



Commonwealth of Massachusetts

NORWOOD AIRPORT COMMISSION

Mark P. Ryan, *Chairman*  
Martin E. Odstrchel

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:** Thursday, September 12, 2019  
**TIME:** 4:30 p.m.  
**PLACE:** Norwood Town Hall, Finance Commission Meeting Room  
566 Washington Street  
Norwood, MA 02062

RECEIVED  
TOWN OF NORWOOD  
TOWN CLERK/ACCOUNTANT  
2019 SEP 10 PM 1:52

*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

- 8/7/19 regular business meeting
- 8/14/19 regular business meeting
- 8/26/19 regular business meeting

### 3. AIRPORT MANAGER'S REPORT

### 4. OLD BUSINESS

### 5. NEW BUSINESS

- MassDOT pay request #6: fit-out of airport administration building

### 6. CORRESPONDENCE:

- 8/6/19 letter from A. Radlo, of *Flight Level Norwood, LLC* (FLN), to Norwood Board of Selectmen and Norwood Airport Commission (NAC), re: impending lawsuit
- 8/14/19 letter from R. Maguire, to P. Eichleay, of FLN, re: notice of award: lots A,B,C with hangar construction (contract #NAC-19-04)
- 8/14/2019 letter from R. Maguire, to C. Donovan, of *Boston Executive Helicopters, LLC* (BEH), re: general release and settlement agreement—pedestrian gate
- 8/23/19 letter to Civil Clerk's office, Dedham District Court, from Norwood Town Counsel (P. Mello) re: summary process: eviction of D. Quinn, west apron aircraft tie-down tenant
- 8/26/19 letter from C. Donovan, of BEH, to G. Lattrell, Acting Director, FAA New England Region, Airports Division, re: gate 3 taxi-lane; 8/27/19 letter from C. Donovan, of BEH, to M. Ryan, of NAC, re: gate 3 taxi-lane
- 8/27/19 letter from R. Maguire, to C. Donovan, of BEH, re: support for construction of hangar on west apron and BEH's efforts to obtain a long term (30-year) lease
- 8/27/19 letter from R. Maguire, to C. Donovan, of BEH, re: petition to FAA for removal of TOFA/OFA markings

- 8/27/19 letter from R. Maguire, to C. Donovan, of BEH, re: BEH's views on value of Verizon land and suggestions for its return to aeronautical use
- 9/3/19 letter from R. Maguire to D. Quinn, re: return of check for aircraft tie-down payment
- 9/3/19 letter from R. Maguire, to D. Mainville, of *AVIS Rent A Car System, LLC*, re: use of the main parking lot at the airport
- Five-year capital improvement plan

## 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: (1) *Boston Executive Helicopters, LLC* v. Town of Norwood et al., U.S. District Court-Massachusetts Civil Action No. 1:15-cv-13647-RGS; and (2) *Boston Executive Helicopters* v. Norwood Airport Commission and Town of Norwood, Federal Aviation Administration Docket No. 16-15-05

- 8/7/19 executive session minutes



**TO: NORWOOD AIRPORT COMMISSION**  
**FROM: RUSS MAGUIRE, AIRPORT MANAGER**  
**RE: MANAGER'S REPORT: 8/6/19—9/10/19**

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**— Major Projects/Issues —**

### **MUNIS Conversion**

Airport management continues to receive 'as needed' training on the suite of software applications for the Town's new enterprise resource planning (ERP) system known as MUNIS. Since July, when the Town went live with MUNIS, the Airport Manager (AM) has processed all of the department's financials (e.g., purchase orders, cashiering, reports, researching of transactions, etc.) using MUNIS. In general, this conversion has gone well, though there have been delays specific to grant administration functions, in particular, the depositing of MassDOT grant monies and subsequent processing of payments to contractors/vendors. More recently, the depositing of monies to the Treasurer's office has required additional trouble shooting with support from the IT Department.

### **Administration Building**

Throughout this period, in support of the administration building fit-out project, airport management has hosted and participated in weekly job meetings with the owner's project manager, general contractor, architects, and occasionally, sub-contractors. These meetings are held each Wednesday at 9 a.m. Airport management also continues to work routinely with the general contractor and subs, architects, MassDOT, suppliers and other contractors allied to the project.

### **Removal of Vegetation**

In April, the AM solicited MassDOT for inclusion in a safety-related vegetation management program. This was approved at 100% funding by the state. The work, set to begin in October, will address 48 acres at four sites, three which involve vegetative areas off the runway ends. Target species will be the woody re-growth previously cut, and maintenance methods will include heavy mowing with specialized amphibious equipment.

### **Capital Planning**

On 8/22, the NAC Chairman and AM met with FAA and MassDOT officials to review and update Norwood Airport's five-year capital improvement plan; and on 8/23, the AM met with the Town Manager and other Town officials to provide an update on the FY 2020 capital project: replacement of the wildlife/perimeter fence.



## — Informational Updates —

### Monthly Revenues

From 8/6/19 to 9/10/19, the AM issued five postings to the Treasurer's office, totaling \$39,031.68 in payments. These revenues are broken down as follows:

REVENUE TYPE	DEPOSIT DATE	AMOUNT
Land Leases	8/25, 9/9	\$33,531.24
Fuel Flowage Fees	9/9	\$4,500.44
Aircraft Tie-Down Leases	N/A	N/A
Security Badge Fees	8/17, 8/25	\$1,000
Revolving – Insurance Recovery	N/A	N/A
General <sup>1</sup>	N/A	N/A
Landing Fees	N/A	N/A

### Monthly Fuel Flowage

For the month of July, *Flight Level's* bills of lading for fuel totaled 64,292 gallons. At \$.07/gallon, the Town received \$4,500.44 in flowage fees.

### Professional Development

On 8/8, along with the Town's other department heads, the AM attended a managers' retreat.

### Air Traffic Count

For the Norwood Airport's August air traffic reports, see *Attachments A-B*.

<sup>1</sup> General revenues include commercial permit and public records request fees, FEMA and insurance reimbursements, etc.

