



## Select Board Meeting

Monday, November 7, 2022 7:00 PM

Lifelong Learning Room at The Robb Center  
30 Whittier Court, Andover, MA 01810

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I. Call to Order – 7:00 P.M.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

III. Communications/Announcements/Liaison Reports

IV. Citizens Petitions and Presentations

V. Public Hearings

A. Liquor License – Matchplay Golf & Sports Lounge

Board to review and consider voting to approve the application of MP GOLF LLC, d/b/a Matchplay Golf & Sports Lounge, 209 North Main Street, Suite 60, Andover, MA, for an All Alcohol Restaurant Alcoholic Beverage License at 209 North Main Street, Suite 60, Andover, MA. Andrew Zappala, 100 Lake Drive, South Hamilton, MA is the proposed designated manager.

VI. Regular Business

A. Town Governance

Board to discuss and consider voting to accept the Town Governance Study Committee's recommendations on the following recommendations:

- Prohibit Events on Town & School Property During Town Meeting Sessions
- Share civics information with residents through inserts included in excise tax bills.
- Require Town Manager to present long-term, financially sustainable fiscal planning and forecasting to the Select Board.
- Require that the Town Manager or his/her designee periodically report to the Select Board on the state of and improvements to the Town's business processes.

B. Business, Arts and Culture Update

Board to receive and update from Director of Business, Arts and Culture.

C. West Elementary / Shawsheen Pre-School Debt Exclusion

Board to vote to accept the report by the Owner's Project Manager and approve the DE-2 submission to the Department of Revenue.

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TOWN OF ANDOVER, MASS

## VII. Consent Agenda

### A. Appointments by the Select Board

Board to vote that the following appointments by the Select Board be approved.

Department	Name	Position	Rate/Term	Date of Hire
Town Clerk	Linda O'Connell	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Daniela Roubicek	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Marie Holbrook	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Qiong Qiao	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Emily O'Hara	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Caroline Samoluk	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Dora Volpe	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Erin Staudt	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Nancy Husted	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Scott Pace	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Robin Manning	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Lisa Rigoli	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Andrew Smith	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	John Sudol	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Bonita Zahorik	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Ron Rieder	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Amanda Lutsch	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Jennifer O'Neill	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Rebecca Kelley-Morgan	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Anne Feeny	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Linda D'Andrea	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Traci Connor	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Sarah Atwood	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Diane Riemer	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Richard Lincoln Vogel	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Mary Long	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Dennis Bell	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Janet Arnold	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Frank Lastrina	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Steven Buccieri	Election Worker	\$10.25/hr	11/1/2022
Town Clerk	Christina Banta	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	James Blatchford	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Marilyn Blumsack	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Bobbi Brodie	Election Worker	\$10.25/hr	11/1/2022
Town Clerk	Paula DelDotto	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Patricia Dell-Ross	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Karen Dobbelaar	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Nancy Donahue	Election Worker	\$10.25/hr	11/1/2022

Town Clerk	Ruth Emerton	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Leo Greene	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Deb Hartman	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Amy Janovsky	Election Worker	\$10.25/hr	11/1/2022
Town Clerk	C. William Kettinger, Jr.	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Lisa Lapp	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Betsey Streeter	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Bonnie Streeter	Election Worker	\$10.25/hr	11/1/2022
Town Clerk	George Woodward	Election Worker	\$10.25/hr	11/7/2022
Town Clerk	Susan Yavner	Election Worker	\$10.25/hr	11/7/2022

B. Appointments by the Town Manager

Board to vote that the following appointments by the Town Manager be approved.

Department	Name	Position	Rate/Term	Date of Hire
Andover Fire Rescue	Sean Davis <i>(Ryan Oteri)</i>	Firefighter	\$62,587.02/yr	12/5/2022
Community Services – Elder Services	Angela Lonergan <i>(Stephanie McSurdy)</i>	Social Day Coordinator	\$54,594.75/yr	11/8/2022
Department of Public Works	Robert Cotter <i>(Nicholas Morasse)</i>	Maintenance Craftsperson	\$28.19/hr	11/8/2022
Community Development and Planning – Building Division	Scott Taft	Alternative Plumbing and Gas Inspector	\$40.00/hr	11/8/2022
Community Development and Planning – Building Division	Keith Osborne	Alternative Plumbing and Gas Inspector	\$40.00/hr	11/8/2022
Community Development and Planning – Building Division	Kevin Scott	Alternative Plumbing and Gas Inspector	\$40.00/hr	11/8/2022
Community Services – Youth Services	Kimberley Kaminsky	Seasonal	\$25.00/hr	10/25/2022
Community Services – Youth Services	Corey Mason	Seasonal	\$25.00/hr	10/25/2022
Community Services – Recreation	Jake Blank	Kid Care	\$15.00/hr	10/24/2022
Community Services – Recreation	Jessica Alves	Kid Care	\$14.50/hr	10/24/2022
Community Services – Recreation	Angela Mac	Kid Care	\$14.50/hr	10/24/2022
Andover Cultural Council	Raveena Girdhari	Member	Term Expires 6/30/2025	11/7/2022

**VIII. Executive Session**

Board to vote to go into Executive Session for confidential communications with Town Counsel and pursuant to Purpose 3 to discuss strategy with respect to litigation with opioid distributors and manufacturers, and to vote to approve and not release Executive Session minutes of August 15, 2022, and that the Chair declare that an open session may have a detrimental effect on the litigation position of the Town and not to return to open session.

**IX. Adjourn**

*If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact Kathryn Forina in the Town Manager's Office at 978-623-8215 or by email at [kathryn.forina@andoverma.us](mailto:kathryn.forina@andoverma.us)*

MEETINGS ARE TELEVISED ON  
COMCAST CHANNEL 22 AND VERIZON CHANNEL 45

CHECKLIST  
ALCOHOLIC BEVERAGES LICENSES

RECEIVED  
TOWN CLERK'S OFFICE  
2022 OCT 4 PM 3:17

DOCUMENTS NECESSARY FOR ABCC /TOWN OF ANDOVER TO PROCESS A

**NEW LICENSE APPLICATION**

TOWN OF ANDOVER, MASS

The application packet to process a new license request now contains two packets of information: the State packet and the local Andover packet.

**Required State Alcoholic Beverages Control Commission (ABCC) Packet:**

The following required forms must be: 1) accessed through the website; 2) completed online; 3) printed; 4) signed, 5) submitted to the Town of Andover (with original signatures where necessary).

Forms may be found at:

<https://www.mass.gov/how-to/apply-for-an-alcoholic-beverages-retail-license-new-or-transfer>

\*Officers/Directors of non-profit clubs with no ownership do not need to fill out CORI applications

**Required Local / Andover Packet:**

- \$125.00 Town non-refundable application fee; check or money order payable to TOWN OF ANDOVER
- \$90 check for the joint inspection fee **IF A JOINT INSPECTION IS REQUIRED**
- Town of Andover General License Application
- Joint Building and Fire Inspection Application
- Certificate of Insurance offering proof of required Liquor Liability Insurance (see attached ABCC advisory)
- Tax Form
- Workers' Compensation Insurance Affidavit
- "Town of Andover Criminal Record Information Form" for manager, officers and directors
- Criminal History Systems Board CORI FORM for manager  
\*The manager must execute this form at the Town Clerk's office. The manager must bring identification such as a driver's license and a certified copy of birth certificate at this time.
- Certified copy of birth certificate or original naturalization papers for manager, officers, and directors

## **PATIO & OUTDOOR AREAS**

-Submit completed Patio & Outdoor Areas Addendum

## **GOLF COURSES**

-Submit completed Golf Course Addendum

## **Select Board Hearing Notice**

Notice of the Select Board hearing on the application must be advertised in the Andover Townsman or Eagle Tribune 10 days before the hearing. The Town Clerk's Office will prepare the notice; however, the applicant is responsible for the cost of the advertisement.

## **Notice to Abutters, Churches, Synagogues, Hospitals, and Schools**

Must be notified by certified mail by the applicant. A certified abutters list and instructions for proper notice will be provided to the applicant after the application is reviewed by the Town Clerk/Licensing Agent.

## **Joint Building and Fire Inspection**

According to state law, all new license holders are required to obtain a joint inspection certificate from the building and fire department prior to receiving their new license and upon each annual renewal. Please see attached sheet for more information.

## **Please Note:**

- **License holders must satisfy CITIZENSHIP and RESIDENCY requirements.**
- **ALL MANAGERS MUST BE UNITED STATES CITIZENS, AND MUST BE AT LEAST 21 YEARS OF AGE. Alcohol server training is recommended.**
- **The item will not be put before the Select Board until a CORI report for the manager is received from the Criminal History Systems Board.**
- **The license holder and the manager's attendance at the Select Board hearing is mandatory.**
- **The new license application hearing must be advertised in a local newspaper. Abutters must also be notified by mail.**
- **The petitioner / applicant is responsible for payment of the advertisement.**
- **If the application packet is incomplete, it may be returned to the applicant for resubmittal of a complete packet.**
- **A license cannot be issued until the applicant passes a joint Building and Fire Department inspection and is issued a Joint Inspection Certificate. The inspection fee is \$90.**

## **Related Licensing Paperwork**

*Business Certificate (D/B/A)* – Required for all license holders who will be doing business under another name

*Common Victualler's License* – Required for all establishments serving food or where food will be consumed on the premises

*Amusement / Entertainment License* – Required for all establishments that have automatic amusement devices, jukeboxes, dancing, or where music is played

**TOWN OF ANDOVER GENERAL LICENSE APPLICATION**

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TIME STAMP

2022 OCT -4 PM 3:17

TOWN OF ANDOVER, MASS

APPLICANT'S D/B/A: Matchplay Golf and Sports Lounge

APPLICANT NAME: MP Golf, LLC

APPLICANT'S ADDRESS: 209 N Main St Suite 60, Andover, MA 01810

APPLICANT'S TEL. NUMBER: [REDACTED]

CONTACT PERSON: Andrew Zappala

TELEPHONE: [REDACTED] E-MAIL: [REDACTED]

MAILING ADDRESS: [REDACTED]

\*\*\*\*\*

TYPE OF LICENSE: LIQUOR LICENSE - New Application

LOCATION OF LICENSE ACTIVITY: 209 N Main St Suite 60, Andover, MA 01810

APPLICATION/LICENSE FEE: \$125 FID/SS # [REDACTED]

DATE OF ACTIVITY N/A TIME from N/A to N/A

\*\*\*\*\*

*I certify under penalties of perjury, that the above information is true and that named applicant has complied with all laws of the commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.*

Signature: \_\_\_\_\_

\*\*\*\*\*

OFFICE USE ONLY      OFFICE USE ONLY      OFFICE USE ONLY      OFFICE USE ONLY

Date of log entry 10-19 By: APS License Board Hearing Date: \_\_\_\_\_

Prior Approval Required:	<u>DATE SENT:</u>	<u>DATE APPROVED</u>
Police Dept:	<u>10-19</u>	_____
Fire Dept:	<u>10-19</u>	_____
Building:	<u>10-19</u>	_____
Health:	<u>10-19</u>	_____
Treasurer:	<u>10-19</u>	_____

Add'l conditions for license: \_\_\_\_\_

**This license requires: (circle all that apply)**

Select Board Approval

Business Certificate

Letter of Clearance



**TOWN OF ANDOVER  
MASSACHUSETTS**

**Town Clerk's Office**  
Town Offices  
36 Bartlet Street  
Andover, MA 01810  
(978) 623-8230  
www.andoverma.gov

**JOINT INSPECTION REQUIREMENT FOR  
NEW ALCOHOLIC BEVERAGE LICENSES**

State law requires all applicants for new Section 12, on-premises, alcoholic beverage licenses to obtain a joint inspection certificate prior to receiving their new license from the Town Clerk's Office. The joint certificate will attest to the premises compliance with current state building and fire codes as well as attesting to the general safety of the buildings or structures. After a satisfactory inspection a Joint Inspection Certificate will be issued by the building department.

**Scheduling an Inspection:**

To schedule an inspection, please submit a completed "Application for Certificate of Inspection" form to the OFFICE OF THE INSPECTOR OF BUILDINGS, Andover Town Offices, 36 Bartlet Street, Andover, MA 01810. (The form is attached.) If you have questions about scheduling a joint inspection please call Gina Decareau in the Building Department at 978-623-8620.

For new premises, it is recommended that your application for the joint inspection coincide with the final certificate of occupancy inspection.

**Fees:**

The joint inspection fee is \$90. The \$90 fee shall be paid to the Town Clerk's Office at the time of application for the new license. *Please do not submit fees to the Building or Fire department.*

**Questions:**

*Licensing Issues* – please contact the Town Clerk's Office at 978-623-8230.

*Scheduling an Inspection* – please call Gina Decareau in the Building Department at 978-623-8620.

**ATTENTION**

Please be aware that this inspection is also a precondition for annual renewal of the license.



