



The TOWN OF NORWOOD

Commonwealth of Massachusetts

NORWOOD AIRPORT COMMISSION

Mark P. Ryan, *Chairman*

Michael Sheehan, *Vice Chairman*

John J. Corcoran

NORWOOD AIRPORT COMMISSION

POSTING

NOTICE IS HEREBY GIVEN THAT A PUBLIC MEETING OF THE NORWOOD AIRPORT COMMISSION WILL BE HELD:

DATE: Wednesday, January 12, 2022

TIME: 4:00 p.m.

PLACE: Norwood Airport Commission Meeting Room
111 Access Road
Mark C. Welch Administration Building (Building #9)
Norwood, MA 02062

2022 JAN 10 P 1:06
TOWN CLERK
TOWN OF NORWOOD
RECEIVED

The Chair reserves the right to call items on the agenda out of order. The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting at least forty-eight (48) hours prior to the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Items listed for executive session may be discussed in open session, in addition to or in lieu of discussion in executive session.

MEETING AGENDA

1. PROJECTS

- AIP project update: *DuBois & King*

2. MINUTES

- 12/17/21 regular business meeting

3. AIRPORT MANAGER'S REPORT

4. OLD BUSINESS

5. NEW BUSINESS

- FAA payment request #1 for AIP No. 3-25-0037-043-2021 (EA, phase II)
- FAA payment request #2 for AIP No. 3-25-0037-42-2021 (taxiway D construction)

6. CORRESPONDENCE:

- 12-15-21 ltr. to M. Krawczyk, of *Flight Level*, re: authorized/unauthorized helicopter operating areas
- 12-6-21 FAA payment request #1 for AIP No. 3-25-0037-043-2021 (EA, phase II)
- 12-15-21 FAA payment request #2 for AIP No. 3-25-0037-42-2021 (taxiway D construction)
- 12-20-21 letter from *Murphy, Hesse, Toomey & Lehane, LLP*, on behalf of the NAC, to the Commonwealth of MA, Office of the Attorney General, re: C. Donovan open meeting law complaint
- 12-16-21 e-mail thread: Commonwealth of MA response to C. Donovan open meeting law complaint

7. EXECUTIVE SESSION

Purpose 3 for executive session (M.G.L. c. 30A, § 21(a)(3)) – To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the Norwood Airport Commission: *Boston Executive Helicopters, LLC* v. Town of Norwood et al., U.S. District Court-Massachusetts Civil Action No. 1:15-cv-13647-RGS.

- 12/17/21 executive session minutes

**AIRPORT COMMISSION MEETING
REGULAR BUSINESS MEETING
December 17, 2021**

DRAFT ONLY

In Attendance:

Commissioners: Mark Ryan, Chairman; Michael Sheehan; John Corcoran; Russ Maguire,
Airport Manager

Meeting Called to Order: 3:30 PM

NCM, Matt McDonald from Norwood are recording the meeting.

PROJECTS

- AIP Project update, DuBois & King, Russ Maguire

Mr. Maguire updated the Commission on the projects in the absence of Jeff Adler. Runway 10-28 preliminary design is underway. Borings and survey are complete on the project. Environmental assessment phase 2, the variance has been submitted. A public meeting is scheduled for December 20th. Taxiway D/Obstruction Removal Project. The contractor has tentatively planned on removing the trees off runway 28 approach end in January once the ground is frozen.

MINUTES

- 11/10/21 Regular Business Meeting

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 by roll call to approve the minutes.

Mr. Sheehan: Yes

Mr. Corcoran: Yes

Mr. Ryan: Yes

AIRPORT MANAGER'S REPORT

Mr. Maguire presented the Manager's report to the Commission. Mr. Maguire discussed how busy the airport has been.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 by roll call to approve the Airport Manager's Report.

Mr. Sheehan: Yes

Mr. Corcoran: Yes

Mr. Ryan: Yes

NEW BUSINESS

- MassDOT application for assistance, security camera system expansion

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 by roll call to authorize the Airport Manager and the Chairman to sign the grant for enhanced security cameras.

Mr. Sheehan: Yes

Mr. Corcoran: Yes

Mr. Ryan: Yes

CORRESPONDENCE

- 11-19-21 letter to D. Abbott from R. Maguire re: authorized/unauthorized helicopter operating areas
- 11-19-21 letter to NC Transportation from R. Maguire re: authorized/unauthorized helicopter operating areas
- 11-19-21 letter to Boston Executive Helicopters, LLC from R. Maguire re: authorized/unauthorized helicopter operating areas
- 11-16-21 Conservation Commission order of conditions
- 11-11-21 letter from the Massachusetts Division of Fisheries and Wildlife
- 11-3-21 letter from Massachusetts DEP
- MassDOT application for assistance, security system expansion
- MassDEP major project certification, permit application

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 by roll call to file the correspondence.

Mr. Sheehan: Yes

Mr. Corcoran: Yes

Mr. Ryan: Yes

OPEN MEETING LAW COMPLAINT

Attorney North advised the Commission that the open meeting law complaint should be discussed in executive session as posted.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 by roll call to adjourn for the purposes of Executive Session for Purpose 3 to discuss strategy with respect to litigation, if an open meeting may have a detrimental effect on the litigating position of the Norwood Airport Commission: Boston Executive Helicopters, LLC v. Town of Norwood et al., U.S. District Court – Massachusetts Civil Action No 1:15-CV-13647-RGS; for Purpose 1 to discuss receipt of an Open Meeting Law complaint against the Norwood Airport Commission from Christopher Donovan, Sr.; and to discuss and approve 11/10/21 Executive Session Minutes.

The open session and executive session will be adjourned at the end of the executive session meeting.

Mr. Sheehan: Yes

Mr. Corcoran: Yes

Mr. Ryan: Yes

Adjourned for the purposes for Executive Session at 3:50 p.m.

The minutes of the NAC will be published on the Town Website.

MEETING ADJOURNED: 4:08 PM

December 6, 2021

Mr. Russ Maguire, Airport Manager
Norwood Memorial Airport
111 Access Road
Norwood MA 02062

SUBJECT: Norwood Memorial Airport
AIP No. 3-25-0037-043-2021 Environmental Assessment II
FAA Payment Request No. 1

Dear Mr. Maguire:

Attached please find copies of FAA Pay Request No. 1 for the above referenced project. The payment request includes DuBois & King, Inc. Invoice No 122154 and Montgomery Group Invoice No. 7301. The Commission should anticipate the following reimbursement sources for the total amount billed to date:

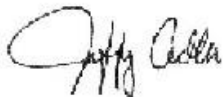
FAA	<u>\$ 204,659.28</u>
Total	\$ 204,659.28

The Commission should anticipate the following reimbursement sources for the total amount billed to date:

	Total Invoice	FAA	MassDOT	OWD
Sponsors Administration Costs	\$ 4,000.00	\$ 4,000.00	\$.00	\$.00
DuBois & King, Inc.	\$200,659.28	\$200,659.28	\$..00	\$.00
Total Recommended Payments	\$200,659.28	\$200,659.28	\$..00	\$.00

If you have any comments or questions don't hesitate to contact me at 603-637-1043.

Very truly yours,
DuBOIS & KING, INC.



Jeffrey A. Adler, P.E.,
Senior Project Manager

REQUEST FOR ADVANCE OR REIMBURSEMENT	1. TYPE OF PAYMENT REQUESTED	a. "X" one or both boxes <input type="checkbox"/> ADVANCE <input checked="" type="checkbox"/> REIMBURSEMENT	2. BASIS OF REQUEST <input type="checkbox"/> CASH <input checked="" type="checkbox"/> ACCRUAL
		b. "X" the applicable box <input type="checkbox"/> FINAL <input checked="" type="checkbox"/> PARTIAL	
3. FEDERAL SPONSORING AGENCY AND ORGANIZATIONAL ELEMENT TO WHICH THIS REPORT IS SUBMITTED <div>FAA</div>		4. FEDERAL GRANT OR OTHER IDENTIFYING NUMBER ASSIGNED BY FEDERAL AGENCY <div>3-25-0037-043-2021</div>	
5. PARTIAL PAYMENT REQUEST NUMBER FOR THIS REQUEST <div>1</div>	6. EMPLOYER IDENTIFICATION NUMBER <div>04-6001254</div>	7. FINANCIAL ASSISTANCE IDENTIFICATION NUMBER <div></div>	

8. **PERIOD COVERED BY THIS REQUEST**

From:

08/24/2021

 To:

11/25/2021

9. **RECIPIENT ORGANIZATION**

Name:

Norwood Airport Commission

Street1:

111 Access Road

Street2:

City:

Norwood

County:

State:

MA: Massachusetts

Province:

Country:

USA: UNITED STATES

ZIP / Postal Code:

02062

10. **PAYEE** (Where check is to be sent if different than item 9)

Name:

MassDOT - Aeronautics

Street1:

Logan Office Center

Street2:

One Harborside

City:

East Boston

County:

State:

MA: Massachusetts

Province:

Country:

USA: UNITED STATES

ZIP / Postal Code:

02128-2009

11. COMPUTATION OF AMOUNT OF REIMBURSEMENTS/ADVANCES REQUESTED

PROGRAMS/FUNCTIONS/ ACTIVITIES	(a) 20.106	(b)	(c)	TOTAL
a. Total program outlays to date (As of date) 11/25/2021	\$ 204,659.28	\$	\$	\$ 204,659.28
b. Less: Cumulative program income				
c. Net program outlays (Line a minus line b)	204,659.28			204,659.28
d. Estimated net cash outlays for advance period				
e. Total (Sum of lines c & d)	204,659.28			204,659.28
f. Non-Federal share of amount on line e				
g. Federal share of amount on line e	204,659.28			204,659.28
h. Federal payments previously requested	0.00			0.00
i. Federal share now requested (Line g minus line h)	204,659.28			204,659.28
j. Advances required by month, when requested by Federal grantor agency for use in making prescheduled advances				
1st month				
2nd month				
3rd month				

12. ALTERNATE COMPUTATION FOR ADVANCES ONLY

a. Estimated Federal cash outlays that will be made during period covered by the advance	\$
b. Less: Estimated balance of Federal cash on hand as of beginning of advance period	
c. Amount requested (Line a minus line b)	\$

13. CERTIFICATION

I certify that to the best of my knowledge and belief the data on the reverse are correct and that all outlays were made in accordance with the grant conditions or other agreement and that payment is due and has not been previously requested.