4

FAA CONTRACT TOWER - AIRPORT OPERATIONS COUNT RECORD																	
Facility Name: Norwood				Location: Norwood, MA				Mo.		Yr.		Location Ident.					
								O		8		O		W			
										1		9					
												1		5			
														O			
Airport Operations Count																	
ITINERANT																	
LOCAL																	
IFR				VFR								Total Airport Operations					
Day	AC	AT	GA	MI	Total IFR Inherent Ops	AC	AT	GA	MI	Total VFR Itinerant Ops	Civil	Military	Total Local Ops				
01		8	14		22		19	145		164	160			160	346		
02		3	11		14		23	155		178	126			126	318		
03		4	12		16		7	117	1	125	118	2		120	261		
04		4	13		17			161		161	108			108	286		
05		4	9		13		24	142		166	62			62	241		
06		3	14		17		16	81		97	90			90	204		
07		4	15		19		13	40		53	174			174	246		
08		12	26		38		16	89		105	142			142	285		
09		11	13		24		27	160		187	124			124	335		
10		3	8		11		3	116		119	38			38	168		
11		6	14		20		2	180		182	116			116	318		
12		2	4		6		10	156		166	164			164	336		
13		3	10		13		6	41		47	98			98	158		
14		7	24		31		14	119		133	92			92	256		
15		13	20		33		13	90		103	134			134	270		
16		13	31		44		15	113		128	122			122	294		
17		7	15		22			26		26	36			36	84		
18		4	27		31		1	128		129	128			128	288		
19		4	7		11		10	88		98	58			58	167		
20		4	4		8		21	143		164	114			114	286		
21		4	7		11		10	39		49	66			66	126		
22		7	19		26		5	56		61	154			154	241		
23		2	19		21		18	139		157	68			68	246		
24		2	10		12		7	143		150	138			138	300		
25		7	23		30		1	77		78	28			28	136		
26		11	4		15		20	112		132	94			94	241		
27		17	7		24		13	139		152	94			94	270		
28		5	11		16		8	56		64	88			88	168		
29		4	7		11		21	97		118	60			60	189		
30		12	18		30		7	135		142	16			16	188		
31		6	9		15		19	164		183	116			116	314		
Total		196	425		621		369	3447	1	3817	3126	2		3128	7566		



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# FAA CONTRACT TOWER OVERFLIGHT SUMMARY RECORD

Facility Name	Norwood	Location:	Norwood, MA	Mo.	0	8	1	9	Yr.	0	1	9	Loc Ident.	O	W	D
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OVERFLIGHT COUNT																
IFR OVERFLIGHTS								VFR OVERFLIGHTS								Total Overflights
Day	AC	AT	GA	MI	Total	AC	AT	GA	MI	Total						
01							18	12		30						30
02							24	40		64						64
03							4	8		12						12
04								10		10						10
05							12	6		18						18
06							14	18		32						32
07							12	4		16						16
08							16	8	2	26						26
09							12	14		26						26
10							8	24		32						32
11							8	18		26						26
12							20	6		26						26
13																
14							24	16	2	42						42
15							20	12		32						32
16							14	10	4	28						28
17							4	6		10						10
18		2			2		8	18		26						28
19							4	14		18						18
20		2			2		24	16	2	42						44
21							2	4		6						6
22							12	2		14						14
23							12	10		22						22
24		4			4		26	38	2	66						70
25							8	10		18						18
26		2			2		8	20	2	30						32
27		2			2		22	20	2	44						46
28							6	4	2	12						12
29							20	12		32						32
30							8	32		40						40
31							12	18		30						30
Total		12			12		382	430	18	830						842



**DRAFT ONLY**

**AIRPORT COMMISSION MEETING  
REGULAR BUSINESS MEETING**

**August 7, 2019**

**In Attendance:**

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

**Meeting Called to Order: 3:35 PM**

**Norwood Community Media and Boston Executive Helicopters are recording this meeting.**

**PROJECTS**

- AIP Project Update: Dubois & King  
Jeff Adler could not attend the meeting today. An update will be made at next month's meeting.

**MINUTES**

- May 8, 2019 – Regular Business Meeting  
On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to accept the minutes.
- May 30, 2019 – Regular Business Meeting  
On a motion by Mr. Corcoran and seconded by Mr. Sheehan, the Commission voted 3/0 to accept the minutes.
- June 13, 2019 – Regular Business Meeting  
On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to accept the minutes.
- July 2, 2019 – Regular Business Meeting  
On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to accept the minutes.
- July 22, 2019 - Regular Business Meeting  
On a motion by Mr. Corcoran and seconded by Mr. Sheehan, the Commission voted 3/0 to accept the minutes.

**AIRPORT MANAGER'S REPORT**

Mr. Maguire discussed the newly paved and striped parking lot. Early September the area should be open to the public. Mr. Maguire updated the Commission on the issue with Avis' misuse of the parking lot. The unregistered vehicles are now gone. Mr. Ryan discussed the landing fees. In the first 11 months approximately \$33,000 has been collected.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to accept the Airport Manager's report.

## **OLD BUSINESS**

- Advertisement for proposals, Lots A, B, C  
Proposals were due on May 20<sup>th</sup>. There was one proposal submitted and approved. Mr. Maguire has the approval from NAC to offer the lease to Flight Level.

## **NEW BUSINESS**

- Update, airport administration building, Meaghan Earner, Fennick, McCredie Architecture  
Ms. Earner is the lead architect on the Major Mark C. Welch administration building, and gave an update on the schedule, changes and budget on the project.
- FY2020 commercial permit applications

Mr. Maguire recommended a motion to approve the following FY2020 commercial permit applications. They are all renewals and meet the minimum standards for the airport: Flight Level Norwood, LLC; East Coast Aero Club, Inc.; New Horizon Aviation, Inc.; Kestrel Aviation, Inc.; Aerial Productions, LLC; Tuckamore Aviation Corporation; Blue Hill Helicopters, LLC; HB Holdings, Inc. dba Norwood Air; and Aspire Aviation, LLC

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to approve the commercial permit applications as stated by Mr. Maguire

Mr. Maguire recommended a motion to approve the FY2020 commercial permit applications, both renewals for the following businesses: Elite Aero Services, LLC and New England Aircraft Detailing, LLC. These applications include a written request to waiver the rented space requirement of the Norwood Airport minimum standards as well as the aircraft tie-down requirement, also per the Norwood Airport minimum standards.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to approve the commercial permit applications and allow the exemptions as stated by Mr. Maguire and grant the requested waivers.

Boston Executive Helicopters, LLC FY202 commercial permit application.

