



**CITY OF ESSEX JUNCTION  
CAPITAL PROGRAM REVIEW COMMITTEE  
NOTICE AND AGENDA**

Online & 2 Lincoln St.  
Essex Junction, VT 05452  
**Tuesday, October 3, 2023**  
**6:00 PM**

E-mail: [admin@essexjunction.org](mailto:admin@essexjunction.org)

[www.essexjunction.org](http://www.essexjunction.org)

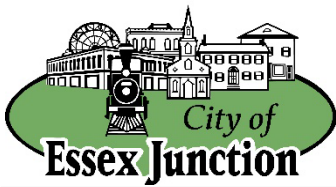
Phone: (802) 878-6944

*This meeting will be in-person at 2 Lincoln Street and available remotely. Options to watch or join the meeting remotely:*

- **JOIN ONLINE:** [Join Zoom Meeting](#)
- **JOIN CALLING (toll free audio only):** (888) 788-0099 | Meeting ID: 832 5366 1622; Passcode: 189879
- **PROVIDE FULL NAME:** For minutes, please provide your full name whenever prompted.
- **MUTE YOUR MIC:** When not speaking, please mute your microphone on your computer/phone.

1. **CALL TO ORDER** [6:00 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **PUBLIC COMMENTS**
4. **DISCUSSION ITEMS**
  - a. LOT Policy Discussion
5. **REVIEW AND APPROVE MINUTES**
  - a. Approve minutes: August 1, 2023
6. **ADJOURN**

*Members of the public are encouraged to speak during the Public Comments agenda item, or when recognized by the Chair during consideration of a specific agenda item. Public comments are limited to a three minute rule unless waived by the Chair. This agenda is available in alternative formats upon request. Meetings of the Capital Program Review Committee, like all programs and activities of the City of Essex Junction, are accessible to people with disabilities. For information on accessibility or this agenda, call the Finance office at 802-878-6944 TTY: 7-1-1 or (800) 253-0191.*



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2. **AGENDA ADDITIONS/CHANGES**
3. **PUBLIC COMMENTS**
4. **DISCUSSION ITEMS**
  - a. LOT Policy Discussion
  - b. Updated Project Costs
  - c. Updated Capital Projections
5. **REVIEW AND APPROVE MINUTES**
  - a. Approve minutes: August 1, 2023
6. **ADJOURN**

*Members of the public are encouraged to speak during the Public Comments agenda item, or when recognized by the Chair during consideration of a specific agenda item. Public comments are limited to a three minute rule unless waived by the Chair. This agenda is available in alternative formats upon request. Meetings of the Capital Program Review Committee, like all programs and activities of the City of Essex Junction, are accessible to people with disabilities. For information on accessibility or this agenda, call the Finance office at 802-878-6944 TTY: 7-1-1 or (800) 253-0191.*

<b>Municipality</b>	<b>Policy/Documentation Attached</b>	<b>Notes</b>
Brandon	yes	
Brattleboro	no	provided memos re: LOT implementation discussions
Burlington	n/a	no response
Colchester	yes	no policy, there is language in the charter that directs LOT revenue
Dover	n/a	no response
Manchester	no	used to reduce property taxes
Middlebury	yes	no formal policy, their practice for applying LOT revenue is described
Rutland Town	no	no policy, used to reduce property taxes and any remaining funds are transferred to PD for operations and capital needs
South Burlington	no	no policy, treated as general fund revenue
St Albans Town	yes	
Stowe	yes	no specific LOT policy, it is referenced in their capital fund policy
Stratton	no	no policy, used to reduce property taxes
Williston	no	no policy, used as general fund revenue
Wilmington	yes	no policy, procedure for funding requests of the LOT revenue
Winhall	n/a	no response
Winooski	no	no policy

Town of Brandon Local Option Tax Revenue Policy

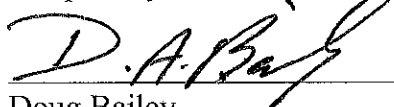
The purpose of this policy is to create the procedure for responsible expenditure of the revenues received by the Town of Brandon from its local option tax (1% tax), which was authorized by the voters of the Town of Brandon on June 30, 2015, and enacted as the charter of the Town of Brandon as 24 (Appendix) VSA § 106B by the Vermont General Assembly on May 17, 2016.