SIGNATURE OR AUTHORIZED CERTIFYING OFFICIAL

DATE REQUEST SUBMITTED

TYPED OR PRINTED NAME AND TITLE

Prefix: First Name: Mark Middle Name: Last Name: Ryan Suffix: Title: Chairman

TELEPHONE (AREA CODE, NUMBER, EXTENSION)

781-255-5616

This space for agency use

Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0004), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

INVOICE SUMMARY

GRANT RECIPIENT INFORMATION

Name: Norwood Airport Commission
 Airport: Norwood Memorial Airport
 Address: 111 Access Road
 City/State: Norwood MA

PROJECT INFORMATION

AIP Grant Number: 3-25-0037-043-2021
 Description: Environmental Assessment II
 Reimbursement No. 1 Federal Share %: 100%

(1) Vendor/Class/Description	(2) Invoice Number	(3) Invoice Date	(4) Due Date	(5) Invoice Amount	(6) AIP Eligible Costs	(7) Non-Participating Costs	(8) AIP Share
DuBois & King/	1221154	12/16/21	Due	\$ 200,659.28	\$ 200,659.28	\$ -	\$ 200,659.28
Montgomery Consulting	7031	3/24/21	Due	\$ 4,000.00	\$ 4,000.00		\$ 4,000.00
						\$ -	
						\$ -	
						\$ -	
				\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -

AMOUNT OF THIS REIMBURSEMENT \$ 204,659.28

PREVIOUS REIMBURSEMENTS \$ -

TOTAL REIMBURSEMENTS \$ 204,659.28

I certify that to the best of my knowledge and belief the billed costs or disbursements are in accordance with the terms of the project and that the reimbursement represents the Federal share due, which has not been previously requested and that all work is in accordance with the terms of the award.

Signature

Date

DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION		Form approved Budget Bureau No. 04-R0004		PAGE	OF	PAGES
SUMMARY OF PROJECT COSTS <small>Print or type data requested. Read instructions on reverse before completing form.</small>				1. PROJECT NO. 3-25-0037-043-2021		
				2. GRANT AGREEMENT CONTRACT NO. 1		
3. SPONSOR'S NAME AND ADDRESS Norwood Airport Commission, 111 Access Road, Norwood MA 02062				4. PERIOD ENDING 11/25/2021		
5. OFFICIAL NAME AND LOCATION OF AIRPORT Norwood Memorial Airport				6. MAXIMUM FEDERAL FUNDS		
7. DESCRIPTION	8. LATEST REVISED TOTAL ESTIMATED COST	9. ACTUAL COST INCURRED TO DATE		10. ESTIMATE OF AGGREGATE OF TOTAL COSTS INCURRED AND TO BE INCURRED PRIOR TO (Date)		
		AMOUNT (a)	PERCENT (b)	AMOUNT (a)	PERCENT (b)	
1. Administration	\$4,000.00	\$4,000.00	100%			
2. Engineering						
Data Collection	\$23,692	\$ 18,479.76	78%			
Design	\$87,420	\$ 74,307.00	85%			
Permitting	\$231,910.00	\$103,508.48	45%			
Administration	\$36,367.00	\$4,364.04	12%			
	\$ 379,389.00	\$ 200,659.28				
Total	\$383,389.00	\$204,659.28	53%			
11. CERTIFICATION - I certify that the latest revised total estimated cost shown above reflects the best information available as to the probable total final cost of each item; that amounts shown as actual costs incurred to date are true and correct and are supported by records of the sponsor; and, when applicable, that the estimates of the costs to be incurred reflect the best information available. I further certify that the materials used and construction accomplished meet the requirements of the plans and specifications, as evidenced by certified test and inspection reports included in the project records.						
DATE 1/5/2022		SIGNATURE OF SPONSOR'S ENGINEER Jeff Adler				



MONTGOMERY
CONSULTING GROUP

PLANNING | ENVIRONMENTAL | ENGINEERING: TRANSPORTATION | AVIATION | INFRASTRUCTURE

INVOICE

No: 7031

March 24, 2021

Mr. Russ Maguire, AAE, ACE, Airport Manager
Town of Norwood, MA
Norwood Memorial Airport
125 Access Road
Norwood, MA 02062

Invoice Period: Through March 24, 2021
Reference: **Independent Fee Estimate – Norwood Memorial Airport
Environmental Assessment Phase II for Taxiway C Relocation
and Runway 17-35 Paved Safety Areas**
Fee: \$4,000 Lump Sum
Consultant Name: Montgomery Consulting Group, Inc.
Consultant Tax ID Number: 59-3310365
Consultant Project No: 21-3008

=====

Task	Percent Complete	Contract Price	Total
Independent Fee Estimate	100 % x	\$4,000 =	\$4,000.00

Subtotal Earned to Date:	\$4,000.00
Previously billed:	<u>\$ 0.00</u>
Total this invoice:	\$4,000.00

Please remit to:

Montgomery Consulting Group, Inc.
976 Lake Baldwin Lane, Suite 201
Orlando, Florida 32814

Should you have any questions regarding this invoice,
please contact Ms. Monty Gettys, President, at 407-539-7030, ext. 226

DuBOIS & KING INC.
15 CONSTITUTION DRIVE SUITE 1L
BEDFORD NH 03110

Norwood Airport Commission
Attn: Mr. Mark Ryan, Chairman
111 Access Road
Norwood MA 02062

December 16, 2021
Invoice No: 1221154
Project No: 326165

TERMS: Net 30 days from invoice date, 1.5% per month charged thereafter.

For professional services rendered through November 25, 2021

For engineering services related to Environmental Assessment II

AIP NO. 3-25-0037-043-2021

Project Phase	Contract Amount	Percentage Complete	Previous Billed	Current Invoice	Total to Date
Article A Data Collection	\$23,692.00	78%	\$ -	\$ 18,479.76	\$ 18,479.76
Article B Design	\$87,420.00	85%		\$ 74,307.00	\$ 74,307.00
Article C Permitting	\$ 231,910.00	45%	\$ -	\$ 103,508.48	\$ 103,508.48
Article D Administration	\$ 36,367.00	12%	\$ -	\$ 4,364.04	\$ 4,364.04
Total Contract Amount	\$379,389.00		\$ -	\$ 200,659.28	\$ 200,659.28
Total Amount Earned to Date	\$ 200,659.28				
Less Previous Billing	\$ -				
Total Amount Billed this Invoice	\$ 200,659.28				



December 15, 2021

Mr. Russ Maguire, Airport Manager
Norwood Memorial Airport
111 Access Road
Norwood MA 02062

SUBJECT: Norwood Memorial Airport
AIP No. 3-25-0037-42-2021 Construct Taxiway D
FAA Payment Request No. 2

Dear Mr. Maguire:

Attached please find copies of FAA Pay Request No. 1 for the above referenced project. The payment request includes DuBois & King, Inc. invoice no 1221119 and Contractors PV 1.

The Commission should anticipate the following reimbursement sources for the total amount billed to date:

FAA	<u>\$ 38,486.94</u>
Total	\$ 38,486.94

The Commission should anticipate the following reimbursement sources for the total amount billed to date:

	Total Invoice	FAA	MassDOT	OWD
Sponsors Administration Costs	\$.00	\$.00	\$ 0.00	\$ 0.00
DuBois & King, Inc.	\$38,486.94	\$38,486.94	\$ 0.00	\$ 0.00
Total Recommended Payments	\$38,486.94	\$38,486.94	\$ 0.00	\$ 0.00

If you have any comments or questions don't hesitate to contact me at 603-637-1043.

Very truly yours,
DuBOIS & KING, INC.

Jeffrey A. Adler, P.E.,
Senior Project Manager

OUTLAY REPORT AND REQUEST FOR REIMBURSEMENT FOR CONSTRUCTION PROGRAMS		1. TYPE OF REQUEST <input type="checkbox"/> FINAL <input checked="" type="checkbox"/> PARTIAL	2. BASIS OF REQUEST <input type="checkbox"/> CASH <input checked="" type="checkbox"/> ACCRUAL
3. FEDERAL SPONSORING AGENCY AND ORGANIZATIONAL ELEMENT TO WHICH THIS REPORT IS SUBMITTED <div style="border: 1px solid black; padding: 2px;">FAA/Airports Division</div>		4. FEDERAL GRANT OR OTHER IDENTIFYING NUMBER ASSIGNED BY FEDERAL AGENCY <div style="border: 1px solid black; padding: 2px;">3-25-0037-42-2021</div>	
5. PARTIAL PAYMENT REQUEST NUMBER FOR THIS REQUEST <div style="border: 1px solid black; padding: 2px;">2</div>	6. EMPLOYER IDENTIFICATION NUMBER <div style="border: 1px solid black; padding: 2px;">04-6001254</div>	7. FINANCIAL ASSISTANCE IDENTIFICATION NUMBER <div style="border: 1px solid black; padding: 2px;"></div>	
8. PERIOD COVERED BY THIS REQUEST From: <div style="border: 1px solid black; padding: 2px;">08/02/2021</div> To: <div style="border: 1px solid black; padding: 2px;">11/30/2021</div>			
9. RECIPIENT ORGANIZATION Name: <div style="border: 1px solid black; padding: 2px;">Norwood Airport Commission</div> Street1: <div style="border: 1px solid black; padding: 2px;">111 Access Road</div> Street2: <div style="border: 1px solid black; padding: 2px;"></div> City: <div style="border: 1px solid black; padding: 2px;">Norwood</div> County: <div style="border: 1px solid black; padding: 2px;"></div> State: <div style="border: 1px solid black; padding: 2px;">MA: Massachusetts</div> Province: <div style="border: 1px solid black; padding: 2px;"></div> Country: <div style="border: 1px solid black; padding: 2px;">USA: UNITED STATES</div> ZIP / Postal Code: <div style="border: 1px solid black; padding: 2px;">02062</div>			
10. PAYEE (Where check is to be sent if different than item 9) Name: <div style="border: 1px solid black; padding: 2px;">MassDOT - Aeronautics</div> Street1: <div style="border: 1px solid black; padding: 2px;">Logan Office Center</div> Street2: <div style="border: 1px solid black; padding: 2px;">One Harborside Dr. Suite 205N</div> City: <div style="border: 1px solid black; padding: 2px;">East Boston</div> County: <div style="border: 1px solid black; padding: 2px;"></div> State: <div style="border: 1px solid black; padding: 2px;">MA: Massachusetts</div> Province: <div style="border: 1px solid black; padding: 2px;"></div> Country: <div style="border: 1px solid black; padding: 2px;">USA: UNITED STATES</div> ZIP / Postal Code: <div style="border: 1px solid black; padding: 2px;">02128</div>			

11.