COMMONWEALTH OF MASSACHUSETTS

TOWN OF ANDOVER

Building Division – Fire Department

APPLICATION FOR CERTIFICATE OF INSPECTION

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2022 OCT -4 PM 3:17

Date 9/26/2022

In accordance with the provisions of MGL C 10, Section 74 and Massachusetts State Building Code, Section 110.7, I hereby apply for a Certificate of Inspection for the below-named premises located at the following address:

Name of Premises Matchplay Golf and Sports Lounge

Street and Number 209 N Main St Suite 60 Andover, MA 01810

Purpose for which Premises is used Golf Simulator Bar and Sports Lounge, Full food menu, and drink service

Certificate to be issued to MP Golf, LLC

Address 209 N Main St Suite 60 Andover, MA 01810 Tel. No. ( [REDACTED] )

Owner of Record of Building ExchangeRight Essential Income Strategy Properties 3, LLC

Address 1055 E. Colorado Blvd, Suite 310 Pasadena, CA 91106

[Signature]  
SIGNATURE OF PERSON TO WHOM  
CERTIFICATE IS ISSUED OR HIS  
AUTHORIZED AGENT

Andrew Zappala  
PRINT NAME  
Manager  
TITLE

TEL. NO. ( [REDACTED] ) E-MAIL ADDRESS [REDACTED]

Return this application to: OFFICE OF THE INSPECTOR OF BUILDINGS,  
Andover Town Offices, 36 Bartlet Street, Andover, Massachusetts 01810

Please Note:

Application shall be submitted for each building or structure or part thereof to be certified. The building official and fire official shall be notified within ten (10) days of any changes in the above information.

CERTIFICATE # \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_



Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
Telephone: (617) 727-3040  
Fax: (617) 727-1258

Timothy P. Cahill  
Treasurer and Receiver General

Kim S. Gainsboro  
Chairman

## ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY MANDATORY LIQUOR LIABILITY INSURANCE

On May 28, 2010 the legislature amended M.G.L. c. 138, §12 by requiring existing licensees and applicants for alcoholic beverages licenses issued under M.G.L. c. 138, §12, to have a **MINIMUM AMOUNT OF MANDATORY LIQUOR LIABILITY INSURANCE COVERAGE**. Effective August 26, 2010, no license under M.G.L. c. 138, §12 shall be issued or renewed until the applicant or licensee provides proof of mandatory insurance coverage by filing a certificate of insurance in a form acceptable to the local licensing authority ("LLA"). As a result, **applicants** for §12 licenses must provide proof of insurance coverage under a liquor legal liability insurance policy for bodily injury or death for a minimum amount of \$250,000 on account of injury to or death of 1 person, and \$500,000 on account of any 1 accident resulting in injury to or death of more than 1 person as a **condition to receive a license**. **Existing §12 licensees**, which include any entities wishing to transfer a license, must provide proof of insurance coverage under a liquor legal liability insurance policy for bodily injury or death for a minimum amount of \$250,000 on account of injury to or death of 1 person, and \$500,000 on account of any 1 accident resulting in injury to or death of more than 1 person as a **condition to renew a license**.

Although LLA's retain the discretion to set the amount of insurance coverage required pursuant to M.G.L. c. 138, §64A for §12 licensees that are repeat offenders in selling or serving alcoholic beverages to under-age or intoxicated individuals, they **DO NOT** have the discretion to increase the minimum amount of insurance coverage required by this new law. Moreover, LLA's should be aware that licensees have the ability to appeal an action of the LLA in requiring insurance pursuant to M.G.L. c. 138, §64A and that after hearing, the ABCC, retains the discretion to modify this amount pursuant to M.G.L. c. 138, § 67.

As a result of this amendment, the ABCC will be revising the renewal applications for calendar year 2011 to ensure compliance with this new LIQUOR LIABILITY INSURANCE law. Individuals with questions concerning this Advisory may contact the ABCC at 617-727-3040 x 31.

(Issued July 27, 2010)

**TAX FORM**

APPLICANT NAME: MP Golf, LLC

I certify under penalties of perjury that the above named applicant has complied with all laws of the commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

MP Golf, LLC

Signature of Individual or Corporate Name (Mandatory)



By: Corporate Officer (if corporation)

Social Security# (if individual)

██████████

Federal Identification Number (FID# if Corporation or Non Profit#)

*This license will not be issued unless the certification clause is signed by the applicant.*

*Your Social Security or FID number will be furnished to the Massachusetts Department of Revenue to determine if you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. General Laws C. 62c s.49A.*



The Commonwealth of Massachusetts  
 Department of Industrial Accidents  
 1 Congress Street, Suite 100  
 Boston, MA 02114-2017  
 www.mass.gov/dia

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TOWN OF ANDOVER, MASS

Workers' Compensation Insurance Affidavit: General Businesses.  
 TO BE FILED WITH THE PERMITTING AUTHORITY.

**Applicant Information**

**Please Print Legibly**

Business/Organization Name: MP Golf, LLC

Address: 209 N Main St Suite 60

City/State/Zip: Andover, MA 01810 Phone #: [REDACTED]

**Are you an employer? Check the appropriate box:**

1.  I am an employer with 12 employees (full and/or part-time).\*
2.  I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3.  We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]\*\*
4.  We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

**Business Type (required):**

5.  Retail
6.  Restaurant/Bar/Eating Establishment
7.  Office and/or Sales (incl. real estate, auto, etc.)
8.  Non-profit
9.  Entertainment
10.  Manufacturing
11.  Health Care
12.  Other \_\_\_\_\_

\*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

\*\*If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

**I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.**

Insurance Company Name: MA Retail Merchants WC Group Inc

Insurer's Address: PO Box 859222-9222

City/State/Zip: Braintree, MA 02185

Policy # or Self-ins. Lic. # 014005032882122 Expiration Date: 1/1/2023

**Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).**

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

**I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.**

Signature: [Signature] Date: 10/4/22

Phone #: 978-771-4016

**Official use only. Do not write in this area, to be completed by city or town official.**

City or Town: Andover Permit/License # \_\_\_\_\_

**Issuing Authority (circle one):**

1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board 5. Selectmen's Office  
 6. Other \_\_\_\_\_

Contact Person: Austin Simko, Town Clerk Phone #: 978-623-8230

# Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an *employee* is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An *employer* is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However, the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that "every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required." Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

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## Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply your insurance company's name, address and phone number along with a certificate of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. **Also be sure to sign and date the affidavit.** The affidavit should be returned to the city or town that the application for the permit or license is being requested, not the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

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## City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary). A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

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The Department's address, telephone and fax number:

The Commonwealth of Massachusetts  
Department of Industrial Accidents  
1 Congress Street  
Boston, MA 02114-2017  
Tel. # 617-727-4900 ext. 7406 or 1-877-MASSAFE  
Fax # 617-727-7749  
[www.mass.gov/dia](http://www.mass.gov/dia)



# TOWN OF ANDOVER

## TOWN CLERK'S OFFICE

36 Bartlet Street  
Andover, MA 01810  
978-623-8230  
[www.andoverma.gov](http://www.andoverma.gov)

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TOWN OF ANDOVER, MASS

## CRIMINAL OFFENDER RECORD INFORMATION (CORI) ACKNOWLEDGEMENT FORM

TO BE USED BY ORGANIZATIONS CONDUCTING CORI CHECKS FOR EMPLOYMENT, VOLUNTEER,  
SUBCONTRACTOR, LICENSING, AND HOUSING PURPOSES

**Town of Andover Town Clerk's Office** is registered under the provisions of M.G.L. c. 6, § 172 to receive CORI for the purpose of screening current and otherwise qualified prospective employees, subcontractors, volunteers, license applicants, current licensees, and applicants for the rental or lease of housing.

As a prospective or current employee, subcontractor, volunteer, license applicant, current licensee, or applicant for the rental or lease of housing, I understand that a CORI check will be submitted for my personal information to the Department of Criminal Justice Information Services (DCJIS). I hereby acknowledge and provide permission to Town of Andover Town Clerk's Office to submit a CORI check for my information to the DCJIS. This authorization is valid for one year from the date of my signature. I may withdraw this authorization at any time by providing Town of Andover Town Clerk's Office with written notice of my intent to withdraw consent to a CORI check.

**FOR EMPLOYMENT, VOLUNTEER, AND LICENSING PURPOSES ONLY:** The Town of Andover Town Clerk's/Andover Public Schools may conduct subsequent CORI checks within one year of the date this Form was signed by me provided, however, that Town of Andover/Andover Public Schools must first provide me with written notice of this check.

By signing below, I provide my consent to a CORI check and acknowledge that the information provided on Page 2 of this Acknowledgement Form is true and accurate.

  
\_\_\_\_\_  
SIGNATURE

10/4/22  
\_\_\_\_\_  
DATE

Your identity and signature must be verified by examining a government-issued identification in person

**\*All CORI forms must be returned, in person, along with your ID\***



# TOWN OF ANDOVER

## TOWN CLERK'S OFFICE

36 Bartlet Street  
Andover, MA 01810  
978-623-8230  
[www.andoverma.gov](http://www.andoverma.gov)

RECEIVED  
TOWN CLERK'S OFFICE

2022 OCT -4 PM 3:18

TOWN OF ANDOVER, MASS

### SUBJECT INFORMATION:

Zappala	Andrew	James	
_____	_____	_____	_____
Last Name	First Name	Middle Name	Suffix

Maiden Name (or other name(s) by which you have been known)

_____	Danvers, MA
_____	_____
Date of Birth	Place of Birth

Last Six Digits of Your Social Security Number (REQUIRED): \_\_\_\_\_

Sex: Male Height: 6 ft. 0 in. Eye Color: Hazel Race: Caucasian

Driver's License or ID Number: \_\_\_\_\_ State of Issue: MA

Deborah Ellen Kitchen	Todd Fred Zappala
_____	_____
Mother's Full / Maiden Name	Father's Full Name

### Current and Former Addresses:

_____			
_____	_____	_____	_____
Street Number & Name	City/Town	State	Zip

_____			
_____	_____	_____	_____
Street Number & Name	City/Town	State	Zip

The above information was verified by reviewing the following form(s) of government issued identification:

\_\_\_\_\_

\_\_\_\_\_

VERIFIED BY: Austi Simko

\_\_\_\_\_

Name of Verifying Employee (Please Print)

Austi Simko

\_\_\_\_\_

Signature of Verifying Employee



DATE: RECEIVED TOWN CLERK'S OFFICE

2022 OCT -4 PM 3:18

### Town of Andover

## CRIMINAL RECORD INFORMATION FORM TOWN OF ANDOVER, MASS

Managers, Directors, Stockholders, Officer and Others

NAME OF BUSINESS MP Golf, LLC

APPLICANT Andrew Zappala

ADDRESS [REDACTED]

OCCUPATION Manager

BIRTHPLACE Danvers, MA DATE OF BIRTH [REDACTED]

**If you have any record of misdemeanors including: drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace...and such offences were disposed of ten or more years prior to the filing of this application...you may be considered to have NO RECORD for the purpose of furnishing this department information as to your criminal record.**

I, Andrew Zappala, APPLICANT FOR A All Alcohol Pour LICENSE IN THE TOWN OF ANDOVER HEREBY STATE THAT I HAVE NOT BEEN CONVICTED FOR VIOLATION OF A STATE OR FEDERAL NARCOTIC LAW.

I DO HEREBY STATE THAT I HAVE NO RECORD OF CRIMINAL CONVICTIONS IN ANY STATE OR FEDERAL COURT EXCEPT THOSE LISTED AS FOLLOWS:  
N/A

I DO HEREBY STATE THAT I HAVE NO PENDING CRIMINAL CHARGES AGAINST ME FOR ANY CRIMINAL VIOLATIONS IN ANY STATE OR FEDERAL COURT EXCEPT THOSE LISTED AS FOLLOWS:  
N/A

SIGNED AND SUBSCRIBED TO UNDER THE PAINS AND PENALTIES OF PERJURY  
THIS 4th DAY, OF October, 2022,

Signature: [Handwritten Signature]

**Any statements contained herein found to be untrue shall be cause for the cancellation and/or revocation of any license granted to the applicant or corporation in which he is a principal or agent.**



RECEIVED  
TOWN CLERK'S OFFICE  
DATE: 10-4-22

2022 OCT -5 PM 1:12

**Town of Andover**  
**CRIMINAL RECORD INFORMATION FORM**

TOWN OF ANDOVER, MA 019

Managers, Directors, Stockholders, Officer and Others

NAME OF BUSINESS MP Golf LLC

APPLICANT Dylan Welsh

ADDRESS [REDACTED]

OCCUPATION Owner HawkEye Hospitality

BIRTHPLACE Saratoga Springs DATE OF BIRTH [REDACTED]

If you have any record of misdemeanors including: drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace...and such offences were disposed of ten or more years prior to the filing of this application...you may be considered to have NO RECORD for the purpose of furnishing this department information as to your criminal record.

I, Dylan Welsh, APPLICANT FOR A All Alcohol LICENSE IN THE TOWN OF ANDOVER HEREBY STATE THAT I HAVE NOT BEEN CONVICTED FOR VIOLATION OF A STATE OR FEDERAL NARCOTIC LAW.

I DO HEREBY STATE THAT I HAVE NO RECORD OF CRIMINAL CONVICTIONS IN ANY STATE OR FEDERAL COURT EXCEPT THOSE LISTED AS FOLLOWS:

I DO HEREBY STATE THAT I HAVE NO PENDING CRIMINAL CHARGES AGAINST ME FOR ANY CRIMINAL VIOLATIONS IN ANY STATE OR FEDERAL COURT EXCEPT THOSE LISTED AS FOLLOWS:

SIGNED AND SUBSCRIBED TO UNDER THE PAINS AND PENALTIES OF PERJURY  
THIS 4<sup>th</sup> DAY, OF October, 2022.