After discussion the Commission asked Mr. Maguire to work with Town Counsel to be sure that the insurance certificate shows that fueling is a covered item to make sure the Town is properly indemnified. Attorney North indicated it is in process. No action will be taken until the Commission hears back from Town Counsel.



- MassDOT pay requests re: fit-out of airport administration building.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to pay requisition 005 from Tower Construction dated July 31, 2019. The total is \$244,668.03, MassDOT's share is \$232,434.63. The Town's share is \$12,233.40.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to pay Victor Serena's invoice for the period of July 1, 2019 to July 31, 2019. The total is \$4,112.50. MassDOT's share is \$3,906.88. The Town's share is \$205.62.

## **CORRESPONDENCE**

- 7/24/19 letter to M. Ryan, of the NAC, from M. Garrity of MassDOT, re: Norwood Airport's ACIP, FY 2020-2024
- 7/12/19 notice of extension of time re: FAA docket No. 16-15-05
- 6/17/19 notice of extension of time re: FAA docket No. 16-15-05
- 6/4/19 letter to J. Merck, of FAA, from R. Maguire, re: engineer selection
- 6/4/19 letter to T. Mahoney, of MassDOT, from R. Maguire, re: engineer selection
- 6/3/19 letter to M. Caron, of Gale Associates, from R. Maguire, re: engineer selection
- 6/3/19 letter to R. Mallard, of Airport Solutions, Group, from R. Maguire, re: engineer selection
- 5/8/19 memorandum from A. Jacobs, of Epsilon Associates, to R. Maguire, re: wetlands delineation of the south helipad area
- 5/23/19 executed MassDOT standard contract, statewide airport administration building (SAAB)
- 5/20/19 letter to Norwood Board of Selectmen from C. Donovan, of Boston Executive Helicopters, LLC (BEH), re advertisement for proposals (#NAC-19-04)
- 5/16/19 MassDOT SAAB application for assistance
- 5/16/19 executed MassDOT standard contract, grant amendment for re-construction/re-location of taxiways A, D
- Undated, notice to landowners, from Algonquin Gas Transmission, LLC, re: easement rights and tree-clearing

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to file all the correspondence that has been submitted to the Norwood Airport Commission



The Commission voted by roll call to adjourn to go into Executive Session, for Purpose 3 for to discuss strategy with respect to litigation, if in open meeting may have a detrimental effect on the litigating position of the Norwood Airport Commission (1) Boston Executive Helicopter v. Town of Norwood, U.S. District Court – Massachusetts and (2) Boston Executive Helicopter v. Norwood Airport Commission and the Town of Norwood, Federal Aviation Administration as well as Executive Session meeting minutes of May 8, 2019, and to return to public session for purposes of adjournment.

Mr. Ryan: Yes

Mr. Sheehan: Yes

Mr. Corcoran: Yes

Adjourned for the purposes for Executive Session at 4:06 p.m.

The Commission returned to Open Session at 5:11 p.m.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to adjourn the meeting.

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

**MEETING ADJOURNED: 5:11 PM**

**AIRPORT COMMISSION MEETING  
REGULAR BUSINESS MEETING**

**August 14, 2019**

**DRAFT ONLY**

**In Attendance:**

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

**Meeting Called to Order: 3:39 PM**

**NCM and Chris Donovan of Boston Executive Helicopters are recording this meeting.**

**OLD BUSINESS**

- Issuance of Fixed-Based Operator (FBO) Permit, Boston Executive Helicopters, LLC

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to issue the requested FBO permit to BEH with the understanding that BEH will submit proof the insurance includes fueling and hangaring prior to beginning any fueling operations.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to adjourn the meeting.

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

**MEETING ADJOURNED: 3:42 PM**

**AIRPORT COMMISSION MEETING  
REGULAR BUSINESS MEETING  
August 14, 2019**

**DRAFT ONLY**

**In Attendance:**

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

**Meeting Called to Order: 3:39 PM**

**NCM and Chris Donovan of Boston Executive Helicopters are recording this meeting.**

**OLD BUSINESS**

- Issuance of Fixed-Based Operator (FBO) Permit, Boston Executive Helicopters, LLC

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to issue the requested FBO permit to BEH with the understanding that BEH will submit proof the insurance includes fueling and hangaring prior to beginning any fueling operations.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to adjourn the meeting.

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

**MEETING ADJOURNED: 3:42 PM**



**AIRPORT COMMISSION MEETING  
REGULAR BUSINESS MEETING  
August 26, 2019**

**DRAFT ONLY**

**In Attendance:**

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

**Meeting Called to Order: 4:00 PM**

**Norwood Community Media and Boston Executive Helicopters are recording this meeting.**

**OLD BUSINESS**

- Insurance for fixed-base operator (FBO) permit, Boston Executive Helicopters, LLC (BEH)  
Town Counsel, Karis North indicated that the certificate of insurance provided by BEH meets the requirements set forth in the minimum standards. It is consistent with insurance previously provided by BEH. Based on that BEH is authorized to sell and store fuel at the Norwood Airport.

On a motion by Mr. Sheehan and seconded by Mr. Corcoran the Commission voted 3/0 to issue BEH their FBO permit for FY2020 without condition on the advice of counsel.

- Town Manager, Tony Mazzucco  
Mr. Mazzucco clarified his understanding that BEH is a fixed based operator and can sell, store and/or fuel, etc. He confirmed that understanding with Mr. Ryan, Mr. Sheehan, Mr. Corcoran, Mr. Maguire and Attorney Karis North.

Mr. Mazzucco introduced David Mackey, Esq. and Mina Makarious, Esq. of Anderson Kreiger to work with the NAC and advise the NAC in decisions and processes going forward.

**CORRESPONDENCE**

- Draft 8/26/19 letter from NAC to C. Donovan, of BEH, re: support of construction for hangar on west apron and BEH efforts to obtain a long-term (30-year) lease
- Draft 8/26/19 letter from NAC to C. Donovan, of BEH, re: BEH's views on value of "Verizon Land" and suggestions for its return to aeronautical use
- Draft 8/26/19 letter from NAC to C. Donovan, of BEH, re: petition to FAA for removal of TOFA/OFA markings
- 8/20/19 letter from Town Counsel to M. Fee, re: BEH 2019 fixed-base operator permit
- 8/20/19 letter from Town Counsel to NAC re: insurance requirements consistent with Norwood Airport minimum standards, BEH

On a motion by Mr. Sheehan and seconded by Mr. Corcoran, the Commission voted 3/0 to waive the further reading and approve the three draft letters dated 8/26/19 and authorize the Commissioner to execute the documents on behalf of the Town of Norwood in compliance with the settlement agreement dated July 30, 2019.