As stated in the above charter, section c, "Revenues received through the imposition of a tax imposed under this section shall be used for capital projects within the Town."


To accomplish such ends:

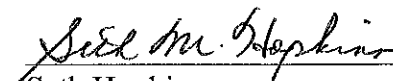
- 1 All revenues received by the Town of Brandon as proceeds of its local options tax shall be set aside by the town treasurer in a dedicated, restricted fund.
- 2 This fund is not subject to the Town of Brandon Purchasing Policy, and may only be expended in whole or in part by a positive vote of the selectboard.
- 3 Capital projects are defined to include the following: roads, bridges, culverts, paving, buildings, parks and related structures; major maintenance of any of these; equipment; and vehicles. Local contributions to grant matches for any of the above qualify as capital projects, as do principal payments to existing infrastructure bonds.
- 4 The selectboard shall develop a prioritization plan which identifies specific capital projects to be considered for funding with local option tax money. This plan will assist the selectboard in the orderly and responsible expenditure of local option tax revenue. However, a project need not appear on the prioritization plan to be eligible for funding by local option tax revenue (example: an unforeseen project which is beneficial to the Town).
- 5 A report of all revenues and expenses of the local options fund will be prepared by the town treasurer and included in the annual town report.

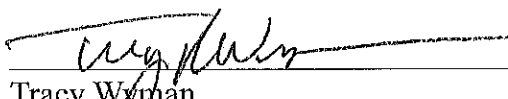
Adopted by the selectboard, February 13, 2017:

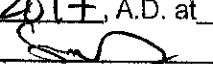
  
\_\_\_\_\_  
Doug Bailey

  
\_\_\_\_\_  
Brian Coolidge

  
\_\_\_\_\_  
Devon Fuller

  
\_\_\_\_\_  
Seth Hopkins

  
\_\_\_\_\_  
Tracy Wyman

A true record made this 14<sup>th</sup> day of  
Feb 2017, A.D. at 2 pm  
Attest:  Brandon Town Clerk

**From:** [Rabidoux, Justin](#)  
**To:** [Rabidoux, Justin](#)  
**Subject:** FW: Town of Colchester Local Option Tax Policy  
**Date:** Monday, September 18, 2023 11:46:38 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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[Chapter 7, Sec. 703 Charter Language:](#)

**Sec. 703. Local sales, rooms, and meals and alcoholic beverages tax.**

- (a) Upon resolution of the Selectboard, or upon receipt of a petition submitted by five (5) percent of the registered voters of the Town, at an annual or special meeting warned for the purpose by a majority of those present and voting, the voters of the Town may vote to assess any or all of the following:
- (1) A one-percent sales tax;
  - (2) A one-percent rooms tax; and
  - (3) A one-percent meals and alcoholic beverage tax.
- (b) A tax imposed under the authority of this section shall be collected and administered and may be rescinded as provided by the general laws of the State.
- (c) Revenues received through the imposition of a tax imposed under this section shall be used for expenses or financing of voter-approved capital projects within the Town and voter-approved intermunicipal financial support related thereto.

(Approved by voters, Mar. 3, 2015)

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**From:** Lara Alemy <LAlemy@colchestervt.gov>  
**Sent:** Monday, September 18, 2023 10:38 AM  
**To:** Rabidoux, Justin <Justin.Rabidoux@stantec.com>  
**Cc:** townmanager@colchestervt.gov; Renae Marshall <RMarshall@colchestervt.gov>  
**Subject:** RE: Town of Colchester Local Option Tax Policy

Good morning Justin.

The Town of Colchester's Local Option Tax is required to be used on voter approved capital projects. There is basic language in our charter under Chapter 7, Section 703 (c) which is linked below. Let me know if you have additional questions.