Signature: Dylan Welsh

Any statements contained herein found to be untrue shall be cause for the cancellation and/or revocation of any license granted to the applicant or corporation in which he is a principal or agent.



# TOWN OF ANDOVER

## TOWN CLERK'S OFFICE

36 Bartlet Street  
Andover, MA 01810  
978-623-8230  
[www.andoverma.gov](http://www.andoverma.gov)

RECEIVED  
TOWN CLERK'S OFFICE  
2022 OCT -5 PM 1:12

TOWN OF ANDOVER, MASS

### CRIMINAL OFFENDER RECORD INFORMATION (CORI) ACKNOWLEDGEMENT FORM

TO BE USED BY ORGANIZATIONS CONDUCTING CORI CHECKS FOR EMPLOYMENT, VOLUNTEER,  
SUBCONTRACTOR, LICENSING, AND HOUSING PURPOSES

Town of Andover Town Clerk's Office is registered under the provisions of M.G.L. c. 6, § 172 to receive CORI for the purpose of screening current and otherwise qualified prospective employees, subcontractors, volunteers, license applicants, current licensees, and applicants for the rental or lease of housing.


As a prospective or current employee, subcontractor, volunteer, license applicant, current licensee, or applicant for the rental or lease of housing, I understand that a CORI check will be submitted for my personal information to the Department of Criminal Justice Information Services (DCJIS). I hereby acknowledge and provide permission to Town of Andover Town Clerk's Office to submit a CORI check for my information to the DCJIS. This authorization is valid for one year from the date of my signature. I may withdraw this authorization at any time by providing Town of Andover Town Clerk's Office with written notice of my intent to withdraw consent to a CORI check.

FOR EMPLOYMENT, VOLUNTEER, AND LICENSING PURPOSES ONLY: The Town of Andover Town Clerk's/Andover Public Schools may conduct subsequent CORI checks within one year of the date this Form was signed by me provided, however, that Town of Andover/Andover Public Schools must first provide me with written notice of this check.

By signing below, I provide my consent to a CORI check and acknowledge that the information provided on Page 2 of this Acknowledgement Form is true and accurate.

SIGNATURE

DATE

  
\_\_\_\_\_

10-4-2022  
\_\_\_\_\_

Your identity and signature must be verified by examining a government-issued identification in person

\*All CORI forms must be returned, in person, along with your ID\*



# TOWN OF ANDOVER

## TOWN CLERK'S OFFICE

36 Bartlet Street  
Andover, MA 01810  
978-623-8230  
[www.andoverma.gov](http://www.andoverma.gov)

RECEIVED  
TOWN CLERK'S OFFICE

2022 OCT -5 PM 1:12

TOWN OF ANDOVER, MASS

### SUBJECT INFORMATION:

Welsh Dylan S  
Last Name First Name Middle Name Suffix

Maiden Name (or other name(s) by which you have been known)

[REDACTED]  
Date of Birth

Saratoga Springs  
Place of Birth

Last Six Digits of Your Social Security Number (REQUIRED): [REDACTED]

Sex: M Height: 6 ft. 5 in. Eye Color: Blue Race:

Driver's License or ID Number: [REDACTED] State of Issue: MA

Nancy Kearns Welsh  
Mother's Full / Maiden Name

David Scott Welsh  
Father's Full Name

### Current and Former Addresses:

[REDACTED]

The above information was verified by reviewing the following form(s) of government issued identification:

\_\_\_\_\_  
\_\_\_\_\_

VERIFIED BY:

Austin Simko  
Name of Verifying Employee (Please Print)

[Signature]  
Signature of Verifying Employee



# TOWN OF ANDOVER

## TOWN CLERK'S OFFICE

36 Bartlet Street  
Andover, MA 01810  
978-623-8230  
[www.andoverma.gov](http://www.andoverma.gov)

### CRIMINAL OFFENDER RECORD INFORMATION (CORI) ACKNOWLEDGEMENT FORM

TO BE USED BY ORGANIZATIONS CONDUCTING CORI CHECKS FOR EMPLOYMENT, VOLUNTEER,  
SUBCONTRACTOR, LICENSING, AND HOUSING PURPOSES

Town of Andover Town Clerk's Office is registered under the provisions of M.G.L. c. 6, § 172 to receive CORI for the purpose of screening current and otherwise qualified prospective employees, subcontractors, volunteers, license applicants, current licensees, and applicants for the rental or lease of housing.

As a prospective or current employee, subcontractor, volunteer, license applicant, current licensee, or applicant for the rental or lease of housing, I understand that a CORI check will be submitted for my personal information to the Department of Criminal Justice Information Services (DCJIS). I hereby acknowledge and provide permission to Town of Andover Town Clerk's Office to submit a CORI check for my information to the DCJIS. This authorization is valid for one year from the date of my signature. I may withdraw this authorization at any time by providing Town of Andover Town Clerk's Office with written notice of my intent to withdraw consent to a CORI check.

FOR EMPLOYMENT, VOLUNTEER, AND LICENSING PURPOSES ONLY: The Town of Andover Town Clerk's/Andover Public Schools may conduct subsequent CORI checks within one year of the date this Form was signed by me provided, however, that Town of Andover/Andover Public Schools must first provide me with written notice of this check.

By signing below, I provide my consent to a CORI check and acknowledge that the information provided on Page 2 of this Acknowledgement Form is true and accurate.

  
\_\_\_\_\_  
SIGNATURE

9/22/22  
\_\_\_\_\_  
DATE

Your identity and signature must be verified by examining a government-issued identification in person

\*All CORI forms must be returned, in person, along with your ID\*



DATE: 9/28/22 RECEIVED  
CLERK'S OFFICE

2022 OCT -4 PM 3:18

TOWN OF ANDOVER, MASS

**Town of Andover**  
**CRIMINAL RECORD INFORMATION FORM**

Managers, Directors, Stockholders, Officer and Others

NAME OF BUSINESS MP Golf LLC  
APPLICANT Henschel Bied  
ADDRESS [REDACTED]  
OCCUPATION Member  
BIRTHPLACE Brooklyn, NY DATE OF BIRTH [REDACTED]

If you have any record of misdemeanors including: drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace...and such offences were disposed of ten or more years prior to the filing of this application...you may be considered to have NO RECORD for the purpose of furnishing this department information as to your criminal record.

I, Henschel Bied, APPLICANT FOR A  
Liquor LICENSE IN THE TOWN OF  
ANDOVER HEREBY STATE THAT I HAVE NOT BEEN CONVICTED FOR VIOLATION  
OF A STATE OR FEDERAL NARCOTIC LAW.

I DO HEREBY STATE THAT I HAVE NO RECORD OF CRIMINAL CONVICTIONS IN  
ANY STATE OR FEDERAL COURT EXCEPT THOSE LISTED AS FOLLOWS:

\_\_\_\_\_  
\_\_\_\_\_

I DO HEREBY STATE THAT I HAVE NO PENDING CRIMINAL CHARGES AGAINST ME  
FOR ANY CRIMINAL VIOLATIONS IN ANY STATE OR FEDERAL COURT EXCEPT  
THOSE LISTED AS FOLLOWS:

\_\_\_\_\_  
\_\_\_\_\_

SIGNED AND SUBSCRIBED TO UNDER THE PAINS AND PENALTIES OF PERJURY  
THIS 28 DAY, OF September, 2022,

Signature: [Handwritten Signature] **SEE ATTACHED ALL PURPOSE  
ACKNOWLEDGEMENT  
FOR STATE OF NEVADA**

Any statements contained herein found to be untrue shall be cause for the cancellation  
and/or revocation of any license granted to the applicant or corporation in which he is a  
principal or agent.



# TOWN OF ANDOVER

## TOWN CLERK'S OFFICE

36 Bartlet Street  
Andover, MA 01810  
978-623-8230  
[www.andoverma.gov](http://www.andoverma.gov)

RECEIVED  
TOWN CLERK'S OFFICE

2022 OCT -4 PM 3:18

TOWN OF ANDOVER, MASS

### SUBJECT INFORMATION:

Bird Herschel N  
Last Name First Name Middle Name Suffix

Maiden Name (or other name(s) by which you have been known)

[REDACTED]  
Date of Birth

Brooklyn, NY  
Place of Birth

Last Six Digits of Your Social Security Number (REQUIRED): 36 - 5852

Sex: M Height: 6 ft. 2 in. Eye Color: Brown Race: W

Driver's License or ID Number: [REDACTED] State of Issue: MA

EONA Newman  
Mother's Full / Maiden Name

Bernard Bird  
Father's Full Name

### Current and Former Addresses:

Str [REDACTED]  
Str [REDACTED]

The above information was verified by reviewing the following form(s) of government issued identification:

\_\_\_\_\_  
\_\_\_\_\_

VERIFIED BY: Austin Simko  
Name of Verifying Employee (Please Print)  
Austin Simko  
Signature of Verifying Employee

ALL-PURPOSE ACKNOWLEDGMENT

State of Nevada

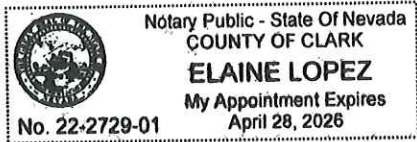
County of Clark

On September 28, 2022 before me, Elaine Lopez  
DATE NAME OF NOTARY PUBLIC

personally appeared Herschel Bird  
NAME(S) OF SIGNER(S)

personally known to me OR  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), an that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Place Notary Seal or Stamp Here

Elaine Lopez  
SIGNATURE OF NOTARY

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it may prove valuable to persons relying on this Acknowledgment and could prevent fraudulent reattachment of this certificate to another document.

DESCRIPTION OF ATTACHED DOCUMENT

THIS CERTIFICATE  
MUST BE ATTACHED  
TO THE DOCUMENT  
DESCRIBED AT RIGHT

Town of Andover Criminal Record Information Form  
TITLE OR TYPE OF DOCUMENT

1  
NUMBER OF PAGES

September 28, 2022  
DATE OF DOCUMENT

\_\_\_\_\_  
SIGNER(S) OTHER THAN NAMED ABOVE



**Utica First Insurance Company**

PO Box 851, Utica, NY 13503-0851

Telephone 800-456-4556

**SUMMARY**

MP Golf LLC  
MatchPlay Golf & Sports Lounge

209 Andover St  
Andover, MA 01810

**Policy Period:** 10/01/2022 - 10/01/2023

**Type of Policy:** Businessowners Policy (BOP)

**Class Description:** Restaurant

<b>Locations</b>	<b>Premium</b>
Location 1: 209 Andover St, Andover, MA 01810	\$8,871

**Terms and Conditions:**

Subject to favorable inspection  
Subject to acceptable loss history

**Total Proposed Premium Amount:** \$8,871.00

**Terrorism Coverage:** \$133

**Billing Plan Options**

Annual	25% down payment required
Semi-Annual	25% down payment required
4 Pay	25% down payment required
6 Pay	25% down payment required

Monthly EFT (must be recurring credit card or electronic fund withdrawal)  
15% down payment required

*The quotation requested should be considered an estimate and is subject to change based on changes in rates or any other item by jurisdictions that have control over such items. The quote is valid until the effective date of the policy.*



**Utica First Insurance Company**  
 PO Box 851, Utica, NY 13503-0851  
 Telephone 800-456-4556

**GENERAL LIABILITY COVERAGE**

	<b>Limit of Insurance</b>
Each Occurrence Limit	\$1,000,000
General Aggregate Limit - other than Products/Completed Work	\$2,000,000
Aggregate Limit - Products/Completed Work	\$2,000,000
Medical Payments Limit	\$5,000
Personal & Advertising Injury Limit	\$1,000,000
Fire Legal Liability Limit	\$250,000

**Liability Premium: \$1,939**

**Location Schedule**

**Location: 209 Andover St, Andover, MA 01810**

**Building #1**

Year Constructed: 1959  
 Construction: Non-Combustible  
 County: Essex  
 Protective Devices: Central Station, Sprinklered  
 Valuation: Replacement Cost

	<b>Limit</b>	<b>Premium</b>
Building Coverage	\$500,000	\$1,531
Business Personal Property	\$163,000	\$1,069
Loss of Income	Without Limit	Included
Property Deductible	\$3,000	

**OPTIONAL PROPERTY COVERAGE LIST**  
 (See Forms for Coverage Terms and Conditions)

<b>Coverage</b>	<b>Limit</b>	<b>Premium</b>
Backup of Sewer and Drains	\$25,000	\$209
Utility Service Disruption - Time Element	\$10,000	\$100
Money and Securities	\$5,000	\$165
Equipment Breakdown	See Form	\$406

