

FY25 City Manager Proposed Issues Options Summary

<u>Department</u>	<u>Issues & Option</u>	<u>Depart Level Amount</u>	<u>CM Proposed Excluded</u>	<u>Budget Status Included</u>	<u>Included Amounts</u>	<u>Page</u>	<u>Notes</u>
City Manager's Office							
City Manager's Office	Chief Community Development Officer	\$171,522		Included	\$171,522	3	
City Manager's Office	Public Information Assistant	\$95,332		Included	\$47,666	6	1/2 Year Funding
<u>I/O Totals City Manager's Office</u>		<u>\$266,854</u>			<u>\$219,188</u>		
Legal Department							
Legal Department	New Assistant City Attorney Position-Full Time	\$127,281		Included	\$127,281	7	
<u>I/O Totals Legal Department</u>		<u>\$127,281</u>			<u>\$127,281</u>		
Human Resources							
Human Resources	Upgrade Payroll Specialist to Payroll Administrator	\$2,011		Included	\$2,011	9	
Human Resources	New Human Resource Generalist Position-Full Time	\$89,744		Included	\$44,872	10	1/2 Year Funding
<u>I/O Totals Human Resources</u>		<u>\$91,755</u>			<u>\$46,883</u>		
IT Services							
IT Services	Cyber Security Analyst	\$117,954	Excluded			11	
IT Services	Secondary Internet Connection	\$13,200		Included	\$13,200	12	
<u>I/O Totals IT</u>		<u>\$131,154</u>			<u>\$13,200</u>		
Assessing Department							
Assessing Department	Contract Appraisal Service	\$100,000		Included	\$100,000	13	
<u>I/O Totals Assessing Department</u>		<u>\$100,000</u>			<u>\$100,000</u>		
Public Buildings & Grounds							
Public Buildings & Grounds	Upgrade Part Time to Full Time Laborer	\$46,683	Excluded			14	
<u>I/O Totals Public Buildings & Grounds</u>		<u>\$46,683</u>			<u>\$0</u>		
Police Department							
Police Department	Police Patrol Officers- (2) Full Time Positions	\$221,070	Excluded			16	
Police Department	Upgrade Records Clerk to Full Time	\$35,455		Included	\$35,455	18	
Police Department	Overtime Training Increases	\$25,000	Excluded			20	
Police Department	Parking Enforcement (2) New Part Time Positions	\$70,000		Included	\$70,000	22	
<u>I/O Totals Police Department</u>		<u>\$351,525</u>			<u>\$105,455</u>		
Public Works Department							
Public Works Department	Light Equipment Operator	\$72,507		Included	\$36,254	24	1/2 Year Funding
Public Works Department	Medium Equipment Operator	\$74,111		Included	\$37,056	26	1/2 Year Funding
<u>I/O Totals Public Works Department</u>		<u>\$146,618</u>			<u>\$73,309</u>		
Sewer Fund							
Sewer Fund	Chief Operator Position	\$113,766	Excluded			28	1/2 Year Funding

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Sewer Fund	Wastwater Treatment Facility Mechanic	\$80,171		Included	\$80,171	39	
<u>I/O Totals Sewer</u>		<u>\$193,937</u>			<u>\$137,054</u>		
	Amounts Included	\$822,370			\$822,370		
	Amounts Excluded	\$633,437					
	All Totals	\$1,455,807					



Budget Development Issues & Options Form

Department: City Manager

1. **Name of Issue (for future reference purposes):** Chief Community Development Officer
2. **Description of the Issue – Define the issue or problem clearly & succinctly:**

The City Manager presented a reorganization plan at the September 12, 2023, Finance Committee meeting. As part of this reorganization, a Chief Community Development Officer position was presented to lead the Building, Planning, Development and Enforcement Divisions and effectively create a Community Development Department. This position was created at the October 3, 2023, City Council meeting. Funding the position in FY25 completes the second phase of implementation as presented last fall.

As stated in the job description, this position is responsible for “leading, overseeing, and administering the programs, budgets, functions, and activities of the Community Development Department, which include ensuring compliance with local, state and federal requirements, regulations and policies, attending appeals and court hearings and representing the department on code enforcement-related matters to the media, county agencies, community organizations and the public”. It will serve to lead and coordinate collaborative processes and projects between the Community Development divisions and other city departments. The Chief position additionally will lead stakeholder collaboration, including the coordination of community engagement and education for the department.

The leadership and coordination that this position would provide is necessary as the city continues to grow, and demand for community development services consistently increases. The Chief Community Development Officer would be responsible for the department’s anticipated new and expanded programs and initiatives, such as strategic planning and parking. These initiatives are moving forward as soon as FY25, and will require the capacity and strategy this position provides.

3. **Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:**

Wages - \$125,570

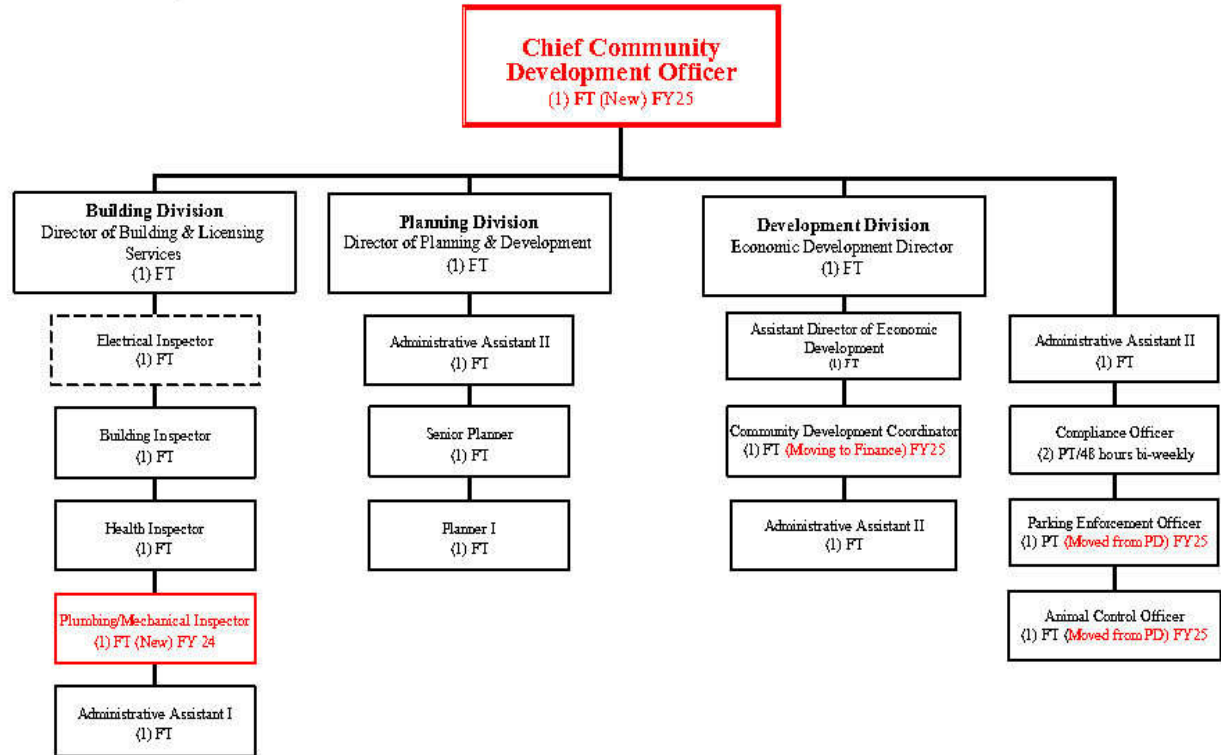
Benefits - \$45,952

Total Cost - \$171,522

4. **Benefits Lost – What will the impact be to City services?:** New community development programs and initiatives could be delayed or diminished. Division Directors and their staff will continue to address increasing demands for services, while strategy and service development will be limited to current capacity.
5. **Options – Outline a proposed solution along with the fiscal implications. If there are multiple options, break them out independently so that they can be considered and analyzed as separately:** Half-year funding of this position is advised against since it is a department-level supervisory role.
6. **Supplemental Information:**

City Manager Reorganization presentation at the September 12, 2023, Finance Committee meeting. Approval of the position creation, job classification and job description at the October 3, 2023 City Council meeting. The organizational chart from the City Manager’s presentation is provided on the next page.