On a motion by Mr. Sheehan and seconded by Mr. Odstrechel, the Commission voted 4/0 to adjourn the meeting.

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

**MEETING ADJOURNED: 4:08 PM**

***Victor A. Serena Jr.***  
***364 Park Street***  
***Wrentham, MA 02093***

August 28, 2019

**Invoice To:** Town of Norwood Memorial Airport

**Services Provided:** SRE Building Fit Out Inspection

**Pay Period:** August 5, 2019 – August 16, 2019

40.0 hours x \$35.00 per hour = \$1,400.00
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PR #6

TIMESHEETNAME VICTOR A. SERENA JR.PROJECT SRE BUILDING FIT OUTWEEK WEEK OF AUG. 5, 2019DATE SUBMITTED NORWOOD, MA.

DATE	DAY	TIME	HOURS	COMMENTS
8-5-19	MON.	8:00 → 11:30	3.5	FIELD
8-6-19	TUES.	8:00 → 11:30	3.5	FIELD
8-7-19	WED.	8:00 → 12:30	4.5	FIELD/MTG.
8-8-19	THUR.	7:30 → 11:30	4.0	FIELD
8-9-19	FRI.	6:30 → 11:00	4.5	
			TOTAL HRS	20.0

SUBMITTED BY

RECEIVED BY

PR#6

TIMESHEET

NAME

VICTOR A. SERENA JR

PROJECT

SRE BUILDING FIT OUT

WEEK

WEEK OF August 12, 2019

DATE SUBMITTED

Norwood, MA

DATE	DAY	TIME	HOURS	COMMENTS
8-12-19	MON.	8→12	4	FIELD
8-13-19	TUES.	8→12	4	FIELD
8-14-19	WED.	8→12	4	FIELD
8-15-19	THUR.	8→12	4	FIELD/MTG.
8-16-19	FRI.	8→12	4	FIELD
			TOTAL HRS	20

SUBMITTED BY

Victor A. Serena Jr

RECEIVED BY

[Signature]

125 ACCESS ROAD  
NORWOOD MEMORIAL AIRPORT  
NORWOOD, MA 02062

781.769.8680 FAX 781.769.0476 OR 781.769.7159

VIA HAND DELIVERY

August 6, 2019

Board of Selectmen – Town of Norwood  
Hand Delivery Town Hall  
Norwood Airport Commission (NAC)  
c/o Mr. Russ Maguire, Airport Manager  
125 Access Road  
Norwood, MA 02062

Re: Impending FlightLevel Norwood, LLC Lawsuit against the  
Town of Norwood and Norwood Airport Commission

Chairman Bishop and Honorable Selectmen:

I have now made several unsuccessful attempts to speak with Town officials to determine the status of my company's fuel farm access rights in the aftermath of last Tuesday's settlement conference in the matter of Boston Executive Helicopters, LLC ("BEH") v. Town of Norwood, et al. During that settlement conference, it was reported to Judge Stearns that the Town had conceded to BEH's demand that it be given a West Apron lease free of any public easements.

As you are unquestionably aware, my company and its predecessors have used portions of the West Apron to provision my fuel farm on Lot H for nearly four decades. Our access rights are the subject of a contract between my company and the Town of Norwood. A non-exclusive easement over a portion of the West Apron to be used by my company was also approved by a 4-0 vote of the Norwood Airport Commission ("NAC"), at its February 2017 public meeting.

As I have heard no response from any official or legal representative of the Town; as FlightLevel's numerous inquiries for information, including its public records requests have gone unfulfilled; and as the Town's agreement with BEH to extinguish FlightLevel's fuel farm access rights have been reported in the press, I have directed our lawyers to take immediate legal action.

*Al R. Radlo*





## The TOWN OF NORWOOD

Commonwealth of Massachusetts

### *Norwood Memorial Airport*

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

OFFICE ADDRESS

125 Access Road  
Norwood, MA 02062

MAILING ADDRESS

125 Access Road  
Norwood, MA 02062

**BY E-MAIL AND HAND-DELIVERED**

August 14, 2019

*Flight Level Norwood, LLC*  
Attn: Peter Eichleay, President  
125 Access Road  
Norwood, MA 02062

**RE: Notice of Award —Norwood Memorial Airport, Lots A, B, C with Hangar  
Construction (Contract #NAC-19-04)**

Dear Peter:

As you know by your attendance at last week's Norwood Airport Commission (NAC) meeting, the board voted to accept *Flight Level Norwood, LLC* proposal to lease lots A,B,C, as well as to construct a new 7,200 s.f. state-of-the-art hangar. This letter serves to formalize the NAC's decision.

Moving forward, I suggest a meeting to finalize negotiations on the lease, at which time we might also begin discussions on the schedule *Flight Level* is considering for construction of the hangar.

On behalf of the NAC, congratulations on this award.

Sincerely,

  
Russ Maguire, Manager  
Norwood Memorial Airport

Cc: Norwood Airport Commission; Cathy Carney, Norwood Purchasing Department



Town of Norwood

Commonwealth of Massachusetts

***Norwood Memorial Airport***

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

**OFFICE ADDRESS**

125 Access Road  
Norwood, MA 02062

**MAILING ADDRESS**

125 Access Road  
Norwood, MA 02062

**BY ELECTRONIC MAIL ONLY**

August 14, 2019

*Boston Executive Helicopters, LLC*

Attn: Chris Donovan, President

209 Access Road

Norwood, MA 02062

**RE: General Release and Settlement Agreement—Pedestrian Gate**

Dear Chris,

Per Article 4 of the July 30, 2019 *General Release and Settlement Agreement*, I understand that a pedestrian gate and keypad are to be installed adjacent to vehicle/security gate #3 at the Norwood Airport. I've therefore coordinated a meeting, to be held on Wednesday, August 28, at 1:30 p.m., in the Finance Commission meeting room, at Norwood Town Hall, 566 Washington Street, to review and discuss the design and installation of the pedestrian gate/keypad.

This will not be a Norwood Airport Commission meeting, though a representative(s) from the Commission may be present. Other attendees will most likely include several Town contractors, Assistant Airport Manager, Mark Raymond, and myself.