### Package Endorsement

<b>APPETIZER 2</b>	<b>Premium:</b>
	<b>Limit</b>
	<b>\$440</b>
<b>Coverage</b>	
Accounts Receivable	\$10,000
Additional Debris Removal	\$5,000
Additional Expense	\$2,000
Backup of Sewers or Drains	\$10,000
Business Credit Card, Forgery, And Counterfeit Money	\$5,000
Business Property At Newly Acquired Locations	\$10,000
Computer Coverage	\$10,000
Credit Card Receipts Coverage	\$5,000
Demolition Coverage	\$5,000
Employee Dishonesty	\$10,000
Exterior Signs	\$5,000
Fire Legal Liability	\$250,000
Glass Coverage	\$5,000
Lock Replacement	\$1,000
Money And Securities	\$10,000
Refrigerated Food Products	\$25,000
Trees, Plants, And Shrubs	\$5,000
Utility Interruption	\$5,000
Utility Service Disruption Time Element Coverage	\$10,000
Valuable Papers And Records	\$10,000

<b>OPTIONAL LIABILITY COVERAGE LIST</b>	<b>Premium</b>
<i>(See Forms for Coverage Terms and Conditions)</i>	
Designated Person or Organization – Automatic Status	\$100
Employee Dishonesty	\$180
Liquor Legal Liability	\$1,900
Employment Practices Liability	\$173
Cyber Liability	\$407
Nonowned Hired Auto Liability	\$102
Third Party Violations	\$17

**ADDITIONAL PROPERTY COVERAGES (INCLUDED AT NO CHARGE)**

(See Forms for Coverage Terms and Conditions)

<b>Coverage</b>	<b>Limit</b>
Antennas, Fences, Or Signs	\$2,500/\$1,000
Counterfeit Money Or Money Orders	\$1,000
Debris Removal	25% of direct damage
Fire Department Service Charges	\$2,500
Forgery	\$2,500
Increased Cost - Ordinance or Law	\$10,000
Inventory and Appraisal Expenses	\$2,500
Limited Fungus And Related Perils	\$15,000
Lock and Key Replacement	\$10,000
Pollutant Clean Up And Removal	\$5,000
Recharge of Fire Extinguishing Equipment	\$5,000

**EXTENSIONS OF COVERAGE (INCLUDED AT NO CHARGE)**

(See Forms for Coverage Terms and Conditions)

<b>Coverage</b>	<b>Limit</b>
Building Property - Off Premises	\$5,000
Newly Acquired Buildings	\$250,000
Trees, Shrubs, And Plants	\$2,500/\$1,000
Accounts Receivable	\$10,000
Business Property - Newly Acquired	\$100,000
Business Property - Off Premises	\$10,000
Data Records And Programs	\$10,000
Personal Effects	\$2,500
Valuable Papers and Records	\$10,000
Signs Away From The Premises	\$2,000
Trees, Plants, And Shrubs	\$2,000
Utility Interruption	\$5,000
Valuable Papers And Records	\$25,000

**FORMS INVENTORY**
**POLICY FORMS**

BP 0662UF	06 12	Utility Service Disruption Time Element
BP 0333	01 04	Non owned Hired Auto Liability Coverage
BP 0605	01 04	Expanded Non owned Hired Auto Liability Coverage
BP 001	07 18	Equipment Breakdown Endorsement
CYBDN	1.0	Cyber Disclosure Notice
UFLL3	02 18	Liquor Liability Coverage Form
UCYBCOV	01 16	Cyber Liability Insurance
UCYBSD	01 16	Cyber Supplemental Declarations
UFBOPEPL	08 11	Employment Practices Liability Insurance Coverage Endorsement
MABOPEPL	08 11	Massachusetts Changes
UFBOPIRC	08 11	Identity Recovery Coverage
UFEPLSD	08 11	Commercial Employment Practices Liability Insurance Coverage Supplemental Declarations
BP 0432	12 20	Amendatory Endorsement Massachusetts
BP 0816	01 15	Policy Amendatory Endorsement
BP 0839	10 05	Asbestos Exclusion
BP 0868	06 12	Cross Liability Exclusion
BP 0676	06 12	Exclusion Fungus or Related Perils
BP 0678	01 04	Exclusion Exterior Insulation and Finish Systems
BP 0680	01 04	Exclusion Damage to Work Performed by Insured
BP 0736	01 04	Exclusion Abuse or Molestation
BP 0798	01 15	Exclusion Data Breach Liability
BP 0722	01 04	Punitive Damages Exclusion
BP 0838	10 05	Silica Exclusion
ML 0223	01 04	Lead Liability Exclusion
UA 504B	01 17	Protective Safeguard Endorsement
BP 0750	01 15	Certified Terrorism Loss
APPT2	2.0	Appetizer 2 Endorsement
BP 0200	06 12	Businessowners Special Policy
BP 0331	01 04	Protective Devices
BP 0330	06 12	Water Backup and Overflow Coverage
PRIV	04 01	Privacy Notice
CL 0605	01 15	Certified Terrorism Loss Disclosure of Premium and Federal Share of Insured Losses
CL 1045	01 15	Policyholder Disclosure Notice of Terrorism Insurance Coverage
BP 1841UF	04 14	Blanket Designated Person or Organization



*QUOTE ONLY*

To: Jim,

Date: 9/7/22

From: Jennifer Hawes

Commercial Lines Underwriter

Re: Umbrella for MATCHPLAY GOLF & SPORTS LOUNGE

---

Following is the price quote for our EXCESS Liability policy:

<u>Limit per Occurrence</u>	<u>Premium:</u>
\$1,000,000	\$1,377

**This quote is subject to risk meeting all underwriting guidelines. Should you wish to bind coverage the following conditions will apply:**

1. Utica First must write the underlying general liability
2. Coverage is provided on a following form basis
3. Liability provided is over BOP
4. Pricing is subject to the underlying liability premium
5. **We will require a signed Acord Umbrella applications.**

\*Please note, quote is good for 30 days, contingent upon risk being eligible and provides coverage over the BOP policy only\*

To bind coverage, please forward signed application to [cl@uticafirst.com](mailto:cl@uticafirst.com).

**QUOTATION**

Valid until November 05, 2022

**MA Retail Merchants WC Group Inc.**  
 PO Box 859222-9222  
 Braintree, MA 02185



For Period: September 07, 2022 to January 01, 2023

Quote Reference: 014000014288122

Division: 00000

Proposal Date: September 06, 2022

Rating State: MA

An Sabin  
 Pearl Suir Inc  
 1193 Cambridge Street  
 Cambridge, MA 02139

Class Code	Ext	Class Description	Rate	Payroll	Manual Premium
8810		Clerical Office Employees Noc ( 9/07/2022 - 1/01/2023)	.06	52,000.00	31
9079		Restaurant Noc ( 9/07/2022 - 1/01/2023)	.86	378,000.00	3,251

<b>Premium Breakdown</b>		Experience Modifiers:	
Manual Premium	3,282.00	Mod	Eff Dates
Rate Deviation	15.00% 492.00-		
Inc Limits: 500/500/500	1.000% 50.00+		
Subject Premium	2,840.00		
Standard Premium	2,840.00		
Normal Premium	2,840.00		
Expense Constant			
Domestic Terrorism	129.00+		
DIA Assessment	54.00+		
Estimated Premium	3,023.00		
Prorata Factor	.318 995.00		
		<b>Balance</b>	
		Premium	978.00
		DIA Assessment	1.650000% 17.00
		Expense Constant	
		Premium Paid	
		Balance	<u>995.00</u>

<b>Installments:</b>	
Due September 24, 2022	506.00
Due October 1, 2022	489.00

**Amount Due September 24, 2022 \$506.00**

Serviced by: Cove Risk Services, LLC  
 PO Box 859222-9222  
 Braintree, MA 02185  
 (800) 790-8877

Agent:  
 00936

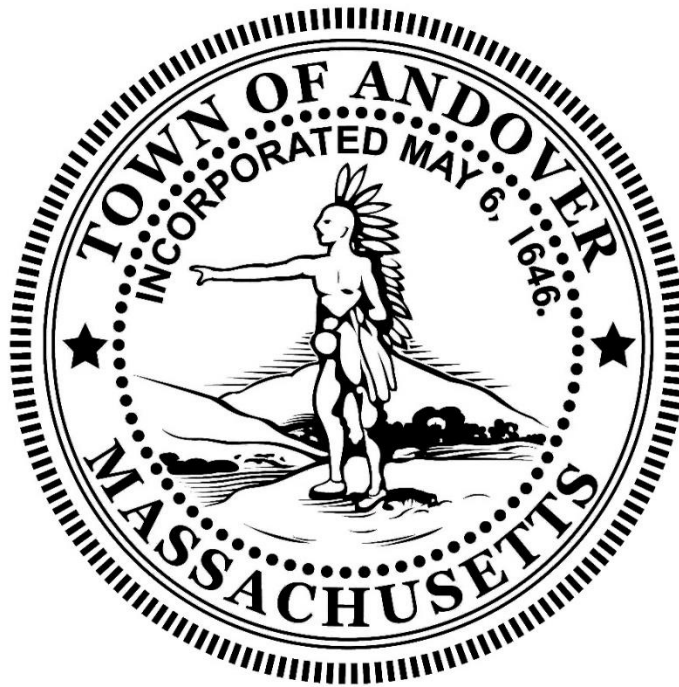
Malcolm & Parsons Insurance  
 Malcolm & Parsons Insurance Agency, Inc.  
 PO Box 527  
 Stoughton, MA 02092-0527  
 (781) 344-3200

SIGN: X \_\_\_\_\_

DATE: X \_\_\_\_\_

**Report of the  
Town Governance Study Committee**

**December 10, 2021**



---

**Committee Members**

S. Jon Stumpf, Chair  
Dara Epstein Obbard, Vice Chair  
Andrew McBrien, Clerk  
Paula Colby-Clements  
David Floreen  
Richard Fox  
Gail L. Ralston  
Aleksandra Stapczynski  
Austin Simko  
Sheila M. Doherty, Ex-Officio

The Committee recommends that articles that are directly linked by topic and substance be consolidated for discussion, albeit with separate votes, so Town Meeting can engage in deliberation that is not artificially compartmentalized by legal procedure. This will likely allow more thorough, holistic, and efficient deliberation.

### **Civil, Honest, and Efficient Debate at Town Meeting.**

Town Meeting deliberations should be honest, open, civil, and efficient (i.e., respectful of attendees' time). The Committee strongly supports the current practice wherein the Moderator asks each Town Meeting to affirm values contributing to civility. While a "code of conduct" is too prescriptive and difficult to enforce, actions that encourage proper discourse and decorum should be advanced.

### **Prohibit Events on Town & School Property During Town Meeting Sessions.**

Attending Town Meeting can be difficult for residents with families, work obligations, and myriad other competing commitments. It is beyond the power of government, and outside the scope of governance, to remove all of the barriers that prevent residents from attending Town Meeting. However, the Select Board and School Committee have the ability to preclude competing events on Town property during Town Meeting sessions.

The Committee recommends that the Select Board and School Committee, which have jurisdiction and control over the use of Town- and School-owned property, consider and take public input on precluding sports, theater, and other events on Town property during these relatively few hours each year. The Town should not "counter-program" its own legislature and make it harder for residents to do their civic duty.

If such a policy were adopted, it should be phased-in to give sufficient notice to community stakeholders.

### **Encourage Pre-Submission of Town Meeting Article Amendments.**

The Committee recommends that the Town strongly incentivize pre-submission of article amendments for review prior to Town Meeting. Under the Committee's suggested framework, article amendments would be submitted three business days before the first session of Town Meeting. This would allow for Town Counsel and committees to review and consider amendments before Town Meeting, thereby creating both efficiency, transparency, and "good legislating" effects. The proponents of pre-submitted amendments would be required to attend and present their amendments at Town Meeting notwithstanding their pre-submission of the amendments. Under this framework, amendments could, as is the current practice, be submitted on the floor of Town Meeting (in addition to the pre-submission of amendments).

As an alternative to fixed term limits, in order to give other residents the opportunity to serve on a board and provide a healthy degree of turnover, the Committee recommends that, when the Town Manager's Office notifies an incumbent member (usually in April of each year) that the member's term is ending, that member should be required to respond with a statement that the member wishes to continue to serve. The member should then be evaluated in the context of and in comparison to other applicants. This strikes an appropriate balance between retaining qualified, experienced, and enthusiastic volunteers with the understanding that no one is entitled to automatic reappointment and must demonstrate why they should retain their position. For practical expediency, the Committee does not suggest that an incumbent should necessarily be formally interviewed as part of this evaluation; this should be at the discretion of the appointing authority.

During the interviews of committee and board chairpersons and members, conducted by members of this Committee, many suggestions were made relating specifically to the various boards in question. Some of these could also be applied to other boards, such as a policy requiring an annual rotation of the chair of all committees. However, due to the fact that the full list of boards has different responsibilities requiring various levels of training, time needs, and individual outside commitments, the acknowledgment of these differences might be best served by the committee members themselves, perhaps during an annual assessment of the committee efficiency and ways to strengthen the procedure required by each of these valuable town bodies.

#### **ii. Communication.**

Efficient, effective, transparent and consistent communications are the foundation of every well-run organization, public or private. The Town has dedicated itself to building a robust communications network with its residents. Yet, almost from the outset of the Committee's research in the fall of 2019, at its in-person and virtual forums and in individual comments submitted by residents, a consistent thread was evident.

Many Andover residents strongly feel that there is a significant lack of awareness about basic Town government decisions and that residents simply do not know "what's going on." That perception, accurate or not, is not unique to Andover, as the local print news media in many communities, Andover included, has been in serious decline for a generation due to diminished advertising and subscription revenues. While this private sector challenge is clearly beyond the Committee's charge, addressing options for enhanced Town-resident communication was a high priority of the Committee.