Community Development Department



7. Status: City Manager Included-Full Year Funding.



**Office of Finance & Administration
Budget Development
Issues & Options Form**

Department: City Manager

- 1. Name of Issue:** Full Time Public Information Assistant (Grade 9 Non-Union) to the Public Information Manager, and City Manager by extension.
- 2. Description of the Issue – Define the issue or problem clearly & succinctly:**

City Management is in need of a Public Information Assistant to help with day-to-day operations, scheduling, answering phones, welcoming citizens to the City Hall campus, providing directions, updating the website/social media pages, and other duties as assigned. In addition, there has been an overall increase in the amount of Right to Know requests-RSA 91a (RTK). The initial document searching and organizing for RTK requests can often times be very time consuming and detailed. The Public Information Assistant will work with the Legal Department and IT on all RTK requests.
- 3. Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:**

Annual compensation: \$59,240
Benefits: \$31,092

An initial \$5,000 will be needed for office general office set up and equipment.
- 4. What will the impact be to City services?**

The Public Information Assistant would assist management in a support role that will increase efficiencies in organization, as well as responses to citizen inquiries.
- 5. Options – Outline a proposed solution along with the fiscal implications. If there are multiple options, break them out independently so that they can be considered and analyzed separately:**
- 6. Supplemental Information:**
- 7. Status: City Manager Included-1/2 Year Funding.**



Office of Finance & Administration Budget Development Issues & Options Form

This Issues & Options form is a tool to provide policy makers a quick, easy to read analysis of important policy issues pertaining to the budgeting process.

Department: Legal Department

1. Name of Issue: Creation of Assistant City Attorney Position

2. Description of the Issue – Define the issue or problem clearly & succinctly:

The Legal Department desires to increase the services offered by it to the City and to meet needs requested by other City Departments. In particular, the Legal Department seeks to enhance its services in regards to Response to Right to Know Requests, Code Compliance matters, Human Resources issues (including labor negotiations), staffing of and responsiveness to Land Use Boards, oversight of the continued interactions with the Environmental Protection Agency and New Hampshire Department of Environmental Services in regards to the City's Wastewater Treatment Facilities, and provide services to internal clients which are currently being provided by outside firms. Due to increased caseloads and demands for services an additional in-house attorney is necessary. The additional in-house attorney is essential to maintaining a consistent, and financially stable, level of service to the City.

3. Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:

New Position of Assistant City Attorney will be a Grade 14 Non-Union Position with a projected annual wage of \$89,426, employee benefits will be approximately \$37,855. Total Compensation: \$127,281.

4. Benefits Lost – What will the impact be to City services?:

Increased response times to legal matters, increased reliance on outside counsel, and associated fees for service.

5. Options – Outline a proposed solution along with the fiscal implications.

As stated above, the two options available to meet this growing need for legal services is to create the new position of Assistant City Attorney or to increase expenditures on outside counsel.

6. Supplemental Information: N/A

7. Status: City Manager Included Full Year Funding.



**Office of Finance & Administration
Budget Development
Issues & Options Form**

Department: Human Resources

- 1. Name of Issue:** Reclassify HR/Payroll Specialist to Payroll Administrator
- 2. Description of the Issue – Define the issue or problem clearly & succinctly:**

The HR department needs more complex departmentalizing of functions. The administrator position is responsible for more complex payroll tasks, that have been absorbed by the existing title during retirement and reorganization to accommodate growth. Additional functions have included reconciling, checking for compliance, ensuring taxes are paid for both SAU and city, Command of Kronos, running w-2's for SAU and City. Supporting SAU with Munis, ACA reporting for SAU and city, and high level of problem solving.

Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:

Additional need: Wages \$1643; Benefits \$ 368; total comp \$2011.

- 3. Benefits Lost – What will the impact be to City services?**

Efficiency, identifying trends, fielding, and suggesting improvement to ensure compliance with tax laws and regulations.

Options – Outline a proposed solution along with the fiscal implications. If there are multiple options, break them out independently so that they can be considered and analyzed as separately: Reclassification.

- 4. Supplemental Information:**

Allocation:	11063151	80%
	51601057	10%
	52602057	10%

- 7. Status: City Manager Included- Full Year Funding.**



**Office of Finance & Administration
Budget Development
Issues & Options Form**

Department: Human Resources

1. Name of Issue: New Position- Human Resource Generalist

2. Description of the Issue – Define the issue or problem clearly & succinctly:

The reorganization of HR along with increased responsibilities of the department has reached a level that requires additional staff to ensure continued compliance with state and federal requirements and law, accurate administration in all aspects of HR. Explore, initiate, and implement further MUNIS functionality; implement HRIS, updates of Policies, and ongoing initiatives.

3. Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:

Wages \$58,760; Benefits \$30,984; total comp \$89,744.

4. Benefits Lost – What will the impact be to City services?

Continued standard of service for our employees and citywide needs to ensure the health and safety of our employees. This includes safety, wellness, employment updates, retention and recruiting, and Compliance with eight CBA's

5. Options – Outline a proposed solution along with the fiscal implications. If there are multiple options, break them out independently so that they can be considered and analyzed as separately: Increase staff.

6. Supplemental Information:

Allocation:	11063151	80%
	51601057	10%
	52602057	10%

7. Status: City Manager Included-1/2 Year Funding.



**Office of Finance & Administration
Budget Development
Issues & Options Form**

This Issues & Options form is a tool to provide policy makers a quick, easy to read analysis of important policy issues pertaining to the budgeting process.

Department: Information Technology

1. **Name of Issue:** Cyber Security Analyst
2. **Description of the Issue – Define the issue or problem clearly & succinctly:**
Create new position in IT called Cyber Security Analyst. This position will play a vital role in the safeguarding of our organization's digital assets by monitoring, analyzing, researching, and defending against cyber threats. This position is essential for maintaining the integrity and security of our systems and data while ensuring operational resilience against increasingly sophisticated cyber-attacks.
3. **Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:**
\$117,954 increase in Salaries & Benefits (annual)
4. **Benefits Lost – What will the impact be to City services?:**
Heightened vulnerability to cyber-attacks, potentially leading to significant downtime and monetary losses.
5. **Options – Outline a proposed solution along with the fiscal implications. If there are multiple options, break them out independently so that they can be considered and analyzed as separately:**
6. **Supplemental Information:** None
7. **Status:** City Manager Excluded.



**Office of Finance & Administration
Budget Development
Issues & Options Form**

This Issues & Options form is a tool to provide policy makers a quick, easy to read analysis of important policy issues pertaining to the budgeting process.

Department: Information Technology

1. Name of Issue:

Secondary Internet Connection

2. Description of the Issue – Define the issue or problem clearly & succinctly:

The City currently relies on a single internet connection for all of its operational and public service functions. This has issues with reliability, limited bandwidth, and lack of redundancy.

3. Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:

\$13,200 per year.

4. Benefits Lost – What will the impact be to City services?:

Loss of dispatching for emergency services as well as all other city connections should our current internet connection go down. This could be from scheduled maintenance or due to environmental issues.

5. Options – Outline a proposed solution along with the fiscal implications. If there are multiple options, break them out independently so that they can be considered and analyzed as separately:

6. Supplemental Information: None

7. Status: City Manager Included Full Year Funding.



**Office of Finance & Administration
Budget Development
Issues & Options Form**

This Issues & Options form is a tool to provide policy makers a quick, easy to read analysis of important policy issues pertaining to the budgeting process.

Department: Assessing Department

1. Name of Issue:

Appraisal(s) for defense of value for the 2024 Revaluation

2. Description of the Issue – Define the issue or problem clearly & succinctly:

In order to accurately and fairly value certain complex commercial properties, mainly Frisbie Hospital, it will be pertinent to have an appraisal performed by an outside source. Due to the history between the City and the hospital properties, the City would be at a risk of financial loss if a reliable appraisal is not performed.

3. Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:

FY25 \$100,000

4. Benefits Lost – What will the impact be to City services?:

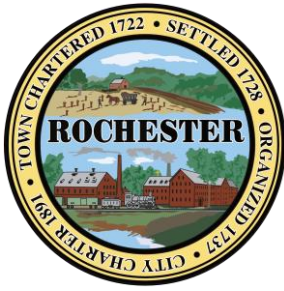
The direct benefit to the City and taxpayers of having an appraisal on the complex commercial property(s) will be the accuracy and reliability of the assessed value designated to the property during the 2024 Revaluation. This appraisal would assist the Assessor should an abatement/appeal be filed.

5. Options – Outline a proposed solution along with the fiscal implications.

The complex commercial properties are extremely challenging to value, as such, a specialized appraiser will be required. The estimated cost is in line with the options that exist for such an experienced individual or company. Also included in the estimate are funds for the hiring of an expert witness to aid in the defense of value, should the need arise.

6. Supplemental Information: None

7. Status: City Manager Included Full Year Funding.



**Office of Finance & Administration
Budget Development
Issues & Options Form**

This Issues & Options form is a tool to provide policy makers a quick, easy to read analysis of important policy issues pertaining to the budgeting process.

Department: DPW GENERAL FUND B&G 11090050

**1. Name of Issue: Buildings & Grounds – Laborer
From Part Time-To Full Time**

2. Description of the Issue – Define the issue or problem clearly & succinctly:

The existing part-time position is part of a two-man crew that works 35 hours per week in the summer and 15 hours per week in the winter. We have had a minimum turnover of five employees in the past two years and hiring has been extremely challenging and expensive. In recent years the City has taken on the maintenance of 3 Cemeteries, the large new DPW facility and additional task at all parks and buildings due the increased demand for cleaning and maintenance from round the clock use.

3. Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:

Wages: From \$21,459.00 To \$42,453.00

Benefits: \$25,689.00

Total Increase = \$46,683.00 (\$42,453+\$25,689)-\$21,459

4. Benefits Lost – What will the impact be to City services?

The Buildings and Grounds Division will continue to struggle with all maintenance responsibilities. This includes building and park maintenance, mowing, trimming, mulching and pruning all areas and gardens. The division has

had the most significant issue keeping up with parking lots and walkway plowing and icing and snow removal in the winter season. This leads to pedestrian safety issues for both the public and City Staff.

5. Options – Outline a proposed solution along with the fiscal implications. If there are multiple options, break them out independently so that they can be considered and analyzed as separately:

To continue to City attempts to staff this part-time position, when winter hours are reduced to 15 per week, is not a practical option. Employees are difficult to attract to our full-time positions with benefits, there is little attractive about a 15-hour position without benefits. The cost for pre-employment physical, testing and training of new staff adds to the frustration with turn over.

6. Supplemental Information:

7. Status: City Manager Excluded.



Office of Finance & Administration Budget Development Issues & Options Form

This Issues & Options form is a tool to provide policy makers a quick, easy to read analysis of important policy issues pertaining to the budgeting process.

Department: Police Department

1. Name of Issue: Two Additional Police Officer Personnel

2. Description of the Issue – Define the issue or problem clearly & succinctly:

With service demands and the residential and commercial development, along with both the drug and mental health crisis over the past several years—this continues to strain our current staff. With our staffing levels, we've primarily been reactive to calls for service, and have seen our proactive enforcement decline. The nature and complexity of many of these service calls continue to become more labor intensive. As the time needed for reactive policing demands increase—proactive enforcement activities decrease. Officers are not able to spend as much time focusing on concerns such as traffic violations, quality of life issues, or have adequate time to engage citizens in positive community policing efforts as part of their daily routine.

The high service demands further lead to officer burnout and turnover as officers look for agencies with smaller workloads. As service calls are unlikely to decrease in the future years, the department needs to look at innovative ways to decrease officer's workloads. Through a combination of technology, hiring additional staffing, and increasing our detective division which will allow more felony and complex cases to be freed from patrol officers and be sent to detectives. After completing a review of workloads, using a staffing matrix based upon service demands, the administration put forth a plan to increase staffing by two officers per year through FY26 in attempt to meet said service demands. Administration reviews this plan, along with the service demands, annually to plan for future years.

3. **Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:** Salary for an uncertified officer would be \$64,791 along with \$38,244 in benefits; totaling \$103,035. An additional \$7,500 in uniforms and equipment would bring the total FY24 budget cost of \$110,535 per officer, so for two additional officers would total \$221,070.
4. **Benefits Lost – What will the impact be to City services?:** With residential, retail, and commercial growth in the city the department will not be able to keep up with the growing demands. This will cause increased response times in calls for service, and increase burnout for current officers. With reduced proactive police activity and presence, there is an increased likelihood of citizen's becoming victim to crimes and less of a chance for solving them.
5. **Options – Outline a proposed solution along with the fiscal implications.**
If there are multiple options, break them out independently so that they can be considered and analyzed as separately: The City Manager and Council could choose to fund just one police officer position, or fund both positions halfway through the fiscal year, which would cut the cost in half.
6. **Supplemental Information:** None attached
7. **Status:** City Manager Excluded.



Office of Finance & Administration Budget Development Issues & Options Form

This Issues & Options form is a tool to provide policy makers a quick, easy to read analysis of important policy issues pertaining to the budgeting process.

Department: Police Department

1. Name of Issue: Increase Records Clerk Hours to Full Time.

2. Description of the Issue – Define the issue or problem clearly & succinctly:

With increased residential and commercial development, our records staff is strained with increased requests for documents and information. The increase of residents as well as influx of visitors generate demands for release of incident and motor vehicle accident reports. Delays in producing documents to the public can delay repairs to property damage and cause issues with insurance providers.

Increased development and growth in the city generates requests for data in order for developers, as well as local and regional planners to assess available information. To meet these requests, information sometimes needs to be compiled and filtered to provide a usable work product. Other city departments often make requests for certain information, and records staff has been used to fulfill those requests.

By increasing one of the two part time records clerks to full time will also increase our customer service abilities as citizens would communicate more frequently with one individual. By communicating with the same individual throughout the course of fulfilling a records request, we could better understand that individual's request and more efficiently meet their needs.

