

TOWN OF WAITSFIELD
SELECTBOARD AGENDA FOR
Monday, January 5th, 2026 | 6:30 PM
Location: Waitsfield Town Office
(Please see access details below)

Selectboard Members

Brian Shupe, Chair
Larissa Ursprung, V.C.
David Babbott-Klein
Chach Curtis
Fred Messer

Town Administrator
York Haverkamp

Town Clerk
Jennifer R. Peterson

Town Treasurer
Steve Lewis

Planning & Zoning Administrator
J.B. Weir

Road Foreman
Josh Rogers

Fire Chief
Jared Young

Waitsfield Town Office
4144 Main Street
Waitsfield, VT 05673
(802) 496-2218
www.waitsfieldvt.us

I. Call to Order: 6:30 P.M.

1. Additions, removals or modifications to the meeting agenda pursuant to 1 V.S.A. §312(d)(3)(A)
2. Public forum

II. Regular Business.

1. 1. Liquor License (DLL) Considerations
 - a. Mad Moose Bar & Grill – Outdoor Consumption Permit
 - b. Fifth Quarter – Second-Class License Renewal
2. Floodplain Restoration & Funding Proposal
Brian Voigt (CVRPC) – Lower Fairgrounds project
3. Local Agricultural Tax Stabilization Agreement discussion
4. Local Option Tax
Review Waitsfield-specific white paper
5. D&K Engineering Services Contract Amendment #4 – Wastewater Project
6. Budget
 - a. Workplan Update for Monday.com
 - i. Review current progress on the Selectboard's workplan as tracked in Monday.com.
 - ii. https://view.monday.com/9214578885-5cf8302182e46746432384dd92f5c182?r=use1&is_sharable_1ink=true
 - b. Review of Road and Fire budget for FY2027
 7. Consent Agenda (Waitsfield Selectboard)
 - a. Warrants
 - b. Minutes from 12.15.2025
 8. Town Administrator's Report
 9. Selectboard Roundtable

IV. Adjourn

Waitsfield Selectboard Agenda

October 6, 2025

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***PLEASE NOTE: Public Access to this meeting will be hybrid, remote via Zoom or in person at the Waitsfield Town Office. For remote access, please use the following link:**

<https://us02web.zoom.us/j/82056117089>

Meeting ID: 820 5611 7089

By phone: 1 (929) 205-6099

Anyone wishing to speak can do so during the designated times, or as indicated by the chair.

1 **Town administrator report**

2 1.5.2026

3 Happy New Year to our amazing Waitsfield community. As I look back on 2025, I can't help but
4 reflect on how much has changed for me and my family. A year ago, I was carefully considering
5 what the "perfect" next step might be, knowing change was coming...but I had no idea what was
6 ahead.

7 After an initial Zoom interview on December 20th, I was invited for an in-person interview.
8 Weather delays turned my trip into an adventure: I flew to Philadelphia, got stuck, rented a car,
9 and drove to Waitsfield on January 10th. I'll never forget that drive into town - fresh snow lining
10 the streets, the Mad River Valley looking like a postcard. Within weeks, I was living here.

11 The support from this community - Town staff, the Selectboard, commissions, and so many
12 others...has far exceeded my expectations. Coming from a background with the National League
13 of Cities, Graduate school in Public Administration and Policy, years on city council in Norris,
14 Tennessee, and time abroad in Scotland, stepping into town administration was a new challenge.
15 But I can honestly say there's no better place to learn and grow in this role than Waitsfield.

16 I could go on for pages, but the short version is this: as we start 2026, I'm deeply grateful for the
17 warm welcome and the chance to serve this incredible community.

18 Peace,
19 York

20

21 **CVRPC - Floodplain Restoration & Funding Proposal**

22

23 The Central Vermont Regional Planning Commission recently wrapped up a project development
24 effort in Waitsfield focused on establishing floodplain reconnections on town-owned property
25 along the Mad River. Of the four sites investigated, the Lower Fairgrounds parcel presents the
26 greatest opportunity for large-scale floodplain restoration. The design concept includes
27 significant excavation at the site to lower the elevation and allow the Mad River to more
28 frequently access the adjacent land. The (very) preliminary cost estimate for the project is ~\$1.2
29 million. I spoke with the Conservation Commission at their December 2025 meeting, and the
30 Commission supports continued investigation of the site through the development of a
31 preliminary engineering design (i.e. 30% design). A preliminary engineering design will help
32 determine the feasibility of the project moving to implementation by providing refined cost and
33 phosphorous reduction estimates. CVRPC is seeking Selectboard support before moving forward
34 with a funding request to the Winooski River Basin Water Quality Council. There is no cost to
35 the town, but advancing the project will likely require limited staff engagement and ongoing
36 dialog with the Conservation Commission and Selectboard. I anticipate a preliminary design

37 could be completed in 2026 and we will revisit the feasibility of project implementation (with the
38 Conservation Commission and Selectboard) at that time.

39

40 **Local Agricultural Tax Stabilization Agreement (Vermont Statutory Basis)**

41 Legal Authority

42 • 24 V.S.A. § 2741:
43 Municipalities may enter into contracts with owners, lessees, or operators of agricultural
44 (or forest/open-space) property to fix and stabilize the property's valuation, tax rate, or
45 tax amount.
46 These agreements require voter approval - either general authority granted to the Board
47 or case-by-case authorization at an annual or special meeting.

48 • 32 V.S.A. § 3846:
49 Defines “farmland” and “forestland” (typically \geq 25 acres actively used in
50 agriculture/forest production).
51 Municipal legislative bodies may negotiate stabilization agreements per § 2741.
52 Agreements must include a clawback mechanism, where landowners reimburse the town
53 for the three-year tax difference if the land is converted to non-agriculture before
54 expiration; this creates a municipal lien.

55 Education Tax Implications

56 • 32 V.S.A. § 5404a(d):
57 Establishes a “local agreement rate” on the municipal grand list.
58 If local stabilization agreements reduce education tax revenue, the town must levy a
59 supplemental tax to compensate the state Education Fund.

60 Purpose & Benefits

61 • Preserve working lands and rural character by reducing tax pressure on farms.
62 • Support local agriculture and economic stability, encouraging long-term investment.
63 • Provide predictability for farmers by locking in tax terms.
64 • Local control: Towns can tailor agreements to community priorities beyond state
65 programs.

66 Alternative Program: Current Use (Use Value Appraisal)

67 • Statutory Basis: 32 V.S.A. Chapter 124
68 • How It Works:

69 ○ Taxes qualifying agricultural and forest land based on its productive use value,
70 not market value.

71 ○ Eligibility generally requires ≥ 25 contiguous acres or meeting income thresholds
72 from farming.

73 ○ Enrollment requires annual certification; withdrawal or development triggers a
74 Land Use Change Tax.

75 • Purpose:

76 ○ Provides substantial property tax relief to keep land in farming or forestry.

77 ○ Statewide program administered by Vermont Department of Taxes.

78 • Key Difference:

79 ○ Current Use is a state program with standardized rates, while Tax Stabilization
80 Agreements are local contracts offering additional predictability and flexibility.

82 **Municipal Planning Grant – Irasville Village**

83 We successfully submitted the Municipal Planning Grant application for the Irasville Village
84 Master Plan...special thanks to JB Weir for leading this effort. This grant will help us move
85 forward with a comprehensive vision for Irasville, focusing on smart growth, infrastructure, and
86 community priorities.

87 Below is the link to the Planning Commission's final approved document for reference:

88 <https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:47f5ae0b-1645-4dac-8200-b764d4fc2da2>

90 **D&K Engineering Services Contract Amendment #4 – Wastewater Project**

92 Subject: Key Changes – Wastewater Project Amendment 4 vs. Amendment 3

93 Background:

94 Amendment 3 advanced the project to 100% design for the Village and Irasville areas, including
95 pump station layouts, treatment technology selection (SBR), and initial permitting steps.

96 What's New in Amendment 4:

97 • Additional Field Work: Wetlands mapping and archaeological/historic resource reviews
98 added for compliance.

99 • Extended Hydrogeology Test: Wastewater loading test ran longer (63 days) and required
100 winterization to meet DEC requirements.

101 • Vendor Preselection: SBR manufacturer rebid completed after first round had no valid
102 bids.

103 • Pump Station Changes:

104 ◦ Bridge Street station moved to a new parcel.

105 ◦ Added a new station south of Bridge Street.

106 ◦ Redesigned Upper Irasville, school, and Fiddler's Green stations; added standby
107 power at three sites.

108 • Hazardous Materials Specs: New requirements for handling contaminated soils and
109 groundwater (Hapsite GC/MS testing).

110 • Funding Coordination: More time supporting USDA, DEC, VCDP, and NBRC
111 applications.

112 Cost Impact:

113 • Amendment 4 adds \$209,700, bringing the total engineering agreement to \$1.19M.

114 Schedule Note:

115 • 90% Design due January 2026; Final Design due March 2026.

116 • These dates are fixed by funding agencies. Added tasks mean the team must work
117 efficiently to stay on track.

119 **Camera work for Meadow Road Bridge**

120 Ordered one 360 camera and received.

121 Response from Sheriff Captain Bret Meyer

122 I looked at the camera info you sent. Bridge St bridge would be concerning on location of the
123 camera, as you have a number of people climbing up on the bridge in the summer. Also concerns
124 on storage of video captures. Do you plan on storage on a cloud site, or a drive at your
125 office? Just want to make sure it isn't going to just a card in the camera and someone has to go
126 out and manually take the card out on a regular basis.

127 Also Trevor Whipple's comment about evidence retention. I would not be overly concerned with
128 this. When the video is sent to us, we had a way to store it in our Axon account that preserves it
129 for us and makes it available to everyone involved in a Civil or Criminal case.

130 Meadow Rd bridge - I don't see much else you can do with notification. It is posted properly, and
131 unfortunately the one who use anyways, will either be someone that doesn't care, or the one that
132 google sends them that way literally the same as the notch in Stowe.

Memorandum



To: Brian Voigt, Central Vermont Regional Planning Commission

From: Watershed Consulting

Date: October 15, 2025

Re: *Upper Mad River Watershed Floodplain Restoration Project Development – Task 5 – Project Development*

Attachments:

- A - Upper Mad Floodplain Location Map
- B - Site 1 - Lower Fairground Parcel
- C - Site 2 - Private Landowner
- D - Site 3 - Austin Parcel
- E - Site 4 - Lareau Park
- F - Site 5 - Virginia Farley Memorial Park

Dear Brian,

This memorandum has been prepared to summarize the priority project sites (Task 5) identified in Waitsfield, VT as a part of the Upper Mad River Watershed Floodplain Restoration Project Development.

Throughout the course of this project, five sites were identified with recommended projects. Three of these sites involve improving the riparian buffer and two involve floodplain restoration projects. Each of these sites are summarized below. An overview map with the locations of each of these sites described below is provided as Attachment A.

Site 1: Lower Fairground Parcel

The Lower Fairgrounds parcel presents the greatest opportunity for a large-scale floodplain restoration project for this project. This parcel is owned by the Town of Waitsfield and is undeveloped. It has previously been used for agricultural use and is accessed via low water crossing from the western side of the Mad River. This parcel is generally not accessible to the Mad River as a floodplain in high water events as described by community members. They noted that only in very extreme events such as Irene would water access the field area, making the existing floodplain connectivity low. A large-scale (9.5 acre) floodplain restoration project is recommended for this site. There is the potential to deposit the excavated material along the tree line on this parcel rather than trucking it offsite, which would decrease costs associated with a large-scale floodplain project. The recommended floodplain area is expected to evolve during the design phases of the project.

1. Site name, sub basin, and latitude & longitude;
 - a. Site 1: Lower Fairground Parcel
 - b. Winooski River Basin; Mad River Watershed
 - c. Lat: 44.17738° N Lon: 72.83309° W
2. ANR project locator map;
 - a. See Attachment B
3. Site photos;
 - a. See Attachment B
4. Basic concept drawings;
 - a. See Attachment B
5. Clean Water Initiative Program eligibility screening form;
 - a. See Attachment B
6. Estimated Phosphorus reduction (Using FFI Tool and DEC Calculator in consultation with Basin Planner);
 - a. Estimated Phosphorus Reduction: 50.7 kg/yr (see Attachment B for FFI Calculations)
7. Estimated project cost (for all future project phases);
 - a. This project is estimated to cost approximately \$1,175,000. This cost reflects mobilization, excavation, and seeding and planting. This results in a cost effectiveness of \$23,175 / kg.
8. Potential co-benefits of the project (beyond phosphorus reduction);
 - a. Flood reduction, resiliency, habitat improvements, invasive species management
9. Description of project development work performed;
 - a. Project extent based on LiDAR-derived elevations has been estimated. Further refinement will be required during the following design phases. See Attachment B for a concept map of the floodplain area.
10. Explanation of feasibility and readiness to proceed (recommended next steps);
 - a. This project is located on town-owned land and would provide significant benefits for the community in addition to a significant phosphorus reduction. It is recommended that it be advanced to preliminary (30%) design.
11. Documentation of any challenges that may complicate eventual implementation (e.g. rights-of-way, infrastructure, invasive species presence, hazardous materials concerns); and
 - a. The completed VDHP review form has not yet been received. There is a significant amount of Japanese Knotweed present along the riverbank, an invasive species.
12. Operation & Maintenance considerations, potential responsible parties, and projected costs.
 - a. It is expected that the Town of Waitsfield and the CWSP would need to determine the ultimate responsible party. Maintenance of the floodplain area is expected to be minimal and may include replanting of trees or shrubs that have died.

Site 2: Private Landowner (Perot Property)

The private landowner property included in this study, owned by Kinney Perot, is the second area of recommended floodplain improvements. This property does have an easement on it from the Vermont River Conservancy. There have been extensive invasive species control efforts on this parcel. There is the opportunity to provide a floodplain restoration project along the lower section of the parcel. While this floodplain area (0.95 acres) could be extended from what is depicted on the map in Attachment C, it would require significantly more earth work and disturbance to the parcel due to elevation change. The area that is currently recommended for this practice is more low lying but is disconnected from the river due to the steep stream banks. A larger project would also more significantly impact the property for other uses by the landowner.

1. Site name, sub basin, and latitude & longitude;
 - a. Site 1: Private Landowner (Perot Property)
 - b. Winooski River Basin; Mad River Watershed
 - c. Lat: 44.17063° N Lon: 72.83408° W
2. ANR project locator map;
 - a. See Attachment C
3. Site photos;
 - a. See Attachment C
4. Basic concept drawings;
 - a. See Attachment C
5. Clean Water Initiative Program eligibility screening form;
 - a. See Attachment C
6. Estimated Phosphorus reduction (Using FFI Tool and DEC Calculator in consultation with Basin Planner);
 - a. Estimated Phosphorus Reduction: 5.6 kg/yr (see Attachment C for FFI Calculations)
7. Estimated project cost (for all future project phases);
 - a. This project is estimated to cost approximately \$155,000. This cost reflects mobilization, excavation, and seeding and planting. This results in a cost effectiveness of \$27,679 / kg.
8. Potential co-benefits of the project (beyond phosphorus reduction);
 - a. Flood reduction, resiliency, habitat improvements, invasive species management
9. Description of project development work performed;
 - a. Project extent based on LiDAR-derived elevations has been estimated. Further refinement will be required during the following design phases. See Attachment C for a concept map of the floodplain area.
10. Explanation of feasibility and readiness to proceed (recommended next steps);

- a. This project is located on private land with a willing landowner and would provide significant benefits for the community in addition to a significant phosphorus reduction. It is recommended that it be advanced to preliminary (30%) design.