The Town has made considerable strides to expand its communications with residents. The Town's website was redesigned in 2017. It now includes a 3-1-1 "Andover Central," a one-on-one response to resident needs. The Customer Service Center is a staffed customer service and information center, a one stop response to a resident's needs. The Town sends emailed "News Flashes" to any interested resident for an array of personally-selected topics, including advance notices of board meetings, agendas, forums, road closures, snow events, etc.

The Town's recent focus has been to integrate this comprehensive platform with the social media that are commonly used in most households today. With the help of a social media task force, the growth in Town use of social media has been remarkable.

Despite what many consider to be an industry-leading network, improved communications surfaced as an issue to be addressed in essentially every public forum conducted by the Committee. When asked to elaborate on their concerns, the residents expressed the following:

- How might the Town enhance awareness of recent and forthcoming events, meetings, government issues, etc.?
- What steps can be taken to modernize communications between the Town and its residents?
- Would Andover benefit from a robust non-governmental news gathering service organization?
- Does the Town have an obligation to enhance civic awareness of its residents? If yes, who would be responsible?
- What steps would be required to ensure that residents are properly consulted in projects and initiatives?

Further discussions among the Committee and additional public comment added the following perceived areas of improvement in Town-resident communication:

- Information is not received or available early in the decision-making process.
- Information is limited on the timing of when key decisions on major issues are being discussed and decided upon
- The absence of the reporting, debate and opinion sections of a responsible local newspaper was apparent to several.
- The absence of a "full debate" between supporters and opponents of any particular Town decision topic.
- The inability to discuss an issue with a "real person," Be they a Town employee, appointed or elected official, or Town Meeting warrant article proponent.
- The recording of many meetings and forums and their archiving is to be applauded. But once a recording is archived, it is sometimes difficult to identify the precise time in a long meeting when an issue was discussed without listening to the entire tape.

Each of these issues is discussed below with recommendations for improvement.

### **Enhanced Notification of Discussions and Decisions.**

The Town currently employs three calendars: the *Main Calendar*, the *Community Events, Programs Calendar* and the *School Calendar*. The Main Calendar identifies the Town's formal meetings with a link to the website home page. The Community Events and Programs Calendar contains all the events and programs planned in the next month. Content is provided by the Town, by not-for-profit organizations and by for-profit organizations sponsoring a charitable event. Residents can select all or part of the list of participating entities, thus tailoring their

monthly calendars to their respective interests. The School Calendar is of course focused on School Department events.

None of the calendars provide a clear notification of the issues to be discussed or decisions to be made in the ensuing month or two. A resident can get an indication of when an issue is going to be discussed only by manually tracking particular agendas and minutes. This tracking can be difficult, often consuming considerable time and effort and may require a laborious review of meeting minutes/meeting videos.

The Committee recommends that the Town prepare and distribute a bi-monthly summary of the issues/discussions/decisions planned for the ensuing month (called *Precis* for purposes of this report). These *Precis* would be informed by reports prepared by the boards, committees, commissions, task forces and project managers responsible for the topics and matters to be included in the *Precis*. Each summary, including actions taken or still pending, should be factual (i.e., without advocacy), three or four sentences at most, and distributed to all voters through the Town website, News Flash function, and social media. Voters should be able to tailor the monthly *Precis* to the topics of their choice. *Precis* should permit residents to easily unsubscribe. It may be advisable to integrate *Precis* with one or more of the existing calendars. *Precis* should contain a clear linkage to the relevant meeting agendas, meeting minutes, and archived videos.

The Town should adopt a standard format for the calendars and *Precis*, providing guidance to anyone submitting to the calendars and to *Precis*. The standard format should give clear guidance for the content as well as particular guidance on how to better “tag” all archived material to aid in retrieval

Also, The Town should dedicate a full-time staff person to coordinate the myriad efforts, current and new, around internal and external communication. While an additional full-time position is likely not feasible, reallocation of a current position for this purpose is important. This coordinator should report directly to the Town Manager’s Office. This is necessary given the size of the Town’s budget, the activity of the municipal organization, the expectations of an educated electorate, and the growing complexity of the community.

### **Modernize Communications.**

Several residents urged the Town to employ more modern technology and techniques to communicate with today’s households. In fact, the Town has focused much of its recent attention on the dissemination of information using social media: Facebook, Twitter, and Instagram. These efforts have been very successful. Since early 2020, social media accounts signed up to receive a variety of reports from Town have increased 77 percent. Subscribers to News Flashes<sup>24</sup> have doubled and routine posts range from 1,000-5,000 accounts; critical messages were posted to 10,000-15,000 accounts.

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<sup>24</sup> A “News Flash” is an email blast sent by the Town administration to subscribers on a myriad of topics, customized by each subscriber from a menu of subjects, ranging from public works road closures to Select Board agendas.

The development of Precis and improved “tagging” of archived information will further enhance the use of social media. The flexibility employed by the Town’s communication model permits the user to frame the content they wish to receive.

The Town’s adopted model also decentralizes site maintenance, thereby reducing the burden of preparing the Precis.

The Committee recommends that the Town continue to place a high priority on the expanded use of social media to disseminate critical information to town residents.

### **Non-governmental News Gathering Organization.**

Several residents commented on the absence of a robust news bulletin/newspaper independent of the Town that provides coverage of Town activities on a frequent basis. This news reporting provides residents with an on-going discussion of most major issues from an independent lens. Typically, these news organizations are for-profit entities. The for-profit news industry has been severely challenged by social media and on-line advertising and in many cases, newspapers are struggling to stay in business.

In response, several communities have encouraged the development of a non-governmental news gathering service that provides the desired third-party independence. Some of these organizations have the benefit of a local sponsor such as the Chamber of Commerce or the League of Women Voters. Others meet their expenses by a modest advertising stream. In some communities, residents have formed a local non-profit news provider that covers various town events and governing decision-making. It is important that such an enterprise not be sponsored by the Town. Independence is essential in such a service.

The Committee recommends that the community encourage the development of a non-governmental enterprise to gather news relevant to residents. There are several examples of such enterprises already in existence elsewhere around New England and the United States.

### **Enhancing Civic Awareness.**

Andover is a sought-after community because of its location, downtown, conservation land, high-quality education, and its reputation as a well-run community. As a result, many new families move into town each year. Often, these new residents have little or no exposure to Andover’s form of governance, i.e., Open Town Meeting. Therefore, it is in the Town’s interests to ensure that its electorate is well informed on matters of governance. Open Town Meeting is the purest form of democracy, but participation can be confusing.

Andover has enjoyed decades of successful growth using the Open Town Meeting form of governance. Much of this success is attributable to the hundreds of volunteer citizens who commit countless hours serving on boards and committees advising the Town’s leadership and legislature on matters of good government. It is imperative that Andover continue to encourage this outstanding resident engagement. An educated electorate is a participatory electorate.

The Committee recommends that Andover conduct a comprehensive civic education program. It should start with “Welcome to Andover” (OTM 101) module and follow with a more in-depth instruction of how Open Town Meeting works and how to participate. The Town is currently considering the development of a “Citizens Academy.” The Committee supports this initiative.

These latter modules may be integrated with the modules developed for the civics education now required of all Massachusetts high school students. Resources at Merrimack College may be very helpful in the development of adult learning modules.

### **Enhancing Residents’ Engagement in Projects & Initiatives.**

The Town has a model for enhancing resident engagement in key projects. That model should be proliferated and used in major Town initiatives.

When faced with the management of a large or complex capital building project, the Town forms a “Building Committee” to provide advice and outreach as the project moves forward. The “Building Committee” itself has representatives from several of the key project stakeholders. The Building Committee conducts a number of public forums to seek input from the community. A project portal is built with access granted to all. Elected officials are briefed of progress on a regular basis. Representatives of the principal Town administrative departments are appointed to the committee ex-officio to provide improved internal coordination.

There are dozens of projects and initiatives executed each year that do not include the aggressive outreach and communication efforts undertaken by a project with an assigned Building Committee. A sound outreach program for these projects is essential.

Including all of the projects in the Precis ensures that the decisions and status of all projects are conveyed to a large population of potential stakeholders. Employing the model that the Town has adopted for newsletters permits each resident to tailor their communications with the Town to only those projects/initiatives that the resident is interested in following. But the “push” attributes of Precis ensures that a broad base is notified.

### **In summary, the Committee recommends the following:**

1. The Town should dedicate a full-time staff person to coordinate the myriad efforts, current and new, around internal and external communication. While an additional full-time position is likely not feasible, reallocation of a current position for this purpose is important. This coordinator should report directly to the Town Manager’s Office. This is necessary given the size of the Town’s budget, the activity of the municipal organization, the expectations of an educated electorate, and the growing complexity of the community.
2. A regular digest, or Precis, should be provided to residents conveying information about the administration and public bodies. This resource would provide “tagged” information sources and should be customizable per resident interests (as the News Flash service is).

Public bodies should be required to submit information to this resource to ensure that it is not exclusively administration-focused and administration-driven.

3. Website videos of public body meetings should be “tagged” to allow residents to quickly and easily skip to portions of meetings that interest them.
4. New residents should be welcomed to Andover with information about our Open Town Meeting form of government.
5. A “Citizens Academy” should provide in-depth information to residents about different aspects of Andover’s government and civic system.
6. Civics information should be shared with residents through inserts included in excise tax bills.
7. Enhance content provided by social media, included “tagged” videos and minutes, etc.
8. More aggressively advertise the News Flash service.
9. Wherever possible, boards and committees should live-stream and broadcast their meetings, and take public comment from remote participants.
10. Encourage other stakeholders to explore the facilitation of a non-governmental news gathering operation. This entity may be a nonprofit organization or a public benefit corporation.

### **C. Tier Two Secondary Issues**

The Committee then turned to seven topics comprising tier two of its non-form of government study. This was the final chapter of the Committee’s study.

#### **i. Long-Term Financial Planning.**

The Committee investigated the Town’s processes for long-term, strategic, and financial planning. This included meeting with the Town’s Finance Director, Office of the Town Manager, and Finance Committee members. These conversations and public presentations touched upon the entire capital and operating budget process. Paramount to the Committee is that the Town’s governance facilitates prudent long-term planning that mitigates financial risks.

The Committee recommends that long-term, financially sustainable fiscal planning and forecasting be proposed by the Town Manager, who may consult with the Revenue & Expenditure Task Force, to the Select Board and used to inform the Capital Improvement Program, budget plan, and other fiscally relevant matters (e.g., land acquisitions). Such planning and forecasting should be done with a 10-year horizon and updated every five years. The plan should account for necessary fiscal expenditures, anticipated revenues, appropriate levels of indebtedness, etc.

## ii. Government Business Process.

The Committee investigated a range of topics related to how the Town's governance processes affect, positively and negatively, the ability of businesses to operate in Andover. The Committee spoke with Town staff in various departments and divisions and spoke with local businesses.

Much of the Town's business processes fall outside the scope of the Committee's charge. However, the Committee recommends that steps be taken to improve governance-related processes that impact Andover businesses. For example, to expedite the issuance of permits, special permits, variances, and licenses, we recommend that Town public bodies with respective jurisdictions coordinate their reviews and approvals to allow an efficient process that does not sacrifice thoroughness, diligence, compliance with the law, and protection of the community's interests. By operating with an understanding of the larger regulatory context, public bodies can help businesses that often face challenges to acquire the municipal permissions needed to thrive and serve the community.

Also, the Town should enhance communication with and education of businesses about the municipal regulatory framework. Often, businesses, particularly small ones, do not understand the land use permissions granted, the inter-departmental review process, Town Meeting's role and procedures, the role of advisory boards (e.g., the Design Review Board) vs. permit-granting boards (the Zoning Board of Appeals), et cetera. The Town's Community Development & Planning Department, Town Clerk's Office, and Director of Business, Arts & Culture are resources to help educate businesses on how to navigate local government.

We further recommend that the Town Manager or his/her designee periodically report to the Select Board, not less than once every two years, on the state of and improvements to the Town's business processes.

Other improvements are, generally, either outside the purview of the Committee or are already being implemented in Andover.

## iii. The Timing of Annual Town Elections.

The Committee noted that the status quo practice of holding Annual Town Elections on the fourth Tuesday in March and Town Meeting in early May presents challenges to the governance system. In particular, new officials elected to their seats in March have very little time before Town Meeting to apprise themselves of complex budget, zoning, and bylaw articles that will be decided at the May Annual Town Meeting. And, even when newly elected officials educate themselves, they nonetheless represent different political actors than the ones who led the multi-month process culminating in the imminent Town Meeting.

The Committee discussed whether to change the order and timing in which the Annual Town Election and Annual Town Meeting take place each year. The Committee considered three

**DETERMINATION OF BORROWING  
COVERED BY DEBT EXCLUSION**

G.L. c. 59, §21C(k)

APPLICATION FROM CITY/TOWN OF Andover

Application Date November 5, 2009

Email Form to:  
Deborah A. Wagner  
Director of Accounts  
wagnerd@dor.state.ma.us

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**INSTRUCTIONS:** Provide ALL information requested.

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**A. AUTHORIZED SIGNATURES.** Must be signed by city council president and mayor or city manager or majority of the selectboard. Signature certifies that all information is true and correct.