3. **Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:** Increasing one existing records clerk to full time would increase wages by \$9,932 and benefits by \$25,523. The total FY25 budget cost would be \$35,455.
4. **Benefits Lost – What will the impact be to City services?:** With residential, retail, and commercial growth in the city the department will not be able to keep up with the growing demands. This will result in additional time needed to fulfill records requests. Delays in fulfilling requests will delay planning and development efforts..
5. **Options – Outline a proposed solution along with the fiscal implications. If there are multiple options, break them out independently so that they can be considered and analyzed as separately:** None specified.
6. **Supplemental Information:** None attached
7. **Status:** City Manager Included Full Year Funding.



**Office of Finance & Administration
Budget Development
Issues & Options Form**

This Issues & Options form is a tool to provide policy makers a quick, easy to read analysis of important policy issues pertaining to the budgeting process.

Department: Police Department

1. Name of Issue: Increase Training Overtime Budget

2. Description of the Issue – Define the issue or problem clearly & succinctly:

In June of 2020, Governor Sununu created the Commission on Law Enforcement Accountability, Community and Transparency (LEACT). The LEACT Commission was specifically charged with examining **training curriculum**, procedures and policies throughout the State; procedures related to the reporting and investigation of police misconduct; the current state of relationships between law enforcement and the communities they serve; and any other subject matter the Commission deemed relevant. This I&O is focused solely on the training aspect.

When LEACT became law in 2021 it mandates that the number of hours of annual in-service training for law enforcement officers in NH, on an incremental basis over the next three years, be increased to a minimum of twenty-four (24) hours. In addition to those mandated hours, every officer must complete yearly: six (6) hours of implicit bias and cultural responsiveness; ethics; and de-escalation training (2 hours for each discipline). For the past several years, the total amount of (minimum) of in-service training required by the state has been eight (8) hours.

Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year: Request to increase \$25,000 to the overtime training line which is currently \$78,940.00. Totaling that line to \$103,940.00.

4. **Benefits Lost – What will the impact be to City services?:** In-service training has always been extremely important for things such as maintenance of skills, knowledge about new laws, enforcement procedures, and safety practices to name a few. When an officer is in an extremely stressful situation, it is a well known fact that you inevitably revert back to your training in how you handle and cope with the situation at hand. The LEACT law is an unfunded mandate put on local agencies that have to fund the required increased number of hours of in-service training per officer per year.
5. **Options – Outline a proposed solution along with the fiscal implications. If there are multiple options, break them out independently so that they can be considered and analyzed as separately:** The City Manager and Council could choose not to increase the training overtime line which would have to rely on enough funds in salaries to cover the costs of essential training.
6. **Supplemental Information:** None attached
7. **Status:** City Manager Excluded.



**Office of Finance & Administration
Budget Development
Issues & Options Form**

This Issues & Options form is a tool to provide policy makers a quick, easy to read analysis of important policy issues pertaining to the budgeting process.

Department: Police Department

1. Name of Issue: Additional Part Time Parking Enforcement Officers (2)

2. Description of the Issue – Define the issue or problem clearly & succinctly:

The downtown area of the City is struggling with parking enforcement. The Parking Review Group is recommending implementation of paid parking program. The Economic Development Department is seeking FY25 Capital Improvement Funding for parking meters, and associated installations. Once the parking meter program is implemented parking enforcement will be paramount to the success of the program. Currently, the City has only one (1) Part Time (30) hour per week Parking Enforcement employee. Two additional (30) hour per week Parking Enforcement Officers are needed to provide the enforcement coverage recommended by the Parking Review Group, which is Monday through Sunday 9am to 8pm.

3. Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:

The Parking Enforcement Officer is Grade 3 position. Estimated annual salary and benefits for each (30) hour position is \$35,000, or \$70,000 annually.

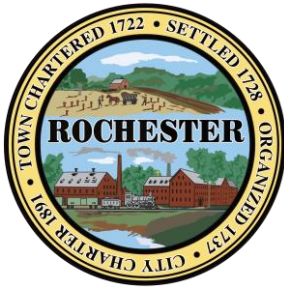
4. Benefits Lost – What will the impact be to City services?:

Parking Enforcement

5. Options – Outline a proposed solution along with the fiscal implications.

6. Supplemental Information: None

7. Status: City Manager Included Full Year Funding-Both Positions.



**Office of Finance & Administration
Budget Development
Issues & Options Form**

This Issues & Options form is a tool to provide policy makers a quick, easy to read analysis of important policy issues pertaining to the budgeting process.

Department: DPW – GENERAL FUND HIGHWAY 13010057

**1. Name of Issue: HIGHWAY DIVISION – FULL TIME
LIGHT EQUIPMENT OPERATOR (LEO).**

2. Description of the Issue – Define the issue or problem clearly & succinctly:

The City of Rochester has grown significantly in the past 10 or more years and there have been no additions to the staffing level of this division. This request is to adequately staff the Highway Division of the DPW. With this growth has come additional roads, sidewalks, and roadway maintenance, including winter operations such as plowing & treating roads and sidewalks. Also new EPA mandated Municipal Separate Storm Sewer System (MS4) Permit regulations require significant improvements & maintenance to the stormwater system to remain in compliance. The lack of adequate highway forces has resulted in the deterioration of stormwater facilities throughout the City. This position is part of a two-person request for the department. The City could potentially put a two-person crew out daily for stormwater repair and maintenance and still fall short of all required maintenance per the MS4 Stormwater permit.

3. Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:

Wages: \$44,678.00

Benefits: \$27,829.00

Total: \$72,507.00

4. Benefits Lost – What will the impact be to City services?

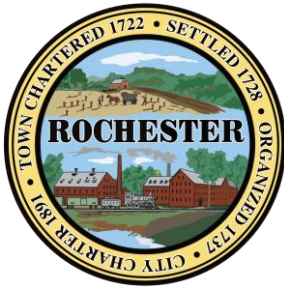
Without this position, and the other Medium Equipment Operator position request, the DPW Highway Division will continue to struggle to meet expectations with stormwater and roadway maintenance, as well as plowing operations and other maintenance resulting in safety concerns. The City could potentially fall short of meeting new regulatory requirements regarding the MS4 Stormwater Permit and be subject to violations. In accordance with the MS4 stormwater permit and the Great Bay Total Nitrogen General Permit, the City of Rochester currently and in the future will implement many stormwater facilities to reduce pollutants from stormwater runoff. These improvements include the use of pocket rain gardens, gravel wetlands and other constructed structural practices which require regular and specific maintenance to ensure that they are functioning properly. Additionally, the City has committed to increasing the frequency of non-structural practices such as street sweeping, catch-basin cleaning, and ditch line maintenance, in order to improve water quality. Without these positions the City may default on its regulatory requirements.

5. Options – Outline a proposed solution along with the fiscal implications. If there are multiple options, break them out independently so that they can be considered and analyzed as separately:

The Department has the option to contract out the services required for MS4 Maintenance. Per our contracted services bid, which specifies labor and equipment fees, we estimate we that the cost would exceed \$230,000 for ½ year of two full time employees and one large excavator, additional trucks and equipment would be required and drive this cost up even further.

6. Supplemental Information: None

7. Status: City Manager Included 1/2 Year Funding.



**Office of Finance & Administration
Budget Development
Issues & Options Form**

This Issues & Options form is a tool to provide policy makers a quick, easy to read analysis of important policy issues pertaining to the budgeting process.