STATUS OF FUNDS

CLASSIFICATION	PROGRAMS	FUNCTIONS	ACTIVITIES	TOTAL
	(a) 20.106	(b)	(c)	
a. Administrative expense	\$ 4,000.00	\$	\$	\$ 4,000.00
b. Preliminary expense				
c. Land, structures, right-of-way				
d. Architectural engineering basic fees	186,489.81			186,489.81
e. Other architectural engineering fees				
f. Project inspection fees	3,381.00			3,381.00
g. Land development				
h. Relocation expense				
i. Relocation payments to individuals and businesses				
j. Demolition and removal				
k. Construction and project improvement cost	17,550.00			17,550.00
l. Equipment				
m. Miscellaneous cost				
n. Total cumulative to date (sum of lines a thru m)	211,420.81			211,420.81
o. Deductions for program income				
p. Net cumulative to date (line n minus line o)	211,420.81			211,420.81
q. Federal share to date	211,420.81			211,420.81
r. Rehabilitation grants (100% reimbursement)				
s. Total Federal share (sum of lines q and r)	211,420.81			211,420.81
t. Federal payments previously requested	172,933.87			172,933.87
u. Amount requested for reimbursement	\$ 38,486.94	\$	\$	\$ 38,486.94
v. Percentage of physical completion of project	17.00 %	%	%	17.00 %

12. CERTIFICATION

I certify that to the best of my knowledge and belief the billed costs or disbursements are in accordance with the terms of the project and that the reimbursement represents the Federal share due which has not been previously requested and that an inspection has been performed and all work is in accordance with the terms of the award.

a. RECIPIENT

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

DATE REPORT SUBMITTED

TYPED OR PRINTED NAME AND TITLE

Prefix: First Name: Middle Name:
Last Name: Suffix:
Title:

TELEPHONE (Area code, number, and extension)

b. REPRESENTATIVE CERTIFYING TO LINE 11V

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Jeff Adler

DATE SIGNED

12-14-21

TYPED OR PRINTED NAME AND TITLE

Prefix: First Name: Middle Name:
Last Name: Suffix:
Title:

TELEPHONE (Area code, number, and extension)

GRANT RECIPIENT INFORMATION

PROJECT INFORMATION

Reimbursement No.	2	Federal Share %:	100%

[illegible]

I certify that to the best of my knowledge and belief the billed costs or disbursements are in accordance with the terms of the project and that the reimbursement represents the Federal share due, which has not been previously requested and that all work is in accordance with the terms of the award.

Signature

Date

DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION		Form approved Budget Bureau No. 04-R0004		1. PROJECT NO. 3-25-0037-42-2021	
SUMMARY OF PROJECT COSTS				2. GRANT AGREEMENT	
				CONTRACT NO. 2	
Print or type data requested. Read instructions on reverse before completing form.					
3. SPONSOR'S NAME AND ADDRESS Norwood Airport Commission, 111 Access Road, Norwood MA 02062				4. PERIOD ENDING 11/30/2021	
5. OFFICIAL NAME AND LOCATION OF AIRPORT Norwood Memorial Airport				6. MAXIMUM FEDERAL FUNDS	
7. DESCRIPTION	8. LATEST REVISED TOTAL ESTIMATED COST	9. ACTUAL COST INCURRED TO DATE		10. ESTIMATE OF AGGREGATE OF TOTAL COSTS INCURRED AND TO BE INCURRED PRIOR TO (Date)	
		AMOUNT (a)	PERCENT (b)	AMOUNT (a)	PERCENT (b)
1. Administration	\$4,000.00	\$4,000.00	100%		
2. Engineering					
Data Collection	\$9,537.00	\$9,537.00	100%		
Design	\$ 121,629.00	\$ 121,629.00	100%		
Bid Phase	\$ 15,336.00	\$ 15,336.00	100%		
Administration	\$ 42,732.00	\$ 12,819.60	30%		
Subtotal	\$189,234.00	\$ 159,321.60			
Construction Engineering	\$ 46,571.00	\$ 9,761.42	21%		
Resident Inspection	\$ 56,030.00	\$ 3,381.00	6%		
Subtotal	\$ 102,601.00	\$ 13,142.42			
Permitting	\$ 39,440.00	\$ 17,406.79	44%		
3. Construction Services	\$ 949,800.00	\$ 17,550.00	2%		
Total	\$1,285,075.00	\$ 211,420.81	17%		
11. CERTIFICATION - I certify that the latest revised total estimated cost shown above reflects the best information available as to the probable total final cost of each item; that amounts shown as actual costs incurred to date are true and correct and are supported by records of the sponsor; and, when applicable, that the estimates of the costs to be incurred reflect the best information available. I further certify that the materials used and construction accomplished meet the requirements of the plans and specifications, as evidenced by certified test and inspection reports included in the project records.					
DATE 12/14/21		SIGNATURE OF SPONSOR'S ENGINEER Jeff Adler			



Norwood Airport Commission
Attn: Mr. Mark Ryan, Chairman
111 Access Road
Norwood MA 02062

December 14, 2021
Invoice No: 1221119
Project No: 326810

TERMS: Net 30 days from invoice date, 1.5% per month charged thereafter.

For professional services rendered through November 30, 2021, 2021

For engineering services related to Taxiway D

AIP NO. 3-25-0037-42-2021

Project Phase	Contract Amount	Percentage Complete	Previous Billed	Current Invoice	Total to Date
Article A Data Collection	\$ 9,537.00	100%	\$ 9,537.00	\$ -	\$ 9,537.00
Article B Design	\$ 121,629.00	100%	\$ 121,629.00	\$ -	\$ 121,629.00
Article C Bid Phase	\$ 15,336.00	100%	\$ 15,336.00	\$ -	\$ 15,336.00
Article D Administration	\$ 42,732.00	30%	\$ 10,683.00	\$ 2,136.60	\$ 12,819.60
Article E Construction Phase Services	\$ 46,571.00		\$ -	\$ 9,761.42	\$ 9,761.42
Direct Labor	\$ 9,723.00		\$ -	\$ 3,310.75	\$ 3,310.75
Overhead 163.67%	\$ 15,873.00		\$ -	\$ 5,404.80	\$ 5,404.80
Fixed Fee 12%	\$ 3,072.00		\$ -	\$ 1,045.87	\$ 1,045.87
Direct Cost	\$ 17,903.00		\$ -	\$ -	\$ -
Article F Resident Engineering	\$ 56,030.00		\$ -	\$ 3,381.00	\$ 3,381.00
Direct Labor	\$ 16,960.00		\$ -	\$ 1,100.00	\$ 1,100.00
Overhead 163.67%	\$ 27,687.00		\$ -	\$ 1,795.75	\$ 1,795.75
Fixed Fee 12%	\$ 5,358.00		\$ -	\$ 347.49	\$ 347.49
Direct Cost	\$ 6,025.00		\$ -	\$ 137.76	\$ 137.76
Article G Permitting	\$39,440.00	44%	\$ 11,748.87	\$ 5,657.92	\$ 17,406.79
Total Contract Amount	\$ 331,275.00		\$ 168,933.87	\$ 20,936.94	\$ 189,870.81
Total Amount Earned to Date	\$ 189,870.81				
Less Previous Billing	\$ 168,933.87				
Total Amount Billed this Invoice	\$ 20,936.94				

APPLICATION AND CERTIFICATE FOR PAYMENT

To (OWNER): Town Of Norwood
566 Washington St 3rd Floor
Norwood, MA 02062

Project: Norwood Memorial Airport

Application No: 1
Invoice No: 4906
Period To: 11/30/2021

From: C NAUGHTON CORP
663 ELM STREET
BRIDGEWATER, MA 02324

Via (Engineering):

Project No: 21-08

Contract Date:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Approved previous months	0.00	0.00
Approved this month	0.00	0.00
TOTALS	0.00	0.00
Net change by change orders	0.00	

1. ORIGINAL CONTRACT SUM	\$	949,800.00
2. Net change by Change Orders	\$	0.00
3. CONTRACT SUM TO DATE (LINE 1+/-2)	\$	949,800.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on Continuation Sheet)	\$	19,500.00
5. RETAINAGE 10%	\$	1,950.00
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5)	\$	17,550.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	0.00
8. SALES TAX	\$	0.00
9. CURRENT PAYMENT DUE	\$	17,550.00
10. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 less Line 6)	\$	932,250.00

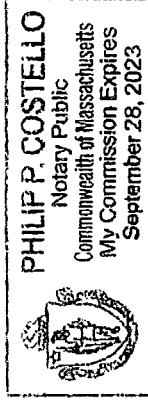
The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payment received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: C NAUGHTON CORP

By: Tim Naughton Date: 12-07-2021

State of: Ma County of: Plymouth day of December 2021
Subscribed and sworn to before me this 7th

Notary Public:
My Commission expires:



OWNER'S CERTIFICATE FOR PAYMENT

AMOUNT CERTIFIED\$
(Attach explanation if amount certified differs from the amount applied for.)

Owner

By: _____ Date: _____
This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

ITEM NO.	DESCRIPTION	TOTAL QUANTITY	UNIT COST	TOTAL COST	PREVIOUS QUANTITY	QUANTITY THIS ESTIMATE	AMOUNT THIS ESTIMATE	QUANTITY TO DATE	TOTAL COST TO DATE
C-102-5.1	CB Inlet Protection	5 EA	50.00	250.00	0	0	0.00	0	0.00
C-102-5.2	Starw Wattle	20 LF	10.00	200.00	0	0	0.00	0	0.00
C-102-5.3	Stabilized Const Entrance	1 LS	20000.00	20,000.00	0	0	0.00	0	0.00
D-701-5.1	12" HDPE	370 LF	200.00	74,000.00	0	0	0.00	0	0.00
D-701-5.2	15" HDPE	10 LF	200.00	2,000.00	0	0	0.00	0	0.00
D-701-5.3	18" HDPE	200 LF	200.00	40,000.00	0	0	0.00	0	0.00
D-751-5.1	Deep Sump Catch Basin	3 EA	10000.00	30,000.00	0	0	0.00	0	0.00
D-751-5.2	Drain Manhole	3 EA	10000.00	30,000.00	0	0	0.00	0	0.00
D-751-5.3	Oil/Water Grit Separator	1 EA	50000.00	50,000.00	0	0	0.00	0	0.00
P-101-4.1	Pavement Removal	1,500 SY	10.00	15,000.00	0	1,500	15,000.00	1,500	15,000.00
P-150-4.1	Pavement Marking Removal	1,200 SF	2.00	2,400.00	0	0	0.00	0	0.00
P-150-4.2	Cath Basin Removal	2 EA	500.00	1,000.00	0	0	0.00	0	0.00
P-150-4.3	Pipe Removal	500 LF	10.00	5,000.00	0	0	0.00	0	0.00
P-150-4.4	Electrical Duct Removal	1 EA	500.00	500.00	0	0	0.00	0	0.00
P-150-4.5	Remove Taxiway Edge lighting-SkatelMounted	18 EA	200.00	3,600.00	0	0	0.00	0	0.00
P-151-4.1	Wetland Clearing	4 ACRE	40000.00	160,000.00	0	0	0.00	0	0.00
P-151-4.2	Select Clearing	20 EA	200.00	4,000.00	0	0	0.00	0	0.00
P-152-4.1	Unclassified Excavation	3,900 CY	10.00	39,000.00	0	0	0.00	0	0.00
P-154-5.1	Subbase Course	3,700 CY	20.00	74,000.00	0	0	0.00	0	0.00
G-	Woven Geotextile	3,700 CY	2.00	7,400.00	0	0	0.00	0	0.00