Name	Title	Date

**B. CONTACT.** Provide name and telephone number of person to contact if additional information is needed to process this application.

*Andrew Flanagan, Town Manager 978-689-8210*

**YOU MUST ALSO COMPLETE SECTIONS C, D AND E**

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**DOR USE ONLY**

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**FOR COMMISSIONER OF REVENUE**

Base exclusion:

\$ \_\_\_\_\_

\_\_\_\_\_  
Director of Accounts

Additional debt approved:

\$ \_\_\_\_\_

Date: \_\_\_\_\_

Total debt covered by debt exclusion:

\$ \_\_\_\_\_

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**C. DEBT EXCLUSION.** Answer the following questions and attach a certified copy of the referendum vote.

1. When did voters approve the debt exclusion? 6 / 15 / 2021
2. At the time of that election, how much did voters expect the project(s) described in the exclusion to cost? If the exclusion covers debt issued by a regional district, state district-wide cost, not city/town share. \$ 151,461,928
3. What was the basis for that expectation?
  - Borrowing voted before election
  - If yes, was borrowing voted *expressly* contingent upon passage of debt exclusion in accordance with G.L. Ch. 59 §21(m)?
  - Yes                       No
  - Borrowing scheduled for vote after election
  - Other. Specify:

**D. DEBT AUTHORIZATIONS.** List in chronological order all authorized/proposed debt for same purpose(s) as the debt exclusion. If the exclusion covers debt issued by a regional district, list debt authorized/proposed by the district, not city/town share.

	<u>Date Authorized/Proposed</u>	<u>Amount Authorized/Proposed</u>
1.	<u>6 / 15 / 2021</u>	\$ <u>151,461,928</u>
2.	<u>12 / 1 / 2022</u>	\$ <u>16,496,784</u>
3.	<u>      /      /      </u>	\$ <u>                          </u>
<b><u>TOTAL DEBT AUTHORIZED/PROPOSED</u></b>		\$ <u>168,158,752</u>

*Continue list on attachment, in same format, as necessary.*

**E. EXCLUSION COVERAGE.** Please provide a copy of the following documents:

1. The architect's, cost estimator's or OPM's report which details the following:
  - a) A letter from the architect, cost estimator or OPM detailing the circumstances for the cost increase;
  - b) A report showing original project costs by major category at the time of the original debt exclusion voted with revised costs by major category. The variance should approximate the requested increase amount;
  - c) An analysis of inflationary circumstances currently impacting the project cost;
  - d) A statement from the architect, cost estimator or OPM indicating that the cost increase is not related to a change in scope from the project originally approved by the electorate at the time the debt exclusion was approved; and
  - e) A statement from the architect, cost estimator or OPM detailing any changes made since the project was originally approved to reduce the cost of the same.
2. A certified copy attached of the vote taken by the council with mayor or city manager assent, if applicable, or selectboard in public session, indicating acceptance of the architect's, cost estimator's or owner's project manager's (OPM) report.

I attest that we accept the architect, cost estimator or OPM's report detailing the categories and reasons for project cost increases. I further attest that the increased project costs are not related to project scope changes.

\_\_\_\_\_  
Chair, Selectboard/Council President

Date

**ELECTION RESULTS FOR SPECIAL TOWN ELECTION - ANDOVER MASSACHUSETTS  
15-Jun-21**

<b>PRECINCTS:</b>	<b>P-1</b>	<b>P-2</b>	<b>P-3</b>	<b>P-4</b>	<b>P-5</b>	<b>P-6</b>	<b>P-7/7A</b>	<b>P-8</b>	<b>P-9</b>	<b>TOTALS</b>
<b>BALLOT QUESTION NO. 1 - Pension Obligation Bonds</b>										
YES	164	244	198	200	182	108	111	183	189	1579
NO	49	81	84	93	106	53	57	58	87	668
Blanks	4	9	7	8	3	1	4	7	12	55
Totals	217	334	289	301	291	162	172	248	288	2302

<b>BALLOT QUESTION NO. 2 - West Elementary School and Shawsheen Pre-K School</b>										
YES	174	285	232	245	209	115	119	185	232	1796
NO	43	48	57	56	82	47	52	63	56	504
Blanks	0	1	0	0	0	0	1	0	0	2
Totals	217	334	289	301	291	162	172	248	288	2302

A true record  
ATTEST

Austin P. Simko  
Town Clerk



## Town of Andover

### Town Clerk's Office

36 Bartlet Street

Andover, MA 01810

978-623-8230

[townclerk@andoverma.us](mailto:townclerk@andoverma.us)

Austin P. Simko,  
Town Clerk

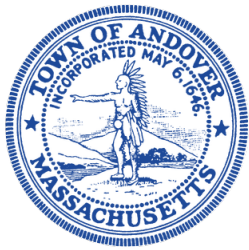
October 24, 2022

#### **TO WHOM IT MAY CONCERN:**

This is to certify that at the first and only session of the Annual Town Meeting of the Inhabitants of the Town of Andover held on June 5, 2021, the following Article and VOTE was taken thereon, to wit:

#### **ARTICLE 15. West Elementary School Design and Construction**

Upon motion made and duly seconded it was VOTED that the Town of Andover raise and appropriate the amount of One Hundred Fifty One Million Six Hundred Sixty One Thousand, Nine Hundred and Sixty Eight \$151,661,968 Dollars for the purpose of paying costs for the construction of a new Pre-K to Five West Elementary School, located at 58 Beacon Street, Andover, Massachusetts, inclusive of abatement and demolition of the existing school structures on said property, new parking lots, multi-purpose fields, and including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the Town of Andover may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the West Elementary School Building Committee . To meet this appropriation, the Town Treasurer, is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority. The Town of Andover acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town of Andover incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of Andover; provided further that any grant that Town of Andover may receive from the MSBA for the Project shall not exceed the lesser of (1) 45.85 percent (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts



Andrew P. Flanagan  
*Town Manager*

# TOWN OF ANDOVER

Town Manager's Office  
36 Bartlet Street  
Andover, MA 01810  
(978) 623-8210  
[www.andoverma.gov](http://www.andoverma.gov)

November 8, 2022

BY EMAIL

Ms. Deborah A. Wagner, Director of Accounts  
Massachusetts Department of Revenue  
Division of Local Services – Bureau of Accounts  
[WagnerD@dor.state.ma.us](mailto:WagnerD@dor.state.ma.us)

Dear Ms. Wagner:

Attached to this letter is a DE-2 Application and supporting reports and documents related to the Town of Andover's West Elementary/Shawsheen Pre-School Building Project. This school building project has incurred project cost increases related to inflation, the labor market, supply chain challenges, and ongoing international conflict. The Town of Andover respectfully submits this application and requests that the Department of Revenue determine that the additional borrowing to complete this project is covered by the original debt exclusion.

The West Elementary/Shawsheen Pre-School is a project in partnership with the Massachusetts School Building Authority and received Town Meeting and ballot box approval in June of 2021. The project has been carefully managed to mitigate taxpayer impact through value engineering and key design decisions to accommodate both the needs of the school district and the cost to the community. At the 90% design phase in May of 2022, professional estimators projected a project deficit of \$5.5M. At that time, significant value engineering was undertaken, project budget areas were adjusted, and the construction contingency was partially used to cover the estimated deficit.

Not unlike other public school construction projects currently in the same phase, the bid process resulted in an additional unexpected project deficit. The town is seeking Town Meeting approval on December 1, 2022, for an additional borrowing authorization. This will increase the authorization for this project from \$151,661,968 to \$168,158,752.

The Town is in the process of conducting a series of public information sessions to inform voters about the changes in market conditions, bid results, and to provide project updates. This process has allowed voters to learn more about the project and has created a dialogue that we feel will ultimately lead to a more comprehensive presentation to Town Meeting voters. The Select Board, School Committee, Finance Committee, and West Elementary Building Committee have also discussed this project and the related cost increases at their meetings and have all voted unanimously to recommend approval of the additional borrowing authorization at Town Meeting.

Based on the information provided in the supporting reports, we believe that market conditions have been the sole factor in the project cost increases, and therefore the additional borrowing should be covered by the exclusion vote taken on June 15, 2021. We would respectfully request a determination from you prior to December 1, 2022, the date of the Special Town Meeting.

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "A. Flanagan". The signature is fluid and cursive, with the first letter of the first name being a large, stylized capital 'A'.

Andrew P. Flanagan  
Town Manager

# West Elementary & Shawsheen Preschool Department of Revenue Report

This report provides an explanation detailing the circumstances of the cost increases that have occurred related to the West Elementary & Shawsheen Preschool building project, located in Andover Massachusetts. As part of this report, we have outlined our budget, mitigation of the project costs to stay within budget, and what our team has encountered as part of our bidding process.

This project is being managed utilizing the Construction Manager at Risk method (MGL 149A). The project team contributing to this report, includes Gilbane Building Company (Construction Manager), SMMA (Designer), PMA Consultants (Owners Project Manager), the Town of Andover (Owner) and AM Fogarty (Designer's Cost Estimator).

The team received fifteen trade filed sub bids and has awarded seven out of the fifteen to keep the project moving forward. The Town has secured agreements with the remaining eight filed sub bidders to hold pricing until December 31, 2022. We are currently in the process of working with Gilbane Building Company to review and refine the remaining non-trade packages.

As the result of the bidding process, we are currently estimating that the project is over budget by \$16,496,784. A special town meeting to vote an additional appropriation has been scheduled for December 1, 2022. This report supports our claim that unforeseen economic conditions are the cause of the overage. There have been no changes in the scope of the project. We are requesting that the Department of Revenue consider the new borrowing authorization, if approved at the December 1, 2022 Special Town Meeting, as within the scope of the original debt exclusion vote taken June 15, 2021.

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## **Topic #1 - A letter from the Architect, cost estimator or OPM detailing the circumstances of the cost increase**

### **Response -**

Below is a statement from the cost estimator AM Fogarty who is contracted under SMMA, the project designer. In their statement, AM Fogarty details the circumstances of the cost increase we have experienced since their initial cost estimate provided in January, 2021 during Schematic Design. Escalation was included as part of each estimate for both construction and design. While escalation was incorporated throughout the estimating process, most bids received still trended over budget, resulting in a deficit.

**A.M. Fogarty**  
& Assoc., Inc.

175 Derby St., Suite 5, Hingham, MA 02043  
TEL: (781) 749-7272 FAX: (781) 740-2652  
ptim@amfogarty.com

"Construction Cost Consultants"

October 4, 2022

Brain DeFilippis  
PMA Consultants  
35 Braintree Hill Office Park, Suite 300  
Braintree, MA 02184

RE: West Elementary School, Andover, MA – Bid Review

Dear Mr. DeFilippis,

A.M. Fogarty was hired by SMMA Architects to provide cost estimating services for the duration of the design phase for the Town of Andover's new West Elementary School. Our first cost estimate was for Schematic Design in January of 2021. At this time construction cost were stable and predictable at that time and the yearly construction escalation rate of 4% per year.

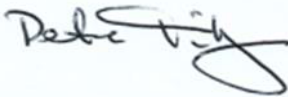
Our Design Development estimate was prepared in September of 2021. At that time, we were starting to see increases in construction cost indicating yearly escalation might be escalating to 5% - 6%. Our initial DD estimate was higher than the budget which resulted in incorporating value management and cost savings scope into the design of the project.

By the time we started our 60% Cost estimate we were seeing significant increase in construction cost. Trades that were dramatically increasing were roofing cost up 60%, electrical up 35% and mechanical trade costs up 20%. The increases were in large part due to supply issue, lack of available materials and manufacturers only able to guarantee material pricing for 30 days. We again increased our unit cost and further cost savings efforts were required to adjust the project scope to budget.

Our final 90% estimate was prepared April 2022. At this point we were seeing construction cost again rising at an alarming rate and yearly escalation was approaching 12%.

Filed sub bids were received August of 2022. The bids collectively were 12% over our budget estimate. Most trades were at the highest cost per square foot that we have tracked to date. We understand the main reason for these increases are resulting from subcontractors having to carry their own material escalation costs since manufacturers typically are not guaranteeing material cost for an extended period.

Sincerely,



Peter T. Timothy  
President


PTT/bkr

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**Topic #2 - A report showing original project costs by major category at the time of the original debt exclusion vote with revised costs by major category (the variance should approximate the requested increase amount)**

**Response -**

Below please find a table comparing the approved project costs by major categories at the time of the debt exclusion vote on July 15, 2021, in the amount of \$151,661,968 compared to our current project budget after bidding in the amount of \$168,158,752. This represents a project cost increase of \$16,496,784.