Department: DPW – GENERAL FUND- HIGHWAY 13010057

**1. Name of Issue: HIGHWAY DIVISION – FULL TIME
MEDIUM EQUIPMENT OPERATOR (MEO).**

2. Description of the Issue – Define the issue or problem clearly & succinctly:

The City of Rochester has grown significantly in the past 10 or more years and there have been no additions to the staffing level of this division. This request is to adequately staff the Highway Division of the DPW. With this growth has come additional roads, sidewalks, and roadway maintenance, including winter operations such as plowing & treating roads and sidewalks. Also new EPA mandated Municipal Separate Storm Sewer System (MS4) Permit regulations require significant improvements & maintenance to the stormwater system to remain in compliance. The lack of adequate highway forces has resulted in the deterioration of stormwater facilities throughout the City. This position is part of a two-person request for the department. The City could potentially put a two-person crew out daily for stormwater repair and maintenance and still fall short of all required maintenance per the MS4 Stormwater permit.

3. Costs – What monetary costs are associated with this issue? If Multi-year in impact, break down by fiscal year:

Wages: \$45,988.00

Benefits: \$28,123.00

Total: \$74,111.00

4. Benefits Lost – What will the impact be to City services?

Without this position, and the other Light Equipment Operator position request, the DPW Highway Division will continue to struggle to meet expectations with stormwater and roadway maintenance, as well as plowing operations and other maintenance resulting in safety concerns. The City could potentially fall short of meeting new regulatory requirements regarding the MS4 Stormwater Permit and be subject to violations. In accordance with the MS4 stormwater permit and the Great Bay Total Nitrogen General Permit, the City of Rochester currently and in the future will implement many stormwater facilities to reduce pollutants from stormwater runoff. These improvements include the use of pocket rain gardens, gravel wetlands and other constructed structural practices which require regular and specific maintenance to ensure that they are functioning properly. Additionally, the City has committed to increasing the frequency of non-structural practices such as street sweeping, catch-basin cleaning, and ditch line maintenance, in order to improve water quality. Without these positions the City may default on its regulatory requirements.

5. Options – Outline a proposed solution along with the fiscal implications. If there are multiple options, break them out independently so that they can be considered and analyzed as separately:

The Department has the option to contract out the services required for MS4 Maintenance. Per our contracted services bid, which specifies labor and equipment fees, we estimate we that the cost would exceed \$230,000 for ½ year of two full time employees and one large excavator, additional trucks and equipment would be required and drive this cost up even further.

6. Supplemental Information: None

7. Status: City Manager Included 1/2 Year Funding.



**Office of Finance & Administration
Budget Development
Issues & Options Form**

This Issues & Options form is a tool to provide policy makers a quick, easy to read analysis of important policy issues pertaining to the budgeting process.

Department: Public Works Department – Sewer Fund

1. Name of Issue: Wastewater and Water Workforce Modifications per the 2022 Workforce Study and Master Plan to meet increasing environmental regulatory demands. **Chief Operator position.**

2. Description of the Issue – Define the issue or problem clearly & succinctly:

The emphasis of this Issues and Options request is for additional wastewater personnel resources as the City currently faces significant EPA requirements to operate its treatment and collections systems.

Wastewater and water personnel resources are understaffed in Rochester for levels of both current and future infrastructure. This has been confirmed by three independent sources:

- EPA's guidance on staffing wastewater facilities (wastewater understaffing)
- 2007 NH DES Wastewater Staffing Study (wastewater understaffing)
- 2022 Jacobs Engineering Water/Wastewater Workforce Study and Master Plan (wastewater and water understaffing)

All three resources conclude that to operate expanding infrastructure to comply with EPA effluent regulations, the current water-wastewater workforce requires an additional 8-10 employees between the Wastewater Treatment Facility staff,

sewer collections staff and Water Treatment Facility and distribution system staffs, with the majority of the need at the Wastewater Treatment Facility and sewer collections staff.

Budget Needs per the Workforce Master Plan:

FY24 Existing Utilities Division Supervisor position: Remove position.
COMPLETE

FY24 Wastewater Collections System Supervisor position (New): COMPLETE

FY24 Water Distribution System Supervisor position (New): COMPLETE

FY24 Wastewater Pump Station and Collections System Lead position (New):
COMPLETE

FY24 Wastewater Collections System Light Equipment Operator position
(New): COMPLETE

FY24 Wastewater Treatment Facility Operator position (New): COMPLETE

FY24 Wastewater Treatment Facility Maintenance Mechanic position (New):
COMPLETE

FY25 Wastewater Treatment Facility Maintenance Mechanic position (New)

**FY25 Wastewater Treatment Facility Chief Operator position (Re-evaluate
reinstate position). THIS REQUEST**

FY26 Wastewater Treatment Facility Operator position (New)

**3. Costs – What monetary costs are associated with this issue? If Multi-year
impact, break down by fiscal year:**

Total costs for FY25:

Water Fund: \$0

Sewer Fund: \$113,766

General Fund: \$0

NOTE THERE IS NO IMPACT TO THE GENERAL FUND AND NO IMPACT TO TAX RATE

4. Benefits Lost – What will the impact be to City services?:

The City is under-performing in water and wastewater utilities. The City has nine employees total to maintain the 120 mile water distribution system, 100 mile sewer collections system and 30 wastewater pump stations. However, 6 of the nine have duties split between water distribution and wastewater collections. Per the study this workforce is completely undersized for the infrastructure it is responsible for. The existing central Utilities Division which services both water and sewer infrastructure is under required strength and is largely reactive to system casualties and is unable to be proactive.

All studies indicated the Wastewater Treatment Facility requires a staff of 10. Current qualified staff is 6. The Wastewater Treatment Facility in the last year has expanded infrastructure footprint by a third to comply with the EPA's Great Bay General Permit for Nitrogen, and to implement long-term maintenance. This infrastructure is required to comply with EPA effluent permit regulations and will require augmenting existing staff for operation and maintenance. Additionally, another \$20M-\$30M of new infrastructure will need to come on-line in the next several years to enable the City to comply with the EPA individual effluent permit, received in 2024. This permit has new, extensive requirements.

The current EPA General Permit for Nitrogen states: “Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action...”. Further it contains a section on Civil and Administrative penalties, including criminal penalties for negligence in compliance.

The final EPA Individual Permit for the Wastewater Treatment Facility was received in early 2024. Permit language states: “The permittee shall provide an adequate staff to carry out the operation, maintenance, repair and testing functions required to ensure compliance with the terms and conditions of this permit.” It further requires the City to submit a description of sufficient staffing necessary to properly operate and maintain the sanitary sewer collection system and how the operation and maintenance program is staffed.

- 5. Options – Outline a proposed solution along with the fiscal implications. If there are multiple options, break them out independently so that they can be considered and analyzed as separately:**

Statutory law requires adequate staffing. Do not adequately staff and risk adverse impact to the environment and/or non-compliance and penalties from oversight agencies.

An option is to hire contracted operators and maintenance personnel. This will be much more costly than City employees. Contract employees cost about \$100-\$150/hour.

The Wastewater industry is experiencing very serious employee shortages and recruitments nation-wide. Approval of new positions could take many months to fill. If requests are pushed to future budgets this will lengthen the delay.

6. Supplemental Information:

- See attached letter from City’s environmental attorney regarding the need.