11. Documentation of any challenges that may complicate eventual implementation (e.g. rights-of-way, infrastructure, invasive species presence, hazardous materials concerns); and

- a. The completed VDHP review form has not yet been received. There has been significant investment in removing invasives from the property including Japanese Knotweed.

12. Operation & Maintenance considerations, potential responsible parties, and projected costs.

- a. It is expected that the Town of Waitsfield, the landowner, and the CWSP would need to determine the ultimate responsible party. Maintenance of the floodplain area is expected to be minimal and may include replanting of trees or shrubs that have died.

Site 3: Austin Parcel

The Austin parcel has had a significant amount of work invested including tree planting and invasive removal. This parcel is well elevated above the river and is located at the confluence of the Mad River and Mill River. There is a bridge on VT Route 100 where Mill River crosses under the road and the area is constrained by VT Route 100. Given these complicating factors, it is not recommended that a floodplain restoration project be proposed for this parcel. Additional riparian buffer planting and invasive removal would be recommended. At a minimum, it is recommended that a 50 ft riparian buffer be planted with native species, which would result in an area of approximately 1 acre of improved riparian buffering. There is an existing grass walking path that loops around the site, and this path could potentially be relocated to allow a wider buffer in some areas.

1. Site name, sub basin, and latitude & longitude;
 - a. Site 3: Austin Parcel
 - b. Winooski River Basin; Mad River Watershed
 - c. Lat: 44.17905° N Lon: 72.83440° W
2. ANR project locator map;
 - a. See Attachment D
3. Site photos;
 - a. See Attachment D
4. Basic concept drawings;
 - a. See Attachment D
5. Clean Water Initiative Program eligibility screening form;

- a. See Attachment D
- 6. Estimated Phosphorus reduction (Using FFI Tool and DEC Calculator in consultation with Basin Planner);
 - a. Estimated Phosphorus Reduction: 1.2 kg/yr (see Attachment D for FFI Calculations)
- 7. Estimated project cost (for all future project phases);
 - a. Depending on the density of trees and shrubs desired for the area, a conservative cost estimate for the site would be between \$40,000 and \$50,000. Note that this is accounting for existing trees and native plants, which would remain.
- 8. Potential co-benefits of the project (beyond phosphorus reduction);
 - a. Stream bank stability, habitat improvements, invasive species management
- 9. Description of project development work performed;
 - a. See Attachment D for a concept map of the riparian buffer planting area.
- 10. Explanation of feasibility and readiness to proceed (recommended next steps);
 - a. This project is located on town-owned land and would provide significant benefits for the community in addition to a phosphorus reduction. It is recommended that the CWSP coordinate with the Town of Waitsfield to assess interest in improving the riparian buffer on this parcel. The cost effectiveness of this project, assuming the low end of the implementation cost estimated above, is \$33,333 / kg. This cost effectiveness may be able to be improved depending on the availability of volunteers to plant the buffer and density of plantings.
- 11. Documentation of any challenges that may complicate eventual implementation (e.g. rights-of-way, infrastructure, invasive species presence, hazardous materials concerns); and
 - a. There has been significant investment in removing invasives from the property including Japanese Knotweed.
- 12. Operation & Maintenance considerations, potential responsible parties, and projected costs.
 - a. It is expected that the Town of Waitsfield and the CWSP would need to determine the ultimate responsible party. Maintenance of the riparian buffer area is expected to be minimal and may include replanting of trees or shrubs that have died.

Site 4: Lareau Park

Opportunities for floodplain restoration at Lareau Park are very limited due to the constraints of the walking path, park amenities, bridge, and VT Route 100. There are a few areas where a small flood bench could be installed. However, as the area to the east of the river is also available for potential floodplain restoration and is owned by the Town, it is recommended that efforts are focused on the eastern side of the river rather than the western park side. There is a small area where the riparian buffer could be enhanced in conjunction with ongoing invasive species removal of Japanese Knotweed.

1. Site name, sub basin, and latitude & longitude;
 - a. Site 4: Lareau Park
 - b. Winooski River Basin; Mad River Watershed
 - c. Lat: 44.17401° N Lon: 72.83228° W
2. ANR project locator map;
 - a. See Attachment E
3. Site photos;
 - a. See Attachment E
4. Basic concept drawings;
 - a. See Attachment E
5. Clean Water Initiative Program eligibility screening form;
 - a. See Attachment E
6. Estimated Phosphorus reduction (Using FFI Tool and DEC Calculator in consultation with Basin Planner);
 - a. Estimated Phosphorus Reduction: 0.3 kg/yr (see Attachment E for FFI Calculations)
7. Estimated project cost (for all future project phases);
 - a. Depending on the density of trees and shrubs desired for the area, a conservative cost estimate for the site would be between \$20,000 and \$30,000.
8. Potential co-benefits of the project (beyond phosphorus reduction);
 - a. Stream bank stability, habitat improvements, invasive species management
9. Description of project development work performed;
 - a. See Attachment E for a concept map of the riparian buffer planting area.
10. Explanation of feasibility and readiness to proceed (recommended next steps);
 - a. This project is located on town-owned land and would provide benefits for the community in addition to a phosphorus reduction. The CWSP could coordinate with the Town of Waitsfield to assess interest in improving the riparian buffer on this parcel. However, the cost effectiveness of this proposed project is very low and is likely not worth the investment at this time (\$66,667 / kg assuming the low range of estimated cost).
11. Documentation of any challenges that may complicate eventual implementation (e.g. rights-of-way, infrastructure, invasive species presence, hazardous materials concerns); and
 - a. There has been significant investment in removing invasives from the property, specifically Japanese Knotweed.
12. Operation & Maintenance considerations, potential responsible parties, and projected costs.
 - a. It is expected that the Town of Waitsfield and the CWSP would need to determine the ultimate responsible party. Maintenance of the riparian buffer area is expected to be minimal and may include replanting of trees or shrubs that have died.

Site 5: Virginia Farley Memorial Park

At the Virginia Farley Memorial Park site, it was discussed that there are plans for the development of a public park with multiple amenities in this location. These plans coupled with the high bank height in this location limit opportunities for floodplain restoration projects to the northern section of the parcel where bank heights are lower and plans for the park do not extend. However, given the dynamic nature of this area and the location directly upstream of the bridge, this is not a recommended project to pursue. Additional riparian buffer planting and invasive removal would be recommended. A 50ft riparian buffer was recommended for the site. However, this area assumes that the proposed park would allow for this wide of a buffer, which may not be the case. The larger potential buffer area is presented below in the event that the park development allows for a 50ft buffer area along the river.

1. Site name, sub basin, and latitude & longitude;
 - a. Site 5: Virginia Farley Memorial Park
 - b. Winooski River Basin; Mad River Watershed
 - c. Lat: 44.17222° N Lon: 72.83321° W
2. ANR project locator map;
 - a. See Attachment F
3. Site photos;
 - a. See Attachment F
4. Basic concept drawings;
 - a. See Attachment F
5. Clean Water Initiative Program eligibility screening form;
 - a. See Attachment F
6. Estimated Phosphorus reduction (Using FFI Tool and DEC Calculator in consultation with Basin Planner);
 - a. Estimated Phosphorus Reduction: 0.9 kg/yr (see Attachment F for FFI Calculations)
7. Estimated project cost (for all future project phases);
 - a. Depending on the density of trees and shrubs desired for the area, a conservative cost estimate for the site would be between \$45,000 and \$55,000.
8. Potential co-benefits of the project (beyond phosphorus reduction);
 - a. Stream bank stability, habitat improvements, invasive species management
9. Description of project development work performed;
 - a. See Attachment F for a concept map of the riparian buffer planting area.
10. Explanation of feasibility and readiness to proceed (recommended next steps);
 - b. This project is located on town-owned land and would provide benefits for the community in addition to a phosphorus reduction. The CWSP could coordinate with the Town of Waitsfield to assess interest in improving the riparian buffer on this parcel. However, the cost effectiveness of this proposed project is very low

and is likely not worth the investment at this time (\$50,000 / kg assuming the low range of estimated cost).

11. Documentation of any challenges that may complicate eventual implementation (e.g. rights-of-way, infrastructure, invasive species presence, hazardous materials concerns); and
 - a. There has been significant investment in removing invasives from the property, specifically Japanese Knotweed.
12. Operation & Maintenance considerations, potential responsible parties, and projected costs.
 - a. It is expected that the Town of Waitsfield and the CWSP would need to determine the ultimate responsible party. Maintenance of the riparian buffer area is expected to be minimal and may include replanting of trees or shrubs that have died.

It should be noted that all costs provided are reflective of the very early development stage of these projects. They are expected to change over the course of the following design phases.

Sincerely,



Andres Torizzo

Principal



Kerrie Garvey

GIS Program Manager

ATTACHMENT C-1
RUS CERTIFICATION PAGE (MODIFIED from RUS BULLETIN 1780-26, EXHIBIT C)
DEC CERTIFICATION PAGE

PROJECT NAME: Waitsfield Community Wastewater Project

PROJECT LOCATION: Waitsfield, VT

APPLICANT & LOAN/GRANT NUMBER: Town of Waitsfield

The Engineer and Owner hereby concur in the Funding Agency required revision to E-500 (2014). In addition, the Engineer certifies to the following:

All modifications required by DEC and RUS Bulletin 1780-26 have been made in accordance with the terms of the license agreement, which states in part that the Engineer "must plainly show all changes to the Standard EJCDC Text, using 'Track Changes' (redline/strikeout), highlighting, or other means of clearly indicating additions and deletions." Such other means may include attachments indicating changes (e.g. Supplementary Conditions modifying the General Conditions).

SUMMARY OF ENGINEERING FEES

Note that the fees indicated on this table are only a summary and if there is a conflict with any provision of Exhibit C, the provisions there overrule the values listed on this table. Fees shown will not be exceeded without the concurrence of the Agency.

Description of Steps and Services	Fee Amount	Basis of Payment (Lump Sum or NTE)
1. Step 0 – Feasibility Study	\$ 78,753.00	LS/NTE
2. Step I – Preliminary Engineering		
a. Preliminary Engineering Report Services	\$109,724.93	LS/NTE
b. Additional Services included in Step I (include additional lines and itemize each item separately)		
Environmental Information Document Services	\$ 10,940.00	LS/NTE
3. Step II – Final Design		
a. Basis of Final Design and Final Design Plans and Contract Documents	\$123,394.80 (Amendment 2) \$411,562.98 (ARPA – Amnd. 3) \$153,957.03 (ARPA – Amnd. 4)	LS/NTE LS/NTE LS/NTE
b. Environmental Information Document Services	Services included in Step I	LS/NTE
c. Additional Services included in Step II		
<u>Hydrogeology in Amendment 2</u>	\$58,953.20	LS/NTE
<u>Hydrogeology - Wastewater Loading Test (IDR)</u>	\$160,015.23 (ARPA – Amnd. 3+4)	LS/NTE
<u>SBR Vendor Preselection</u>	\$16,234.86 (ARPA – Amnd. 3+4)	LS/NTE
Archaeological and Historic Resources Investigations	\$64,420.00 (ARPA)	LS/NTE
4. Step III		
a. Bid Phase Services	\$ 23,937	LS
b. Construction Phase Services	\$ 452,456	LS
c. Resident Project Representative Services	\$ 906,296	NTE
d. Post Construction Phase Services	Not broken out	LS
e. Additional Services included in Step III (include additional lines)		LS/NTE
5. Total Engineering Costs (Step I and II)	\$199,417.93 (Step I) \$988,538.10 (Step II)	LS/NTE
6. Construction Costs		
a. <u>Phase 1 and 1a</u>	\$ 12,679,898.00	
b. <u>Phase 2</u>	\$ 2,347,183.71	
c. <u>Legal, Fiscal, Admin</u>	\$ 537,750.00	
7. Total Project Cost	\$ 18,483,416.74	16

Description of Steps and Services	Fee Amount	Basis of Payment (Lump Sum or NTE)
8. Total Bond Amount	\$15,005,518.00 (passed June 11, 2024)	

SCOPE OF SERVICES

The scope of services can be found in the following pages of the contract: Exhibit A.

PROGRESS MEETING AND DELIVERABLES

DEC places funding holds on projects at the 30%, 60%, and 90% of engineering Step I & II (planning and final design) services pending a project meeting and deliverables. Holds may be negotiated to add or delete holds based on the needs of the project. This contract amendment involves the following remaining Step II deliverables and meetings:

Milestone Project Task	Approximate Submittal Schedule	Deliverables
<u>90% Design</u>	<u>January 2026</u>	<u>Plans, OPCC, PCS, Permit Applications, Technical Specifications, Draft EJCDC Documents</u>
Complete Final Design	<u>March 2026</u>	<u>Final Plans, OPCC, PCS, Permits, Contract Documents, DBE Notifications, BABA Review</u>

Any adjustments to engineering fees or changes to maximum estimated values must be approved by the Agency and must include a table of what specific category or categories of fees are being changed, what fees were before and are after the change, and the resulting total fee.

CONSULTING FIRM NAME

DuBois & King, Inc.

Engineer _____ Date _____

Jonathan B. Ashley, P.E., Senior Vice President

Name and Title _____

Town of Waitsfield _____

Owner _____ Date _____

Christine Sullivan, Selectboard Chair

Name and Title _____

Agency Concurrence:

As lender or insurer of funds to defray the costs of this Contract, and without liability for any payments thereunder, the Agency hereby concurs in the form, content, and execution of this Agreement.

Agency Representative _____ Date _____

This is EXHIBIT K, consisting of 13 pages, referred to in and part of the Agreement between Owner and Engineer for Professional Services dated when signed by Owner.

AMENDMENT TO OWNER-ENGINEER AGREEMENT

Amendment No. 4

The Effective Date of this Amendment is: _____.

Background Data

Effective Date of Owner-Engineer Agreement: 3-29-2022

Owner: Town of Waitsfield

Engineer: DuBois and King, Inc.