<https://clerkshq.com/Colchester-vt>

Lara

**Lara Alemy**  
Finance Director



Town of Colchester  
781 Blakely Rd. Colchester, Vermont 05446  
P: 802.264-5653 | F: 802.264.5503

[colchestervt.gov](http://colchestervt.gov)

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**From:** Rabidoux, Justin <Justin.Rabidoux@stantec.com>  
**Sent:** Monday, September 18, 2023 8:58 AM  
**To:** Lara Aley <LAley@colchestervt.gov>  
**Cc:** townmanager@colchestervt.gov; Renae Marshall <RMarshall@colchestervt.gov>  
**Subject:** Town of Colchester Local Option Tax Policy

**\*\*\*Warning: This email came from an outside source. It is not internal Town of Colchester email.\*\*\***

Hello,

I am working with the City of Essex Junction Capital Committee, where a Local Option Tax was recently approved by the voters and was enacted on October 1, 2022. The Capital Committee is comprised of a group of volunteers that were appointed by the City Council and is staffed by Essex’s Finance Director and Chaired by a City Councilor. The City is in the process of developing a policy that would guide decision makers on how to best use its local option tax proceeds.

I looked around Colchester’s website but was unable to find reference to a Local Option Tax policy. If the Town has enacted one, could you please send me a copy. We are researching what other Vermont municipalities have done on the policy side.

Thanks for any assistance you can provide.

**Justin C. Rabidoux**

Sr. Project Manager - Water BOU

Direct: 802-497-6405

Mobile: 802-338-0353

[justin.rabidoux@stantec.com](mailto:justin.rabidoux@stantec.com)

Stantec

193 Tilley Drive Suite 101

South Burlington VT 05403-4440

| |



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**From:** [Kathleen Ramsay](#)  
**To:** [Rabidoux, Justin](#); [Nicholas Gill](#); [David Sophrin](#)  
**Subject:** RE: Town of Middlebury - Local Option Tax Policy  
**Date:** Monday, September 18, 2023 9:48:56 AM

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Hi Justin,

The local option tax, with receipts of around \$1.1M/year, is used for:

- Debt Service on the Cross Street Bridge (which was the reason for adopting the local option tax): \$300,000/year;
- Capital Improvement Projects
  - \$800,000/year for budgeted capital improvements;
  - amounts in excess of the budgeted \$1.1M in local option tax revenue are set aside in a reserve fund. The reserve fund is used to support large capital improvement projects, such as water line improvements and water tank upgrades, and must be approved by voters.

Please let me if you have any questions or would like to discuss this further.

Thanks,  
Kathleen

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**From:** Rabidoux, Justin <Justin.Rabidoux@stantec.com>  
**Sent:** Monday, September 18, 2023 9:14 AM  
**To:** Nicholas Gill <Accounting@townofmiddlebury.org>; Kathleen Ramsay <KRamsay@townofmiddlebury.org>; David Sophrin <dsophrin@townofmiddlebury.org>  
**Subject:** Town of Middlebury - Local Option Tax Policy

Hello,

I am working with the City of Essex Junction Capital Committee, where a Local Option Tax was recently approved by the voters and was enacted on October 1, 2022. The Capital Committee is comprised of a group of volunteers that were appointed by the City Council and is staffed by Essex's Finance Director and Chaired by a City Councilor. The City is in the process of developing a policy that would guide decision makers on how to best use its local option tax proceeds.

I looked around Middlebury's website but was unable to find reference to a Local Option Tax policy. If the Town has enacted one, could you please send me a copy. We are researching what other Vermont municipalities have done on the policy side.

Thanks for any assistance you can provide.

**Justin C. Rabidoux**  
Sr. Project Manager - Water BOU



Direct: 802-497-6405  
Mobile: 802-338-0353  
[justin.rabidoux@stantec.com](mailto:justin.rabidoux@stantec.com)

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## City of St. Albans Local Option Tax Policy

### Introduction

Vermont communities can adopt a one percent tax on sales, rooms, meals, and alcohol sales. The U.S. Supreme Court has recently determined that local sales taxes apply to internet purchases. This creates a substantial opportunity to accomplish local policy objectives using sources other than the property tax. The consulting economist forecasts a revenue estimate of \$630,000 per year in FY 21 if voters adopt a local option tax.