7. Status: City Manager Included ½ Year Funding.



INSIGHT MATTERS

Sherilyn Burnett Young
Attorney-At-Law
sby@rathlaw.com
Please reply to: Concord Office

December 20, 2022

City of Rochester
Blaine Cox, City Manager
Members, Public Works Committee
City Hall
31 Wakefield Street
Rochester, NH 03867

RE: Extensive New Compliance Obligations under NPDES WWTF Permits

Dear Mr. Cox and Members of the Rochester Public Works Committee:

I write this letter to alert you to the requirements for adequate staffing of the City of Rochester's wastewater treatment facility (WWTF) that will be necessitated by the anticipated final National Pollutant Discharge Elimination System (NPDES) permit for the WWTF that EPA Region 1 will be issuing soon. On April 19, 2022 EPA issued its Draft NPDES permit to Rochester, to which the City responded with comments on the record. The City is now awaiting a final permit to be issued at any time.

Several other NPDES individual permits for New Hampshire nearby communities have also recently been issued, including the City of Portsmouth (the Pease WWTF is final, and the Pierce Island facility is under appeal), Hampton, Rye, Seabrook and Exeter. Rochester's Draft Permit and each of the other final NPDES permits include significant new compliance provisions, increased frequency of testing, and time-bound deliverables for new programs and reports. Given that your current NPDES permit was issued in 1997, there are vastly increased compliance requirements for programs, monitoring and reporting than are in your current permit.

In addition to this anticipated final individual NPDES permit, the City of Rochester is currently complying with the requirements of a November 2020 Great Bay Total Nitrogen General Permit (**Nitrogen GP**) covering discharges from thirteen wastewater treatment facilities, including Rochester, that discharge treated wastewater containing nitrogen into the Great Bay watershed. The Nitrogen GP provisions include effluent limitations and extensive studying, monitoring and reporting requirements.

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F (603) 226-2700

26 State Street
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T (802) 552-4037
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Manchester NH 03104
T (603) 226-2600

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While the City certainly can appeal unlawful or arbitrary and capricious requirements in its final individual NPDES Permit, based on the experience of other communities, Rochester will inevitably be forced by EPA's issuance of a final permit to expand its programs, monitoring and reporting obligations. These new compliance obligations will be *in addition to* the ongoing obligations to comply with the terms and conditions of its Nitrogen GP. There is a genuine issue as to the City's ability to manage compliance with these two permits, considering the combined feasibility and costs of these significantly increased compliance standards.

Rochester, like other municipalities, is challenged by the national manpower shortage and reduction in qualified operations workforce. The combined Nitrogen GP and the individual NPDES final permit will no doubt require the City to hire additional management and operations staff in the midst of these challenging economic times. To do otherwise is at its peril, as there are considerable risks to the City if it fails to meet its compliance requirements.

The City's 2020 Nitrogen GP states: "Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action...". Further it contains a section on Civil and Administrative penalties, including criminal penalties for negligence in compliance.

The City's April 2022 draft individual NPDES permit states: "The permittee shall provide an adequate staff to carry out the operation, maintenance, repair and testing functions required to ensure compliance with the terms and conditions of this permit." It further requires the City to submit a description of sufficient staffing necessary to properly operate and maintain the sanitary sewer collection system and how the operation and maintenance program is staffed.

To put the totality of Rochester's Clean Water Act commitments into broader perspective, in order to comply with the effluent limitations of the Nitrogen GP, Rochester entered into an Administrative Order on Consent with EPA in March 2021 that grants Rochester an interim Total Nitrogen (TN) effluent limit until October 31, 2025. During this interim period, Rochester has committed to implement the following projects to meet the nitrogen effluent limitation of 198 lbs/day set forth in the Nitrogen GP. Those projects include:

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1. Pilot Septage Facility Upgrade – The City completed and evaluated a pilot septage receiving facility upgrade which included pilot testing of septage quantities and process response conditions when adding septage at the Headworks Facility. A report was generated and submitted to EPA in September 2021.
2. Permanent Septage Facility Upgrade –The City must design, bid and construct the full septage facility upgrade at the Headworks Facility utilizing the results of the pilot and evaluation. Because of the timing of the City’s receipt of federal funding for this project, EPA granted a one-year extension for the City to complete the facility by December 31, 2023. Upon completion, the City will evaluate efficacy of the constructed, permanent septage facility upgrade and report results in the Nitrogen Reduction Report.
3. Carbon Storage and Feed Building - The City designed this project to provide a permanently installed building at the WWTF to house four (4) 10,000 gallon storage tanks, feed pumps, piping, controls and appurtenances for supplemental carbon to support the simultaneous nitrification/denitrification (SND) system that the City is currently operating to reduce effluent total nitrogen. The facility is now operational as of October 2022, but there remain outstanding punch-list items to be completed by year end, with final site work to be completed in the Spring 2023. The City will evaluate the efficacy of the carbon storage and feed building project and report results in the Nitrogen Reduction Report.
4. Aeration Automation Project – Due to a change in contractors and delayed delivery of equipment, the City sought an extension to complete the work, which EPA approved. The City is on track to complete the work by December 31, 2022 and will report results of this project in its Nitrogen Reduction Report.
5. Sewer System Master Plan Study – The City continues the ongoing

City of Rochester
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work for the Sewer System Master Plan conducted by Weston & Sampson, including flow metering and modelling efforts, infrastructure evaluation and facility inspections to fully evaluate the sanitary system and identify and reduce sources of inflow and infiltration (I/I) into the WWTF. The City will continue the study for approximately two years and will report the findings and recommendations of the study in its Nitrogen Reduction Report.

6. Nitrogen Reduction Report – The City is required to submit a Nitrogen Reduction Report to EPA and NH Department of Environmental Services by October 31, 2024. This Report will indicate what actions the City will take to further reduce Nitrogen discharges to ensure consistent compliance with its rolling seasonal average effluent limit for Total Nitrogen of 198 lbs/day (effective as of October 31, 2025). Upon submission of the Report, the City will begin to implement the recommended actions.

As is evident from the above, the Nitrogen General Permit has significant compliance requirements, including new projects, programs, monitoring and reporting by the City. We also expect that Rochester’s final individual NPDES permit will include significantly increased programs, monitoring and reporting requirements, such as:

1. Collection System Mapping – EPA will require the City within 30 months of the effective date of the permit to prepare a map of the City’s entire sewer collection system;
2. Collection System Operation and Maintenance Plan – The City must develop and implement an Operation & Maintenance (O&M) Plan within 24 months of the effective date of the permit that includes:
 - a description of the collection system management goals, *staffing*, information management and legal authorities;
 - a description of the collection system and the overall condition of the system; a preventive maintenance and monitoring program for the system;

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Blaine Cox, City Manager
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- a description of sufficient staffing necessary to properly operate and maintain the collection system and how the O&M program is staffed;
 - a description of funding, the sources of funding and provisions for funding sufficient for implementation of the plan;
 - identification of known and suspected overflows and back-ups, including manholes;
 - a description of the City's program for preventing Inflow and Infiltration (I/I) related effluent violations and unauthorized discharges of wastewater;
 - an educational public outreach program for all aspects of I/I control; and
 - an Overflow Emergency Response Plan to protect public health from overflows and bypasses or upsets;
3. Annual Reporting Requirements – The City must submit a summary report of activities related to the implementation of its Collection System O&M Plan during the previous year, by March 31 annually, *that includes a description of the staffing levels maintained during the year, among other items.*
 4. The City must acquire and install an alternative power source (generator) sufficient to operate the WWTF;
 5. The City must develop an Industrial Users and Pretreatment Program that enforces specific effluent local limits for Industrial Users and others, which includes:
 - Carrying out inspections, surveillance and monitoring procedures to ensure industrial user compliance;
 - Issuing or renewing necessary industrial user control mechanisms;
 - Obtaining appropriate remedies for noncompliance by industrial users;
 - Maintaining an adequate revenue structure for continued implementation of the Pretreatment Program; and
 - Submitting an annual report to EPA and the State describing the prior year's pretreatment program activities;
 6. A new and likely expensive program is the annual requirement for sampling of Per- and-Polyfluorinated Substances (PFAS) chemicals (PFHxS, PFNA, PFOS, and PFOA) for several types of industrial dischargers into the WWTF such as

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commercial car washes, platers/metal finishers, landfill leachate, firefighting training facilities, airports and “any other known or expected sources of PFAS;”

7. There are special conditions for the sampling and disposal of sludge generated by the WWTF, and the generation of PFAS contaminated sludge is likely to be a significant issue for all wastewater and water treatment facilities. An annual report of a Biosolids/Sewage Sludge Report must be submitted to EPA and the State.