ITEM No.	DESCRIPTION	TOTAL QUANTITY	UNIT COST	TOTAL COST	PREVIOUS QUANTITY	QUANTITY THIS ESTIMATE	AMOUNT THIS ESTIMATE	QUANTITY TO DATE	TOTAL COST TO DATE
L-154-5.2									
P-209-5.1	Crushed Aggregate Base Course	375 CY	50.00	18,750.00	0	0	0.00	0	0.00
P-401-8.1	Bituminous Pavement- Binder Course	300 TON	185.00	55,500.00	0	0	0.00	0	0.00
P-401-8.2	Bituminous Pavement- Wearing Course	300 TON	185.00	55,500.00	0	0	0.00	0	0.00
P-603-5.1	Bituminous Tack Coat	110 GAL	10.00	1,100.00	0	0	0.00	0	0.00
P-605-5.1	Sawcutting	400 LF	2.00	800.00	0	0	0.00	0	0.00
P-620-5.2	Yellow Paint	900 SF	2.00	1,800.00	0	0	0.00	0	0.00
P-620-5.3	Black Paint	3,700 SF	2.00	7,400.00	0	0	0.00	0	0.00
L-108-5.1	No. 8 AWG, 5kV , Type C 7 strand L824 Cable installed in tre	2,000 LF	2.00	4,000.00	0	0	0.00	0	0.00
L-108-5.2	No. 6 Bare Counterpoise Wire, installed in trench, ductbank o	2,200 LF	4.00	8,800.00	0	0	0.00	0	0.00
L-110-5.1	4" 4-way Concrete Encased Electrical Duct Bank	100 LF	120.00	12,000.00	0	0	0.00	0	0.00
L-110-5.2	Concrete Duct or Splice Marker	4 EA	250.00	1,000.00	0	0	0.00	0	0.00
L-110-5.3	2" PVC Electrical Conduits	2,000 LF	15.00	30,000.00	0	0	0.00	0	0.00
L-115-5.1	Electrical Handhole	2 EA	6000.00	12,000.00	0	0	0.00	0	0.00
T-901-5.1	General Seeding	3 ACRE	7000.00	21,000.00	0	0	0.00	0	0.00
T-905-5.1	Top Soiling	1,800 CY	40.00	72,000.00	0	0	0.00	0	0.00
T-908-5.1	Mulching	3 ACRE	4000.00	12,000.00	0	0	0.00	0	0.00
L-125.5.1	Remove and relocate Taxiway Edge Light- Base Mounted	3 EA	600.00	1,800.00	0	0	0.00	0	0.00
L-125-5.2	New Taxiway Edge Light - Base Mounted	24 EA	1500.00	36,000.00	0	3	4,500.00	3	4,500.00
L-125-5.3	New Runway Edge Light - Stake Mounted	1 EA	500.00	500.00	0	0	0.00	0	0.00
L-125-5.4	Install New Guidance Signand Base	5 EA	5300.00	26,500.00	0	0	0.00	0	0.00
L-125-5.5	Relocate existing Guide Signs and Base	5 EA	1000.00	5,000.00	0	0	0.00	0	0.00

ITEM NO.	DESCRIPTION	TOTAL QUANTITY	UNIT COST	TOTAL COST	PREVIOUS QUANTITY	QUANTITY THIS ESTIMATE	AMOUNT THIS ESTIMATE	QUANTITY TO DATE	TOTAL COST TO DATE
L - 125-5.6	Replace Sign Panel	6 EA	1000.00	6,000.00	0	0	0.00	0	0.00
L - 125-5.7	Runway Closure Markers	1 EA	2000.00	2,000.00	0	0	0.00	0	0.00
				949,800.00			19,500.00		19,500.00

December 20, 2021

VIA EMAIL ONLY

(openmeeting@state.ma.us)

Office of the Attorney General
Division of Open Government
One Ashburton Place
Boston, MA 02108

RE: Open Meeting Law Complaint – Norwood Airport Commission

Dear Sir or Madam:

This firm represents the Town of Norwood (“Norwood”) and its Airport Commission (“Commission”). In particular, this correspondence is in response to an Open Meeting Law Complaint (“Complaint”) filed against the Commission by Christopher Donovan (“Donovan”). Pursuant to M.G.L. c. 30A, § 23(b) a copy of the Complaint, dated December 8, 2021,¹ is attached hereto as Exhibit A. I am responding on behalf of the Commission based upon a vote of the Commission on December 17, 2021, in a properly noticed executive session for such purpose, under Exemption 1.²

The Donovan Complaint mixes an open meeting law claim for which it does not accurately state the facts, with a variety of scurrilous and unsupported assertions about the Commission, its members, its employees, and its counsel, which are outside the scope of the review of the Division of Open Government (“Division”), and which are part of an ongoing dispute and ongoing litigation between Donovan, his employer Boston Executive Helicopter, Norwood, and the Commission. These additional complaints, which are beyond simple characterization, are not matters which can be resolved in this process or by the Division and they are not even relevant to the Complaint.

¹ The Complaint was filed by email after 10:00 PM on December 7, 2021, thus is counted as being received on December 8, 2021.

² After filing the Complaint, and in response to the posting of the Commission’s agenda for its December 17, 2021 meeting, Donovan emailed the Commission, and others, complaining that it was inappropriate to discuss the response to the Complaint in executive session, and in particular under purpose 1. As Town Counsel for Norwood and the Commission, this office responded to Donovan, referencing the prior decisions of the Division of Open Government, particularly OML 2015-105 (Cape Cod Commission), where it found no violation where a public body discusses the response to an Open Meeting Law complaint in executive session, under purpose 1. “[O]ur office has stated that a public body may enter into executive session under Purpose 1 to discuss an Open Meeting Law complaint because it represents a complaint against the public body members as individual public officials. See OML 2013-82; OML 2012-119; OML 2011-6. We therefore find that the executive session discussion that occurred did not violate the Open Meeting Law.”

Division of Open Government

December 20, 2021

Page 2

As an initial matter, Donovan's Complaint does not meet the procedural requirements of an Open Meeting Law complaint, as it is not filed on the Attorney General's complaint form. Pursuant to 940 CMR 29.05(1), "[a]ll complaints shall be in writing, using the form approved by the Attorney General and available on the Attorney General's website. . . . A public body need not address a complaint that is not signed by the complainant. A public body need not address a complaint that is not filed using the Attorney General's complaint form." Donovan's Complaint is a long email, with incorporated links, which does not utilize the Attorney General's complaint form, and is also not signed by Donovan. The "shall" in the regulations is mandatory, and as such, the Commission is under no obligation to respond to the Complaint, and no violation should or could be found.³

The Commission also notes that the Complaint, which was sent via email, contains multiple links to documents stored on a web site maintained by Donovan. Such a document cannot meet the requirements of a properly submitted Open Meeting Law complaint. Commissioners cannot be required to click a link, controlled by a party with whom they are in an ongoing dispute and ongoing litigation, to view details or alleged supporting documentation of a complaint made against them.

Without waiving its procedural objections, the Board's position is that there was no quorum of the Commission present at the November 8, 2021 event, or any evidence of such, and thus no deliberation could have occurred in violation of the Open Meeting Law. There was an event on November 8, 2021, at the Norwood Airport, which included Congressman Lynch, various State elected officials, some Norwood employees, and certain private citizens. However, there was no public meeting, no quorum of the Commission present, and thus there was no deliberation of the Commission (which, pursuant to M.G.L. c. 30A, section 18 requires a quorum of a public body).

The Commission is a three-member body, consisting of Chair Mark Ryan, Vice-Chair Michael Sheehan, and member John Corcoran. A quorum of a body of three is two members. Only Chair Ryan attended the event on November 8, 2021. Airport Manager Russ Maguire also attended the November 8, 2021 event, but he is not a member of any public body. It is simply not true that the event on November 8, 2021 was a public meeting, which included a quorum of the Commission, or of any Norwood public body. As such, there was no violation of the Open Meeting Law.

Donovan's Complaint is based entirely on bad faith, and he presents no proof in support of his claims. A bare allegation of an Open Meeting Law violation, without proof, is not a complaint

³ If Donovan attempted to re-file the Complaint using the correct form, he would be out of time. The events of which he complains occurred on November 8, 2021, so the deadline to file a complaint was December 8, 2021, the date on which he filed. Donovan was on the airport grounds at the time, and took photos of the event, which he sent to the Commission on that date, so he was aware of the event and of who was present.

Division of Open Government
December 20, 2021
Page 3

which can or should be addressed by the Board or the Division. No violation occurred, and no remedy is warranted.

Based on the information set forth above, the Commission respectfully requests that the Division decline any action in response to the Complaint or find that no violation of the Open Meeting Law occurred.

Thank you for your review of this response. Please contact me if I can provide any further information to assist the Division in its review of this matter.

Sincerely,


Karis L. North

Enclosure

cc: Christopher Donovan (via email only)
Mark Ryan, Chair, Norwood Airport Commission (via email only)
Mary Lou Folan, Norwood Town Clerk (via email only)
Mina Makarious, Esq., Airport Counsel (via email only)

Zimbra

rmaguire@norwoodma.gov

RE: Norwood Airport Commission Meeting This Friday, December 17, at 3:30 p.m.

From : OpenMeeting (AGO)
<OpenMeeting@MassMail.State.MA.US>

Thu, Dec 16, 2021 01:50 PM

 1 attachment

Subject : RE: Norwood Airport Commission Meeting This Friday,
December 17, at 3:30 p.m.

To : Karis North <knorth@mhtl.com>, Christopher Donovan
<christopherdonovan1@gmail.com>, Ryan, Mark P.
<mryan@norwoodma.gov>, Michael Sheehan
<mshreehan8@gmail.com>, Corcoran, John (MBTA)
<jcorcoran@MBTA.com>

Cc : selectmen <selectmen@norwoodma.gov>, stephen lynch
<stephen.lynch@mail.house.gov>, john.rogers
<john.rogers@mahouse.gov>, Michael Rush
<mike.rush@masenate.gov>, Mina S. Makarious
<mina@andersonkreiger.com>, David S. Mackey
<dmackey@AndersonKreiger.com>, Jonathan T. Elder
<jelder@andersonkreiger.com>, Tony Mazzucco
<tmazzucco@norwoodma.gov>, SEC-DL-PREWEB <SEC-
DL-PREWEB@sec.state.ma.us>, OpenMeeting (AGO)
<OpenMeeting@MassMail.State.MA.US>, Email
Correspondence (AGO) <Ago.E-
MailCorrespondence@state.ma.us>, John Davis
<jdavis@piercedavis.com>, Adam Simms
<asimms@piercedavis.com>

External images are not displayed. [Display images below](#)

Good afternoon Mr. Donovan,

This is correct. A public body may enter executive session under Purpose 1 to discuss an Open Meeting Law complaint. Executive session Purpose 1 allows a public body to discuss "the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual." G.L. c. 30A, § 21(a)(1). We have consistently stated that an Open Meeting Law complaint is by its nature a complaint brought against a public officer, namely, the members of the public body.

Please feel free to contact our office with any questions or concerns.