Project: Waitsfield Community Wastewater Project

Nature of Amendment:

- Additional Services to be performed by Engineer
- Modifications to services of Engineer
- Modifications to responsibilities of Owner
- Modifications of payment to Engineer
- Modifications to time(s) for rendering services
- Modifications to other terms and conditions of the Agreement

Description of Modifications:

The original scope included completion of a water and wastewater feasibility study. Amendment 1 included a Preliminary Engineering Report (PER) and Environmental Information Document (EID) for Phase 1 of the preferred alternative that was identified in the feasibility study. The scope modifications for Amendment 2 included development of 30% final design plans and profiles with updated topographic survey for the ACCD designated village center and buffer area; selection of the wastewater treatment technology to be used; a concept plan for renewable energy to offset the power use; updated costs; advancing easements and indirect discharge permitting; public engagement support; and funding/affordability assistance.

The scope modifications for Amendment 3 included development of 100% final design plans and profiles with updated topographic survey for Irasville and field checking from Irasville to the Munn Site; geotechnical assessment of pump station sites and the

wastewater treatment facility site; a site-specific wastewater loading test; preselection of the SBR wastewater treatment vendor; process and site civil design; wastewater collection system design; MEP, structural, and architectural design; permitting and easement assistance; contract documents; updated costs; and progress review meetings.

Scope modifications for Amendment 4 include additional field work, design, permitting, specifications, and cost opinions to adapt the design to the Town and users' needs and to the availability of funding.

Scope items from the original agreement and Amendments 1, 2, and 3 are listed in plain text. Changes to the scope as part of this amendment are presented in bold/underline.

A1.02 Preliminary Design Phase

A. Background:

The Town of Waitsfield, population 1,844, is located in Washington County, Vermont, on the Mad River. In alignment with the Town Plan, Waitsfield desires to find infrastructure solutions to address affordable housing needs, to attract people to move to and reside in Waitsfield, to invest in residential development, to encourage compact development and to provide opportunities for businesses in the Village areas that encourage investors and entrepreneurs. In addition, the Town desires to address the protection of defined wetlands and critical habitats to ensure a healthy watershed with clean water, and to address the growing climate crisis.

The primary focus of this project as the first phase of a system to serve the whole study area is to address wastewater needs in Waitsfield Village (Village Residential, Business Districts) and Irasville. Waitsfield has a Designated Village Center and a Community Water System that was constructed in 2012, providing potable water to a number of properties in an area roughly contiguous with the Designated Village Center and Village Residential Districts.

All wastewater treatment in the study area is accomplished in septic systems. There is no municipal wastewater management. In 2014, the town introduced a Wastewater Loan program which has resulted in five wastewater system upgrades.

B. Scope of services:

Step I services including a feasibility study, PER, and EID were included in the original agreement and Amendment 1. An amendment to the PER is being completed as part of Amendment 2, the 30% Final Design, to address USDA Rural Development comments and to include the basis of the wastewater treatment technology selection.

A1.03 Final Design Phase

STEP II 30% FINAL DESIGN

The purpose of the 30% Final Design is to develop design plans, profiles, and cost opinions, and to advance key permits, for the preferred alternative identified in the PER – a community wastewater collection system serving the Irasville Commercial, Village Residential, and Village Business Districts with a tertiary wastewater treatment and disposal facility on the town-owned land referred to as the Munn site. The preferred alternative for the tertiary wastewater

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treatment technology was selected during the 30% Final Design (a sequencing batch reactor process).

Task 15: 30FD Project Management and Coordination

This task includes coordination with the Department of Environmental Conservation (DEC), funding applications support, general project coordination, and attending up to four (4) meetings with Town representatives.

Task 16: Topographic Survey

For purposes of preparing a budget for this task, Engineer has estimated that approximately 11,000 linear feet of the proposed collection system within the ACCD designated village center and buffer area will require surveying. It is assumed that a 2-person survey crew will be able to survey approximately 1,000 linear feet per day. If additional survey beyond this initial budget is necessary, it can be accomplished via an amendment or as part of a subsequent project phase.

Field verification of existing below-grade utilities has not been provided at this time.

Using the topographic information collected above and using the other basemapping information from the PER, D&K will prepare a basemap of the ACCD designated village center and buffer area that is suitable for final design purposes. It is noted that additional survey efforts will be necessary in subsequent project steps in Irasville, along the force main route, and at the proposed treatment and disposal site.

Task 17: 30% Final Design

Wastewater Treatment

Engineer will develop a comparative matrix of treatment technology options for providing the permit-required tertiary treatment of wastewater at the Town-owned Munn site. The matrix will consider technical, financial, and operational factors for each of the potential treatment approaches from the PER, which include membrane bioreactors, moving bed bioreactors, and sequencing batch reactors, as well as a chemical precipitation system for phosphorous removal. Town representatives will be included on correspondence and meetings with treatment vendors.

Wastewater treatment and disposal system operational and management considerations (including anticipated labor needs, chemical usage, sludge solids management, energy efficiency, reliability, routine and significant non-routine maintenance requirements, etc.) will be reviewed for each technology with the Town water system's contract operator, operators of similar facilities, and other sources as appropriate. Town representatives will be included on correspondence and meetings with the operator, other facilities, and other sources. Based on the preferred technology, a draft operational budget will be reviewed with the Town water system's operator.

Renewable Energy

Engineer will evaluate the anticipated new energy load of the treatment and disposal facility and pump stations and develop a conceptual plan for renewable energy to help offset the system's anticipated energy usage.

Design Plans

Engineer will update the wastewater treatment and disposal facility site plan and above-ground components based on the wastewater treatment technology selection and the Indirect Discharge Permitting program requirements. The leachfield layout will be adjusted for simplified pressure distribution, limiting required cuts and fills, and improved capacity based on the updated hydraulic modeling results. Preliminary sketches of the above-ground treatment system components and structures will be developed for the selected wastewater treatment technology.

Engineer will also revise the pump stations and collection system site plans in the ACCD designated village center and buffer area based on the updated topographic survey and based on input from the Town's easement discussions with landowners. Within the ACCD designated village center and buffer area, the design will be updated to include sewer services to existing buildings that have been identified as priority properties to connect to the system in the PER. Collection system profiles will also be developed for the ACCD designated village center and buffer area to further evaluate significant utility crossings and pipe depths to facilitate sewer service connections.

Project plans will be independently reviewed by a Senior Engineer not involved in the project design for quality assurance/quality control purposes.

STEP and STEG Collection Alternatives

Engineer will review and evaluate the potential for STEP and STEG collection alternatives within some neighborhoods of the proposed service area to improve affordability of the project for the users.

Opinions of Costs

Engineer will update the preliminary opinion of probable construction costs, operations budget, project cost summary, and funding alternatives for the collection and treatment alternatives.

Task 18: Permitting/Easements

Engineer will assist with advancing key permits and easements that were identified in developing the PER.

An Environmental Report in the United States Department of Agriculture (USDA) Rural Development (RD) –required format will be prepared and submitted to USDA RD for review.

Easement assistance will include providing exhibits for the Town to use in discussions with key landowners involving the four pump station/septic tanks sites. Engineer may also participate

in landowner meetings, if requested, to provide technical input in support of the Town's discussions.

Based on Indirect Discharge Permitting services provided in the PER and input from the Indirect Discharge Program and Rivers Program representatives, anticipated permitting support to be included in the 30% Final Design includes:

- Updated mounding analyses for review of the disposal system capacity based on the historic groundwater monitoring results and subsurface conditions with a goal of maximizing the disposal capacity of the site for the proposed tertiary wastewater treatment system.
- Preparing and submitting a water quality sampling QA/QC plan for collecting updated water quality data for the Mad River from August through October.
- Testing of water quality (E. coli, pH, nitrate nitrogen, chloride, total phosphorous, and total dissolved phosphorus) in the Mad River upstream and downstream of the site weekly in August and September and twice in October.
- Correspondence and coordination with regulators on exemption of the disposal site from the Indirect Discharge Rules aquatic biota testing requirements based on a comparison of the proposed wastewater flows to the receiving water flows.
- Compiling the water quality data and submitting in a brief summary report to the Indirect Discharge Program requesting affirmation of the disposal site capacity.

Submittal of the formal Indirect Discharge Permit application is not included in this stage of the design. No other permit applications are included in this Scope of Services. It is anticipated that permit applications will be submitted during a later phase of Final Design.

Task 19: 30FD Public Engagement

Public engagement activities during this phase of engineering are expected to include:

- Providing supporting information for meetings and discussions between Town representatives and landowners regarding connecting to the system.
- Assisting the Town with a preliminary outline of the wastewater allocation/ordinances.
- Participating in a 30% design meeting with the Selectboard.

Task 20: Funding and Affordability Review

Engineer will provide project coordination and participate in meetings with potential funding agencies to help advance funding approvals and to help position the project for fundability. Engineer will review the updated project plans, costs, and funding outlook to identify potential areas for reducing and phasing project capital costs to improve affordability to users.

STEP II FINAL DESIGN PHASE – 100% DESIGN

Task 21: 100FD Project Management and Coordination

This task includes attendance of weekly ETT committee meetings with the Town, as well as coordination with the Department of Environmental Conservation (DEC) Clean Water State Revolving Fund (CWSRF) and USDA RD and funding applications support.

Task 21.1: Additional Project Management and Coordination

This task includes additional ETT committee meetings through the extended duration of the design for the advancement of the project design, funding, permitting, and easements, as well as coordination and correspondence with DEC CWSRF, USDA RD, Vermont Community Development Program (VCDP), and Northern Borders Regional Commission (NBRC) representatives in support of Waitsfield's funding applications. The task also includes anticipated time supporting and attending "office hours" for user communications and outreach.

Task 22: Topographic Survey

For purposes of preparing a budget for this task, Engineer has estimated that a 2-person survey crew will be able to survey approximately 700 linear feet per day in village areas. Survey will include the areas along proposed sewer main and forcemain alignments, neighborhood septic tanks and pump stations, and proposed individual service connections, primarily in Irasville. Engineer will coordinate access to private properties in cooperation with the ETT; coordination will include a letter to landowners prepared by Engineer, addresses and contact information provided by the ETT, and mailing of letters to the landowners by Engineer in advance of the field work.

Basemapping of the proposed forcemain route from Fiddlers Green to the Munn Site will utilize the previous topographic survey that was completed by Phelps Engineering. One day of field-checking the proposed forcemain route for visible substantive changes that may have occurred since the Phelps survey is included. If visible substantive changes have occurred, D&K will use a hand-held GPS to locate the new features and take photographs to allow the new features to be added to the basemap. No licensed boundary surveying or associated boundary research is included.

Field verification of existing below-grade utilities has not been provided at this time.

Using the topographic information collected above and using the other basemapping information from the PER, D&K will prepare a basemap that is suitable for final design purposes.

Task 22.1: Additional Survey

This task includes additional survey for changes to service connection alignments during the design phase and changes to neighborhood pump stations/septic tanks locations during the design phase, as well as proposed underground utility locating subcontractor services and addition of utility locations to the basemap in the five (5) neighborhood pump stations/septic tanks areas.

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Task 23: Environmental Field Work

Environmental field work will include a desktop review of available wetlands and rare, threatened, and endangered species (RTE) GIS mapping. D&K wetlands scientists will then visit the project area and delineate wetlands within 50 feet of the proposed wastewater and water infrastructure. The wetland delineations will be added to the project basemap.

An archaeological resources assessment (ARA) and a Historic Resources Inventory (HRI) will also be completed for the proposed wastewater collection system project area along the proposed sewer mains, water and wastewater service lines, neighborhood septic tank and pump station locations, and effluent forcemains. An assumed allowance for Phase 1 archaeological testing of sensitive sites is included. Phase 1 testing beyond the fee allowance and any additional archaeological testing/mitigation services or supplemental historic resources reports and mitigation measures are not included in the scope or budget, but can be added by amendment if required. (This is an Additional Service – Archaeological and Historic Resources Investigations)

Task 24: Geotechnical Assessment

Two to three soil borings will be completed in the location of the proposed wastewater treatment facility (WWTF) building and SBR tanks. The borings will be advanced to a depth of approximately 30 feet with standard penetration tests (SPT) at 5-foot intervals. D&K will evaluate the SPT results and soil logs to develop a recommended bearing capacity for the WWTF foundation and SBR tanks.

One to two soil borings will be conducted in each of the four proposed neighborhood septic tanks/pump station locations to evaluate subsurface conditions for the proposed tanks.

Task 25: Site-Specific Wastewater Loading Test (Additional Service - Hydrogeology)

Engineer will coordinate and prepare for a site-specific wastewater loading test as a required part of the Indirect Discharge Permitting process. The loading test will be used to evaluate the capacity of the site to attenuate wastewater without an adverse effect on the water quality of the receiving water, the Mad River. The results will be used by the DEC to determine water quality discharge limitations for the WWTF. Coordination will include preparing an infiltration trench, rental of a fractionation tank, connection of a dosing pump to the disposal trench with appropriate valves and flowmeters, and associated limited tree clearing.

Wastewater hauling services will be contracted to deliver wastewater at the DEC-required minimum concentrations to the site, to be stored in the rented fractionation tank.

The test will be completed according to a DEC-approved work plan that is currently under review. The work will include daily site visits and use of a portable generator to discharge wastewater from the fractionation tank to the infiltration trench. Water level measurements and groundwater samples will be collected. Samples will be preserved and delivered to Endyne Laboratories for analysis according to the approved work plan.

The results of the loading test will be evaluated including compiling groundwater elevations and laboratory analytical results into tables and charts, and preparing a summary report of the loading test results.

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This task will be completed on an hourly basis for labor, equipment, and materials, as the test needs to be conducted until stable groundwater conditions are demonstrated. Based on the groundwater velocities at the site and the assumed amount of time needed to achieve saturated soil conditions, the assumed duration of testing for the purposes of this budget is 60 days.

Task 25.1: Additional Site-Specific Wastewater Loading Test (Additional Service - Hydrogeology)

Additional services under this task included coordinating with multiple wastewater sources (Sugarbush, Mad River Green, and Waterbury) for wastewater hauling logistics and collecting samples of wastewater to evaluate suitability as wastewater sources, as well as developing a dilution plan for the selected wastewater source (Waterbury). Additional services also included longer haul times than planned (from Waterbury and time to dilute the wastewater); three additional days of wastewater loading (63 days until saturated soil conditions were achieved), groundwater monitoring, and additional groundwater sampling; and additional field time needed to winterize the piping for winter weather after the test extended into below-freezing weather conditions before conclusion.

Task 26: Basis of Final Design Document

Engineer will prepare a Basis of Final Design Document for the project, including a summary of the design criteria, sizes, process narratives, key assumptions, and identification of design standards for the wastewater treatment facility according to the format required by the Wastewater Management Division.

Task 27: SBR Manufacturer Preselection (Additional Service – SBR Vendor Preselection)

Engineer will work with the Owner to establish evaluation criteria, bid documents, and plans for preselection of the SBR manufacturer. Evaluation criteria will include the ability of vendors to accommodate Build America Buy America requirements, energy usage, chemical usage/requirements, and simplicity of operations, as well as other pertinent criteria.

Engineer will assist with solicitation of formal proposals from the potential manufacturers/vendors, review and provide recommendations for award.