The above is just a summary of some of the more significant new programs, plans, sampling and reporting requirements that are expected to be contained in Rochester’s final individual NPDES permit, based on our review of other permits issued recently by EPA to New Hampshire communities. ***And these sit on top of the extensive effluent limitations and monitoring requirements that will be contained in the final permit.*** Many of those effluent limitations and monitoring requirements are new as well.

If a new Total Phosphorus (TP) effluent limit is included in the final NPDES permit it will generate considerable additional compliance obligations, including a likely upgrade to the WWTF at an estimated capital cost of about \$18.3 million, and an estimated \$300,000 annual operating cost (in 2022 dollars). A new TP treatment system would be enclosed in a building that would house the reaction tanks, tertiary clarifiers, chemical storage and all associated equipment and controls. The process would include, among other equipment, five (5) concrete reaction tanks operating in series, each approximately 11 feet wide by 11 feet long and 11 feet deep; two (2) concrete rectangular tertiary clarifiers, each approximately 45 feet long and 15 feet wide; and two (2) clarifier sludge collection systems. This TP project alone would be a heavy burden on City staff to accomplish.

Based on our conversations with Mr. Nourse and his team, they understand these extensive permit requirements. No doubt, additional staffing will be necessary to ensure compliance. This is typical of the experience of other WWTFs in the Seacoast area, including Portsmouth. The time and effort needed to recruit, hire, and train these additional staffers is challenging. We strongly recommend that the City begin *now* to anticipate, budget for and implement the hiring processes necessary to ensure future compliance with these extensive and new WWTF obligations of the combined Nitrogen GP and a final individual NPDES permit.



City of Rochester
Blaine Cox, City Manager
December 20, 2022
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We'd be happy to attend a meeting with you, Peter and his staff to discuss this in further detail if you care to do so.

Very truly yours,

A handwritten signature in blue ink that reads 'Sherilyn Young'. Below the signature, the name 'Sherilyn Burnett Young' is printed in a small, black, sans-serif font.

cc: Peter Nourse, Director of City Services
Michael Bezanson, City Engineer
David Green, WWTF Chief Operator



**Office of Finance & Administration
Budget Development
Issues & Options Form**

This Issues & Options form is a tool to provide policy makers a quick, easy to read analysis of important policy issues pertaining to the budgeting process.

Department: Public Works Department – Sewer Fund

- 1. Name of Issue:** Wastewater and Water Workforce Modifications per the 2022 Workforce Study and Master Plan to meet increasing environmental regulatory demands. **Wastewater Treatment Facility Maintenance Mechanic position.**

- 2. Description of the Issue – Define the issue or problem clearly & succinctly:**

The emphasis of this Issues and Options request is for additional wastewater personnel resources as the City currently faces significant EPA requirements to operate its treatment and collections systems.

Wastewater and water personnel resources are understaffed in Rochester for levels of both current and future infrastructure. This has been confirmed by three independent sources:

- EPA's guidance on staffing wastewater facilities (wastewater understaffing)
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All three resources conclude that to operate expanding infrastructure to comply with EPA effluent regulations, the current water-wastewater workforce requires

an additional 8-10 employees between the Wastewater Treatment Facility staff, sewer collections staff and Water Treatment Facility and distribution system staffs, with the majority of the need at the Wastewater Treatment Facility and sewer collections staff.

Budget Needs per the Workforce Master Plan:

FY24 Existing Utilities Division Supervisor position: Remove position.
COMPLETE

FY24 Wastewater Collections System Supervisor position (New): COMPLETE

FY24 Water Distribution System Supervisor position (New): COMPLETE

FY24 Wastewater Pump Station and Collections System Lead position (New):
COMPLETE

FY24 Wastewater Collections System Light Equipment Operator position
(New): COMPLETE

FY24 Wastewater Treatment Facility Operator position (New): COMPLETE

FY24 Wastewater Treatment Facility Maintenance Mechanic position (New):
COMPLETE

**FY25 Wastewater Treatment Facility Maintenance Mechanic position
(New): THIS REQUEST**

FY25 Wastewater Treatment Facility Chief Operator position (Re-evaluate
reinstate position).

FY26 Wastewater Treatment Facility Operator position (New)

**3. Costs – What monetary costs are associated with this issue? If Multi-year
impact, break down by fiscal year:**

Total costs for FY25:

Water Fund: \$0

Sewer Fund: \$80,171

General Fund: \$0

NOTE THERE IS NO IMPACT TO THE GENERAL FUND AND NO IMPACT TO TAX RATE

4. Benefits Lost – What will the impact be to City services?:

The City is under-performing in water and wastewater utilities. The City has nine employees total to maintain the 120 mile water distribution system, 100 mile sewer collections system and 30 wastewater pump stations. However, 6 of the nine have duties split between water distribution and wastewater collections. Per the study this workforce is completely undersized for the infrastructure it is responsible for. The existing central Utilities Division which services both water and sewer infrastructure is under required strength and is largely reactive to system casualties and is unable to be proactive.

All studies indicated the Wastewater Treatment Facility requires a staff of 10. Current qualified staff is 6. The Wastewater Treatment Facility in the last year has expanded infrastructure footprint by a third to comply with the EPA's Great Bay General Permit for Nitrogen, and to implement long-term maintenance. This infrastructure is required to comply with EPA effluent permit regulations and will require augmenting existing staff for operation and maintenance. Additionally, another \$20M-\$30M of new infrastructure will need to come on-line in the next several years to enable the City to comply with the EPA individual effluent permit, received in 2024. This permit has new, extensive requirements.

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- 5. Options – Outline a proposed solution along with the fiscal implications. If there are multiple options, break them out independently so that they can be considered and analyzed as separately:**

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An option is to hire contracted operators and maintenance personnel. This will be much more costly than City employees. Contract employees cost about \$100-\$150/hour.

The Wastewater industry is experiencing very serious employee shortages and recruitments nation-wide. Approval of new positions could take many months to fill. If requests are pushed to future budgets this will lengthen the delay.

6. Supplemental Information:

- See attached letter from City’s environmental attorney regarding the need.

7. Status: City Manager Included 1/2 Year Funding.



Sherilyn Burnett Young
Attorney-At-Law
sby@rathlaw.com
Please reply to: Concord Office

December 20, 2022

City of Rochester
Blaine Cox, City Manager
Members, Public Works Committee
City Hall
31 Wakefield Street
Rochester, NH 03867

RE: Extensive New Compliance Obligations under NPDES WWTF Permits

Dear Mr. Cox and Members of the Rochester Public Works Committee:

I write this letter to alert you to the requirements for adequate staffing of the City of Rochester's wastewater treatment facility (WWTF) that will be necessitated by the anticipated final National Pollutant Discharge Elimination System (NPDES) permit for the WWTF that EPA Region 1 will be issuing soon. On April 19, 2022 EPA issued its Draft NPDES permit to Rochester, to which the City responded with comments on the record. The City is now awaiting a final permit to be issued at any time.