Sincerely,

Erica (Rickie) Warren (she/her/hers)
Paralegal, Division of Open Government
Massachusetts Office of the Attorney General
One Ashburton Place

Boston, MA 02108
Phone: (617)-963-2451

From: Karis North <knorth@mhtl.com>

Sent: Thursday, December 16, 2021 12:39 PM

To: Christopher Donovan <christopherdonovan1@gmail.com>; Ryan, Mark P. <mryan@norwoodma.gov>; Michael Sheehan <msheehan8@gmail.com>; Corcoran, John (MBTA) <jcorcoran@MBTA.com>

Cc: selectmen <selectmen@norwoodma.gov>; stephen.lynch@mail.house.gov; john.rogers <john.rogers@mahouse.gov>; Michael Rush <mike.rush@masenate.gov>; Mina S. Makarios <mina@andersonkreiger.com>; David S. Mackey <dmackey@AndersonKreiger.com>; Jonathan T. Elder <jelder@andersonkreiger.com>; Tony Mazzucco <tmazzucco@norwoodma.gov>; SEC-DL-PREWEB <SEC-DL-PREWEB@sec.state.ma.us>; OpenMeeting (AGO) <OpenMeeting@MassMail.State.MA.US>; Email Correspondence (AGO) <Ago.E-MailCorrespondence@state.ma.us>; John Davis <jdavis@piercedavis.com>; Adam Simms <asimms@piercedavis.com>

Subject: RE: Norwood Airport Commission Meeting This Friday, December 17, at 3:30 p.m.

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Mr. Donovan, pursuant to prior decisions from the Attorney General's Division of Open Government, a public body is authorized to discuss its response to an Open Meeting Complaint in executive session, pursuant to exemption 1. In particular, I point to OML 2015-105 (Cape Cod Commission), where it found no violation where the Cape Cod Commission, a public body, discussed its response to an Open Meeting Law complaint in executive session, under purpose 1. "[O]ur office has stated that a public body may enter into executive session under Purpose 1 to discuss an Open Meeting Law complaint because it represents a complaint against the public body members as individual public officials. See OML 2013-82; OML 2012-119; OML 2011-6. We therefore find that the executive session discussion that occurred did not violate the Open Meeting Law."

Karis L. North
Murphy, Hesse, Toomey & Lehane, LLP
300 Crown Colony Drive
Quincy, MA 02169
Tel.: 617.479.5000
Direct Dial: 617.691.1948
Fax: 617.479.6469
knorth@mhtl.com

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Please consider the environment before printing this e-mail.

From: Christopher Donovan <christopherdonovan1@gmail.com>

Sent: Wednesday, December 15, 2021 10:42 PM

To: Mark Ryan <mryan@norwoodma.gov>; Michael Sheehan <msheehan8@gmail.com>; John Corcoran <jcorcoran@mbta.com>

Cc: selectmen <selectmen@norwoodma.gov>; stephen.lynch@mail.house.gov; john.rogers <John.Rogers@mahouse.gov>; Mike.Rush@masenate.gov; Mina S. Makarious <mina@andersonkreiger.com>; David S. Mackey <dmackey@AndersonKreiger.com>; Jonathan T. Elder <jelder@andersonkreiger.com>; Karis North <knorth@mhtl.com>; Tony Mazzucco <tmazzucco@norwoodma.gov>; SEC-DL-PREWEB <SEC-DL-PREWEB@sec.state.ma.us>; OpenMeeting (AGO) <openmeeting@state.ma.us>; Email Correspondence (AGO) <Ago.E-MailCorrespondence@state.ma.us>; John Davis <jdavis@piercedavis.com>; Adam Simms <ASimms@piercedavis.com>

Subject: Fwd: Norwood Airport Commission Meeting This Friday, December 17, at 3:30 p.m.

*** **WARNING:** EXTERNAL ***

Dear Mark, Michael and John,

On December 7, 2021 I filed an Open Meeting Law Complaint in accordance with State Law. The purpose of the Open Meeting Law is to ensure transparency in the deliberations on which public policy is based. The public has a right to know about governmental actions and witness deliberations of public officials.

Today the Airport manager Francis Maguire sent out the notice of the public NAC meeting on December 17, 2021. It appears the strategy by the Norwood Airport Commission in addressing transparency concerns is to conceal the Open Meeting Law complaint? The Open Meeting Law complaint is not listed on the agenda under new business, old business or even correspondence?

Copies of the complaint are NOT included in the package of documents distributed to NAC members prior to the meeting. How did the NAC obtain the complaint?

The agenda lists Executive Session **"Purpose 1 for executive session (M.G.L. c 30A s21(a)(3)- to discuss receipt of an Open Meeting Law complaint against the Norwood Airport Commission from Christopher Donovan, Sr. This is a lie. MGL Chapter 30A s21 (a)(3) does not have ANYTHING to do with an Open Meeting Law complaint.**

In addressing an Open Meeting Law complaint you violate the Open Meeting Law.

Section 21: Meeting of public body in executive session

Section 21. (a) A public body may meet in executive session only for the following purposes:

(1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights:

1. Please identify the individual that the NAC intends to discuss?

My Open Meeting Law Complaint does not address the "reputation, character, physical condition or mental health" of anyone I am aware of?

2. Please identify the "public officer, employee, staff member or individual" who will be discussed in the executive session? Please provide a copy of the official notice to the "individual" or a waiver of such notice by the individual.

I have outlined secret meetings with elected officials conducted with the NAC, Francis Maguire and members of FlightLevel Norwood, LLC.

In a prior Open Meeting Law complaint we now know the NAC lied about another secret meeting. These lies were assisted by Attorney Karis North who responded to both an Open Meeting Law and Public Records Request from me. Attorney North denied these meetings and the "power point" presentations used while she had asked for and received the power point presentations from Attorney Burlingham of FLN.

The actions of the Norwood Airport Commission again scream out for investigation by the Attorney General and Federal Law enforcement. For years the Norwood Airport has violated State and Federal law with zero accountability. You have spent millions in no bid contracts and attorneys to conceal and defend illegal conduct. At what point will the Board of Selectmen replace everyone at the Norwood Airport and protect the citizens and their hard earned tax dollars?

I eagerly await the lies by Mina Makarious in characterizing my call for an investigation as troubling conduct.

Below is a synopsis of my OML complaint. Attached is the public meeting posting by Francis Maguire.

Christopher Donovan

December 7, 2021

Norwood Airport Commission
Mark Ryan, Chairman
Michael Sheehan
John Corcoran

Dear Mark, Michael and John. Please find below a link to my Open Meeting Law complaint of December 7, 2021. Please acknowledge receipt of this email and the complete complaint.

With regards,
Christopher Donovan

https://docs.google.com/document/d/1YEj0w0KSRcGZ0eKCqNPfE5Ju_KBBd7aq/edit?usp=sharing&oid=106018398444810046595&rtpof=true&sd=true

A synopsis of the complaint is below. Please note this is NOT the full complaint and exhibits which can be found in the link above.

December 7, 2021

Norwood Airport Commission
Mark Ryan. Chairman Norwood Airport Commission
Superintendent Norwood DPW. Norwood Town Engineer
Michael Sheehan. Norwood Airport Commission
John Corcoran. Norwood Airport Commission
125 Access Road
Norwood, Massachusetts 02062

RE: Open Meeting Law Complaint

Dear Mr. Ryan, Sheehan and Corcoran,

Please consider this an Open Meeting Law complaint in accordance with Massachusetts General Law. The purpose of the Open Meeting Law is to ensure transparency in the deliberations on which public policy is based. The public has a right to know about governmental actions and witness deliberations of public officials.

On November 8, 2021, members of the Norwood Airport Commission met at the offices of the Commission and airport manager Francis Maguire. Present were NAC members, airport Manager Francis Maguire, Mark Ryan the Chairman of the Norwood Airport Commission, Superintendent of the Norwood Department of Public Works, Norwood Town Engineer, Francis Maguire the Norwood Airport Manager, Congressman Stephen Lynch, State Senator Mike Rush, State Representative John Rogers, Alan Radlo the owner of Flight Level Norwood (FLN) LLC, Peter Eichleay the owner of Flight Level Norwood, LLC, Guy Rouelle from Dubois and King (Engineering contractors for FLN and the NAC) and numerous other unknown individuals.

The November 8, 2021, meeting was not posted in accordance with the Open Meeting Law, there appears to be no public notice of this meeting. According to communication produced by the Town of Norwood this secret meeting was to deliberate and discuss Airport Operations and infrastructure, to include expansion of the airport runway(s): "runway expansion", construction and expansion of the airport runways to increase the number of flights into and out of the airport, comparative analysis of regional airports and runways, private funding of the runway expansion by FLN owner Alan Radlo, expansion of existing runways and facilities to increase airport traffic, runway extension options, including local, state and federal legislators in assisting the expansion of the airports runways, and other unknown subjects.

These subjects are the responsibility of the Norwood Airport Commission. Alan Radlo offered to personally pay for construction of the runway expansion to benefit his company on the Norwood Airport. The significance of these discussions and deliberations speaks for themselves. The impact on the public regarding airport operations and expansion would be significant. Radlo specifically requested discussions be "privileged", away from public view and oversight. These meetings excluded other stakeholders and airport businesses from participation to the benefit of FLN and detriment of many aviation businesses permitted on the airport.

With local, state and federal elected officials present the public and other businesses were denied their right to participate in significant events which involve the community. One business was deliberately given "privileged" secret access to elected officials which denied the public and competing businesses equal participation and access. Unfortunately, this is not the first time the Norwood Airport Commission and Manager have held secret meetings regarding runway extensions and airport operations.

1. In January and February of 2018 members of the NAC met in secret at the DPW offices of NAC Chairman Mark Ryan to discuss and deliberate about Norwood Airport runways, extensions, and other unknown subjects. "Flight Level Aviation" prepared for the "Norwood Airport Commission (NAC)" powerpoint presentations titled "Norwood Memorial Airport Runway Extension Analysis"