Task 27.1: Rebid for SBR Manufacturer Preselection (Additional Service – SBR Vendor Preselection)

Engineer worked with the Owner to rebid the SBR manufacturer preselection after no valid bids were received during the first bid phase. Additional services included updating the bid documents and schedule for the new bid phase, correspondence and coordination with new funding agency representatives for approval of the rebid documents, a second pre-bid meeting, and a second bid opening.

Task 28: Process and Site Civil Design

Engineer will develop the wastewater treatment and disposal facility design plans including the SBR process (using the preselected manufacturer), UV treatment disinfection system, odor

controls, and pumps. Final plans and details for the proposed leachfields and dosing station will be prepared.

In collaboration with an architectural subcontractor, Engineer will develop building layout plans and elevations for construction of the proposed WWTF, as well as site civil and landscaping plans, details, and notes for the wastewater treatment site.

Task 29: Wastewater Collection System Design

Engineer will review available soil borings and monitoring wells information from Sites Management System records on known hazardous waste sites in the area and identify on the plans where potential areas of the collection system soil and groundwater contamination may be encountered. No additional subsurface investigation of the collection system area to identify areas of contamination is proposed. Archaeologically-sensitive sites and wetlands will also be added to the basemap.

Engineer will finalize the neighborhood pump stations and septic tanks site plans, including potential landscaping and odor control measures. Wastewater collection system plans and profiles will be developed for the proposed gravity sewer mains and effluent forcemains. Jack and bore and directional boring designs will also be finalized.

Based on the updated topographic surveying results, input from landowners who are connecting to the system (to be collected by the Owner), and the final collection system design, the wastewater service connection designs will be finalized. Per the Wastewater System and Potable Water Supply permit exception requirements for individual service connections, existing permit numbers for individual properties being modified will be added to the design plans. The permit numbers will be added based on previous documentation of permits from the PER and an updated review of the ANR permitting database. Because the ANR permitting database is not geolocated and limited information on parcel locations is available for some permit records (particularly for older Wastewater System and Potable Water Supply permits), there may be some parcels with permits that are not identified.

Pump stations and septic tank designs including electrical, concrete tanks, pumps, and controls will be finalized. Odor control and landscaping measures that may be utilized at the neighborhood pump stations will also be designed.

Project plans will be compiled including appropriate details and notes, and will be independently reviewed by a Senior Engineer not involved in the day-to-day project design for quality assurance/quality control purposes.

Task 29.1: Additional Wastewater Collection System Design

Additional services for the wastewater collection system design have included: relocating the Bridge Street pump station onto a different parcel and adding a pump station south of Bridge Street due to site constraints and land ownership; relocation and redesign of Upper Irasville pump station based on site constraints, land ownership, and construction costs; relocation and redesign of septic tanks and pump stations at school and Fiddler's Green sites based on ETT and landowner input and site constraints; designing additional service connections for newly-prioritized parcels; standby power designs for three (3) pump station sites (Upper

Irasville, school, and Fiddler's Green); and revising collection system designs to make project phasing possible.

Task 30: Mechanical, Electrical, and Plumbing Design

Engineer will provide mechanical, electrical, and plumbing (MEP) design including plans, details, and technical specifications for the proposed WWTF, including coordination with the architectural subconsultant. Electrical design will include a proposed standby generator for the wastewater treatment facility.

MEP design will also be provided for the four proposed neighborhood pump stations, including portable generator connections and a recommended portable generator.

Task 31: Structural Design

Engineer will provide structural design including plans, details, and technical specifications for the proposed WWTF, including coordination with the architectural subconsultant. Structural design will also be provided for cast-in-place septic tanks and pump station tanks at the four proposed neighborhood pump stations.

Task 31.1: Additional Structural Design

Additional structural design services include: preparing structural models to design large septic tanks and pump stations of significant depth and dimension, preparing structural designs for additional cast-in-place septic tanks and pump stations beyond the originally-planned number of tanks, designing the basement space and additional stairway for the Wastewater Treatment Facility, and designing loading docks with access ramps and canopy.

Task 32: Permitting/Easements

Engineer will finalize easement plans for construction and maintenance of the wastewater collection system including service connections, sewer mains and forcemains that can't be installed within existing rights-of-way, and the neighborhood septic tanks and pump station facilities on land not owned by the Town. Easement descriptions, recording with land records, and negotiation of easements with landowners will be provided by the Owner.

The results of the wetland mapping, ARA, and HRI will be submitted to the DEC CWSRF and USDA RD funding programs as a supplement to the previously-submitted environmental documents.

Wetland disturbances will be avoided where feasible by adjusting the collection system pipe alignments and directionally boring to avoid disturbance where the alignment can't be adjusted to avoid wetlands. Engineer will provide wetland permitting applications if necessary.

Based on input from the Indirect Discharge Program, anticipated remaining permitting support to be included in the Final Design includes:

- Submittal and review of site-specific wastewater loading test results with the DEC.
- Submittal of the formal Indirect Discharge Permit application.

Engineer will prepare a Wastewater System and Potable Water Supply application for the proposed community leachfield and for a proposed drilled bedrock well to supply potable water at the WWTF.

Because the project will disturb more than $\frac{1}{2}$ acre of soil during construction, it is anticipated that a Construction Stormwater General Permit will be required. It is assumed that the project will be low to medium risk and will not require an Individual permit. Engineer will prepare the required permit application, including proposed erosion prevention and sediment control measures on the plans along with pertinent details and notes.

According to a January 19, 2024 Project Review Sheet, the project will not be subject to Act 250 jurisdiction because it does not constitute a development pursuant to 6001(3)(A)(v). An extended permitting process including environmental hearings or design of mitigation measures is not anticipated or included in the scope of services or budget.

Engineer will contact the other permitting authorities referenced on the Project Review Sheet to verify that no other local, state, or federal permit applications are required. No other local, state, or federal permit applications are included in the Scope of Services. If determined necessary, any other permits not specifically included in the Scope of Services can be added to the scope and fee by an amendment.

Task 32.1: Additional Permitting/Easements

Additional permitting and easement services include: preparing and submitting a USDA RD-compliant Environmental Assessment report; multiple meetings with VCDP and state regulators regarding environmental requirements to support VCDP funding application; and VTrans permitting including pre-application ride-around with VTrans permitting representative, VTrans progress design reviews, and VTrans 111 permit application.

Task 33: Technical Specifications and Contract Documents

Engineer will prepare a Table of Contents for the Technical Specifications for submittal under Amendment 2. Engineer will prepare technical specifications for the project to complement the design plans. Standard Technical Specifications will be submitted with the 60% design plans. Manufacturer-provided specifications for specialty equipment will be incorporated into the specifications as well; these and other needed Specialty Technical Specifications will be submitted with the 90% plans.

Engineer will prepare "front-end" documents using EJCDC documents which include Information for Bidders, Owner/Contractor contract, bid form, BABA requirements, and other construction contract administrative requirements. Draft EJCDC documents will be submitted with the 90% design plans.

Final comments on the 90% Technical Specifications and EJCDC documents will be addressed and compiled into a final set of Contract Documents ready to bid. Engineer will coordinate proposed dates for meetings and bids with the WID Construction Engineer and incorporate approved dates into the final Contract Documents.

Task 33.1: Additional Technical Specifications and Contract Documents

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Hazardous materials of concern were identified during the Engineer and DEC's environmental review. Engineer will assist Owner in development of petroleum and non-petroleum hazardous materials specifications for management of contaminated soil and groundwater during construction, including Hapsite GC/MS provisions for testing in the Fiddler's Green area and provisions to comply with the DEC's linear utility projects guidance.

Task 34: Opinion of Probable Construction Costs and Project Cost Summary

Using readily available cost information from similar projects and manufacturers, Engineer will prepare a final Opinion of Probable Construction Cost (OPCC) for the proposed improvements which will include an appropriate level of contingency to reflect the final design stage of the project. A 30% OPCC and Project Cost Summary (PCS) will be submitted under Amendment 2. Updated OPCCs and PCSs will be submitted with the 60%, 90%, and final design plans.

Task 34.1: Additional Opinion of Probable Construction Costs and Project Cost Summary

Additional services have included providing additional OPCCs and PCSs for phasing of the project, three (3) OPCC and PCS updates to support funding applications, and updating operation and maintenance costs for USDA RD funding applications.

Task 35: Meetings

Engineer will participate in two (2) design review meetings each with CWSRF and USDA RD representatives.

One meeting will also be held with VTrans representatives to review the proposed work in VTrans right-of-ways and the details and specifications that need to be included in the project plans and specifications. Application for a VTrans work in the right-of-way permit is not included in the Engineer's scope, as it is anticipated to be made a Contractor requirement in the Contract Documents.

Task 36: DBE and Crosscutters Coordination and Notification

Engineer will obtain a DBE notification list from WID and provide notification of DBEs at least 30 days prior to bidding (Step III Bid Phase not included in this Amendment). Engineer will also review product specifications and callouts for compliance with BABA requirements.

A1.04 Bidding Phase

Bidding Phase Services are NOT PROVIDED, but can be incorporated via amendment.

A1.05 Construction Phase

Construction Phase Services are NOT PROVIDED, but can be incorporated via amendment.

PART 2 – ADDITIONAL SERVICES

Additional Services are NOT PROVIDED, but can be incorporated via amendment.

Agreement Summary:

Original agreement amount:	\$ 78,753.00
Net change for prior amendments:	\$899,502.55
This amendment amount:	\$209,700.48
Adjusted Agreement amount:	\$1,187,956.03

Change in time for services (days or date, as applicable):

See Attachment C-1.

No increase in fee is being requested for engineering support already provided for additional funding applications to USDA, VCDP, and NBRC (under Task 21.1), or for additional environmental scoping and meetings with VCDP (under Task 32.1).

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C. The "Exhibit C, DEC Certification Page" has been updated to reflect the above agreement summary, and a labor-hour estimate for Amendment 4 (Attachment C-2) is attached and made a part of this agreement.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect.

OWNER:

ENGINEER:

By: _____

Print

name: _____

Title: _____

Date Signed: _____

By: _____

Print

name: _____

Title: _____

Date Signed: _____

ATTACHMENT C-1
RUS CERTIFICATION PAGE (MODIFIED from RUS BULLETIN 1780-26, EXHIBIT C)
DEC CERTIFICATION PAGE

PROJECT NAME: Waitsfield Community Wastewater Project

PROJECT LOCATION: Waitsfield, VT

APPLICANT & LOAN/GRANT NUMBER: Town of Waitsfield

The Engineer and Owner hereby concur in the Funding Agency required revision to E-500 (2014). In addition, the Engineer certifies to the following:

All modifications required by DEC and RUS Bulletin 1780-26 have been made in accordance with the terms of the license agreement, which states in part that the Engineer "must plainly show all changes to the Standard EJCDC Text, using 'Track Changes' (redline/strikeout), highlighting, or other means of clearly indicating additions and deletions." Such other means may include attachments indicating changes (e.g. Supplementary Conditions modifying the General Conditions).

SUMMARY OF ENGINEERING FEES

Note that the fees indicated on this table are only a summary and if there is a conflict with any provision of Exhibit C, the provisions there overrule the values listed on this table. Fees shown will not be exceeded without the concurrence of the Agency.

Description of Steps and Services	Fee Amount	Basis of Payment (Lump Sum or NTE)
1. Step 0 – Feasibility Study	\$ 78,753.00	LS/NTE
2. Step I – Preliminary Engineering		
a. Preliminary Engineering Report Services	\$109,724.93	LS/NTE
b. Additional Services included in Step I (include additional lines and itemize each item separately)		
Environmental Information Document Services	\$ 10,940.00	LS/NTE
3. Step II – Final Design		
a. Basis of Final Design and Final Design Plans and Contract Documents	\$123,394.80 (Amendment 2) \$411,562.98 (ARPA – Amnd. 3) \$153,957.03 (ARPA – Amnd. 4)	LS/NTE LS/NTE LS/NTE
b. Environmental Information Document Services	Services included in Step I	LS/NTE
c. Additional Services included in Step II		
<u>Hydrogeology in Amendment 2</u>	\$58,953.20	LS/NTE
<u>Hydrogeology - Wastewater Loading Test (IDR)</u>	\$160,015.23 (ARPA – Amnd. 3+4)	LS/NTE
<u>SBR Vendor Preselection</u>	\$16,234.86 (ARPA – Amnd. 3+4)	LS/NTE
Archaeological and Historic Resources Investigations	\$64,420.00 (ARPA)	LS/NTE
4. Step III		
a. Bid Phase Services	\$ 23,937	LS
b. Construction Phase Services	\$ 452,456	LS
c. Resident Project Representative Services	\$ 906,296	NTE
d. Post Construction Phase Services	Not broken out	LS
e. Additional Services included in Step III (include additional lines)		LS/NTE
5. Total Engineering Costs (Step I and II)	\$199,417.93 (Step I) \$988,538.10 (Step II)	LS/NTE
6. Construction Costs		
a. <u>Phase 1 and 1a</u>	\$ 12,679,898.00	
b. <u>Phase 2</u>	\$ 2,347,183.71	
c. <u>Legal, Fiscal, Admin</u>	\$ 537,750.00	
7. Total Project Cost	\$ 18,483,416.74	

Description of Steps and Services	Fee Amount	Basis of Payment (Lump Sum or NTE)
8. Total Bond Amount	\$15,005,518.00 (passed June 11, 2024)	

SCOPE OF SERVICES

The scope of services can be found in the following pages of the contract: Exhibit A.

PROGRESS MEETING AND DELIVERABLES

DEC places funding holds on projects at the 30%, 60%, and 90% of engineering Step I & II (planning and final design) services pending a project meeting and deliverables. Holds may be negotiated to add or delete holds based on the needs of the project. This contract amendment involves the following remaining Step II deliverables and meetings:

Milestone Project Task	Approximate Submittal Schedule	Deliverables
<u>90% Design</u>	<u>January 2026</u>	<u>Plans, OPCC, PCS, Permit Applications, Technical Specifications, Draft EJCDC Documents</u>
Complete Final Design	<u>March 2026</u>	<u>Final Plans, OPCC, PCS, Permits, Contract Documents, DBE Notifications, BABA Review</u>

Any adjustments to engineering fees or changes to maximum estimated values must be approved by the Agency and must include a table of what specific category or categories of fees are being changed, what fees were before and are after the change, and the resulting total fee.

CONSULTING FIRM NAME

DuBois & King, Inc.

Engineer _____ Date _____

Jonathan B. Ashley, P.E., Senior Vice President

Name and Title _____

Town of Waitsfield _____

Owner _____ Date _____

Christine Sullivan, Selectboard Chair

Name and Title _____

Agency Concurrence:

As lender or insurer of funds to defray the costs of this Contract, and without liability for any payments thereunder, the Agency hereby concurs in the form, content, and execution of this Agreement.