### Findings

- City services should be funded by diverse revenue streams.
- The City must continue to invest in neighborhoods, the central business district, recreational offerings, and public safety.
- Diversified revenue streams allow the City to reduce the cost of recreational programming for disadvantaged groups and those on fixed incomes.

### Policy Guidelines

- Utilization of local option revenues will be proposed to the voters through the annual budgeting process.
- Local option revenues should reduce pressure on the property tax while continuing the City's record of public investment.
- At least 7.5 percent of annual local option revenues shall be utilized to reduce the cost and increase access to recreation programming for the disadvantaged and the elderly.
- At least 5 percent of annual local option revenues shall be saved and used to create a Rainy Day Fund or undesignated fund balance.
- At least 5 percent of annual local option revenues shall be directed to replenish the Redevelopment Fund.

**TOWN OF STOWE  
GENERAL FUND  
CAPITAL FUND POLICY**

1. **PURPOSE OF POLICY:** The purpose of this policy is to acknowledge the Board's commitment to investing in our municipal infrastructure by capital planning, to unify the capital planning process and to outline the process for doing so.

It is recognized that local option taxes are a tax on business activity and that tourism is a major component of Stowe's economy. Therefore, the local option taxes on rooms, meals and alcohol will be dedicated to support the General Fund Capital Fund and consideration will be given to projects that benefit guests as well as residents.

2. **PURPOSE OF CAPITAL PLANNING:** Capital planning is undertaken to identify - major infrastructure maintenance requirements or improvements to the Stowe's physical infrastructure and to schedule them in order of priority. The scheduling should take into consideration the Town Plan as well as the availability of financial and human resources. It should also recognize the time it takes to plan and implement capital projects. Proper capital planning facilitates control of Stowe's tax rate, helps avoid deferred maintenance, sudden changes in its debt service requirements, and enhances its credit rating.

3. **DEFINITIONS:**

A. **Capital Project** - A physical public betterment, maintenance or improvement involving a facility, a parcel of land, vehicle or piece of major equipment with a value exceeding \$10,000 that is not recurring on an annual basis.

B. **Capital Budget** – A prioritized listing of capital projects to be undertaken in a fiscal year, the estimated cost of each project, the method of financing, and tax requirements.

C. **Capital Program** - A prioritized listing of capital projects to be undertaken over the next five fiscal years, the estimated cost of each project, the method of financing, and tax requirements.

D. **General Capital Fund** – Except for vehicles, it is the fund to account for financial resources to acquire or construct large capital facilities or assets, other than those accounted for in enterprise or trust funds.

E. Debt – Long term bonded debt or long term note that financially obligates the Town of Stowe beyond one year paid for through the General Fund.

#### **4. PROJECT DEVELOPMENT:**

Projects may be submitted to the Manager and/or Selectboard from any department head, citizen, local government board or commission, other levels of government, business or organization. Generally major capital projects will go through multi-stage funding and development process (project definition, conceptual / preliminary design, final design and implementation). Any building project that involves a substantive exterior alteration to a historic building and / or is a building in the historic district shall receive feedback from the Historic Preservation Commission during the project development.

#### **5. PREPARATION OF CAPITAL BUDGET & PROGRAM:**

In September of each year the Manager shall request from Department Heads and Planning Commission any capital requests to be considered for incorporation into the Capital Budget and Program. During the month of October the Manager shall develop a draft Capital Budget. In accordance with the Town Charter, the Manager shall submit the capital budget and program to the Selectboard at least fifty days before the annual town meeting or as otherwise directed by the Selectboard.