2. These secret meetings were attended by FLN Attorney Nick Burlingham, FLN owner Peter Eichleay, NAC Chairman Mark Ryan, NAC Commissioner Michael Sheehan, and unknown others, to discuss the Runway Extension^[1] FLN attorney Burlingham testified that a powerpoint presentation was made of the secret DPW meetings.^[2]
 3. On January 11, 2018, NAC attorney Karis North emailed Burlingham, "Nick-Looking for a copy of the powerpoint from your meeting with my client earlier this week"^[3]
 4. On April 24, 2018, I requested copies of the "power point" presentations conducted at the DPW offices of NAC Chairman Mark Ryan. Airport Manager Francis Maguire demand \$357.50 for these public records which I paid. I also requested copies of engineering fueling plans submitted by FLN to the NAC and any encumbrances on the West ramp.
 5. On May 14, 2018, I submitted an Open Meeting Law complaint regarding the secret DPW meetings with FLN to deliberate the runway extensions with FLN.
 6. On June 5, 2018, NAC attorney Karis North responded to my April 24, 2018, PRR.
 - North said there were no encumbrances on the West Ramp. This was a lie. She had been meeting with FLN regarding encumbrances since December 21, 2017.^[4]
 - North said there were no documents, including "power point" presentations regarding the secret DPW meetings. This was a lie. She had requested a copy of the "power point" from Burlingham on January 11, 2018, regarding the "meeting with my client earlier this week"
 7. On June 5, 2018, North also responded to my Open Meeting Law complaint of May 14, 2018, regarding the secret DPW meetings with the NAC and FLN. North once again lied.
 - North claimed any meeting would be "with representatives of entities who may do business with the Commission, to provide guidance or information to those representatives or entities" The concealed powerpoint presentations she had showed FLN and their attorney briefing the "NAC" about runway extensions.
 - North knew she had just lied in response to my April 24, 2018, PRR, she had the power point presentations requested from Burlingham on January 11, 2018, "Nick-Looking for a copy of the powerpoint from your meeting with my client earlier this week"
 8. On May 7, 2018, I followed up with Maguire regarding the "fuel plan drawing" submitted by FLN dated February 14, 2017. Maguire responded on May 9, 2018, claiming FLN had submitted only 2 fuel plan drawings. This was a lie.
 - On June 11, 2018, Burlingham sent Maguire and North 4 additional "fuel plans" dated February 14, 2017, "Kindly see attached pdfs of the hard copies you have on file"^[5]
 - The plans sent to North, and Maguire were dated February 14, 2017. This shows Maguire was lying on May 9, 2018, when he said 2 plans were provided by FLN. These 4 plans were different than the plans provided by Maguire.
 - According to FLN attorney Neil Hartzell, Ryan and Maguire coordinated with FLN to conceal fuel plans from BEH in violation of State Law.
- "Flight Level wanted as little of its engineering work product as possible to be subject to Public Records requests by its litigation adversary (BEH). This too was discussed with Mark Ryan and Russ Maguire at the time, who agreed"
- Flight Level had an engineered "fueling Plan", "which has been repeatedly shown to and reviewed by Russ Maguire and Mark Ryan, and which has been withheld from the public record, with the understanding of airport administration, due to the pendency of the litigation commenced by BEH against Flight Level.
- "Drawings memorializing a number of truck fueling routes were shown at the time to Russ Maguire and Mark Ryan in person but were withheld from the public record" "Flight Level wanted as little of its engineering work product as possible to be the subject of Public Records Requests by its litigation adversary" (BEH).
9. On December 23, 2018, Hartzell sent NAC attorney North 14 additional engineering fuel plans dated February 14, 2017, which were also concealed from BEH and numerous PRR's.
 10. On February 7, 2019, Hartzell again sent North engineering plans which were concealed from BEH.

11. On August 2, 2019, Hartzell again sent North a letter outlining the fraud by the NAC and their attorneys which was also concealed from BEH.

12. On November 8, 2018, I made a Public Records Request for communication and records from the secret NAC meeting. On November 19, 2021, the Town provided some responsive documents however it is clear they have not provided all responsive documents. The Town claims they have provided records "within the custody and control of the Town of Norwood". As acknowledged by the Town in prior communication any information provided to any Town Employee, including any representative or attorney, is a public record.^[6] And ^[7].

a. The records requested involve communication with Congressman Stephen Lynch's Office, State Senator Michael Rush, State Representative John Rogers, third parties, Norwood Airport Manager Francis Maguire and Norwood Airport Commission Chairman Mark Ryan. Any communication between these elected officials and the Town of Norwood, representatives and/or a private entity are not subject to any exemption nor were any exemptions claimed.

b. Town attorneys have also refused to provide Public Records even when a subpoena is issued for these records.

^[8] Incredibly they refuse to provide public records claiming, "communication between Norwood and third parties that were made with an expectation of confidentiality, and production of any such communication would affect the rights and expectations of third parties without providing them an opportunity to object or to seek protection of such communication". This is not what NAC Commissioner Michael Sheehan told me when he said "every record that is made or received by a government entity or employee is presumed to be a public record unless a specific statutory exemption permits."^[9] Francis Maguire confirmed this claiming receipt of material makes it a public record. ^[10]

c. The response shows one document that has redacted information without any claimed exemption. It is hard to imagine any exemption which would allow the Town to redact a name on the email meta data. It appears some emails are in response to prior emails, but they are not provided. The Town has attempted to shield public records by giving them to their attorneys and then claiming they don't have them. I cannot imagine a more egregious violation of the Public Records Law.

d. The Town claimed, "no documents have been withheld". This is not true.

1. The Town provided an email dated January 22, 2021, in which a portion is "redacted" with no explanation or claimed exemption in accordance with the prior orders by the Commonwealth regarding Attorney Client privilege. ^[11]

2. The Town provided an email dated July 12, 2021, by one tenant who is requesting a "private meeting to discuss the cost of a personal investment to keep the runway project as close to the proposed date as possible" This indicates potentially criminal conduct of a "personal investment" for the extension of the runway at a public airport in a private (secret) meeting setting.

3. The Town provided an email dated September 15, 2021, where one tenant wants to "pay for the extension myself" regarding the extension of a public runway, demanding others "help pay for this extension" of the public runway Which is illegal.

4. The Town provided an email dated September 16, 2021, regarding discussion and possible communication with Congressman Stephen Lynch's office.

5. The Town provided an email dated October 6, 2021, between Alan Radlo, owner of FlightLevel Norwood, and Mark Ryan, Chairman of the Norwood Airport Commission and the Town of Norwood Engineer. It appears Radlo is responding to a prior email

however there is no email that appears to precede the response subject.

6. The Town provided an email dated November 7, 2021, between NAC chairman Mark Ryan and Brianna Whelan with a MAHOUSE.GOV email address. There is no prior communication provided that precedes a meeting set up between the Norwood Airport Commission, Airport Manager Francis Maguire, Guy Rouelle or Jeff Adler of Dubois and Kings Engineering and Alan Radlo "Owner of Flight Level Aviation". This meeting on November 8, 2021, between Congressman Stephen Lynch, State Senator Michael Rush, State Representative John Rogers, third parties, Norwood Airport Manager Francis Maguire and Norwood Airport Commission Chairman Mark Ryan was not noticed in accordance with the Open Meeting Law which appears to involve detailed discussion and deliberation regarding the runway extension at the Norwood Airport.

7. The Town provided an email dated June 11, 2021, between Francis Maguire, Alan Radlo, Mark Ryan and Nick Burlingham which indicates attachments. There were no attachments provided.

Concealing public records is against the law. Many, including Town attorneys, the Town Manager and others knew of this illegal conduct alleged by Hartzell. Hartzell was correct, in that Maguire, Ryan, North and others, intentionally concealed many of the plans from BEH, under Public Records Requests I made for these records.

On April 24, 2018, I made a similar PRR for records from secret NAC meetings which included "power Point" presentations. I followed this PRR up with an Open Meeting Law complaint. Town Attorney Karis North stated there were no records from these secret meetings which was a lie. She had intentionally withheld Public Records, including Power Point presentations from these meetings as I outline in my September 17, 2021, letter to Town Attorneys regarding fraud, lies and deceit in concealing secret meetings and public records. <https://drive.google.com/file/d/1-yHkltW39tZRN7Rh-v6R-xV80DNC5Me/view?usp=sharing>

North has a history of intentionally concealing communication and records in violation of the law. Details regarding the illegal actions of Town attorneys and others, including fraud, lies, perjury and deceit as outlined on November 19, 2021 which can be found here: <https://drive.google.com/drive/folders/1VqDPK84IEJCMhreqBLoaOjuEEPnJPkKJ?usp=sharing>

The Office of Congressman Lynch was suspected of interfering on behalf of the Norwood Airport Commission with an FAA investigation regarding illegal actions by the Norwood Airport Manager Maguire and the NAC. This activity is outlined in a letter on October 15, 2018 which can be found here: <https://drive.google.com/file/d/1mGBazvcS7A37iOlyJn-LhjK6224tkH8y/view?usp=sharing>

March 6, May 14, November 27, 2018, orders from the SOC regarding Attorney Client claims. Letter to the Norwood Airport Commission regarding the secret November 8, 2021, NAC meeting. <https://docs.google.com/document/d/1Gx15uFpTzas5jZxxOnivVtZwtieL8Bg6/edit?usp=sharing&oid=106018398444810046595&rtpof=true&sd=true>

The following links will show some of the illegal actions by Town attorneys, including the recent discovery which exposes in detail the fraud by Town attorneys. September 9, 2021, letter to Norwood Town Attorneys regarding fraud.

https://drive.google.com/file/d/1xn1DkM_Z3SYCqih6OZ0uyFMjkgTJgc/view?usp=sharing

September 8, 2021, letter to Town Attorneys regarding violations of the Public Records law. <https://docs.google.com/document/d/1-Nc8cWTFN3ansazVVztMzE3MXefc8-e1/edit?usp=sharing&ouid=106018398444810046595&rtpof=true&sd=true>

According to Representative John Rogers and State Senator Mike Rush they met with "airport facility to discuss safety improvements" on November 8, 2021. This is not true. Flight Level Norwood, LLC (FLN) owners Alan Radlo and Peter Eichleay along with Dubois and King Engineer Guy Rouelle are not "airport facility". According to FLN owner Alan Radlo the meeting was to discuss runway extension to increase the capacity of the Norwood Airport and allow larger aircraft use of the Airport. This has all been discussed in secret meetings in 2018 and now. Pictures of these secret meetings and postings by Rogers and Rush can be found here:

<https://drive.google.com/drive/folders/1dGDjK-fC3CBkSjbKEnu9DekkY1c1WLK9?usp=sharing>

This link contains the following documents: <https://drive.google.com/drive/folders/1rx6XKCawJOv8VObo3F83XF0YqScgQyy?usp=sharing>

- November 8, 2021, Public Records Request and the November 19, 2021, response to my Public Records
- May 8, 2014, and May 1, 2019, PRR clarifications by Maguire and NAC Commissioner Michael Sheehan.
- Pictures of Congressman Stephen Lynch, State Senator Mike Rush, and Representative John Rogers at the November 8, 2021, secret meeting with FLN owners Alan Radlo and Peter Eichleay.
- December 23, 2018, February 7, 2019, and August 2, 2019, letters from FLN to NAC attorney North, outlining the illegal actions by Maguire and Ryan in withholding Public Records for FLN.
- Numerous letters, Public Records Requests and other communication showing fraud and illegal actions.

Based on the intentional violations of the Open Meeting Law I am requesting the NAC:

1. Disclose ALL communication and "power point" presentations prior, during and after this secret meeting of the NAC on November 8, 2021. Publish this information on the Town Web site.
 2. Conduct all meetings and deliberations in accordance with the Open Meeting Law.
- * Post all meetings while inviting the public and ALL commercial entities to participate.
 * Provide meeting minutes for all NAC public meetings.
 * Follow State law regarding public records and the open meeting law.
 * Produce to the public all studies, presentations, and Engineering, to include fueling plans.

The public has a right to know and understand exactly what elected and appointed officials are discussing, deliberating, and spending taxpayer dollars. The NAC and Town need to ensure ALL members of the public have equal access to the deliberations regarding the Norwood Municipal Airport.

Respectfully,

Christopher Donovan
 209 Access Road
 Norwood, Mass. 02062
 781-603-6186

The following documents are provided in this link:

<https://drive.google.com/file/d/1fSKJr9oT6Um3e7uxhuWafsarZ1CW0Zb9/view?usp=sharing>

Pictures and facebook posts regarding the November 8, 2021, secret meeting of the NAC.

November 8, 2021, Public Records Request

November 19, 2021, response to my November 8, 2021, PRR.

December 6, 2021, appeal regarding the November 8, 2021, PRR.