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In addition to this anticipated final individual NPDES permit, the City of Rochester is currently complying with the requirements of a November 2020 Great Bay Total Nitrogen General Permit (**Nitrogen GP**) covering discharges from thirteen wastewater treatment facilities, including Rochester, that discharge treated wastewater containing nitrogen into the Great Bay watershed. The Nitrogen GP provisions include effluent limitations and extensive studying, monitoring and reporting requirements.

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City of Rochester
Blaine Cox, City Manager
December 20, 2022
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While the City certainly can appeal unlawful or arbitrary and capricious requirements in its final individual NPDES Permit, based on the experience of other communities, Rochester will inevitably be forced by EPA’s issuance of a final permit to expand its programs, monitoring and reporting obligations. These new compliance obligations will be *in addition to* the ongoing obligations to comply with the terms and conditions of its Nitrogen GP. There is a genuine issue as to the City’s ability to manage compliance with these two permits, considering the combined feasibility and costs of these significantly increased compliance standards.

Rochester, like other municipalities, is challenged by the national manpower shortage and reduction in qualified operations workforce. The combined Nitrogen GP and the individual NPDES final permit will no doubt require the City to hire additional management and operations staff in the midst of these challenging economic times. To do otherwise is at its peril, as there are considerable risks to the City if it fails to meet its compliance requirements.

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The City’s April 2022 draft individual NPDES permit states: “The permittee shall provide an adequate staff to carry out the operation, maintenance, repair and testing functions required to ensure compliance with the terms and conditions of this permit.” It further requires the City to submit a description of sufficient staffing necessary to properly operate and maintain the sanitary sewer collection system and how the operation and maintenance program is staffed.

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Blaine Cox, City Manager
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1. Pilot Septage Facility Upgrade – The City completed and evaluated a pilot septage receiving facility upgrade which included pilot testing of septage quantities and process response conditions when adding septage at the Headworks Facility. A report was generated and submitted to EPA in September 2021.
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5. Sewer System Master Plan Study – The City continues the ongoing

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work for the Sewer System Master Plan conducted by Weston & Sampson, including flow metering and modelling efforts, infrastructure evaluation and facility inspections to fully evaluate the sanitary system and identify and reduce sources of inflow and infiltration (I/I) into the WWTF. The City will continue the study for approximately two years and will report the findings and recommendations of the study in its Nitrogen Reduction Report.

6. Nitrogen Reduction Report – The City is required to submit a Nitrogen Reduction Report to EPA and NH Department of Environmental Services by October 31, 2024. This Report will indicate what actions the City will take to further reduce Nitrogen discharges to ensure consistent compliance with its rolling seasonal average effluent limit for Total Nitrogen of 198 lbs/day (effective as of October 31, 2025). Upon submission of the Report, the City will begin to implement the recommended actions.

As is evident from the above, the Nitrogen General Permit has significant compliance requirements, including new projects, programs, monitoring and reporting by the City. We also expect that Rochester’s final individual NPDES permit will include significantly increased programs, monitoring and reporting requirements, such as:

1. Collection System Mapping – EPA will require the City within 30 months of the effective date of the permit to prepare a map of the City’s entire sewer collection system;
2. Collection System Operation and Maintenance Plan – The City must develop and implement an Operation & Maintenance (O&M) Plan within 24 months of the effective date of the permit that includes:
 - a description of the collection system management goals, *staffing*, information management and legal authorities;
 - a description of the collection system and the overall condition of the system; a preventive maintenance and monitoring program for the system;

City of Rochester
Blaine Cox, City Manager
December 20, 2022
Page 5

- a description of sufficient staffing necessary to properly operate and maintain the collection system and how the O&M program is staffed;
 - a description of funding, the sources of funding and provisions for funding sufficient for implementation of the plan;
 - identification of known and suspected overflows and back-ups, including manholes;
 - a description of the City's program for preventing Inflow and Infiltration (I/I) related effluent violations and unauthorized discharges of wastewater;
 - an educational public outreach program for all aspects of I/I control; and
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3. Annual Reporting Requirements – The City must submit a summary report of activities related to the implementation of its Collection System O&M Plan during the previous year, by March 31 annually, *that includes a description of the staffing levels maintained during the year, among other items.*
 4. The City must acquire and install an alternative power source (generator) sufficient to operate the WWTF;
 5. The City must develop an Industrial Users and Pretreatment Program that enforces specific effluent local limits for Industrial Users and others, which includes:
 - Carrying out inspections, surveillance and monitoring procedures to ensure industrial user compliance;
 - Issuing or renewing necessary industrial user control mechanisms;
 - Obtaining appropriate remedies for noncompliance by industrial users;
 - Maintaining an adequate revenue structure for continued implementation of the Pretreatment Program; and
 - Submitting an annual report to EPA and the State describing the prior year's pretreatment program activities;
 6. A new and likely expensive program is the annual requirement for sampling of Per- and-Polyfluorinated Substances (PFAS) chemicals (PFHxS, PFNA, PFOS, and PFOA) for several types of industrial dischargers into the WWTF such as

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commercial car washes, platers/metal finishers, landfill leachate, firefighting training facilities, airports and “any other known or expected sources of PFAS;”

7. There are special conditions for the sampling and disposal of sludge generated by the WWTF, and the generation of PFAS contaminated sludge is likely to be a significant issue for all wastewater and water treatment facilities. An annual report of a Biosolids/Sewage Sludge Report must be submitted to EPA and the State.

The above is just a summary of some of the more significant new programs, plans, sampling and reporting requirements that are expected to be contained in Rochester’s final individual NPDES permit, based on our review of other permits issued recently by EPA to New Hampshire communities. ***And these sit on top of the extensive effluent limitations and monitoring requirements that will be contained in the final permit.*** Many of those effluent limitations and monitoring requirements are new as well.

If a new Total Phosphorus (TP) effluent limit is included in the final NPDES permit it will generate considerable additional compliance obligations, including a likely upgrade to the WWTF at an estimated capital cost of about \$18.3 million, and an estimated \$300,000 annual operating cost (in 2022 dollars). A new TP treatment system would be enclosed in a building that would house the reaction tanks, tertiary clarifiers, chemical storage and all associated equipment and controls. The process would include, among other equipment, five (5) concrete reaction tanks operating in series, each approximately 11 feet wide by 11 feet long and 11 feet deep; two (2) concrete rectangular tertiary clarifiers, each approximately 45 feet long and 15 feet wide; and two (2) clarifier sludge collection systems. This TP project alone would be a heavy burden on City staff to accomplish.

Based on our conversations with Mr. Nourse and his team, they understand these extensive permit requirements. No doubt, additional staffing will be necessary to ensure compliance. This is typical of the experience of other WWTFs in the Seacoast area, including Portsmouth. The time and effort needed to recruit, hire, and train these additional staffers is challenging. We strongly recommend that the City begin *now* to anticipate, budget for and implement the hiring processes necessary to ensure future compliance with these extensive and new WWTF obligations of the combined Nitrogen GP and a final individual NPDES permit.



INSIGHT MATTERS

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We'd be happy to attend a meeting with you, Peter and his staff to discuss this in further detail if you care to do so.

Very truly yours,

A handwritten signature in blue ink that reads "Sherilyn Young".

Sherilyn Burnett Young

cc: Peter Nourse, Director of City Services
Michael Bezanson, City Engineer
David Green, WWTF Chief Operator

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