5. **CONTENTS OF CAPITAL BUDGET & PROGRAM:** In accordance with the Stowe Town Charter, the Capital Budget and Program shall show the anticipated capital expenditures, financing and tax requirements. More specifically, it shall include, but not be limited to the following:

A. A clear general summary of its contents including the overall tax requirements;

B. A list of all capital improvements which are proposed to be undertaken during the upcoming year and the upcoming five fiscal years, with appropriate supporting information as to the necessity for such improvements;

C. Cost estimates, method of financing and recommended time schedules for each such improvement; and

D. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

E. An indication on how the project relates to the Stowe Town Plan.

F. A schedule of existing debt service obligations that are paid with general funds.

5. **REVENUES**

The Selectboard will use local option taxes and may also use property taxes, fund balance, grant money, or other sources of revenue in accordance with State law to support the General Fund Capital Plan.

6. **WITHDRAWALS:** The Selectboard may warn a vote on capital projects at an annual or special meeting. However, by doing this, the Selectboard does not waive their right to make withdrawals from capital funds without voter approval. The Selectboard also reserves the right to modify or cancel capital projects.

7. **AUDIT:** All capital - funds and projects shall be audited annually as part of the comprehensive audit required by the Town Charter.

Under Seal of the Town, received, recorded and filed on this the \_\_\_\_\_ day of \_\_\_\_\_, 2010 by:

\_\_\_\_\_  
Office of the Town Clerk

## Procedure for Funding Requests of the 1% Local Option Tax Reserve Fund

The following guidelines have been established for the use of the 1% Local Option Tax Reserve Fund:

- The Select Board is the statutorily approved decision making body authorized to determine the use of the Reserve Funds. All requests for funding must be approved by the Select Board.
- Projects that are less than or equal to 20% of the balance in the 1% Local Option Tax Reserve Fund can be approved by the Select Board.
- Projects that are more than 20% of the balance in the 1% Local Option Tax Reserve Fund must be approved by the Select Board and the Wilmington voters at a properly warned Special Meeting.
- Any monies transferred from the Local Option Tax Fund into a town reserve or capital fund for use must receive voter approval at a properly warned Special Meeting.
- The Select Board reserves the right not to fund a project should such an undertaking be deemed unacceptable; or to fund it in an amount different from the original request.
- The Select Board reserves the right to bring **any** project, regardless of cost, to the voters if they deem it in the best interest of the Town to do so.
- Applicants that are interested in applying for monies from the Reserve Fund will need to **complete a short application form or submit a similar informational Business Plan.**
- The Select Board will issue a decision on all applications within four weeks of the presentation of the application at a Select Board meeting provided that the Select Board determines that no additional information is needed to make a decision. If additional information is needed, the Select Board will issue a decision within two weeks of receiving that additional information.
- Approved projects will be able to access the funds with the signing of the next Town warrants (usually within one week).
- The above guidelines will also apply to any Select Board sponsored projects.
- The Selectboard has authorized using the Local Option Tax Fund when applying for grants that require matching funds.

## **Requests For Funding Through the 1% Local Option Tax Fund**

**Name of Person/Organization/Business/Committee**

**Date of Request**

**Contact person, phone numbers, mailing and email address**

**Amount of Request and Date Funding Needed**

**Describe in detail the purpose and specific use of the funding**

**Please provide a financial breakdown of your project/request.**

**Briefly describe the need for the funding and any other information that can support the application.**

**Signature of Applicant**

**Date**

**VILLAGE OF ESSEX JUNCTION  
CAPITAL PROGRAM REVIEW COMMITTEE MEETING  
MINUTES OF MEETING  
AUGUST 1, 2023**

**COMMITTEE:** Amber Thibeault, Chair; Kevin Collins; Nathan Doudera; Scott McCormick; Mike Plageman; Justin Rabidoux

**ADMINISTRATION:** Ricky Jones, Public Works Superintendent; Jess Morris, Finance Director

**OTHERS PRESENT:** Steve Eustis

**1. CALL TO ORDER**

Ms. Thibeault called the meeting to order at 6 PM.

**2. AGENDA ADDITIONS/ CHANGES**

None.

**3. PUBLIC COMMENTS**

There were no comments from the public.

**4. DISCUSSION ITEMS**

**a. New Member Introductions**

All members and staff introduced themselves. Ms. Thibeault explained that Capital Committee meetings will generally last an hour.