If you cannot attend the meeting, you're welcome to send a representative from your company. Please advise at your earliest convenience.

Thank you.

Sincerely,

*Russ Maguire*

Russ Maguire, Manager  
Norwood Memorial Airport

docs\NORW04\00253\1147750.v1-8/14/19

**MH MURPHY HESSE**  
**TL TOOMEY & LEHANE LLP**  
Attorneys at Law

**Peter L. Mello**  
[pmello@mhl.com](mailto:pmello@mhl.com)

August 23, 2019

**VIA HAND FILING**  
Civil Clerk's Office  
Dedham District Court  
631 High Street  
Dedham, MA 02026

**Re: Norwood Airport Commission-Quinn  
Dedham District Court-Summary Process**

Dear Sir or Madam:

I have enclosed for filing in the above-referenced matter, a Summary Process Summons and Complaint with Exhibits A and B, with Middlesex County Sheriff's return of Service affixed thereto, along with a check in the amount of \$195.00 for your filing fee.

Thank you for your courtesies regarding this matter.

Very truly yours,

*Peter L. Mello*  
Peter L. Mello

Enclosures

RECEIVED

AUG 23 2019

DISTRICT COURT  
DEDHAM DIVISION

300 Crown Colony Drive, Suite 410 | Quincy, Massachusetts 02169 | T 617.479.5000 | F 617.479.6469  
Boston | Springfield | [info@mhl.com](mailto:info@mhl.com) | [www.mhl.com](http://www.mhl.com)



**Peter L. Mello**  
pmello@mhtl.com

August 15, 2019

**VIA OVERNIGHT MAIL**

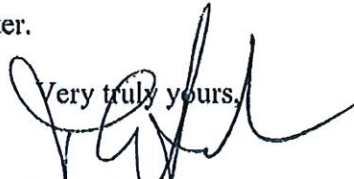
Civil Process Division  
Middlesex County Sheriff's Office  
271 Cambridge Street  
Cambridge, MA 02141

**Re: Norwood Airport Commission-Quinn  
Dedham District Court-Summary Process**

Dear Sir or Madam:

I have enclosed in the above-referenced matter, a Summary Process Summons and Complaint with Exhibits A and B, to be served upon Donald Quinn, 220 Langley Road, Newton, MA 02459. **Please expedite and schedule service of process upon Mr. Quinn today, August 16, 2019, due to impending deadlines with the Court.** Please contact my paralegal, Paula Wright at (617) 479-5000, once service has been complete.

Thank you for your courtesies regarding this matter.

Very truly yours,  
  
Peter L. Mello

Enclosures

Commonwealth of Massachusetts

SUMMARY PROCESS (EVICTION) SUMMONS AND COMPLAINT

District Court Department

Dedham Division

Norfolk ss

☐ Residential

☒ Commercial

Docket No.

(To be added by clerk's office)

Entry Date: August 26, 2019

NOTICE OF A COURT CASE TO EVICT YOU - PLEASE READ IT CAREFULLY

ESTA ES UNA NOTIFICACION DE UN CASO EN CORTE PARA DESALOJARLE.  
FAVOR DE LEER EL MISMO CON CUIDADO

TO DEFENDANT(S)/TENANT(S)/OCCUPANT(S): Donald Quinn

ADDRESS: 220 Langley Road CITY/TOWN: Newton ZIP: 02459

You are hereby summonsed to appear at a hearing before a Judge of the Court at the time and place listed below:

DAY: Thursday DATE: September 5, 2019 TIME: 10:00 AM COURT NAME: Dedham District Court

COURT ADDRESS: 631 High St., Dedham, MA 02026 ROOM: Courtroom 1

to defend against the complaint of PLAINTIFF/LANDLORD/OWNER: Town of Norwood/Norwood

Airport Commission of

STREET 125 Access Road CITY/TOWN: Norwood ZIP: 02062

that you occupy the premises at west apron tie-down space number [W-15] located at Norwood Memorial Airport

being within the judicial district of this court, unlawfully and against the right of said Plaintiff/Landlord/Owner

because: Unlawful occupation of premises following termination of commercial

tenancy-at-will. See attached materials in support hereof.

and further, that \$ rent is owed according to the following account:

WITNESS:

ACCOUNT ANNEXED (itemize)

Hon. Michael J. Pomarole

First or Chief Justice

Peter L. Mello

Printed Name of Plaintiff or Attorney

Signature of Plaintiff or Attorney

8-15-19

Date of Signature of Plaintiff or Attorney

Murphy, Hesse, Toomey & Lehane, LLP  
300 Crown Colony Drive, Suite 410

Quincy, MA 02169

Address of Plaintiff or Attorney

(617) 479-5000

Telephone Number of Plaintiff or Attorney

NOTICE TO EACH DEFENDANT/TENANT/OCCUPANT: At the hearing on September 5, 2019

you (or your attorney) must appear in person to present your defense. You (or your attorney) must also file a written answer to this complaint. An answer is your response stating the reason(s) why you should not be evicted and may, in residential cases, include any claims you have against the Landlord. (An Answer Form is available in the clerk's office whose telephone number is 781 329-4777 ext. 320.) You must file (deliver or mail) the answer with the court clerk and serve (deliver or mail) a copy on the landlord (or landlord's attorney) at the address shown above. The Answer must be received by the court clerk and received by the landlord (or the landlord's attorney) no later than ~~Monday~~ <sup>Tuesday</sup> September 3, 2019\*, which is the first ~~business~~ <sup>business</sup> day after the "entry date" listed above. The entry date is the day by which your landlord must file this complaint with the court clerk.

\*Monday, September 2, 2019  
Holiday-Labor Day



NOTICE TO EACH DEFENDANT/TENANT/OCCUPANT: IF YOU DO NOT FILE AND SERVE AN ANSWER, OR IF YOU DO NOT DEFEND AT THE TIME OF THE HEARING, JUDGMENT MAY BE ENTERED AGAINST YOU FOR POSSESSION AND THE RENT AS REQUESTED IN THE COMPLAINT.

SI USTED NO REGISTRA O NOTIFICA UNA CONTESTA, O SI USTED NO PRESENTA UNA DEFENSA A LA HORA DE LA AUDIENCIA, UNA SENTENCIA PUEDE SER REGISTRADA EN SU CONTRA PARA POSECCION Y POR LA RENTA REQUERIDA EN EL RECLAMO.