September 8, 2021, letter to Town attorneys and Selectmen regarding fraud,

September 9, 2021, letter to Town attorneys and Selectmen regarding fraud and lies.

September 16, 2021, letter to Town attorneys and Selectmen regarding fraud and illegal conduct.

September 17, 2021, letter to Town attorneys and Selectmen regarding lies and fraud of the secret meetings in January and February 2018,

July 15, 2020, Ethics complaint regarding NAC Chairman Mark Ryan which includes the secret meetings held by Ryan with FLN at the DPW garage and his offices.

October 15, 2018, letter to the FAA regarding possible interference by Congressman Stephen Lynch's office in influencing the pending FAA federal Law investigation.

June 5, 2018, response by North regarding the Open Meeting Law complaint of May 14, 2018.

12..5.2017 letter Burlingham to NAC attorney Deluca. 12.13.2017 letter NAC attorney Deluca to Burlingham. 12.18.2017 letter Deluca to Burlingham.

12.22.2017 letter Burlingham to North and others, thank you for the 12.21.2017 secret meeting.

1.11.2018 letter North to Burlingham asking for the power point presentation from the secret meeting which she says never existed.

6.11.2018 letter to Maguire and North from Burlingham including 4 engineering plans they then concealed and lied about.

12.23.2018 letter Hartzell to North which includes 14 engineering plans dated 2.14.2017, all concealed from the public and BEH.

8.2.2019 letter to North from Hartzell concealed in violation of the July 30, 2019, settlement.

8.20.2020 letter Hartzell to Elder (NAC attorney) concealed in violation of the July 30, 2019, settlement.

[1] Deposition testimony from Michael Sheehan on March 27, 2019, and Nicholas Burlingham on April 19, 2018.

[2] On July 16, 2021, FLN produced copies of the power point presentations via subpoena.

1. [3] On July 16, 2021, FLN produced power point presentations dated January 2018 and February 2018. "Flight Level Aviation" prepared for the "Norwood Airport Commission (NAC)" power point presentations titled "Norwood Memorial Airport Runway Extension Analysis"

[4] On July 16, 2021, FLN produced an email from FLN attorney Burlingham to NAC attorneys Karis North, John Bateman and John Flynn dated December 22, 2017, thanking them for meeting with him "yesterday" Burlingham had notified NAC attorney Deluca on December 5, 2017, about encumbrances and asked for a meeting to discuss this and other subjects. These secret meetings about airport operations, land rights and encumbrances and other items were never noticed or discussed in any public NAC meeting.

[5] On July 16, 2021, FLN, via subpoena, produced the June 11, 2018,

[6] NAC Commissioner Michael Sheehan confirmed this on May 8, 2014. Norwood Airport Manager Francis Maguire confirmed this on May 1, 2019. I have attached copies of their email clarification regarding public records.

[7] The Public Records Division instructed the Town of Norwood regarding any claims of "Attorney Client Privilege" and the agency relationship that exists between the Town of Norwood, its attorneys, and communication with any claimed "Clients".

1. The records custodian MUST demonstrate the application of any exemption.

2. A records custodian claiming the attorney client privilege under the Public Records Law has the burden of not only proving the existence of an attorney client relationship, but also (1) that the communications were received from a client during the course of a client's search for legal advice from the attorney in his or her capacity as such (2) that the communications were made in confidence and (3) that the privilege as to these communications has not been waived.

3. Pursuant to the Public Records Law, the burden shall be upon the records custodian to establish applicability of an exemption.

4. Written responses must "identify any records, categories of records or portions of records that the agency or municipality intends to withhold, and provide the specific reasons for such withholding, including the specific exemption or exemptions upon which the withholding is based.

5. An agency relationship exists, whereby any public entity which contracts with a third party to fulfill its public duties, and the public entity exercises control over that third party, an agency relationship is created.

The Town of Norwood has claimed in the past that any public record they give their attorney(s) is not a public record, as the attorney keeps the record. This claim perverts the public records law, whereby the Town can simply give their attorney all communication, or have their attorney conduct all business and keep the public records at the attorney(s) office, to avoid compliance with the Public Records Law. The Commonwealth disagreed and spelled out the clear requirements under the Public Records orders to the Town of Norwood.

[8] On December 21, 2020, the Town was issued a subpoena for public records. On December 31, 2020, the Town objected to the subpoena of public records claiming in part documents requested included "communication between Norwood and third parties that were made with an expectation of confidentiality, and production of any such communication would affect the rights and expectations of third parties without providing them an opportunity to object or to seek protection of such communication"

[9] May 8, 2014, letter to Chris Donovan from NAC Commissioner Michael Sheehan.

[10] Francis Maguire to Peter Eichleay on May 1, 2019. According to FLN attorney Hartzell Maguire and Ryan assisted in concealing public records from BEH (See the letters from Hartzell to NAC attorney North dated December 23, 2018, February 7, 2019, and August 2, 2019)

[11] I have attached prior orders from the Commonwealth regarding exemptions, attorney Client privilege claims, the agency relationship between the Town, the Norwood Airport Commission and their attorneys. These prior orders are dated March 6, 2018, May 14, 2018, and November 27, 2018.

----- Forwarded message -----

From: **Russ Maguire** <rmaguire@norwoodma.gov>

Date: Wed, Dec 15, 2021 at 3:37 PM

Subject: Norwood Airport Commission Meeting This Friday, December 17, at 3:30 p.m.

To: Diana Novellano <diana.ctr.novellano@faa.gov>, Diana Novellano <diana.novellano@midwestatcs.com>

Good afternoon all,

Please be advised that the Norwood Airport Commission will meet this Friday, December 17, at 3:30 p.m. in the Welch Administration Building (Building #9, by the air traffic control tower). Attached is a copy of the agenda posting and meeting materials.

Russ

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Russ Maguire, Manager
Norwood Memorial Airport

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The TOWN OF NORWOOD

Commonwealth of Massachusetts

Norwood Memorial Airport

Russ Maguire, A.A.E., ACE, Airport Manager

OFFICE ADDRESS

111 Access Road
Norwood, MA 02062

MAILING ADDRESS

111 Access Road
Norwood, MA 02062

BY E-MAIL ONLY (mikek@flightlevelaviation.com)

December 15, 2021

Flight Level Norwood

Attn: Mike Krawczyk, General Manager

125 Access Road

Norwood, MA 02062

RE: Authorized/Unauthorized Areas for Helicopter Operations

Dear Mike:

On November 4, several unauthorized helicopter operations were noted by airport management on the Norwood Airport's west apron; and prior to this, on June 8, unauthorized helicopter operations by *Boston Executive Helicopters, LLC* (BEH) and *Blue Hill Helicopters* were similarly observed. While the Norwood Airport Commission (NAC) currently leases the west apron to BEH, this is not an area authorized for helicopter operations on the Norwood Airport.

The matter was discussed at the NAC's public meeting on November 10. At that meeting, the NAC directed me to remind both aircraft owners/pilots involved in the November 4 helicopter operations, as well as *BEH*, of the areas on the Norwood Airport where helicopter operations are authorized. This morning, after reviewing the draft minutes of the November 10 meeting, it was clear that the NAC also wanted *Flight Level* to be included in my distribution letter, which is the reason for this correspondence. Therefore, to clarify any misunderstanding, please see the enclosed attachments.

Attachment A is the FAA chart supplement for the Norwood Airport. This document shows (in yellow highlight) the two locations available for based and transient helicopter parking on the north end and south end of the north/south taxi-lane.¹ For ease of reference, within these two areas, there are nine helicopter parking circles, and these circles are marked on the pavement.

¹ A third helicopter operating area is located northwest of the *Flight Level* terminal/hangar complex. However, as noted in *Attachment C*, the Norwood Airport General Regulations (attachment D) prohibit transient helicopter operators from using this helicopter operating area.

In *Attachment B*, the yellow dots show the location of the nine authorized helicopter parking circles: four adjacent to the north end of the taxi-lane (also identified by a yellow/black airport sign that reads: "HELICOPTER OPERATIONS AREA"), plus, five on the south end of the taxi-lane. This aerial also shows the unauthorized helicopter operating area marked by a red dot, where the west apron is located.

Transient helicopter pilots are welcome to use the transient helicopter parking circles (marked in yellow) at either end of the north/south taxi-lane. If needed, and with an air traffic clearance, these transient pilots are also welcome to shoot their approaches to the marked helipad on taxiway E (shown by the green dot in *Attachment B*), before receiving an ATC clearance to taxi to one of the helicopter parking circles marked in yellow.

Like *BEH*, *Flight Level* is responsible for notifying its tenants or customers about the areas on the Norwood Airport that are authorized for helicopters operations versus those areas on the airport that are not authorized for helicopter operations—such as the west apron.

Finally, as discussed at the November 10 meeting, the NAC will continue to review how the Norwood Airport's authorized helicopter operating areas are communicated to the piloting community.

Please feel free to contact me if you have any questions.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Russ Maguire".

Russ Maguire, Manager
Norwood Memorial Airport

Cc: *Norwood Airport Commission, Norwood Air Traffic Control Tower; Drew Mihaley, MassDOT
Director of Operations and Compliance*