Agency Representative _____ Date _____

Waitsfield Community Wastewater Project
Final Design
ATTACHMENT C-2
Project No.: 227947X

DuBois & King Inc.

Project Phases & Tasks	Labor Categories																		
	Senior Principal	Senior Project Manager II	Senior Project Manager I	Project Engineer II	Staff Engineer II	Senior Designer I	Senior Project Engineer II	Construction Inspector	Principal/ Director I Geo/Env.	Staff Engineer II Geo/Env.	Project Manager II Env.	Field Naturalist I	Project Manager II Structural	Project Manager II Electrical	2-Person Survey Crew	Suvey Party Chief	Survey Technician	Admin	Total Hours
II. Final Design Phase - 60%, 90%, and Final Design																			
21.1 Final Design Project Management and Coordination (60%, 90%, Final)	20							0											20
a. Additional ETT committee meetings and office hours meetings	0																		0
22.1 Survey (60%)																			
a. Additional survey for services connections and pump station sites revisions (two days)																			32
b. Underground utility locating at pump station/tank sites	4																		36
25.1 Site-Specific Wastewater Loading Test (60%) (Hydrogeology)																			
a. Sourcing and pre-testing wastewater sources for loading test work plan																			64
b. Wastewater loading test field work - three additional days and winterizing																			64
27.1 SBR Manufacturer Preselection (60%)																			
Additional bid phase - update documents, reschedule, bid opening, reconcile documents with new funding contacts	8																		6
29.1 Wastewater Collection System Design (60%, 90%, Final)																			
a. Design additional pump station south of Bridge Street	2																		34
b. Standby power for pump stations (3)	4																		88
c. Revise collection system plans for phasing	6																		46
d. Additional service connections	2																		18
e. Reconfigure pump station and septic tank designs for multiple revised scenarios of phasing, users, and tanks locations	8																		128
f. Revise Irasville and Fiddler's Green pump station and septic tank designs for full buildup of Irasville Master Plan	8																		64
31.1 Structural Design (60%, 90%, Final)																			
c. Additional cast in place pump stations and septic tanks and modeling large tanks																			180
d. Basement storage/stair	4																		44
e. Loading dock/ramp/canopy	4																		60
32.1 Permitting/Easements (90%)																			
a. USDA Environmental Assessment and health and safety documentation	4																		192
b. Additional meetings with VCDP to support funding application	0																		0
c. VTrans 111 Permit application	8																		60
33.1 Technical Specifications and Contract Documents																			
Linear utility projects specification and bid documents for hazardous materials including Hapsite GC/MS	4																		36
34.1 OPCC and PCS																			
a. Additional cost scenarios for phasing breakouts	2																		26
b. Additional cost updates for funding applications	8																		56
c. Updating O&M costs for funding applications	2																		10
Total Hours:	98	0	0	80	136	336	32	0	32	56	40	80	276	48	40	0	24	6	1,284

**Waitsfield Community Wastewater Project
Final Design
ATTACHMENT C-2
Project No.: 227947X**

**DuBois
& King^{inc.}**

Project**Date****SCHEDULE OF FEES AND CONTRACT CONDITIONS**

	<u>Hourly Rate</u>
Senior Principal	\$250.00
Principals/Director II	\$225.00
Principals/Director I	\$225.00
Senior Project Manager V	\$275.00
Senior Project Manager IV	\$235.00
Senior Project Manager III	\$215.00
Senior Project Manager II	\$205.00
Senior Project Manager I	\$185.00
MEP Sr. Design Engineer	\$180.00
Project Manager II	\$165.00
Project Manager I	\$158.00
Senior Project Engineer II	\$145.00
Senior Project Engineer I	\$140.00
Project Engineer II	\$135.00
Project Engineer I	\$130.00
Environmental Scientists/Field Naturalist I	\$110.00
Environmental Scientists/Field Naturalist II	\$120.00
Construction Inspector	\$135.00
Landscape Architect I	\$115.00
Landscape Architect II	\$140.00
Landscape Designer/Planner	\$105.00
Staff Engineer II	\$120.00
Staff Engineer I	\$105.00
Senior Designer II	\$130.00
Senior Designer I	\$110.00
Designers/Technicians	\$90.00
Registered Land Surveyors	\$165.00
Survey Party Chief	\$130.00
Survey Technicians	\$95.00
One-Person Survey Crew	\$140.00
Two-Person Survey Crew	\$190.00
Three-Person Survey Crew	\$270.00
Administrative Support	\$90.00



Local Options Tax (LOT) Analysis - Town of Waitsfield

1.2.26

Key Takeaways

Recent legislation in Vermont simplifies the implementation of Local Option Taxes (LOTs) and increases the local revenue share.

What is a LOT?

A 1% tax is added to state sales, meals & alcoholic beverages, and/or rooms taxes, with 75% of the revenue retained by the municipality. Exemptions include groceries, clothing, and medical supplies. LOTs also capture online sales delivered locally, creating additional new revenue.

How LOTs Are Used

As of 2025, 38 Vermont towns fund a mix of infrastructure, housing, emergency services, recreation, economic development, and more through their LOTs.

Potential in Waitsfield

- Projected annual revenue¹, w/out online sales: \$465,018
- Projected annual revenue, including online sales: \$561,450
- Equivalent property tax hike: 24% in Waitsfield

Next Step

Waitsfield must decide if an LOT aligns with local priorities. MRVPD & VT Dept. of Taxes are available to assist.

Context

Recent legislative changes in Vermont have made it significantly easier for municipalities to adopt and enhance their local revenue generation through local option taxes (LOTs). This presents a valuable opportunity for municipalities to generate additional revenue without increasing property taxes.

With the passage of Act 144 of 2024², the previous requirements for a municipal charter change and legislative approval have been eliminated, streamlining the process for Vermont communities to implement LOTs.

Additionally, Act 57 of 2025³ modified the distribution of LOT revenue between municipalities and the state, increasing the local share from 70% to 75%.

In light of these developments, the Mad River Valley Planning District (MRVPD) has prepared this summary of the current landscape of LOTs in Vermont. It also highlights a previous LOT initiative in the Mad River Valley (MRV) and evaluates potential opportunities and impacts specifically for the Town of Waitsfield.

¹ This figure was determined using 2024 State Tax Receipt Data

² Vermont Legislature, "An act relating to local option taxes," Act 144 of 2024,

<https://legislature.vermont.gov/Documents/2024/Docs/ACTS/ACT144/ACT144%20As%20Enacted.pdf>

³ Vermont Legislature, "An act relating to miscellaneous amendments to the statutes governing emergency management and flood response," Act 57 of 2025,

<https://legislature.vermont.gov/Documents/2026/Docs/ACTS/ACT057/ACT057%20As%20Enacted.pdf>

What is a Local Options Tax?

A local option tax (LOT) provides a way for municipalities in Vermont to raise revenue by assessing a 1% tax in addition to certain State tax types. Vermont law ([24 V.S.A. § 138](#)) permits municipalities to adopt one or more of three types of LOTs:

- **Local Option Sales Tax**
 - 6% sales tax + 1% = 7% total tax
- **Local Option Meals & Alcoholic Beverage Tax**
 - 9% meals tax + 1% = 10% total tax
 - 10% alcoholic beverage tax + 1% = 11% total tax
- **Local Option Rooms Tax**
 - 9% rooms tax + 1% = 10% total tax

LOTs apply only to transactions that are also subject to corresponding state taxes, with several exemptions⁴. For sales tax, exempt items include groceries, clothing, medical supplies, and over-the-counter drugs.

However, alcoholic beverages purchased for off-premise consumption — such as beer, wine, or liquor at grocery stores —are subject to the 6% sales tax.

Additionally, once a municipality implements a LOT, it begins collecting tax on online purchases delivered to local addresses, which represents a significant revenue stream not captured in traditional state tax data.

The revenue generated from LOTs is divided between the state and the municipality. The municipality receives 75%, less processing fees retained by the state⁵. The remaining 25% is allocated to the State of Vermont's Payment in Lieu of Taxes (PILOT) Fund. This fund compensates municipalities for state-owned properties that are exempt from property taxes.

How can Local Options Taxes be used?

Local options tax (LOT) revenue provides municipalities with flexible funding that can be directed toward various community priorities. In 2025, 38 Vermont municipalities have enacted some sort of LOT⁶, often allocating funds to address a combination of needs:

- **Infrastructure Improvements:** Many towns allocate revenue from their LOT to support critical infrastructure projects. For example, Waterbury implemented a LOT on retail sales, meals & alcohol receipts, as well as rooms receipts in 2024. The town has designated these funds for debt reduction associated with infrastructure investments and road paving⁷.

⁴ Vermont Department of Taxes, "Sales Tax: What Is Taxable and Exempt," <https://mrvpd.org/wp-content/uploads/2018/11/Sales-Tax-What-Is-Taxable-and-Exempt.pdf>

⁵ The VT Department of Taxes charge \$5.96 per tax return filed which is deducted from the municipality's 75% share before the funds are distributed. MRVPD analyzed seven Vermont municipalities with existing LOTs and found that processing fees reduced the municipal LOT share by an average of 11.7% for Retail Sales and 1.2% for Meals, Rooms, & Alcohol Tax (MRT), attributed to transaction volume.

⁶ Vermont Department of Taxes, "Option Tax Finder," <https://vcgi.maps.arcgis.com/apps/instant/lookup/index.html?appid=ec6d6af106f14e408731de6063883021>

⁷ "Local sales taxes begin, but property tax bills get a one-week delay," Waterbury Roundabout, July 13, 2024, <https://www.waterburyroundabout.org/business-archive/local-sales-taxes-begin-but-property-tax-bills-get-a-one-week-delaynbsp>

- **Emergency Services:** In some communities, LOT revenue has been allocated to improve emergency preparedness and response capabilities. Stowe, which has had a LOT on meals, alcohol, and rooms (MRT) since 2010⁸, introduced a new LOT on retail sales in 2023. This new tax was specifically intended to address challenges stemming from inflation, population growth, tourism, and a decline in emergency volunteer numbers⁹. The revenue generated from this tax enables the town to maintain adequate emergency services by providing additional funding for staffing, equipment upgrades, and enhanced training programs and opportunities. Stowe generates over \$2 million annually from its 1-percent LOTs¹⁰.
- **Housing Initiatives:** The lack of attainable housing is impacting many communities in Vermont. In response, some municipalities have established dedicated Housing Trusts funded by LOT revenue. For instance, Waterbury created a Housing Trust Fund in August 2024, allocating \$100,000 of its first-year LOT revenue to tackle housing needs. The Waterbury Housing Trust Fund features a "Waterbury Home Improvement Program," modeled after Vermont's successful state-level program, the Vermont Housing Improvement Program (VHIP), but with modifications to better suit local needs¹¹. This program offers grants of up to \$30,000 per project to assist property owners in rehabilitating existing units or creating new accessory dwelling units.
- **Economic Development:** In March 2025, Ludlow voters approved a LOT projected to generate approximately \$700,000 from taxes on retail sales, meals and alcohol, and rooms receipts. According to the town manager, this revenue will support necessary infrastructure improvements to accommodate Ludlow's significant seasonal population shifts, from 2,000 during off-peak times to approximately 30,000 during peak tourism seasons¹². The LOT provides a means for visitors to contribute to the infrastructure they use while visiting the town.
- **Recreation:** LOTs can also be utilized to support the maintenance and improvement of recreational facilities that benefit both year-round residents and visitors. For example, the City of St. Albans adopted a LOT on retail sales, meals and alcohol, and rooms in 2020, with the revenue paying for a new community pool and a neighborhood sidewalk project¹³. Likewise, Waterbury allocated part of its LOT revenue toward trail maintenance, recognizing that recreation is a cherished community asset and an economic driver that attracts tourism to the area.

These examples from across Vermont illustrate the diverse ways in which communities are leveraging LOTs to address local priorities.

⁸ "Local taxes continue to deliver big bucks for Stowe," Stowe Reporter, May 30, 2024, https://www.vtcng.com/stowe_reporter/news/local_news/local-taxes-continue-to-deliver-big-bucks-for-stowe/article_70209384-1e98-11ef-996c-ffe487766703.html

⁹ "5 more Vermont towns pass new or expanded local option taxes," VTdigger, March 7, 2023, <https://vtdigger.org/2023/03/07/5-more-vermont-towns-pass-new-or-expanded-local-option-taxes/>

¹⁰ "Town of Stowe considers charter change to get more revenue," Stowe Reporter, August 7, 2025, https://www.vtcng.com/stowe_reporter/news/local_news/town-of-stowe-considerers-charter-change-to-get-more-revenue/article_1a09f7d1-757d-4028-a921-c1b54f1fab49.html

¹¹ Waterbury Housing Task Force, "Housing Trust Fund Program Recommendations," https://www.waterburyvt.com/fileadmin/files/Elected_Boards/Town_Select_Board/Meetings/2025/04/Housing_Trust_Fund_Program_Recommendations_20250326.pdf

¹² "Amid federal and state funding questions, more Vermont municipalities are turning to local option taxes," VTdigger, April 16, 2025, <https://vtdigger.org/2025/04/16/amid-federal-and-state-funding-questions-more-vermont-municipalities-are-turning-to-local-option-taxes/>

¹³ City of St. Albans, "Considering a Local Option Tax for the City," <https://www.stalbansvt.com/lot>

Past Effort

The Mad River Valley (MRV) previously explored implementation of a local options tax (LOT) to fund community initiatives and promote economic development.

In February 2018, the Mad River Valley Planning District (MRVPD) established a subcommittee in partnership with the Mad River Valley Chamber of Commerce (MRVCC) to review past studies and strategic plans related to community development and economic vitality. Initially named the MRV For Local Opportunities (FLO) Committee, it was later renamed the MRV LOT Committee¹⁴. The committee recommended pursuing a LOT as a stable source of funding for community reinvestment.

The initiative developed into a tri-town effort to adopt a local option tax across Waitsfield, Warren, and Fayston facilitated by a Memorandum of Understanding (MOU) that would coordinate the collection and allocation of funds. The towns collaborated through 2019 and early 2020 to create a framework for this collaborative approach.

However, in March 2020, Waitsfield voters rejected a charter change that would have allowed the town to enact a LOT. This decision effectively terminated the tri-town initiative, as the collaborative approach required the participation of all three towns.

With the introduction of 2024 legislation (Act 144) that eliminates the requirements for a charter change and legislative approval, along with further changes in 2025 (Act 57), it's important to revisit the potential impact of LOTs on the Mad River Valley towns and community.