To the Sheriffs of our several counties, or their Deputies, or any Constable of any City or Town within said Commonwealth, GREETINGS: We command you to summon the within named defendant(s)/tenant(s)/occupant(s) to appear as herein ordered.

  
Clerk/Magistrate

Officer's Return

ss

City/Town:

Date:

By virtue of this Writ, I this day served the within-named tenant or occupant, and summonsed him/her as herein directed, by giving in hand to \_\_\_\_\_

or leaving it at: \_\_\_\_\_ the last and usual place of abode.

A copy of this summons was mailed first class to each tenant/occupant at the address on: \_\_\_\_\_

Fees for Service:

Service \$ \_\_\_\_\_  
Copy/Attest \_\_\_\_\_  
Travel \_\_\_\_\_  
Use of Car \_\_\_\_\_  
Mailing \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

Signature of Officer \_\_\_\_\_

Printed Name of Officer \_\_\_\_\_

Address of Officer \_\_\_\_\_

Telephone Number of Officer \_\_\_\_\_

NOTICE TO PLAINTIFF/LANDLORD/OWNER: Have the Officer complete and return above. Service must be made on the defendant(s) no later than the seventh day and not earlier than the thirtieth day before the Monday entry date. This form must be filed in court no later than the close of business on the scheduled Monday entry date. In appropriate cases, proper evidence of notice to quit must be provided to this court upon the filing of this complaint. See Uniform Summary Process Rule 2(d). According to Uniform Summary Process Rule 2(e), the hearing date is the second Thursday after the entry date. In some courts, the hearing date is the second Monday, third Tuesday, third Wednesday, or second Friday.

Amended effective: 09/01/05.



**MH MURPHY HESSE**  
**TL TOOMEY & LEHANE LLP**  
Attorneys at Law

Peter L. Mello  
[pmello@mhl.com](mailto:pmello@mhl.com)

June 6, 2019

**BY CERTIFIED MAIL**  
**(Return Receipt requested)**  
**AND FIRST CLASS MAIL**

Donald Quinn  
P.O. Box 623  
North Truro, MA 02652

Donald Quinn  
220 Langley Road  
Newton, MA 02459

**Re: Further Demand for Compliance with Notices to Quit  
and of Termination of Commercial Tenancy-at-Will**

Dear Mr. Quinn:

As you know, in the attached letter dated December 21, 2018, and in subsequent communications, the Norwood Airport Commission ("NAC") directed that you vacate, no later than April 1, 2019, the West Apron tie-down space number W-15 ("Space W-15") of the Norwood Memorial Airport (the "Airport"). In violation of these demands and applicable legal requirements, to date you continue to occupy Space W-15 improperly.

In view of your continued unlawful occupancy of Space W-15, and the NAC's pressing need for unfettered use of such space, the NAC intends imminently to commence formal legal proceedings to obtain a court order compelling your immediate removal from the Airport. In a final, good faith attempt to facilitate your voluntary removal without the need for such proceedings, we will refrain from our intended filing until **July 17, 2019**. Please be advised that we intend to commence litigation immediately upon the expiration of such deadline should you fail to vacate the Airport in advance thereof. In addition, I am compelled to caution that, in the absence of your compliance, the NAC and Town of Norwood hereby reserve all rights to fully pursue any damages, remedies and other available relief against you, at law or otherwise.

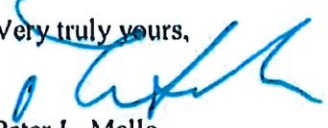
We are hopeful that, in accordance with the NAC's good faith demands and applicable law, you will vacate Space W-15 voluntarily no later than July 17, 2019. Please contact NAC's

300 Crown Colony Drive, Suite 410 | Quincy, Massachusetts 02169 | T 617.479.5000 | F 617.479.6469  
Boston | Springfield | [info@mhl.com](mailto:info@mhl.com) | [www.mhl.com](http://www.mhl.com)

Donald Quinn  
June 6, 2019  
Page 2

Airport Manager, Russ Maguire, to coordinate or confirm your removal from Space W-15. If you are represented in this matter, please forward this letter to your counsel.

Very truly yours,

  
Peter L. Mello

Enclosure

cc: Norwood Airport Commission  
Russ Maguire, Manager



Commonwealth of Massachusetts

NORWOOD AIRPORT COMMISSION

Mark P. Ryan, *Chairman*  
Martin E. Odstrchel

Michael Sheehan, *Vice Chairman*  
John J. Corcoran

Kevin J. Shaughnessy, *Clerk*

Russ Maguire  
rmaguire@norwoodma.gov

FILE

December 21, 2018

**SENT VIA CERTIFIED AND REGULAR MAIL**

Donald Quinn  
P.O. Box 623  
North Truro, MA 02652-0623

Donald Quinn  
220 Langley Road  
Newton, MA 02459

**Re: Notice to Quit/Notice of Termination of Commercial Tenancy-at-Will**

Dear Don:

Please accept this letter as formal notice of the Norwood Airport Commission's intention to terminate your commercial tenancy-at-will for west apron tie-down space number [W-15] located at the Norwood Memorial Airport in Norwood, Massachusetts, effective April 1, 2019 (the "Termination Date"). Please note that you will remain liable to pay rent for the final rent period prior to the Termination Date, an invoice for which has been sent to you under separate cover.

Please feel free to contact me with any questions.

Sincerely,

*Russ Maguire*

Russ Maguire  
Executive Officer (Airport Manager)  
Norwood Airport Commission





August 26, 2019

Gail Lattrell, Acting Director  
Airports Division, ANE-600  
New England Region  
Federal Aviation Administration  
1200 District Avenue  
Burlington, MA 01803-5078

Dear Ms. Latrell:

I am enclosing a copy of a letter I recently presented to the Norwood Airport Commission. I am the CEO of Boston Executive Helicopters (BEH), a tenant and Part 135 operator at Norwood Memorial Airport and an applicant for an FBO permit at that airport. I am sure you are aware of the November 2, 2018, Director's Determination finding that the Norwood Airport Commission (NAC) discriminated against BEH in delaying the issuance of an FBO permit for more than 6 years, and directing NAC to cooperate in approving the BEH permit application.

NAC and BEH recently entered into a settlement agreement for U.S. District Court litigation involving the BEH application. Section 9 of that agreement provides that BEH will petition the Federal Aviation Administration (FAA) to remove the taxilane designation and markings from Lane 3 in front of the BEH hangar, and that the Norwood Airport Commission (NAC) would support that petition.