 PMA Consultants	West Elementary & Shawsheen PreSchool	7/15/2021	10/27/2022	Cost Variances
		Estimated Budget	Estimated Budget	
<b>Feasibility Study Agreement</b>				
OPM Feasibility Study		\$ 335,101	\$ 335,101	\$ -
A&E Feasibility Study		\$ 700,000	\$ 700,000	\$ -
Environmental & Site		\$ 124,230	\$ 124,230	\$ -
Other		\$ 40,669	\$ 40,669	\$ -
<b>Feasibility Study Agreement Subtotal</b>		<b>\$ 1,200,000</b>	<b>\$ 1,200,000</b>	<b>\$ -</b>
<b>Administration</b>				
Legal Fees		\$ 10,000	\$ 10,000	\$ -
Owner's Project Manager				
Design Development		\$ 171,299	\$ 171,299	\$ -
Construction Contract Documents		\$ 308,628	\$ 308,628	\$ -
Bidding		\$ 9,545	\$ 9,545	\$ -
Construction Contract Administration		\$ 3,178,363	\$ 3,178,363	\$ -
Closeout		\$ 167,282	\$ 167,282	\$ -
Extra Services		\$ -	\$ -	\$ -
Reimbursable & Other Services		\$ -	\$ -	\$ -
Cost Estimates		\$ 112,000	\$ 112,000	\$ -
Advertising		\$ 10,000	\$ 10,000	\$ -
Permitting		\$ -	\$ -	\$ -
Owner's Insurance		\$ 150,000	\$ -	\$ (150,000)
Other Administrative Costs		\$ 100,000	\$ 100,000	\$ -
<b>Administration Subtotal</b>		<b>\$ 4,217,117</b>	<b>\$ 4,067,117</b>	<b>\$ (150,000)</b>
<b>Architecture and Engineering</b>				
<b>Basic Services</b>				
Design Development		\$ 2,415,000	\$ 2,415,000	\$ -
Construction Contract Documents		\$ 4,800,000	\$ 4,800,000	\$ -
Bidding		\$ 500,000	\$ 500,000	\$ -
Construction Contract Administration		\$ 3,000,000	\$ 3,000,000	\$ -
Closeout		\$ 500,000	\$ 500,000	\$ -
Other Basic Services		\$ -	\$ -	\$ -
<b>Basic Services Subtotal</b>		<b>\$ 11,215,000</b>	<b>\$ 11,215,000</b>	<b>\$ -</b>
<b>Reimbursable Services</b>				
Construction Testing		\$ -	\$ -	\$ -
Printing (over minimum)		\$ -	\$ -	\$ -
Other Reimbursable Costs		\$ 100,000	\$ 100,000	\$ -
Hazardous Materials		\$ 55,000	\$ 55,000	\$ -
Geotechnical & Geo-Environmental		\$ 625,000	\$ 625,000	\$ -
Site Survey		\$ 40,000	\$ 40,000	\$ -
Wetlands		\$ 15,000	\$ 15,000	\$ -
Traffic Studies		\$ 45,000	\$ 45,000	\$ -
<b>Architectural/Engineering Subtotal</b>		<b>\$ 12,095,000</b>	<b>\$ 12,095,000</b>	<b>\$ -</b>
<b>CM at Risk Preconstruction Services</b>				
Pre-Construction Services		\$ 400,000	\$ 250,000	\$ (150,000)
<b>Trade &amp; Sub-Trade Costs</b>				
Demolition & Abatement		\$ 1,512,755	\$ 1,353,001	\$ (159,754)
Concrete Foundations & Building Slabs		\$ 4,650,588	\$ 4,302,628	\$ (347,962)
Polished Concrete		\$ -	\$ -	\$ -
Masonry		\$ 2,578,759	\$ 5,270,000	\$ 2,691,241
Structural Steel		\$ 6,519,433	\$ 8,027,331	\$ 1,507,898
Misc Metals		\$ 1,331,812	\$ 1,797,540	\$ 465,728
Millwork & Casework		\$ 2,520,023	\$ 5,645,002	\$ 3,124,979
Waterproofing		\$ 331,360	\$ 621,900	\$ 290,540
Roofing		\$ 2,902,528	\$ 3,973,000	\$ 1,070,472
Metal Panels		\$ 3,878,270	\$ 2,757,354	\$ (1,120,916)
Spray Fireproofing		\$ 707,954	\$ 840,703	\$ 132,749
Air Barriers		\$ 950,508	\$ 1,264,181	\$ 313,673
Doors, Frames, & Hardware		\$ 1,692,660	\$ 1,553,102	\$ (139,558)

Special Doors	\$ -	\$ 91,523	\$ 91,523
Metal Windows	\$ 3,950,913	\$ 4,625,788	\$ 674,875
Interior Glass & Glazing	\$ 438,108	\$ 578,650	\$ 140,544
General Trades	\$ 8,041,785	\$ 11,239,002	\$ 3,197,217
Tiling	\$ 1,214,731	\$ 1,467,850	\$ 253,119
Acoustical Ceilings	\$ 1,885,582	\$ 1,537,680	\$ (347,902)
Resilient Flooring	\$ 1,085,324	\$ 1,116,572	\$ 31,248
Wood Flooring	\$ 148,851	\$ 227,570	\$ 78,719
Terrazzo	\$ 508,160	\$ 593,464	\$ 85,304
Resinous Flooring	\$ 127,996	\$ 313,002	\$ 185,006
Carpeting	\$ 72,451	\$ 103,002	\$ 30,551
Painting	\$ 509,015	\$ 585,000	\$ 75,985
Specialties	\$ 762,252	\$ 547,902	\$ (214,350)
Signage	\$ 146,850	\$ 248,907	\$ 102,257
Operable Partitions	\$ 553,799	\$ 512,316	\$ (41,483)
Food Service Equipment	\$ 448,500	\$ 895,946	\$ 447,446
Gym Equipment	\$ 242,250	\$ 316,022	\$ 73,772
Athletic Equipment	\$ -	\$ 536,365	\$ 536,365
Window Treatments	\$ 193,341	\$ 275,416	\$ 82,075
Greenhouses	\$ 41,875	\$ 118,590	\$ 76,715
Elevators	\$ 523,111	\$ 624,000	\$ 100,889
Fire Protection	\$ 1,061,730	\$ 1,496,275	\$ 434,545
Plumbing	\$ 3,200,662	\$ 5,533,000	\$ 2,332,338
HVAC	\$ 9,821,522	\$ 10,880,000	\$ 1,058,478
Electrical	\$ 8,656,925	\$ 12,555,000	\$ 3,898,075
Site Enabling	\$ 2,168,780	\$ 819,928	\$ (1,348,852)
Site Work	\$ 6,064,337	\$ 12,441,872	\$ 6,377,535
Site Improvements & Landscaping	\$ 2,527,091	\$ 3,134,199	\$ 607,108
Synthetic Turf Field	\$ 1,371,054	\$ 2,798,253	\$ 1,427,199
Site Concrete	\$ 837,267	\$ 2,580,002	\$ 1,742,735
GMP Holds/Allowances	\$ -	\$ 1,012,000	\$ 1,012,000
<b>Construction Cost</b>	<b>\$ 86,180,710</b>	<b>\$ 117,210,836</b>	<b>\$ 31,030,126</b>
Design & Pricing Contingency	\$ 8,618,959	\$ -	\$ (8,618,959)
Escalation	\$ 5,688,513	\$ -	\$ (5,688,513)
Sub-Contractor Bonds	\$ -	\$ 826,373	\$ 826,373
Performance Bond	\$ 1,112,093	\$ 941,395	\$ (170,698)
General Conditions	\$ 10,712,283	\$ 8,299,525	\$ (2,412,758)
GMP Insurance	\$ 1,123,214	\$ 3,903,294	\$ 2,780,080
GMP Fee	\$ 2,836,116	\$ 2,301,726	\$ (534,390)
GMP Contingency	\$ 2,907,019	\$ 2,950,930	\$ 43,911
<b>Project Budget</b>	<b>\$ 119,178,907</b>	<b>\$ 136,434,079</b>	<b>\$ 17,255,172</b>
Miscellaneous Project Costs			
Utility Company Fees	\$ 150,000	\$ 150,000	\$ -
Testing Services	\$ 300,000	\$ 300,000	\$ -
Swing Space / Modulares	\$ -	\$ -	\$ -
Other Project Costs (Mailing & Moving)	\$ 300,000	\$ 100,000	\$ (200,000)
<b>Misc. Project Costs Subtotal</b>	<b>\$ 750,000</b>	<b>\$ 550,000</b>	<b>\$ (200,000)</b>
Furnishings and Equipment			
Furniture, Fixtures, and Equipment	\$ 1,665,000	\$ 1,665,000	\$ -
Technology	\$ 1,665,000	\$ 1,665,000	\$ -
<b>FF&amp;E Subtotal</b>	<b>\$ 3,330,000</b>	<b>\$ 3,330,000</b>	<b>\$ -</b>
<b>Total Project Budget (Excluding Contingencies)</b>	<b>\$ 141,171,024</b>	<b>\$ 157,926,196</b>	<b>\$ 16,755,172</b>
Total Construction Contingency (New Contingency at 6.5%)	\$ 9,534,313	\$ 8,868,215	\$ (666,098)
Total Owner's Contingency	\$ 956,831	\$ 1,364,341	\$ 407,710
<b>Updated Total Project Budget</b>	<b>\$ 151,661,968</b>	<b>\$ 168,158,752</b>	<b>\$ 16,496,784</b>

**The Town is seeking an additional appropriation of \$16,496,784**

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### Topic #3 - An analysis of inflationary circumstances currently impacting the project cost

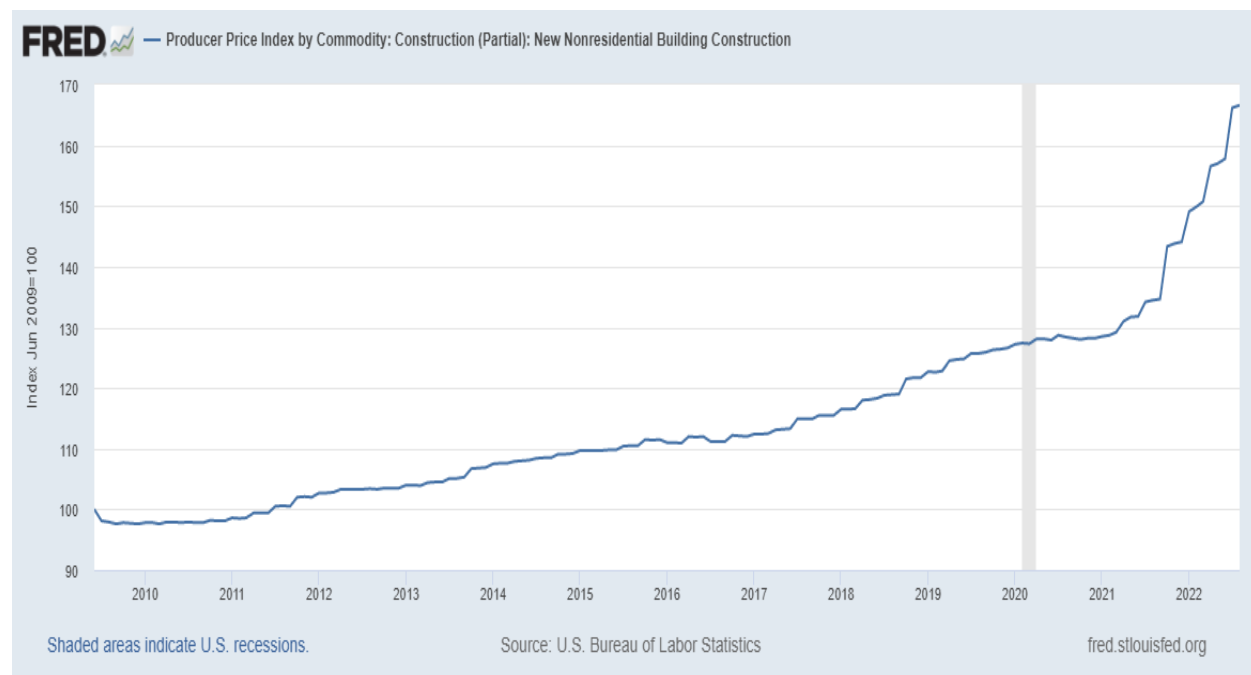
#### Response –

The two graphs shown below illustrate the inflationary circumstances currently impacting our project costs. Some issues contributing to our cost increases include labor shortages, material shortages, supply chain issues and fuel costs. Despite these cost increases the demand for construction materials continues to rise.

