

APPROVED

4/28/21

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

In Attendance:

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

Meeting Called to Order: 3:31 PM

NCM and Neil Hartzell, Esq. from Flight Level are recording this meeting.

Meeting via GoToMeeting

PROJECTS

- AIP Project update, DuBois & King, Jeff Adler
Jeff Adler updated the Commission regarding the environmental assessment for the paved safety areas and Taxiway C relocation. There are continued discussions with MassDEP regarding the variance. Everything is still on target to get all permits and variance by the end of 2021, with construction scheduled for 2022.

Taxiway D relocation as well as obstruction removal off runway 28 end is going to be advertised on March 19th. Pre-bid meeting is scheduled and bid opening is posted as April 20th. A grant application will be filed with FAA prior to May 1st. Construction should start in late summer.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 by roll call to approve payment request #4, AIP No. 3-25-0037-039-2020 for post construction monitoring in the amount of \$6,901.70; 100% funded by FAA.

Mr. Sheehan: Yes

Mr. Corcoran: Yes

Mr. Ryan: Yes

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 by roll call to approve payment request #4, AIP No. 3-25-0037-041-2020 for environmental assessment in the amount of \$95,072.48; 100% funded by FAA.

Mr. Sheehan: Yes

Mr. Corcoran: Yes

Mr. Ryan: Yes

MINUTES

- 2/10/21 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 discussed the report and welcomed the new air traffic control manager, Diana Novellano.

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

- Request to bow hunt on airport property from William Mulvey.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 by roll call to approve the request for bow hunting with the approval of the Norwood Police Chief.

Mr. Sheehan: Yes

Mr. Corcoran: Yes

Mr. Ryan: Yes

- Airport eligibility for FAA grant under the Coronavirus Response and Relief Appropriations Act (Public Law (116-260)(CRRSA)

The Airport is eligible for up to \$23,000 for costs related to operations.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 by roll call to have Chairman sign the FAA application for federal assistance which is the SF420 form in an amount not to exceed \$23,000.

Mr. Sheehan: Yes

Mr. Corcoran: Yes

Mr. Ryan: Yes

- Flight Level aviation fuel deliveries involving west apron, Superior Court order. Russ Maguire and Peter Eichleay from Flight Level updated the Commission on the blocking of fuel deliveries from Boston Executive Helicopters as well as the court order. Mr. Eichleay is looking for support from the Commission on this issue. Mina Makarious also discussed the lease with BEH. BEH was offered the opportunity to comment on the superior court order with no comments made.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 by roll call to authorize Mr. Makarious to send a letter to BEH and copy to Flight Level regarding Section 4, use of premise on lease as well discussion about the unanimous vote to allow an easement on the west apron for Flight Level's fueling operations.

Mr. Sheehan: Yes

Mr. Corcoran: Yes

Mr. Ryan: Yes

- Boston Executive Helicopters' (BEH) request for placement of storage containers and office on DC-3 and west aprons

There was no one present from BEH to discuss this issue.

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

Mr. Sheehan: Yes

Mr. Corcoran: Yes

Mr. Ryan: Yes

- BEH Lease Payments

The Commission and Mr. Makarios discussed the fact that BEH remains in default on the lease payments. Mr. Maguire updated the Commission on payments.

On a motion by Mr. Sheehan and seconded by Mr. Ryan, the Commission voted 2/1 by roll call to authorize the Airport Manager and counsel to send a 30-day notice to pay rent or quit to BEH.

Mr. Sheehan: Yes

Mr. Corcoran: No

Mr. Ryan: Yes

CORRESPONDENCE

- 2-26-21 order on motion of Flight Level Norwood, LLC for preliminary injunction; Flight level Norwood, LLC vs. Boston Executive Helicopters, LLC (Superior Court Civil Action: 1582CV01637)
- 3-2-21 letter from Attorney N. Hartzell to Attorney M. Makarios re Flight Level aviation fuel deliveries
- 2-18-21 narrative statement from NAC to FAA re: final reimbursement for CARES Act grant
- SF 425 for CARES Act grant (3-25-0027-40-2020)
- Payment request #4, AIP No. 3-25-0037-039-2020 (post construction monitoring)
- Payment request #4 AIP No. 3-25-0041-2020 (environmental assessment)
- 1-13-21 BEH e-mail re: placement of storage containers, office on DC-3 and west aprons
- Undated letter from W. Mulvey to the NAC requesting permission to bow hunt on airport property
- 2-11-21 letter from R. Maguire to J. Bennett approving request to bow hunt on airport property
- 2-11-21 letter from R. Maguire to M. O'Brien approving request to bow hunt on airport property

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

Mr. Sheehan: Yes

Mr. Corcoran: Yes

Mr. Ryan: Yes

Mr. Ryan made additional comments regarding the long-standing relationship with the Commission and Boston Executive Helicopters.

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;

- 2/10/21 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 4:20 p.m.

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

MEETING ADJOURNED: 4:31 PM