

**Written Testimony**  
**Scheduled to be presented at the**  
**Pennsylvania House of Representatives – Local Government Committee Hearing**  
**regarding**  
**Senate Bill 1261 - Session of 2011**  
**by**  
**Robert C. Bender**  
**North Wales Water Authority**  
**on**  
**September 18, 2011**

Good afternoon. My name is Robert C. Bender, and I am here today speaking as Executive Director of the North Wales Water Authority - in support of Senate Bill 1261. The North Wales Water Authority has been in existence for over 50 years, and currently serves over 27,000 customers in seven (7) municipalities within Bucks and Montgomery Counties. We also provide wholesale water to several neighboring municipalities and Authorities, and deliverer an average of approximately Eight Million Gallons of high quality water to our customers and local communities every day. In addition to our water operations, we also operate a municipal wastewater system, serving the North Wales community.

I appreciate the opportunity to provide testimony to you this afternoon, as this issue is not only important to me as a lifelong boater in both the Delaware and Chesapeake watershed areas, but because the NWWA is now actively exploring the possibility of offering a Program of Storm Water Management Services to the communities we serve. While we believe that services of this nature are in keeping with our duties and legal authorities to help protect the aquifers upon which we rely, our Board of Directors is reluctant to commit to the multi-million dollar investment required for this program - without confirmation that this service is within our legal authorities.

**Senate Bill 161 provides exactly the clarity we need to move forward with our program.**

As a former municipal manager, responsible for preparing and managing the finances of a growing municipality for nearly 20 years, I am acutely aware of the financial pressures faced by most Pennsylvania municipalities each year.

Budgeting for items such as police services, road repairs and paving, snow and ice removal services, maintaining water and sanitary sewer facilities, operating street lights, traffic signals, and providing park and recreational services, all seem to receive a higher level of interest and greater public support – than does the funding of storm water management efforts.

In fact, in the annual budgetary hierarchy, budgeting for cleaning of storm drains or retrofitting storm basins typically falls somewhere after the funding of the annual Easter Egg Hunt, and is often relegated to a chore we would have the “summer workers” complete, if there was time.

Needless to say, in all too many communities, proper management of the community storm water system is something that has neither been adequately funded, nor been considered an important part of the public works department regular operations. In fact, many local municipalities, hoping to avoid legal and financial responsibilities, have refused to accept dedication of most storm water detention and retention basins, leaving these facilities to the private property owner or Homeowner Associations to maintain.

You do not need to visit too many of these facilities – frequently tucked away behind shopping centers, industrial parks and office complexes, or behind open space facilities of many residential communities, to find weed infested, silt and trash choked facilities, most apparently without regular maintenance for many years.

Similarly, in many communities, the last time the catch basins in the roads were vacuumed, properly inspected and with pipes cleaned, was when the developer had to do so prior to offering dedication of the streets, and then it was typically done only so the developer could obtain the return of their developers' escrow deposit. For the most part, storm drains have unfortunately been considered as a place to dispose of debris, including litter thrown from vehicles, oil drained from cars, or yard and pet waste, as the "next rain will wash it away".

Most of these catch basin systems are now full of gravel and cinders from winter snow removal activities, lawn trimmings, litter tossed from cars, or trash blown around the community on windy pickup days.

Without a program of regular inspection and cleaning, all of these materials eventually find their way into our streams and waterways, and help contaminate the aquifers and surface water we all rely upon for our drinking water, our overall environment, and for recreation.

In addition to the protections offered to our water supply, general environmental and the many recreational benefits of good storm water management, we need to also consider the flood control benefits of proper storm water management.

On the local level, many homes and businesses are damaged, and many thousands of dollars of damage could have been prevented, had local storm drains not been clogged and become the primary cause of most street and neighborhood flooding. In a similar manner, many detention and retention basins have now been neglected to the point where storage capacity has been substantially diminished.

These local problems, when compounded thousands of times within hundreds of communities throughout the Commonwealth, become a significant factor in regional flooding and many watershed problems, including stream embankment erosion, silt build up problems found in many lakes and streams, each situation creating even more and greater flooding problems.

Some possible solutions;

- We need to begin dealing with storm water management from a regional perspective, looking at management from a larger watershed basis, rather than only from municipal to municipal boundaries.
- We need to consider better and different ways of financing this work. Local municipalities are already hard pressed to fund their current operations; any many have already cut services and had to lay off employees. Expecting them to embrace new expenses for storm water management efforts, especially at this difficult time, is in my opinion, unrealistic.
- However, Authorities can provide long term financing for capital improvements and can issue bonds to spread the costs over as much as 20-30 years. Many municipalities do not have the tax based need to qualify for similar financing.
- Many Authorities already have the technological abilities and experience needed to undertake such a program. In our case, we now have people trained to safely operate vacuum trucks, GIS systems, and we already know how to properly test, and legally dispose of silt and debris – as a result of our water treatment plant and sanitary sewer operations.

- Authorities can offer these services without worrying about making a profit, or answering to "Wall Street", or about providing a return to investors each quarter. Instead we can make good decisions based upon the best long term financial return, and all we need to do is to cover costs sufficiently to pay for our actual operations, to retire our bonds or other debt service, and to pay for the administrative overhead.

I believe that the actual solution to storm water management throughout the Commonwealth will be multifaceted, and that no one solution will fit every circumstance, or budget.

However, allowing local Authorities to participate in these efforts will provide the communities you serve with another possible option, and will permit them to contract for stormwater services with a willing Authority, without question of legality.

We are prepared to move forward with the final planning and development of our Pilot Program, however, to move forward with this multi-million dollar investment, we truly need the legal clarity and defined authority such as provided by Senate Bill 1261.

We urge your continued support – if you already have supported this important piece of legislation, and respectfully request your further consideration, if you are yet unconvinced.

Thank you.

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## Biography – Summary

### Robert C. Bender

Prior to his selection as Executive Director of the North Wales Water Authority several years ago, Mr. Bender had accrued nearly 40 years of extensive and varied experience in the public utility sector, starting with a water meter reading position in the early 1970's and ultimately leading to the CEO level management position he now holds. In this position, he is responsible for all operations of the authority, which now serves over 27,000 customers in seven suburban communities, as well as providing wholesale water to several other neighboring communities and Authorities. He has also served as a municipal manager for nearly 20 years, on the Board of Directors of the neighboring North Penn Water Authority, and for several years as a member of the Board of Directors of a Regional Sewer Authority. His civic work includes service on the Board of Directors of the Chal-Brit Regional Emergency Medical Services. (EMS)

His private sector experience includes serving as Sr. Vice President of a Pennsylvania based Land Development firm, and as Vice President of Land Operations for a major national homebuilder. In this role, Mr. Bender was responsible to oversee the installation of water, sewer, storm water, and natural gas lines, numerous pump stations, and many miles of water mains, and sewage collection lines.

Mr. Bender is well experienced in both business and personnel management issues, and he has hands on experience in public utility problem solving, gained during his numerous utility development projects in PA, NJ, NY, DE, and MD. In addition to serving as Executive Director of the North Wales Water Authority, he has recently lectured at local colleges in the areas of General Business Management, Human Relations and Personnel, Strategic Planning and Governmental Relations.

*He is currently actively involved in development of a Storm Water Management Pilot Program, which his Authority plans to offer to the communities in their service area.*