Notwithstanding the wording of the settlement, I am assuming that the FAA will expect the petition or request to come from NAC itself, rather than BEH as an airport tenant, so I have requested that NAC make that request to you as well as submitting this request for your approval directly.

A change in the designated marking of the Gate 3 lane is well justified. As we noted in the letter to NAC:

1. The taxilane at the south end of lane 3 serves no purpose for aircraft separation.

The Gate 3 taxilane and associated 115-foot wide taxilane object free area (TOFA) is designated in front of the entire length of the BEH hangar, and ends within a few feet of the airport fence and the Gate 3 vehicle gate.

FAA Advisory Circular (AC) 150/5300-13A, *Airport Design*, defines a taxilane as intended to provide access "to aircraft parking positions and other terminal areas." (emphasis added)

Chapter 5 of AC 5300-13A, *Aprons*, at paragraph 502, defines "Hangar apron" as "an area on which aircraft move into and out of a storage hangar." The hangar apron in front of the BEH hangar is almost totally overlaid with a taxilane OFA, including an area leased to BEH but virtually unusable due to TOFA requirements.

At present, taxi lane markings extend from Taxilane Bravo all the way to the airport fence at Gate 3. Gate 3 is of course a vehicle gate, not an aircraft gate, so Gate 3 is not a destination for aircraft using the taxi lane, and aircraft would not use the taxilane to taxi up to a dead end at a vehicle gate (which would block the gate).

Rather, the final destination for aircraft using the taxi lane is the ramp area between the BEH hangar and the Y2K hangar leased by Flight Level. Both the BEH and Y2K hangar properties abut the airport fence and access road, so there are no airport facilities accessible by aircraft beyond the ramp between these two hangars. Both of these hangars open onto this section of ramp, and use it for aircraft parking, marshalling, and fueling.

Accordingly, when aircraft on the taxi lane reaches the northeast corner of the BEH hangar, it is entering a ramp area where it will be parked or moved into a hangar, and is no longer using a through taxilane to anywhere else. No aircraft use the marked taxilane as a taxilane beyond this point. The taxilane therefore should extend to this area, but not through it.

2. A taxilane is not justified under FAA standards for the purpose of vehicle access.

Lane 3 is necessarily used by vehicles for access to the vehicle gate, which makes the center of Lane 3 effectively a service road. AC 150/5300-13A provides standards and rules for service roads on airport apron. As noted in Paragraph 514 of the AC, "[t]hese roads should be clear of the OFAs for the runways and taxiways/taxilanes." Paragraph 404.b(1), which states the requirements for a taxilane OFA, has the same prohibition:

The taxiway and taxilane OFA clearing standards prohibit service vehicle roads, parked aircraft, and other objects, except for objects that need to be located in the OFA for air navigation or aircraft ground maneuvering purposes. (emphasis added).

FAA standards permit aircraft and vehicles to share use of the apron (if vehicles yield to aircraft), but there cannot be both a taxilane and a service road marked on the same route; it should be one or the other. In the area in between the BEH and Y2K hangars, a service road is a necessity because of the vehicle gate at the end of Lane 3, while a taxilane in that location serves no purpose at all for aircraft movement.

Accordingly, the ramp markings from the northeast corner of Lot F to Gate 3 should be changed from a taxilane to a vehicle service road.



A service road would be two lanes of 10 to 12 feet each, for a maximum width of 24 feet, compared to the 115-foot width of the taxilane TOFA. There is no prohibition on the marking of a service road across open ramp, and the designation of a service road in the center of Lane 3 between the BEH and Y2K hangars, in lieu of a taxilane, would be appropriate and consistent with FAA standards.

As I mentioned in my letter to NAC, we (actually my consultant David Bennett) posed the question to AAS-100 as to whether a taxilane was appropriate in Gate Lane 3 in front of the hangars at the end of the lane. The answer was that they weren't prepared to say it was prohibited by standards, but they did see that the taxilane served little if any purpose at the end of the lane, and thought that substituting a vehicle service road marking would be a safety improvement by providing a clearly protected route for vehicles.

3. The Gate 3 taxilane and TOFA are highly detrimental to the use of the BEH hangar.

Ramp in front of a hangar is defined by FAA as "hangar ramp," and is highly valuable real estate to a hangar owner. BEH is no exception. A substantial area immediately in front of the BEH hangar is within the Lane 3 taxilane TOFA. Under FAA standards, the existence of a taxilane mandates a TOFA 57.5 feet to either side of the taxilane centerline. FAA rules for keeping the TOFA clear of certain objects and activities render that area practically useless for the adjacent hangar owners. Part of the TOFA overlays leased apron, on which the hangar owner pays rent but has very little use of.

Replacing the current taxilane with a vehicle service road in this location provides each of the adjacent hangar owners with an additional 45 feet of hangar apron in front of their respective hangars, making it far easier to position aircraft and move stored aircraft in and out of the hangars. The extra space also allows for more clearance between aircraft being moved in and out of the hangars.

Substituting a vehicle service road will have no negative impact on either taxiing aircraft or vehicles using Gate 3. Vehicle drivers will have clearly marked lanes between Taxilane Bravo and Gate 3. Pilots taxiing aircraft to the BEH or Y2K hangars will turn toward the hangars after passing the northeast corner of the BEH hangar as they do now.

4. I cannot see any potential environmental impact from the change in marking. While the replacement of the taxilane in front of the BEH hangar with a vehicle service road will allow the adjacent hangar owners more room for maneuvering aircraft, it will have no effect on the number or types of aircraft or vehicles that use Lane 3, and make no change in the kinds of activity using the hangars on Lane 3.

5. On August 21, David Bennett and I met with Michelle Ricci and Lisa Esperance to present the case for changing the Lane 3 marking in front of my hangar to a vehicle service road. Ms. Ricci and Ms. Esperance took the position, as I understood it, that because NAC had initiated a technical master plan update, the FAA could not consider any request from NAC for a change in pavement marking until the issue had been considered as part of the master plan process, which could take years. We are talking here about the re-painting of 120 linear feet of apron markings in the non-movement area of a general aviation airport, to make the pavement markings consistent with actual current use and with FAA airport design standards. This action involves only painted markings on pavement, and does not in any

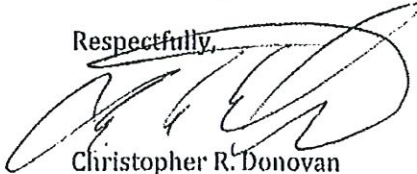


Page 4

way foreclose the airport's options for consideration of alternatives in the planning process. Airport operators have safety and operational responsibilities that can require prompt action, and I would ask that you reconsider the apparent position that an administrative planning process for future airport development prohibits an airport operator from addressing current operational needs.