ATTACHMENT A

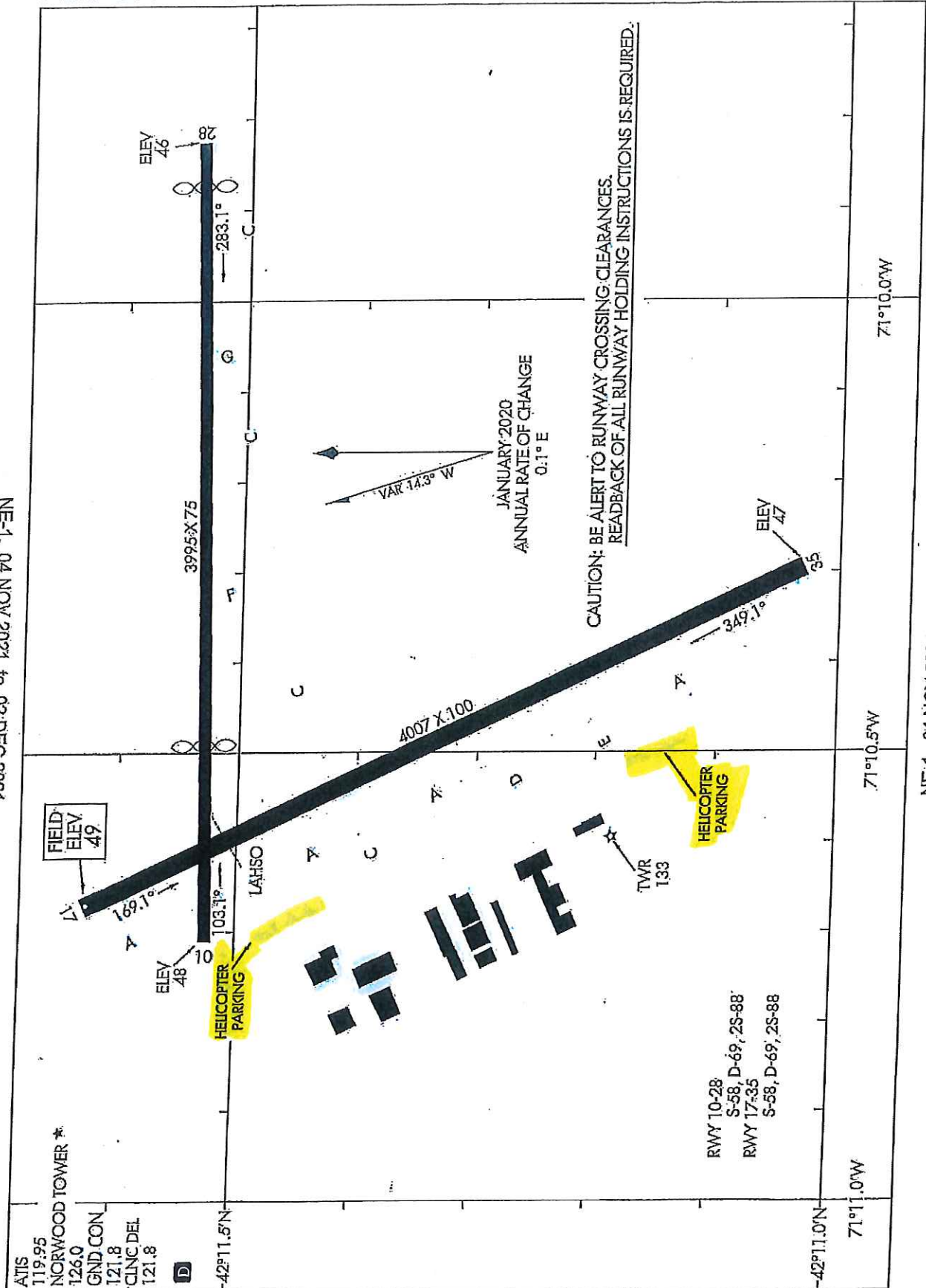
21112

AIRPORT DIAGRAM

AL-725 (FAA)

NORWOOD MEML (OWD)
NORWOOD, MASSACHUSETTS

NE-1, 04 NOV 2021 to 02 DEC 2021



NE-1, 04 NOV 2021 to 02 DEC 2021

AIRPORT DIAGRAM

21112

NORWOOD, MASSACHUSETTS
NORWOOD MEML (OWD)

ATTACHMENT B

LEGEND

- Authorized Helicopter Parking
- Unauthorized Helicopter Parking
- Helipad



ATTACHMENT C

<p style="text-align: center;">ATTACHMENT D</p> <p style="text-align: center;">HELICOPTER PROCEDURES</p>
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I. GENERAL

1. Air taxiing and hovering over aircraft, vehicles, buildings and/or people is prohibited.
2. All air taxiing shall be executed at an altitude/airspeed adequate to allow a safe emergency landing.
3. Transient helicopters shall park in the designated helicopter parking circles on the south end of the north/south taxi-lane; or, on the north end of the north/south taxi-lane. The pilots of transient helicopters shall check in at the FBO desk.

II. FBO HELICOPTER RAMP

1. Operations on the FBO helicopter ramp adjacent to, and north of Hangars 4 and 5 shall be coordinated between the FBO and the Airport Manager, and shall be restricted to FBO operations.
2. Transient helicopter operations are prohibited on the FBO helicopter ramp unless specifically authorized in writing by the Airport Manager
3. Helicopter flight training is prohibited on the FBO helicopter ramp.
4. All helicopters air taxiing on the FBO helicopter ramp shall follow the yellow taxiing line to/from the point of departure. The point of departure is that area east of the north/south taxi-lane, identified on the attached sketch.
3. A safety training program shall be conducted by the FBO with all authorized users of the helicopter area.

TO: NORWOOD AIRPORT COMMISSION
FROM: RUSS MAGUIRE, AIRPORT MANAGER
RE: MANAGER'S REPORT: 12/16/21—1/10/22

— Major Projects/Issues—

Snow Removal/Airport Closures

During this period, airport management participated in snow removal operations. These included the temporary closure of the airport's runways and taxiways to fixed-wing aircraft during the 1/7 snow storm. Other actions included checking/updating surface conditions for snow and ice contamination.

Runway 28 Obstruction Removal

For the ongoing grant project, airport management has been working with *DuBois & King* engineers and our contractor (*C. Naughton Corporation*) to prepare for the removal of vegetative obstructions off the runway 28 approach end. The actual cutting of trees is expected in January.

Continuity of Operations Plan

At the request of the Assistant Town Manager, on 12/28, the Airport Manager (AM) submitted departmental information for the Town's continuity of operations plan.

FAA/MassDOT Filings

On 12/29, the AM completed an aeronautical study filing to FAA and MassDOT for some crane work planned in the Town Hall bell tower.

Wildlife Control, Beaver Issue

In December, airport management received confirmation from Norfolk County Mosquito Control (NCMC) that beaver had returned to Purgatory Brook. Soon after, airport management reached out to USDA wildlife depredation services, while coordinating with the Town Board of Health and Conservation Commission (Con Com). The BOH has since issued a beaver-trapping permit to USDA; while airport management is waiting on authorization from the Con Com to have the NCMC breach the beaver dam. The Con Com is also considering whether to have the NCMC excavate (rather than hand clear) around the dam, to enhance water flow. Airport management

has also reached out to a company that specializes in beaver control issues, requesting a site assessment for the possible installation of a flow-leveling device. If deemed a viable option, this device could mitigate the need to trap the beaver, though NCMC has stated that beaver often still need to be trapped, along with other measures including periodic dam-breaching and/or the installation of a flow control device.

Wildlife Fence

Recently, airport management identified about 600 feet of wildlife fence that requires attention. A contractor has since been hired to address the work.

Monthly Revenues

For the month of December, one deposit was posted to the Treasurer's office. This totaled \$22,689.03 in payments (see *Attachment A*).

Monthly Fuel Flowage

For the month of November, *Boston Executive Helicopters'* bills of lading for fuel totaled 10,000 gallons. At \$.07/gallon, the Town received \$700 in flowage fees. (*Attachment A*).

For the month of November, *Flight Level's* bills of lading for fuel totaled 55,623 gallons. At \$.07/gallon, the Town received \$3,893.61 in flowage fees. (*Attachment A*).

— Informational Updates —

Air Traffic Counts

For the Norwood Airport's December 2021 air traffic reports, see *Attachments B-C*. See *Attachment D* for a seven-year look at Norwood's air traffic count in the month of December.

December Financial Report

REVENUE TYPE	AMOUNT THIS PERIOD	FY 2022 YTD	FY 2021	FLN FBO ¹ THIS PERIOD	BEH FBO ² THIS PERIOD
Land Leases	\$18,065.42	\$126,392.52	\$265,972.23	\$14,146.56	\$0
Fuel Flowage Fees	\$4,593.61	\$27,610.66	\$32,760.42	\$3,893.61	\$700.00
Aircraft Tie-Down Leases	\$0	\$0	\$0	\$0	\$0
Security Badge Fees	\$0	\$3,700.00	\$6,200	\$0	\$0
Revolving – Insurance Recovery	\$0	\$0	\$2,718.90	\$0	\$0
General ³	\$30	\$300.00	\$0	\$0	\$0
Landing Fees	\$0	\$27,944.00	\$27,352.00	\$0	\$0
TOTAL	\$22,689.03	\$185,947.18	\$335,003.55	\$18,040.17	\$700.00

¹ Flight Level Norwood, LLC

² Boston Executive Helicopters, LLC

³ General revenues include commercial permit and public records request fees, and FEMA reimbursements, etc.



FAA CONTRACT TOWER - AIRPORT OPERATIONS COUNT RECORD

Facility Name: Norwood

Location: Norwood, MA

Mo.

Yr.

Location Ident.

Airport Operations Count

Facility Operating Hours

1

2

1

O W D

ITINERANT

LOCAL

Day	IFR					VFR					LOCAL			Total Airport Operations
	AC	AT	GA	MI	Total IFR Inherent Ops	AC	AT	GA	MI	Total VFR Inherent Ops	Civil	Military	Total Local Ops	
01		4	18		22		6	100		106	88		88	216
02		3	4		7		7	56		63	70		70	140
03		4	7		11		1	49		50	38		38	99
04		8	14		22		6	114		120	108		108	250
05		7	13		20		10	130		140	144		144	304
06		2	6		8			4		4	6		6	18
07		3	15		18		9	117		126	84		84	228
08		1	8		9		8	58		66	126		126	201
09		2	6		8		5	66		71	46		46	125
10		10	17		27		2	102		104	92		92	223
11		4	3		7						8		8	15
12		4	8		12		3	67	3	73	14		14	99
13		1	14		15			99		99	118	2	120	234
14		3	16		19		3	98		101	128		128	248
15			17		17		1	104	2	107	106		106	230
16			14	1	15			69		69	118		118	202
17		4	15		19		4	78		82	30		30	131
18		2	8		10		1	21	2	24	24	6	30	64
19		3	6		9			27		27	18		18	54
20		4	23		27		1	112		113	152		152	292
21		2	12		14			127		127	242		242	383
22		2	9		11			5		5	6		6	22
23		6	18		24		2	83		85	56		56	165
24			5		5			11		11	20		20	36
25														
26		10	7		17			65		65	32		32	114
27			16		16		6	105		111	156		156	283
28		4	15		19		4	30		34	46		46	99
29			9		9		1	59		60	180		180	249
30		2	14		16		3	4		7				23
31			13		13			6		6				19
Total		95	350	1	446		83	1966	7	2056	2256	8	2264	4766

SYMBOLOLOGY

AC = Air carrier-type aircraft (e.g., Delta, United)

AT = On-demand aircraft that use three-letter ID at beginning of call sign

GA = General aviation FAR Part 91 aircraft using 'V' at beginning of call sign

MI = Military



FAA CONTRACT TOWER OVERFLIGHT SUMMARY RECORD

Facility Name **Norwood** Location: **Norwood, MA** Mo. **1** Yr. **2** Loc Ident. **O W D**

OVERFLIGHT COUNT

IFR OVERFLIGHTS						VFR OVERFLIGHTS						Total Overflights
Day	AC	AT	GA	MI	Total	AC	AT	GA	MI	Total		
01								12		12	12	
02								10		10	10	
03								12	2	14	14	
04							2	36		38	38	
05								10		10	10	
06												
07							6	8	2	16	16	
08		6			6		4			4	10	
09							2	10		12	12	
10							2	16	2	20	20	
11												
12								10		10	10	
13								8		8	8	
14							6	12		18	18	
15							4	16	4	24	24	
16								6		6	6	
17								10		10	10	
18								2		2	2	
19								2		2	2	
20								22		22	22	
21								32		32	32	
22												
23							2	20		22	22	
24								12		12	12	
25												
26								2		2	2	
27							8	8		16	16	
28							2	4		6	6	
29							8	4		12	12	
30												
31												
Total		6			6		46	284	10	340	346	

MONTHLY TOTAL, AIR TRAFFIC COUNTS (2015-2021)

December

2015	2016	2017	2018	2019	2020	2021
3,504	4,433	4,715	4,515	3,849	3,951	5,112