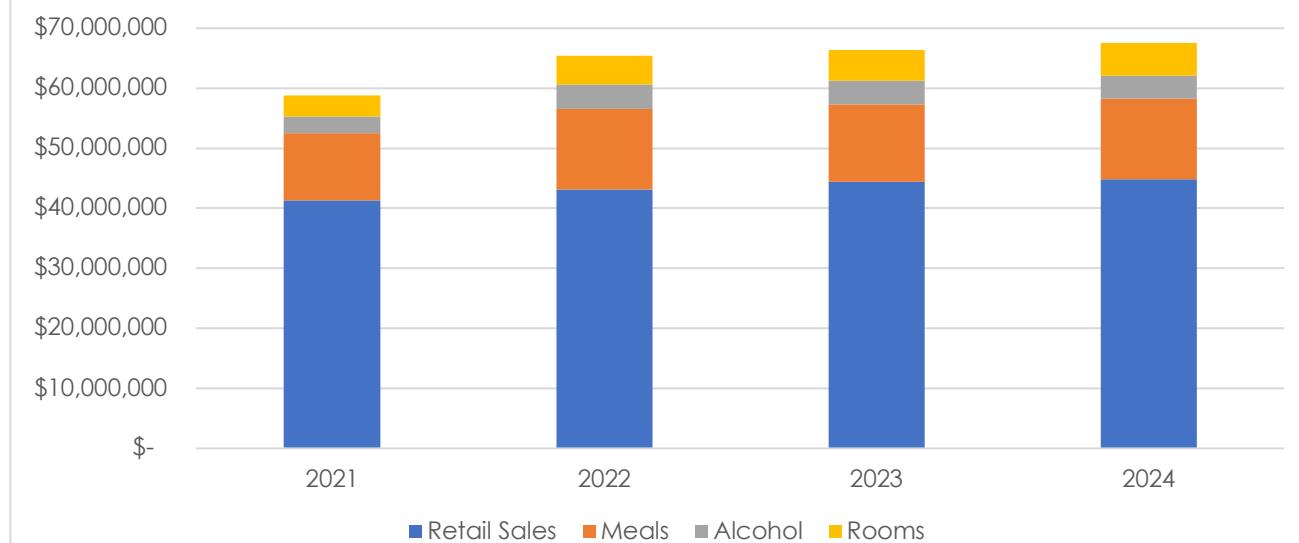
Potential Impact Analysis: Projecting LOT Effects on Waitsfield

To evaluate the potential impacts of a Local Option Tax (LOT) on the Town of Waitsfield, MRVPD staff analyzed VT Department of Taxes in-person retail sales data and receipts from meals, alcohol, and room taxes (MRT). This analysis covered four years of data from 2021-2024 and included realistic assumptions about the spending patterns of both residents and visitors. These assumptions were informed by the MRVPD's 2018 LOT economic research and updated for today's context.

To provide context, the following graph displays the in-person retail, meals, alcohol, & rooms sales in the town of Waitsfield from 2021 to 2024. This source data formed the basis for the projections presented throughout this report.

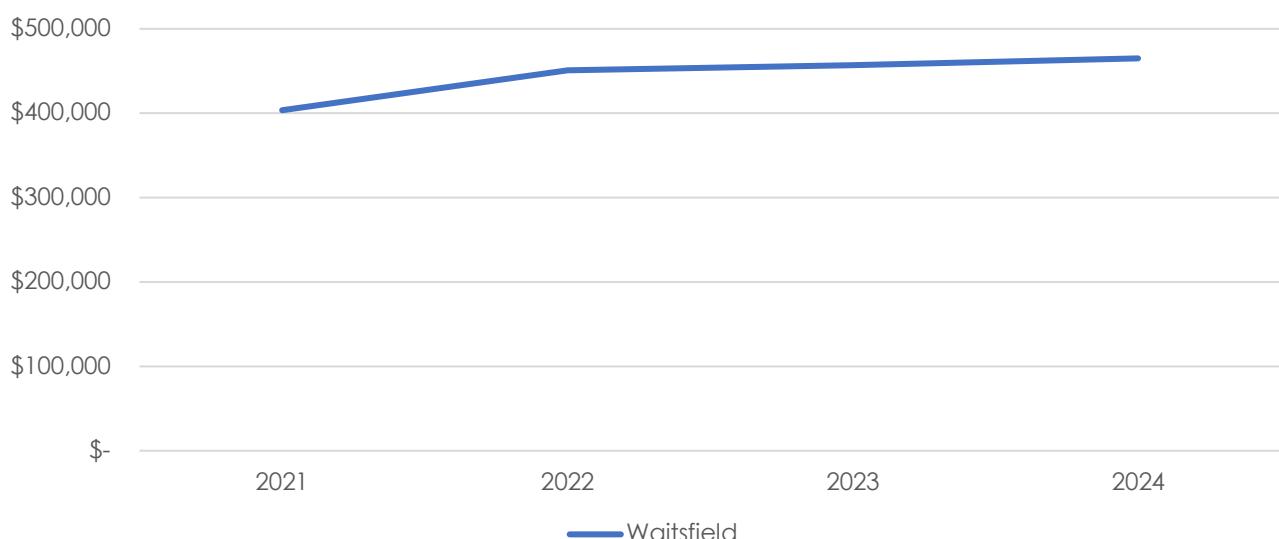
¹⁴ Mad River Valley Planning District, "MRV LOT Committee," <https://mrvpd.org/mrv-lot/>
MRVPD Local Options Tax (LOT) Analysis - Town of Waitsfield, 1.2.26 Draft

Waitsfield Sales (In-Person Retail, Meals, Alcohol, & Rooms), 2021 - 2024



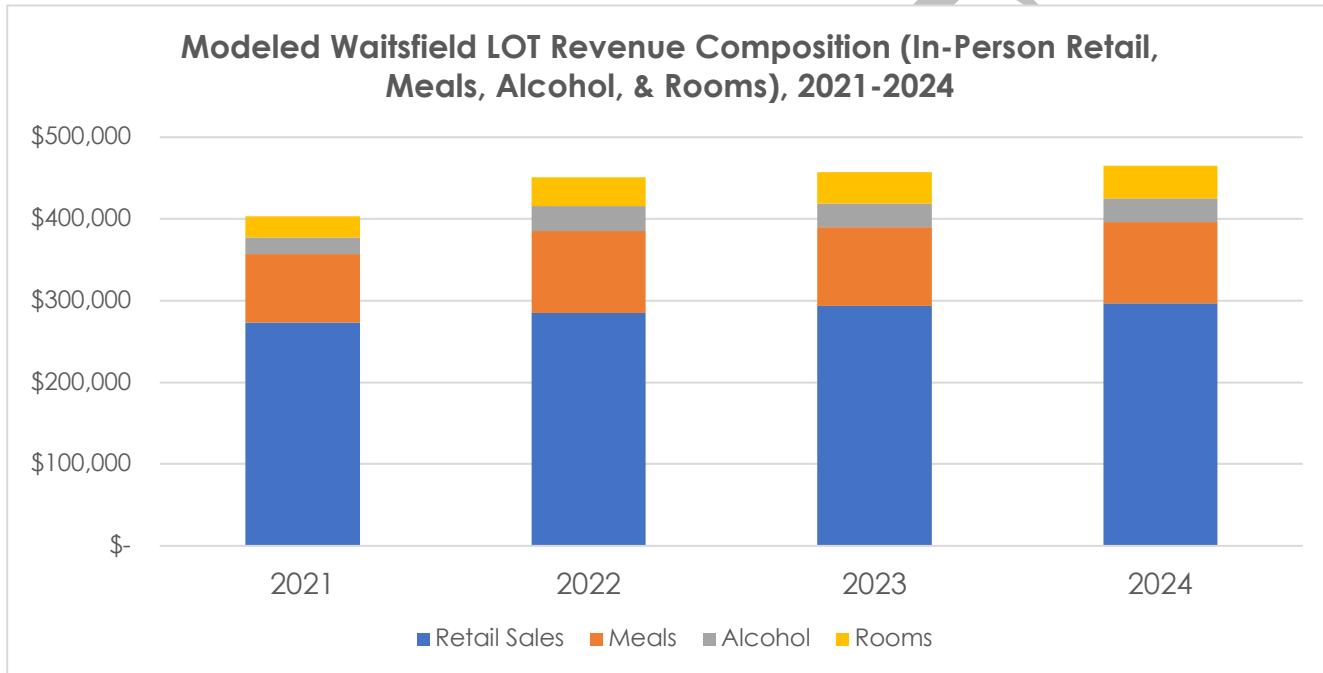
The analysis modeled a 1% LOT applied to all eligible categories (in-person retail sales, meals and alcoholic beverages, and rooms), which would be collected in addition to existing state taxes. From 2021 to 2024, the analysis indicates that annual municipal revenue from the LOT in Waitsfield ranged from \$405,528 in 2021 to \$465,018 in 2024. These numbers include the subtraction of the 25% retained by the State of Vermont, as well as the incorporation of processing fees, as estimated on pg. 2 above. These projections are based on current state sales tax data (illustrated above) and do not account for online sales by residents, as online retailers are not required to track or remit the LOT until a municipality implements one.

Modeled Waitsfield LOT Revenue (Combined In-person Sales, Meals, Rooms & Alcohol), 2021 - 2024



Revenue Composition and Stability

An analysis of state tax receipt data for Waitsfield reveals that in-person retail sales tax constitutes the largest portion of its potential local option tax (LOT) revenue, ranging from 63-68% annually. Meals contribute 21-22%, alcohol represents 5-7%, and rooms makes up 6-9% of the total. This trend remained relatively consistent during the study period from 2021 – 2024. It's important to note that these percentages are based on current state tax receipts, which do not capture online retail sales that are subject to an LOT.



Consideration of Online Retail Sales

Research has shown that projections based on state tax data consistently underestimate potential LOT revenue. A comparison between state-reported tax receipts and actual LOT collections from Vermont municipalities that have implemented a LOT on sales tax shows consistently higher revenue than state data suggests. MRVPD's analysis of the actual LOT collections in seven municipalities¹⁵ indicates that revenues greatly exceeded state tax receipt estimates.

State tax reporting primarily captures traditional brick-and-mortar retail activity (aka, in-person). However, once a municipality implements an LOT, it starts collecting tax on online purchases addressed to the town; revenue that is not reflected in the VT Department of Taxes publicly available retail sales data by municipality. The estimated online retail component highlights this difference, indicating that online retail represents a significant additional revenue stream that is often overlooked in projections that rely solely on state tax data.

MRVPD sought to clarify the discrepancies between state reports and actual municipal collections. In Waterbury, LOT revenue from retail sales totaled \$161,016, while state reports for the same period showed only \$91,463. This reveals a discrepancy of \$69,553, or 76% higher than the state data indicates, suggesting unreported online sales at the state level.

¹⁵ The municipalities that were analyzed were Waterbury, Wilmington, Woodstock, Brandon, Brattleboro, Middlebury, and Stowe. These municipalities were chosen because they have a LOT across all four categories (retail sales, meals, rooms, alcohol)

Similarly, Wilmington realized \$104,146 in retail sales-derived LOT revenue during the time period, compared to state data indicating only \$74,067. This \$30,079 gap corresponds to a 41% increase over the state estimates.

The same comparisons were made for all other municipalities included in this analysis, and the results showed that, on average, actual LOT revenue from retail sales was 32.5% higher than the State-reported data (In-Person Retail), which we assume is due to untracked online retail sales. The chart below illustrates this by comparing the values generated using publicly available State data to estimate LOT revenue (In-Person Retail) with the actual revenue generated by the LOT from retail sales and received by each municipality quarterly (Town Check Amount).

Town Name	In-Person Retail	Town Check Amount	Estimated Online Retail	% Online Sales
Waterbury	\$91,463.44	\$141,821.00	\$50,358.05	35.5%
Wilmington	\$74,067.00	\$92,485.00	\$18,418.00	19.9%
Stowe	\$175,882.91	\$294,676.41	\$118,793.50	40.3%
Brandon	\$32,025.94	\$64,474.16	\$32,448.22	50.3%
Brattleboro	\$175,189.51	\$288,852.58	\$113,663.07	39.3%
Middlebury	\$236,187.20	\$278,136.48	\$41,949.28	15.1%
Woodstock	\$60,712.13	\$82,976.88	\$22,264.75	26.8%
Average				32.5%

This trend suggests that potential annual LOT revenue in Waitsfield, initially estimated at \$465,358 in 2024, is likely closer to \$561,450 when online retail sales are factored in.

Property Tax Revenue Generation Comparison

To understand the potential revenue from a Local Option Tax (LOT), it's essential to compare it to the revenue generated through the primary municipal revenue approach: property taxes. To generate the same amount of revenue solely through property taxes, significant rate increases for all property owners would be necessary.

For our analysis, we'll consider the \$561,450 in estimated Waitsfield LOT revenue for 2024, established above.

Based on these assumptions, this would result in a municipal tax rate increase of the current tax rate of .58 to .72. This increase, 14.1 cents per \$100 valuation, is +24% the current rate. This would mean annual increases of \$423 for a home assessed at \$300,000 and \$635 for a home assessed at \$450,000.

Town	LOT Revenue	Grand List Value	Annual Tax Impact on a \$300k Home	Annual Tax Impact on a \$450k Home
Waitsfield	\$561,450	\$3,980,614	\$423	\$635

These calculations reveal why LOTs have become a popular alternative revenue source for municipalities. They enable towns to finance local priorities without depending solely on property taxes. Additionally, LOTs can be collected from non-residents who use local services and infrastructure, helping to offset costs for major projects while reducing the financial burden on the municipal budget.

Resident Impact Methodology

TBD

What's Next?

Given the analysis of potential local options tax (LOT) revenue and its impacts, Waitsfield may wish to consider how these findings apply to its unique circumstances and priorities.

The Mad River Valley Planning District (MRVPD) is available to assist member towns with policy research, coordination, facilitation, and technical support as needed. For those interested in discussing these options further, please contact the MRVPD Executive Director at joshua@mrvpd.org or 802.496.7173.

