits with associated conditions and other documents.
- * Monitors construction to ensure compliance with permits.
- * Assures Commission participation in DEP and court appeals. At direction of Commission consults with town counsel and assists in the preparation of testimony and other documents.
- * Responds to complaints, investigates potential violations and takes/recommends appropriate action.
- * Maintains case files and materials including computer database; builds solid case record.
- * Participates in writing/passing/amending the wetlands bylaw/associated regulations.

Additional Responsibilities

- * Drafts, with Commission, budget/annual report.
- * Manages Commission office, maintains regular office hours.
- * Keeps current by attending training sessions/workshops of the Massachusetts Association of Conservation Commissions, the Massachusetts Society of Municipal Conservation Professionals and others as appropriate.
- * Develops strategies and materials to achieve success for Commission initiatives.
- * Serves as an information resource, researches issues, provides data.
- * Attends all public meetings and hearings of the Commission.
- * Prepares reports, correspondence, presentations, other written material for Commission review.
- * Interacts and provides assistance to other town boards and departments, state and federal agencies, on issues related to wetlands, conservation and environmental matters as required.

RECOMMENDED MINIMUM QUALIFICATIONS

Education and Experience

Bachelor's degree in environmental science or related field and a minimum of two years experience in wetlands protection, land conservation, environmental management or related field; or equivalent combination of education and experience.

Special Requirements

Valid Massachusetts Class D Motor Vehicle Operator's License and a readily available car. Must be a Notary Public if required by the Commission.

Knowledge, Ability and Skill

Understands the importance of biodiversity, water resource and open space protection.

Working Knowledge of:

Principles of land protection and management.

Identification of local plants, natural communities, and wildlife.

Statutes and regulations applicable to the jurisdiction of Conservation Commission.

The Massachusetts Wetlands Protection Act and associated regulations and policies, and of wetlands bylaws.

Relevant areas of pure and applied wetlands science such as vegetation communities, values, replication. Wetlands boundary identification/verification based on plant species and indicator status identification of hydric soils using Munsell or similar charts.

Rare species requirements, vernal pools and the certification process.

Geology and hydrology, erosion control techniques, retention and detention ponds.

Ability to:

Communicate clearly in oral, written and graphic form.

Work independently, show initiative, solve problems.

Interpret technical data, read engineering maps and plans, critically analyze information.

Effectively manage an office, work cooperatively with the Commission, and organize Commission activities effectively.

Deal professionally and tactfully with appropriately with town officials, town employees, government agencies, the general public, attorneys, engineers, consultants, and project applicants.

Skill in:

Computer literacy including word processing, database management, spreadsheets, e-mail, web.

Equipment use including digital camera, projector, field tools, copier, fax, phone system.

Physical Requirements

Minimal physical effort required when performing functions under typical office conditions; moderate to strenuous physical effort frequently required in the field. Often required to stoop, bend, reach, dig and lift. Physical agility needed to access all areas of conservation lands, potential acquisitions, and project sites. May spend several hours at a time walking or standing.

Ability to distinguish fine color variations needed. The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Items listed are intended only as illustrations of the various types of work involved. Omission of specific duties does not exclude them from the position if the work is similar, related or a logical assignment to the position. Changed legal requirements may lead to a change in duties.

This job description does not constitute an employment agreement between the Conservation Commission and the Administrator and is subject to change by the Commission as the needs of the employer and requirements of the job change.

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Associate Director Tom Matuszko, Berkshire Regional Planning Commission (BRPC)

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