**b. Discussion on Potential Revisions to Ranking Criteria**

Ms. Thibeault explained that all committee members rank projects at home based on the project criteria and that rankings are averaged at the next meeting. The ranking system has been unchanged since the start of the committee, and she explained that the “community support” ranking may no longer be necessary. Mr. Rabidoux said that he wanted to spend some more time utilizing the ranking system before he made any changes to it. Answering a question from Mr. McCormick, Ms. Thibeault said that mandates are very unusual. Answering a question from Mr. McCormick, Ms. Thibeault said that the “cost of deferral” refers to if it would cost more to fix a project later than at present. All decided that this would be reviewed in the future. Answering questions from Mr. Doudera and Mr. Plageman, Ms. Thibeault said that projects are generally ranked once or re-ranked as a group if several years have passed.

**c. Initial Discussion on LOT Policy**

Ms. Thibeault said that Essex Junction passed the Local Options Tax (LOT) last fall. The City Council has requested that the Capital Committee draft a policy detailing how to use these funds. Ms. Thibeault suggested allocating specific LOT funds for sidewalks. Answering a question from Mr. Plageman, Ms. Morris said that the City is able to keep 70% of the total amount collected, minus some fees. She said that she would share the most recent quarterly return with the Committee and said that the annual sum is expected to be around \$750,000. Ms. Morris said that the City Council has decided to cover some one-time expenses with the LOT, including grant matching, paving, and rebranding. Answering a question from Ms. Thibeault, Mr. Jones said that the City has a monetary figure per foot of sidewalk reconstruction that can be used in project estimation, although this would need to be revised for inflation. Mr. Rabidoux asked about the relationship between the LOT and the debt



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schedule and capital improvement program. He also requested to see other examples of LOT policies. Ms. Morris said that the intention of the LOT is for it to be used for capital projects, as capital needs have been exceeding spending. However, this was discussed prior to knowing the amount of money that would be earned with the LOT. Ms. Morris said that the City pays \$400,000 per year in debt.

Mr. Eustis said that he would like to see the City stop future borrowing and using the LOT funds for capital needs. He also encouraged the Committee to complete some of the smaller projects that have been on the list for a long time. He suggested that the Committee do the worst pieces of sidewalks in the community rather than completing a full sidewalk project for a specific street. Mr. Collins asked if it would be possible to calculate how much would be needed to complete all of the projects on the list, as he was concerned that the City may not have enough saved to complete these in a timely manner. Ms. Thibeault suggested that this be discussed at the next meeting after the per-foot figure for sidewalks is available. She said that further discussion could occur once Ms. Morris has an opportunity to update the financial figures after summer construction is complete. Mr. Rabideaux will search for and send out other examples of LOT policies in other communities.

**d. West Street Sidewalk and CCRPC Sidewalk Inventory Data Presentation at 7/26/23 Council Meeting**

Ms. Thibeault said that the Chittenden County Regional Planning Commission (CCRPC) presented their Sidewalk Inventory at the last City Council meeting. This detailed the condition of all paved, but not asphalt, sidewalks. Mr. Jones said that there are numerous map layers and data available with this project. Mr. Jones said that the Public Works Department could do small sidewalk projects, however, bigger jobs would require a sub-contractor. Ms. Thibeault said that she had heard significant complaints about the condition of the West Street sidewalks and that the worst sections would be redone utilizing LOT funds. Mr. Eustis expressed concern about temporary v. permanent fixes of sidewalk infrastructure.

**5. REVIEW AND APPROVE MINUTES:**

**a. Approve Minutes: July 6, 2021**

**MIKE PLAGEMAN made a motion, seconded by NATHAN DOUDERA, to approve the minutes of July 6, 2021, and June 6, 2023. Motion passed 5-0-1, with JUSTIN RABIDOUX abstaining.**

**b. Approve Minutes: June 6, 2023**

Discussed and voted upon with Item 5a.

**6. ADJOURN**

**JUSTIN RABIDOUX made a motion, seconded by SCOTT MCCORMICK, to adjourn the meeting. The motion passed 6-0; the meeting adjourned at 7:02 PM.**

Respectfully Submitted,  
Darby Mayville  
Recording Secretary