Additional Resources

- Local Option Tax Information for Businesses
 - <https://tax.vermont.gov/business/local-option-tax>
- FS-1198, *How to Adopt a Local Option Tax in Your Community*
 - <https://tax.vermont.gov/sites/tax/files/documents/GB-1198.pdf>
- GB-1230, *Guide to Meals and Rooms and Sales and Use Tax Statistical Data*
 - <https://tax.vermont.gov/sites/tax/files/documents/GB-1230.pdf>
- 24 V.S.A. § 138 Local Option Taxes
 - <https://legislature.vermont.gov/statutes/section/24/005/00138>
- 32 V.S.A. § 3709 PILOT Special Fund
 - <https://legislature.vermont.gov/statutes/section/32/123/03709>

Waitsfield Town Work Plan

Town Operations

project	Priority	Person	Status	Date	Timeline	Text
Cybersecurity	High	York Haverkamp	Working on it	5/23/2025		
Town meeting prep	High			5/23/2025	9/16/2025 - 9/30/2025	
Town staff succession planning	Medium					confer with Jen re: timing for training replacement
Assistant Town administrator	Low					
Website clean-up and backlog of agendas						
Contracts	Medium					
Flood recovery/public resources	Medium					
Filling Open Positions						
Figure out how to facilitate vacations for town staff						
Master Calendar for municipal spaces			Working on it			
animal control officer	High					
reporting to town about what is going on						
Digital signatures between meetings	Medium		Done	5/23/2025		determine when appropriate

Budget & Financial Planning

Waitsfield Town Work Plan

project	Priority	Person	Status	Date	Timeline	Text
Health Insurance options	Medium	Larissa Ursprung	Done	5/22/2025	7/1/2025 - 7/1/2025	
Capital improvement plan	High		Working on it	5/26/2025		
Cemetery Trust investment policies	Low		Working on it			
Infrastructure funding brainstorm	High		Working on it			
Streamlining Budgetary system	High				11/1/2025 - 1/10/2026	

Property Maintenance

project	Priority	Person	Status	Date	Timeline	Text
Town office	Medium		Working on it			
Fire Station	Medium					
Town garage	Critical 			12/4/2025		
General Wait House maintenance	Medium					
Fire hydrant E Warren rd and Rolston rd	High		Working on it			
Fairgrounds property	Medium		Working on it			
Develop System for Town Easements	Low					
Farley Park	High		Working on it			
wu ledges	High					

Roads and Transportation

project	Priority	Person	Status	Date	Timeline	Text

Waitsfield Town Work Plan

New culverts from Flooding event 2024	High	Working on it			
Review and analyze class 4 to potentially reclassify	Low				
Rt 100/17 intersection	Medium	Stuck			
Covered Bridge height restriction barriers	Medium				
Culvert review and plan	High	Working on it			
Meadow Road Bridge	High				
municipal road general permit					
paving plan	Medium				
other ways to ensure crosswalks are safe	High				
LHMP annual review					

Grant Applications and Administration

project	Priority	Person	Status	Date	Timeline	Text
ARPA funds	High		Working on it			
Paving Project grant	High		Done			
RRFB	High		Working on it			
Grant opportunities - proposals and open applications	High					

Planning Projects

project	Priority	Person	Status	Date	Timeline	Text
Waitsfield Wastewater Infrastructure Project	High		Working on it			
Irasville Master Planning	High		Working on it			

Waitsfield Town Work Plan

Fire Dept. update and refine Capital Improvement Plan						
Working list of Town assets and care plan						

Ordinance and Policies

project	Priority	Person	Status	Date	Timeline	Text
Personnel policy	Medium					
Procurement policy	Medium					
Water ordinance	High		Working on it			
Domestic animal ordinance	High		Done			
2021 Tax Stabilization policy						
MOA between Waitsfield/Fayston	Medium					
Short term rentals	High		Working on it			
Website posting of all workforce housing options						

Waitsfield Town Work Plan

Dog/animal control ordinance review	High	Done	From Fred's email on 6/13/25: As I have stated several times, the current Dog Ordinance is not practical in its enforcement methods. Writing tickets does not work for small Vermont towns. Enforcement letters from the ACO, then the SB, and finally appearing before the SB to answer complaints work best for us.
speed ordinance update	Medium	Working on it	
review the lawn sale ordinance		Done	
review all ordinances and see if updates etc are applicable			

Conservation, Climate, & Natural Resources

project	Priority	Person	Status	Date	Timeline	Text
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Waitsfield Town Work Plan

Town energy use - efficiency/renewables, etc.						
Ash Tree plan			Working on it			
Knotweed						
Town office EV charging station						
Tardy Parcel improvements and Farley Riverside park						
Overlay District	High		Done			
MERP \$4000 grant	High					

For Future Consideration?

project	Priority	Person	Status	Date	Timeline	Text
Dana Hill Rd Water Bars	Medium		Done			
Butternut Hill Road?						
SB Site visits						
Consider Aaron Shea proposal for workforce housing on Town Land						
adding solar pedestrian lighting to center of town						
palmer hill rd needing funds for contractor to fix						

TOWN OF WAITSFIELD, VT

FY26 General Fund Budget -- Expenditure Detail

For Town Meeting 2025											
	Item	FY23 Actual	FY24 Actual	FY25 Budget	FY25 actual	FY26 Proposed	FY27 Proposed	(FY26 toe)	(FY25 to	% Change	Notes
148	Fire Department										
149	Gas, Oil, and Grease	\$ 3,208.75	3,150.93	\$ 4,200	\$ 2,685	\$ 4,000	\$ 4,400		\$ (200)	-4.76%	
150	Insurance	\$ 10,536.50	11,530.99	\$ 12,171	\$ 14,124	\$ 12,800	\$ 14,200		\$ 629	5.17%	
151	Telephone and Dispatch	\$ 36,007.28	30,767.46	\$ 29,000	\$ 24,003	\$ 32,000	\$ 33,000		\$ 3,000	10.34%	
152	Capital West Reserve Contribution		9,534.67	\$ -	\$ 9,654	\$ 9,535	\$ 10,500		\$ 9,535	-	Fayston - 60/40 match?
153	Radio and Radio Repairs	\$ -	\$ 5,765.04	4,804.96	\$ 10,000	\$ 1,409	\$ 8,000		\$ (2,000)	-20.00%	
154	Electricity	\$ 1,800.00	34.68	\$ 2,575	\$ 2,549	\$ 2,600	\$ 3,000		\$ 25	0.97%	
155	Heat	\$ 5,424.29	5,396.72	\$ 6,300	\$ 6,687	\$ 6,000	\$ 6,500		\$ (300)	-4.76%	
156	Water Service	\$ 592.21	590.00	\$ 660	\$ 590	\$ 600	\$ 600		\$ (60)	-9.09%	
157	Building Repair and Supplies	\$ 4,660.58	12,423.08	\$ 11,300	\$ 10,836	\$ 12,000			\$ 700	6.19%	repairs - reserve or here?
158	Alarm	\$ 115.00	0.00	\$ 446	\$ -	\$ 400	\$ 500		\$ (46)	-10.31%	
159	Truck Repairs	\$ 12,947.91	15,345.04	\$ 25,000	\$ 26,855	\$ 25,000	\$ 25,000		\$ -	0.00%	
160	Equipment Repairs	\$ 3,243.85	3,607.73	\$ 7,875	\$ 3,305	\$ 6,000	\$ 6,500		\$ (1,875)	-23.81%	
161	Bottled Gas	\$ -	0.00	\$ 400	\$ 16	\$ 400	\$ 400		\$ -	0.00%	
162	Training	\$ 6,396.21	4,641.06	\$ 9,450	\$ 21,744	\$ 8,000	\$ 8,000		\$ (1,450)	-15.34%	
163	Hose and Equipment	\$ 5,776.83	6,972.80	\$ 6,489	\$ 4,351	\$ 10,000	\$ 10,000		\$ 3,511	54.11%	Anticipate hose replacements
164	Gear	\$ 9,684.48	13,858.40	\$ 10,500	\$ 9,451	\$ 12,000	\$ 11,000		\$ 1,500	14.29%	
165	Fire Prevention	\$ 686.54	1,150.77	\$ 900	\$ -	\$ 1,000			\$ 100	11.11%	
166	Miscellaneous	\$ 1,057.52	598.09	\$ 500	\$ 426	\$ 750	\$ 500		\$ 250	50.00%	
167	Dues	\$ -	0.00	\$ 500	\$ 400	\$ 500	\$ 500		\$ -	0.00%	
168	Physical Exams (repurpose for community outreach?)	\$ -	0.00	\$ 1,500	\$ -	\$ 1,500			\$ -	0.00%	repurpose - community outreach
169	Labor	\$ 34,995.00	36,631.00	\$ 39,865	\$ 50,922	\$ 49,950	\$ 51,000		\$10,085	25.30%	2,700 hrs @ \$20/hour
170	FICA	\$ 2,991.06	2,958.34	\$ 3,050	\$ 5,202	\$ 3,825	\$ 5,200		\$ 775	25.41%	
171	Ladder/Hose Testing	\$ 3,499.05	3,451.32	\$ 3,360	\$ 1,910	\$ 3,500	\$ 3,500		\$ 140	4.17%	
172	Administrative Time	\$ -	5,290.00	\$ 5,607	\$ 5,607	\$ 5,750	\$ 5,750		\$ 143	2.55%	

TOWN OF WAITSFIELD, VT

FY26 General Fund Budget -- Expenditure Detail

For Town Meeting 2025

Item	FY23 Actual	FY24 Actual	FY25 Budget	FY25 actual	FY26 Proposed	FY27 Proposed	Change (FY26 to FY27) (FY25 to FY26)	% Change	Notes
2 EXPENDITURES									
64 <i>Road Department</i>									
65 <i>Labor</i>									
66 Salaries	\$ 176,770.00	\$ 209,573.92	\$ 245,858	\$ 234,425	\$ 283,046		\$ 37,188	15.1%	
67 Overtime	\$ 23,831.25	\$ 26,200.05	\$ 30,732	\$ 35,739	\$ 35,381		\$ 4,649	15.1%	
68 <i>Sub-total</i>	\$ 200,601.25	\$ 235,773.97	\$ 276,590	\$ 270,163	\$ 318,427	\$ -	\$ 41,837	15.1%	
69 <i>Equipment Operations/Repairs</i>									
70 Road Department Insurance	\$ 9,100.50	\$ 10,221.75	\$ 10,673	\$ 9,172	\$ 11,200		\$ 527		
71 Gas	\$ -	\$ 4,236.26	\$ 3,000	\$ 3,992	\$ 3,500	\$ 3,500	\$ 500	16.7%	
72 Oil, Grease, and Filters	\$ 11,281.98	\$ 6,065.01	\$ 5,000	\$ 3,122	\$ 6,000	\$ 8,000	\$ 1,000	20.0%	
73 Diesel	\$ 38,530.11	\$ 31,811.74	\$ 32,000	\$ 29,940	\$ 35,000	\$ 35,000	\$ 3,000	9.4%	
74 2020 International Dump Truck	\$ 1,674.66	\$ 2,813.71	\$ 1,500	\$ 2,821	\$ 1,500	\$ 2,000	\$ -		
75 2015 Tandem (Dump Truck)	\$ 7,345.10	\$ -	\$ -		\$ -		\$ -		
76 2021 Tandem (Dump Truck)	\$ 628.55	\$ 1,283.30	\$ 1,500	\$ 2,695	\$ 1,500	\$ 2,000	\$ -		
77 2021 GMC 3500	\$ 4,057.67	\$ 590.85	\$ 2,000	\$ 2,201	\$ 2,000		\$ -		
78 2010 Low Pro Truck	\$ -	\$ 420.00	\$ -		\$ -	not increase	\$ -		Shows as fy2024 actual but not on budget
79 2009 John Deere Loader	\$ 4,866.14	\$ 2,118.83	\$ 3,500	\$ 2,657	\$ 3,500	loader is gone	\$ -		
80 Ford Chloride Truck	\$ 489.10	\$ -	\$ 1,500	\$ -	\$ 1,500		\$ -		
81 2021 John Deere Grader	\$ 420.73	\$ -	\$ 1,500	\$ -	\$ 1,500		\$ -		
82 2021 Cat Backhoe	\$ -	\$ 2,640.02	\$ 1,000	\$ -	\$ 4,500		\$ 3,500	350.0% new tires @ \$3,500	
83 new 2025 taking over the HV (25' single axle)						\$ 3,500			
84 2018 HV Truck (Low-Pro)	\$ 1,290.89	\$ 3,445.55	\$ 2,500	\$ 14,322	\$ 2,500		\$ -		this will essentially become the new truck line 0 for 2027
85 Ventrac	\$ -	\$ 399.07	\$ 1,000	\$ 955	\$ 1,000	\$ 1,000	\$ -		
86 Roadside Mower	\$ 4,607.42	\$ 3,500.28	\$ 3,000	\$ 874	\$ 3,000	\$ 750	\$ -		
87 Steel Pole Saw/Chainsaw	\$ 102.15	\$ 413.96	\$ 1,200	\$ 97	\$ 1,200	\$ 750	\$ -		
88 Garage Repairs	\$ 3,090.58	\$ 2,335.63	\$ 2,500	\$ 2,122	\$ 2,500	\$ 2,500	\$ -		
89 Garage Trash Removal	\$ 2,071.00	\$ 1,896.00	\$ 2,244	\$ 2,042	\$ 3,000	\$ 2,600	\$ 756	33.7%	

90	Uniforms Services	\$ 6,812.20	\$ 8,980.81	\$ 3,500	\$ 6,499	\$ 3,500	\$ 4,000							Split into two lines last year for uniform service (contract) and boots/sweatshirts (purchase)
91	Uniforms Materials	\$ -	\$ -	\$ 2,500	\$ 522	\$ 2,500	\$ 2,500							See above
92	Heat	\$ 4,060.95	\$ 3,985.43	\$ 4,000	\$ 4,683	\$ 4,000	\$ 4,500							
93	Telephone	\$ 2,217.74	\$ 2,600.64	\$ 2,600	\$ 2,553	\$ 2,600	\$ 2,600							
94	Electricity	\$ 1,750.98	\$ 229.44	\$ 1,900	\$ 2,485	\$ 1,900	\$ 1,900							
95	Garage Supplies/Hardware	\$ 4,178.90	\$ 4,970.22	\$ 4,500	\$ 5,514	\$ 4,500	\$ 5,000							
96	Chipper/Rake	\$ 1,293.72	\$ 798.86	\$ 2,500	\$ 476	\$ 2,500	\$ 1,750							
97	Alarm System	\$ 377.00	\$ 252.00	\$ 1,000	\$ 968	\$ 1,000	\$ 1,000							
98	Water Service	\$ 592.87	\$ 590.00	\$ 630	\$ 590	\$ 630	\$ 630							
99	Plow Blades and Shoes.	\$ 5,863.25	\$ 9,082.86	\$ 8,500	\$ 6,634	\$ 10,500	\$ 10,500							Cost has gone up/need several new blades
100	Tire Chains [NEW]	\$ -	\$ -	\$ -	\$ -	\$ 4,000	\$ 4,500							23.5%
101	Sub-total	\$ 116,704.19	\$ 105,682.22	\$ 107,247	\$ 107,939	\$ 122,530	\$ 98,580							14.3%
102	<i>Hired Equipment and Labor</i>													
103	Ventrac storage - one time	\$ 29,651.00	\$ -	\$ -	\$ -	\$ -	\$ 10,000							
104	Grading	\$ -	\$ 460.00	\$ 300	\$ -	\$ 300	\$ 500							
105	Contract Services	\$ 150.00	\$ 9,675.00	\$ 12,000	\$ 21,799	\$ 12,000	\$ 12,000							
106	Sub-total	\$ 29,801.00	\$ 10,135.00	\$ 12,300	\$ 21,799	\$ 12,300	\$ 10,500							0.0%
107	<i>Materials</i>													
108	Salt	\$ 45,587.74	\$ 31,356.35	\$ 50,000	\$ 50,996	\$ 50,000	\$ 40,000							
109	Sand	\$ 45,447.12	\$ 65,278.00	\$ 68,000	\$ 73,614	\$ 75,000	\$ 90,000							10.3%
110	Chloride	\$ 14,791.08	\$ -	\$ 16,000	\$ 10,784	\$ 16,000	\$ 16,000							
111	Crushed Gravel	\$ -	\$ 27,538.50	\$ -	\$ -	\$ -	\$ -							
112	Stone	\$ 8,043.70	\$ 9,860.00	\$ 12,000	\$ 6,391	\$ 15,000	\$ 15,000							25.0%
113	Culverts	\$ 10,230.03	\$ 9,986.54	\$ 10,000	\$ 13,478	\$ 15,000	\$ 17,500							50.0%
114	Guardrails	\$ -	\$ -	\$ 1,500	\$ -	\$ 1,000	\$ 1,000							-33.3%
115	Tools	\$ 2,752.67	\$ 5,521.45	\$ 4,000	\$ 1,691	\$ 5,000	\$ 1,000							25.0%
116	Signs	\$ 644.50	\$ 1,186.38	\$ 1,500	\$ 1,183	\$ 1,500	\$ 1,500							
117	Fabric	\$ -	\$ -	\$ 1,000	\$ -	\$ 1,000	\$ 1,000							
118	Cold Patch, Hay, and Seed	\$ 4,400.04	\$ 2,346.99	\$ 8,000	\$ 2,048	\$ 8,000	\$ 8,000							
119	Waste Blocks	\$ -	\$ 990.00	\$ 1,000	\$ -	\$ 1,500	\$ 1,500							50.0%
120	Sub-total	\$ 131,896.88	\$ 154,064.21	\$ 173,000	\$ 160,185	\$ 189,000	\$ 174,500							9.2%
121	<i>Miscellaneous</i>													