#### **Producer Price Index for New Non-Residential Construction**

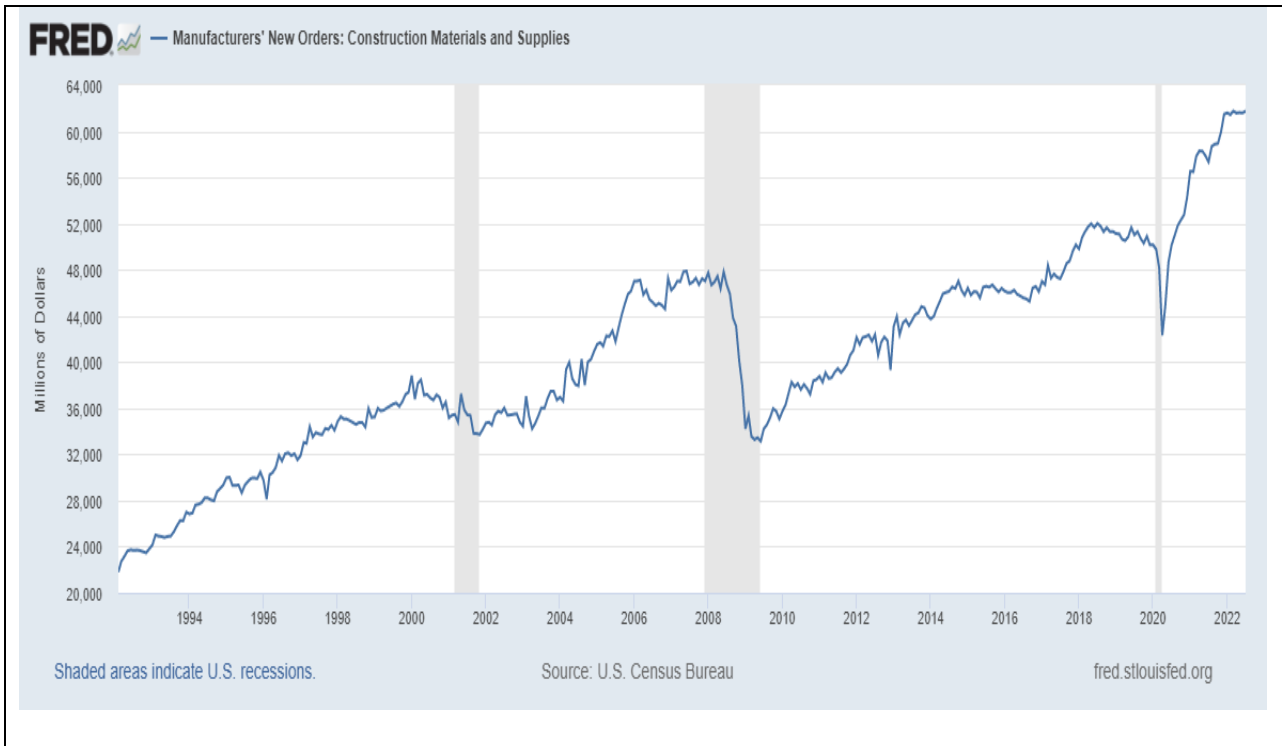
From June 2009 to June 2021, this index increased by 31.8%, or 2.32% annually.

From June 2021 to August 2022, this index increased by 26.4%, or 1.70% monthly/22.5% annually.



#### **Manufacturers' New Orders for Construction Materials and Supplies**

After taking a dramatic dip during the 2020 recession, orders for construction materials and supplies regained and then surpassed the trendline of the previous decade and remain at an all-time high.



**Topic #4 - A statement from the architect, cost estimator or OPM indicating that the cost increase is not related to a change in scope from the project originally approved by the electorate at the time the debt exclusion was approved**

### **Response**

Below is a statement from SMMA, our project designer which reinforces that the change in cost is due to current market conditions and is not related to change in scope.

October 27, 2022

Mr. Brian DeFilippis  
Director  
PMA Consultants  
35 Braintree Hill Office Park  
Suite 300  
Braintree, MA 02184

**Re: Andover West Elementary and Shawsheen PreK**

*Cost Escalations*

*SMMA No. 19146.00*

Dear Brian:

The Design team of SMMA and its subconsultants have worked collaboratively and responsibly at every stage of the design process with the Town of Andover, the Massachusetts School Building Authority (MSBA), the Owner's Project manager (PMA) and the Construction Manager (Gilbane Company) to ensure that the progress of the design of this project advanced the *approved program of spaces and overall scope of work* within the budget approved by the voters of the Town of Andover.

Cost estimates were developed by both Gilbane (CM) and A.M. Fogarty (the design team's estimator) at Design Development, 60% & 90% Construction Document stages based on estimating packages that reflected the approved project scope. Value engineering occurred at all three stages to provide a project that maintained the approved square footage and project scope without any major deviations and remain on budget.

Our most recent estimate at 90% Construction Documents included value engineering that maintained the overall scope and budget, however, due to the **current market conditions, labor shortages and escalation** the bids we have been receiving are exceeding that budget.

At no time during the course of the project has scope being added to the project which has resulted in these increased costs. These cost overages are beyond the control of the project team and cannot be mitigated without significantly reducing the approved square footage and project scope.

Mr. Brian DeFilippis

October 27, 2022

Please let me know if you require any further information or clarification on this matter.

A handwritten signature in blue ink that reads "Lorraine Finnegan". The signature is written in a cursive style with a large, looped 'F'.

Very truly yours,

**SMMA**

Lorraine Finnegan, AIA  
Vice President

cc: Andover; PMA (MF)

enclosures:

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Symmes, Maini & McKee  
Associates, Inc.  
1000 Massachusetts Avenue  
Cambridge, MA 02138  
617.547.5400

[www.smma.com](http://www.smma.com)

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**Topic #5 - A statement from the architect, cost estimator or OPM detailing any changes made since the project was originally approved to reduce the cost of the same.**

**Response**


The team previously completed a value engineering effort yielding \$5,503,273 in savings. The detailed plan is as follows:

- Accepted twenty-five value engineering items. This reduced the budget overage in the amount of \$3,003,273 which was transferred to the construction budget line.
- Reduced three original budget lines; \$150,000 of preconstruction monies not used; \$150,000 from owners' insurance and \$200,000 from moving/mailing. This is a total of \$500,000 that was moved to the construction budget line.
- Reduced the construction contingency by \$2,000,000 and transferred these funds to the construction budget line.

For further information please see the below value engineering log prepared by PMA Consultants LLC. The value engineering list was voted and approved by the West Elementary and Shawsheen Preschool Building Committee on May 25, 2022.



Item	Description	Value	Path to get to Budget	SBC Vote to Accept @ 5/25/2022 SBC Meeting
#001	Potential reduction to millwork per a-250 (possible deduct of -\$141,150).	\$ (141,150.00)	\$ (141,150.00)	\$ (141,150.00)
#002	Delete wood paneling at ext of tree stair replace with painted surfaces & wd veneer wainscot	\$ (115,000.00)	\$ (115,000.00)	\$ (115,000.00)
#003	Change Int Reading Nooks from Solid Surface to Varnish MDF ( See item #30 below )	\$ (63,000.00)		
#004	Reduce 20% of wd paneling at cafetorium core wall replace w/painted surf & tile wainscot	\$ (37,000.00)	\$ (37,000.00)	\$ (37,000.00)
#005	Remove 4'5" porcelain wall tile wainscot throughout corridors & stairs, replace with abuse resistant gypsum bd w/epoxy paint & corner guards	\$ (583,000.00)		
#006	Remove 4'5" porcelain wall tile full height in stairs only & replace w/ceramic tile wainscot ( See #5 above)	\$ (318,000.00)	\$ (318,000.00)	\$ (318,000.00)
#007	Change divider at midpoint of gym from solid oper wall to roll-down fabric/vinyl curtain., eliminate support steel & gyp bd bulkhead at	\$ (179,000.00)		
#008	Replace epoxy terrazzo flooring w/linoleum vestibule remain walk-off mats	\$ (490,000.00)		
#009	Reduce area of sliding glass partitions by 50% replace with solid wall	\$ (174,000.00)	\$ (174,000.00)	\$ (174,000.00)
#010	Defer procurement of (1) 3-stop elevator. build hoist way to accept future installation	\$ (227,000.00)	\$ (227,000.00)	\$ (227,000.00)
#011	Remove neighborhood commons bench & tree. provide seating with furniture package	\$ (233,000.00)		
#012	Except at roof garden, change ext rainscreen panels from phenolic to formed metal	\$ (186,000.00)		
#013	Remove roof screen & support structure from loading dock area roof	\$ (44,000.00)	\$ (44,000.00)	\$ (44,000.00)
#014	Extend only one of two stair access enclosures to the high level 3 roof	\$ (148,000.00)	\$ (148,000.00)	\$ (148,000.00)
#015	Eliminate shade sail structures & foundations & assoc. furniture at synthetic field plazas	\$ (85,000.00)	\$ (85,000.00)	\$ (85,000.00)
#016	Eliminate exterior field bleachers	\$ (17,000.00)		
#017	Change porous conc. Walkway & plaza	\$ (17,000.00)	\$ (17,000.00)	\$ (17,000.00)
#018	Change color conc at plaza areas to standard conc paving	\$ (45,000.00)	\$ (45,000.00)	\$ (45,000.00)
#019	Eliminate empty conduit for future sports lighting at synthetic turf	\$ (21,000.00)	\$ (21,000.00)	\$ (21,000.00)
#020	Change laser-cut ornamental fencing along front entry drop off roadway to metal picket type fence	\$ (39,000.00)	\$ (39,000.00)	\$ (39,000.00)
#021	Change granite cap at cast in place retaining wall to precast ( see #22 below )	\$ (28,000.00)		
#022	Provide board-formed retaining wall at entry drive ilo stone veneer, eliminate granite cap	\$ (184,000.00)	\$ (184,000.00)	\$ (184,000.00)
#023	Change metal clad fire alarm cable to low energy plenum rated fire alarm cable	\$ (43,000.00)	\$ (43,000.00)	\$ (43,000.00)
#024	Change feeder cables from copper to alum ( See item #25 below )	\$ (72,000.00)	\$ (72,000.00)	\$ (72,000.00)
#025	Change feeders from conduits & conductors to mc cable up to 400 amps	\$ (32,000.00)	\$ -	\$ -
#026	Delete mock-up	\$ (120,000.00)		
#027	Delete boardwalk	\$ (298,810.00)		

 <b>PMA Consultants</b>		<b>WEST ELEMENTARY / SHAWSHEEN PRESCHOOL PROJECT</b> <b>OPTIONS FOR VALUE ENGINEERING ITEMS</b> <b>5/26/2022 Final</b>		
Item	Description	Value	Path to get to Budget	SBC Vote to Accept @ 5/25/2022 SBC Meeting
#028	Delete playground equipment	\$ (524,000.00)		
#029	Premium cost for tree stair form enclosure	\$ (100,000.00)		
#030	Delete window nook and go flush exterior	\$ (523,700.00)	\$ (523,700.00)	\$ (523,700.00)
#031	Delete 25% of cctv	\$ (169,712.00)	\$ (169,712.00)	\$ (169,712.00)
#032	Delete 25% of card readers	\$ (127,875.00)	\$ (127,875.00)	\$ (127,875.00)
#033	Delete roof snow melt	\$ (91,500.00)		
#034	Delete roof greenhouse	\$ (100,000.00)		
#035	Delete front roof screen	\$ (155,600.00)		
#036	Delete synthetic turf field	\$ (1,308,603.00)		
#037	Delete benches at roof garden ( Exterior Benches )	\$ (50,000.00)	\$ (50,000.00)	\$ (50,000.00)
#038	ILO phenolic soffit panel at roof garden substitute dafs , see deletion of overhang below Electric Water Cooler & Bottle Filler in lieu of Drinking Fountains and Bottle Filler	\$ (39,000.00)		
#039	Bottle Filler	\$ (20,560.00)	\$ (20,560.00)	\$ (20,560.00)
#040	Reduce Electrical Outlet Count - target 5% reduction?	\$ (25,001.00)	\$ -	\$ -
#041	Reduce / Delete Clock System - target 25% reduction?	\$ (13,181.00)	\$ -	\$ -
#042	Reduce / Delete Metering - target 25% reduction?	\$ (28,000.00)	\$ -	\$ -
#043	Reduce / Defer Theatrical Lighting	\$ (75,001.00)	\$ -	\$ -
#044	Use Segmental Block retaining wall at Field vs Cast in Place (see item 22 above)	\$ (159,380.00)	\$ -	\$ -
#045	Reduce / delete the Catwalk above the Kitchen TBD	\$ -	\$ -	\$ -
#046	Sub Fabric Duct Sock ILO Sheetmetal @ Gym	\$ (15,001.00)	\$ (15,001.00)	\$ (15,001.00)
#047	Delete triple glazing at all exterior glazing	\$ (360,000.00)	\$ -	\$ -
#048	Dense Deck at Roof - remove except 10k sf	\$ (127,500.00)	\$ (127,500.00)	\$ (127,500.00)
#049	Delete Roof Overhang at Roof Garden	\$ (114,000.00)	\$ (114,000.00)	\$ (114,000.00)
#050	Delete some Curtainwall (Windows) and Infill with Masonry ( \$60 PSF ) TBD Gilbane to Review Elevation	\$ (386,000.00)		
#051	Remove HVAC Splits from Closets except the main MDF Closet, Replace with exhaust only , remove 2nd units, MERV 13 good enough even at the nurse office TBD	\$ (144,775.00)	\$ (144,775.00)	\$ (144,775.00)
<b>Potential "YES" VE Items Above ( Orange )</b>		<b>\$ (8,598,349.00)</b>	<b>\$ (3,003,273.00)</b>	<b>\$ (3,003,273.00)</b>
Budget Items ( Precon not used, Owners Insurance, Moving / Mailing ) \$150k, 150k, & \$200k from Moving /Mailing			\$ (500,000.00)	\$ (500,000.00)
Reduce Construction Contingency by \$2,000,000			\$ (2,000,000.00)	\$ (2,000,000.00)
Total Reductions from Above			\$ (5,503,273.00)	\$ (5,503,273.00)
90% Overage Value from Budget			\$ (5,503,273.00)	\$ (5,503,273.00)

## Summary of Report

We believe the data provided in this report meets the requirements needed for the Department of Revenue to allow the Town of Andover to consider the additional borrowing authorization, if approved at the December 1, 2022 Special Town Meeting, as within the scope of the original debt exclusion vote taken June 15, 2021.

Thank you for your consideration.