122	Fayston Winter Agreement	\$ 11,174.00	\$ 12,595.65	\$ 11,848	\$ 24,345	\$ 12,500	\$ 13,261	\$ 652	5.5%
123	Sidewalk Maintenance/Repairs	\$ -	\$ 61.82	\$ 2,500	\$ -	\$ -	\$ -	\$ (2,500)	-100.0%
124	Tree Cutting	\$ -	\$ -	\$ 500	\$ -	\$ -	\$ -	\$ (500)	-100.0%
125	Bridge Repairs	\$ 206.22	\$ 3,616.64	\$ 1,000	\$ 70,770	\$ 1,000	\$ -	\$ -	
126	Gravel Pit Management	\$ 160.00	\$ -	\$ 1,000	\$ 160	\$ 1,000	\$ -	\$ -	
127	Culvert and Road Inventory	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
128	Line Painting	\$ 3,323.00	\$ -	\$ 4,000	\$ 1,200	\$ 4,000	\$ 5,000	\$ -	
129	Street Lights	\$ 5,518.34	\$ 5,722.82	\$ 5,700	\$ 6,127	\$ 5,700	\$ 5,700	\$ -	
130	Bridge Lights	\$ 189.14	\$ 309.91	\$ 800	\$ 249	\$ 800	\$ 500	\$ -	
131	Radios	\$ -	\$ 335.58	\$ 350	\$ 578	\$ 2,000	\$ 1,500	\$ 1,650	471.4% replacements needed
132	Training	\$ 30.01	\$ 40.00	\$ -	\$ -	\$ 500	\$ -	\$ 500	
133	MRGP/State Roads Permit	\$ 1,765.00	\$ 1,350.00	\$ 1,850	\$ 1,350	\$ 1,850	\$ 1,850	\$ -	Anticipate CDL for 4th crew member
134	<i>Sub-total</i>		\$ 22,365.71	\$ 24,032.42	\$ 29,548	\$ 104,779	\$ 29,350	\$ 27,811	
135	<i>Section TOTAL</i>		\$ 501,369.03	\$ 529,687.82	\$ 598,685	\$ 664,865	\$ 671,607	#REF!	\$ 72,922 12.2%

TOWN OF WAITSFIELD, VERMONT

Selectboard Meeting Minutes

Monday, December 15, 2025

Draft

Members Present: David Babbott-Klein, Chach Curtis, Fred Messer, Brian Shupe, Larissa Ursprung

Staff Present: York Haverkamp, Town Administrator

Others Present: Laura Arnesen (Mad River Valley Recreation District), Craig Eilers, Peter Franzoni, AnnMarie Harmon, MRVTV, Bobbi Rood

I. Call to Order: The meeting was called to order at 6:32 pm by Brian Shupe. The meeting was held in person at the Waitsfield Town Office and remotely via Zoom.

1. Review agenda for addition, removal, or adjustment of any items per 1 VSA 312(d)(3)(A)
The Consent Agenda was adjusted, and an update on the Meadow Road bridge added to the Covered Bridge agenda item.

2. Public Forum

Nobody requested time to address the Board.

II. Regular Business

1. Consideration of Outdoor Consumption Permit for Mad Moose Bar and Grill

The applicant(s) were not present at the meeting, and so this item was postponed and then passed over.

2. Due Process Resolution

Mr. Shupe explained that the Board had been requested at their previous meeting to adopt this Resolution, and that he had incorporated edits as appropriate to remove the language related to requesting that law enforcement officers also adopt this, as it had been explained that such officers are not permitted to commit to signing on to documents other than their duty oaths. Board members agreed that this Resolution is compatible with/supportive of the previous Resolution adopted regarding inclusivity.

MOTION: *Mr. Curtis moved to adopt the Resolution and to direct all related communications to the Town Administrator. The motion was seconded by Mr. Babbott-Klein, and passed unanimously.*

3. Budget Planning: Health Insurance Options

Mr. Eilers provided an overview of available employee health insurance plans, noting that the rates for the current BCBS plan will be increasing approximately 5%, that an MVP plan with the same coverage would provide a rate decrease of 8%, and that a captive plan through Blue Edge Business CDHP (BCBS) would reduce premium costs by 25%, allowing for the funding by the Town of an HRA to cover the additional out-of-pocket costs associated with the plan. Funds designated for the HRA but not used would remain available to the Town, and the level of use by employees may provide for a partial refund of premiums. Mr. Eilers provided some further details about these plans, and indicated his availability to speak with the staff to explain any changes if a new plan is chosen by the Board.

4. Mad River Valley Recreation District

Laura Arnesen reviewed the Recreation District's accomplishments for 2025 and then outlined goals for 2026 and upcoming years. Upcoming priorities include further enhancements at Mad River Park, and researching the level of local support for establishment of an indoor recreation space. Ms. Arnesen asked that Board members provide feedback on the District's five-year strategic plan if desired.

51
52 Ms. Arnesen indicated that there will be a continuation of current work, including the CRV work, and
53 there is the potential to provide for some level of assistance with middle school sports activities, which
54 have been reduced by the School District. The Recreation District is requesting level funding for the
55 coming year, of \$40K from each of the three full member towns and \$20K from Moretown.

56

57 **5. Village Covered Bridge and Meadow Road Bridge Inspection Proposals**

58 Mr. Haverkamp reported that he had recently met with Miles Jenness, and highlighted some of the
59 information he had included in his written Town Administrator report. He explained that Mr. Jenness
60 had done some testing of the bridge beams where the decking is raised, and would like to do a full
61 inspection before he outlines how to move forward with repairs. A rough estimate of \$1750 was
62 provided for the cost of the inspection. Board members indicated that they would like to know what
63 costs would be associated with repairs as they work on finalizing the budget, and confirmed that the
64 inspection should take place, preferably within the coming weeks.

65
66 It was also noted that the only way to allow for a higher weight limit on Vermont's covered bridges is
67 through the installation of metal support beams.

68

69 **MOTION:** *Mr. Messer moved to authorize an expenditure of up to \$2000 for Vermont Heavy*
70 *Timber/Miles Jenness to complete an inspection of the Village Covered Bridge. The motion was seconded*
71 *by Ms. Ursprung, and passed unanimously.*

72
73 A proposal had been submitted by Dubois & King for completion of a two part inspection of the Meadow
74 Road bridge, to outline decking replacement and to provide a summary of potential rehabilitation
75 strategies. Mr. Haverkamp explained that the firm is also willing to complete another site visit in order
76 to provide a cost-benefit analysis regarding rehabilitation vs replacement. He also noted that the
77 decking work would be eligible for reimbursement by FEMA, but an engineering study would not be
78 eligible if the decking work was not subsequently completed. The Board agreed to wait until the further
79 information is available before deciding whether to move forward with requesting this analysis.

80
81 Mr. Babbott-Klein reported on the camera research he had completed, outlining options and related
82 expenses. Mr. Haverkamp noted that he is continuing to research the legal implications of camera
83 installation at the bridge; it was agreed that a policy regarding this should be drafted. It was agreed to
84 place a camera at Meadow Road, but to not install cameras at the Village Bridge at this point.

85

86 **MOTION:** *Mr. Babbott-Klein moved to approve the expenditure of up to \$500 on a camera and related*
87 *data plan for installation at the Meadow Road bridge. The motion was seconded by Mr. Messer, and*
88 *passed unanimously.*

89

90 **6. General Wait House Leases**

91 AnnMarie Harmon explained that the GWH Commission recommends that the tenant leases be renewed
92 with no rent increase in January 2026, and a 2% increase be imposed in July, providing some notification
93 time for the tenants. She indicated that current rent receipts are less than \$500 short of covering the
94 building's expenses for the year, and that the building's reserve fund has a balance of over \$70K after all
95 completed projects have been paid for. There was some discussion regarding modifying the lease
96 language to include an annual increase, and it was noted that the current lease language contains a
97 clause indicating a need for a 3-month advance notification of any rent increase. It was also pointed out
98 that annual incremental rent increases may be more palatable than another large increase such as the
99 one agreed upon for this year. It was agreed that adoption of a policy which outlines that rental rate
100 changes be considered every year, with no automatic increases specified, was the most suitable
101 approach. Mr. Haverkamp spoke of there being minimal costs associated with the connector space, and
102 suggested not increasing the rent for that space. Mr. Shupe noted that the Town has some legitimate

103 expenses at the building, and that it is appropriate that the General Fund is used for the \$500 of
104 expenses not covered by rent receipts. It was also agreed that the recent improvements to the roof and
105 heating system may lead to reduced building costs for the coming year.

106
107 **MOTION:** *Mr. Messer moved to increase the General Wait House rental rates by 2%, effective July 1,*
108 *The motion was seconded by Mr. Babbott-Klein, and passed unanimously.*

109
110 **7. Fire Department Review**

111 Board members spoke of being impressed with the Fire Department's leadership team and pleased with
112 the current number of volunteer members. There was some discussion of the need for a new Fire
113 Station, and it was agreed to ask Breadloaf Construction for a general outline of the feasibility of co-
114 locating the Fire and Road Department buildings. It was also agreed that the Board will likely need to
115 plan for some investment in the current building, particularly the needed electrical panel and heating
116 system work. It was reiterated that it would be beneficial to receive a copy of the inspection report that
117 was completed for the Fire Station several years ago.

118
119 **8. Budget**

120 Review Budget Principles – Mr. Shupe outlined that budget planning is beginning, and that he, Mr.
121 Curtis, and Mr. Haverkamp have been doing some preliminary work in preparation for Board
122 discussions. The Principles agreed upon previously were provided in the meeting packet, and were
123 reviewed. There was a discussion of building maintenance and rewording the Principle associated with
124 a maintenance plan, to include replacement considerations. It was also noted that the ARPA reference
125 was removed. Some additional edits were suggested, and an updated document will be reviewed again
126 at the next Board meeting.

127
128 LOT Update – Mr. Shupe reported that he has had conversations with Eric Friedman regarding outreach
129 to the business community regarding the implementation of a LOT, and that they spoke of the potential
130 for a survey to be conducted. He also noted that Joshua Schwartz has updated the revenue estimates
131 from a LOT in Waitsfield, and is finalizing that data. It was agreed that there should be a public meeting
132 on this topic, with a suggestion that the LOT memo be finalized and made public on January 5, a
133 discussion be placed on the Board's agenda for January 12, and to potentially schedule a second public
134 meeting for later in January or in February.

135
136 Both the FY26 Year-to-Date and Capital Budget Projections are available, and are being reviewed in
137 budget preparation efforts. Mr. Shupe indicated that it should be possible to put together a fairly tight
138 budget again this year.

139
140 **8A. Review Minutes of November 24, 2025**

141 The Minutes of November 24 were amended and approved.

142
143 **9. Consent Agenda**

144 **APPROVAL:** *A motion to approve the Consent Agenda passed unanimously.*

- 145 • Approve Bills Payable & Treasurer's Warrants
- 146 • Approve Minutes of 12.8.2025
- 147 • RCAP – Community Wastewater System Emergency Response and Vulnerability Assessment
- 148 • Approve amendment to Municipal Planning Grant, Designating the Town Administrator as the
149 Municipal/Authorizing Official

150
151 **10. Selectboard Roundtable**

152 Mr. Babbott-Klein offered to take Ms. Ursprung's place on the tri-town traffic calming group which has
153 been meeting.

155 Mr. Babbott-Klein indicated that he would work with Mr. Haverkamp to determine if the Town might
156 benefit from posting events on the Bee App.

157

158 **11. Town Administrator's Report**

159 Mr. Haverkamp reported that:

- 160 • A BRIC grant has been submitted by CVRPC to cover some of the costs related to recent LHMP
161 work.
- 162 • The Northern Catalyst grant of \$1M for wastewater system work between Bridge Street and the
163 Elementary School has been awarded.
- 164 • The CDBG grant applied for to cover work at the Carroll Road/Main Street area was not
165 awarded, as the program was seeking projects more directly connected to housing.
- 166 • He has been meeting with VTrans regarding the 'no parking' signs in the Bridge/Main Streets
167 area; some will be removed and others left in place.

168

169 **III. Executive Session**

170 **MOTION:** *A motion to find that premature general public knowledge would clearly place the public body
171 or a person involved at a substantial disadvantage passed unanimously.*

172

173 **MOTION:** *A motion to enter Executive Session per 1 VSA §313(a)(1)(B) [Labor Relations], per 1 VSA
174 §313(a)(1)(A) [Contracts], and per 1 VSA §313(a)(1)(F) [Legal], inviting Mr. Haverkamp to join, passed
175 unanimously.*

176

177 The meeting entered Executive Session at 9:23 pm and returned to open session at 10:00 pm.

178

179 **MOTION:** *Mr. Curtis moved to approve changing employee health care coverage to Blue Edge Business
180 CDHP, as outlined by Mr. Eilers at the meeting. The motion was seconded by Mr. Messer, and passed
181 unanimously.*

182 **MOTION:** *Mr. Babbott-Klein moved to authorize the Town Administrator to establish a contract with
183 Dubois & King for the amount discussed, for completion of an inspection of the Meadow Road bridge.
184 The motion was seconded by Mr. Messer, and passed unanimously.*

185 **IV. Adjourn**

186 The meeting adjourned at 10:02 pm.

187 Respectfully submitted,

188 Carol Chamberlin, Recording Secretary