For all of the above reasons I request that you approve a NAC request to alter the markings on this short section of ramp, and/or find that it is an action that could be done without further FAA review and noted on the next update of the Airport Layout Plan.

Respectfully,

A handwritten signature in black ink, appearing to read 'CR Donovan', written over the word 'Respectfully,'.

Christopher R. Donovan  
President, Boston Executive Helicopters



August 27, 2019

Mark Ryan  
Superintendent, Department of Public Works  
Chairman, Norwood Airport Commission  
125 Access Road  
Norwood, MA 02062

Dear Mr. Ryan:

I am writing to request your action and assistance in implementing a change to the Lane 3 taxilane designation at Norwood Airport. As you know, section 9 of the settlement agreement entered into by the Town of Norwood and Boston Executive Helicopters (BEH) on July 30, 2019, provided that BEH would petition the Federal Aviation Administration (FAA) to remove the taxilane designation and markings from Lane 3 in front of the BEH hangar, and that the Norwood Airport Commission (NAC) would support that petition. Legal counsel for the Town submitted that agreement to the U.S. District Court in support of a motion to dismiss litigation against the Town.

The FAA may require the petition or request to come from NAC itself, rather than BEH as an airport tenant, so I am requesting that you support the BEH request, as agreed in the settlement agreement, by sending a NAC request for the same action. I have enclosed a draft letter that could be used for that purpose, if you would find that helpful.

A change in the designated marking of the Gate 3 lane is well justified:

1. The taxilane at the south end of lane 3 serves no purpose for aircraft separation.

The Gate 3 taxilane and associated 115-foot wide taxilane object free area (TOFA) is designated in front of the entire length of the BEH hangar, and ends within a few feet of the airport fence and the Gate 3 vehicle gate.

FAA Advisory Circular (AC) 150/5300-13A, *Airport Design*, defines a taxilane as intended to provide access "to aircraft parking positions and other terminal areas." (emphasis added)



Chapter 5 of AC 5300-13A, *Aprons*, at paragraph 502, defines "Hangar apron" as "an area on which aircraft move into and out of a storage hangar." The hangar apron in front of the BEH hangar is almost totally overlaid with a taxilane OFA, including an area leased to BEH but virtually unusable due to TOFA requirements. .

At present, taxi lane markings extend from Taxilane Bravo all the way to the airport fence at Gate 3. Gate 3 is of course a vehicle gate, not an aircraft gate, so Gate 3 is not a destination for aircraft using the taxi lane.

Rather, the final destination for aircraft using the taxi lane is the ramp area between the BEH hangar and the Y2K hangar leased by Flight Level. Both the BEH and Y2K hangar properties abut the airport fence and access road, so there are no airport facilities accessible by aircraft beyond the ramp between these two hangars. Both of these hangars open onto this section of ramp, and use it for aircraft parking, marshalling, and fueling.

Accordingly, when aircraft on the taxi lane reaches the northeast corner of the BEH hangar, it is entering a ramp area where it will be parked or moved into a hangar, and is no longer using a through taxilane to anywhere else. No aircraft use the marked taxilane as a taxilane beyond this point. The taxilane therefore should extend to this area, but not through it.

2. A taxilane is not justified under FAA standards for the purpose of vehicle access.

Lane 3 is necessarily used by vehicles for access to the vehicle gate, which makes the center of Lane 3 effectively a service road. AC 150/5300-13A provides standards and rules for service roads on airport apron. As noted in Paragraph 514 of the AC, "these roads should be clear of the OFAs for the runways and taxiways/taxilanes." Paragraph 404.b(1), which states the requirements for a taxilane OFA, has the same prohibition:

The taxiway and taxilane OFA clearing standards prohibit service vehicle roads, parked aircraft, and other objects, except for objects that need to be located in the OFA for air navigation or aircraft ground maneuvering purposes. (emphasis added).

FAA standards permit aircraft and vehicles to share use of the apron (if vehicles yield to aircraft), but there cannot be both a taxilane and a service road marked on the same route; it has to be one or the other. In the area in between the BEH and Y2K hangars, a service road is a necessity because of the vehicle gate at the end of Lane 3, while a taxilane in that location serves no purpose at all for aircraft movement.

Accordingly, the ramp markings from the northeast corner of Lot F to Gate 3 should be changed from a taxilane to a vehicle service road.

A service road would be two lanes of 10 to 12 feet each, for a maximum width of 24 feet, compared to the 115-foot width of the taxilane TOFA. There is no prohibition on the marking of a service road on open ramp, and the designation of a service road in the center of Lane 3 between the BEH and Y2K hangars, in lieu of a taxilane, would be appropriate and consistent with FAA standards.



We have been advised by the FAA headquarters Airports engineering staff that FAA would have no problem with replacing the taxilane with a vehicle service road in that location, and in fact could consider it a safety enhancement by providing a clearly protected route for vehicles.

3. The Gate 3 taxilane and TOFA are highly detrimental to the use of the BEH hangar.

Ramp in front of a hangar is defined by FAA as "hangar ramp," and is highly valuable real estate to a hangar owner. A substantial area immediately in front of the BEH hangar is within the Lane 3 taxilane TOFA. Under FAA standards, the existence of a taxilane mandates a TOFA 57.5 feet to either side of the taxilane centerline. FAA rules for keeping the TOFA clear of certain objects and activities render that area practically useless for the adjacent hangar owners. Part of the TOFA overlays leased apron, on which the hangar owner pays rent but has very little use of.

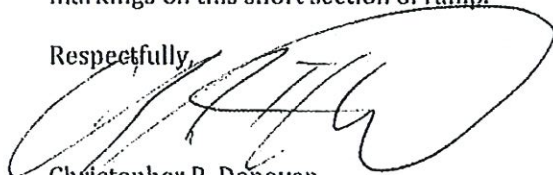
Replacing the current taxilane with a vehicle service road in this location provides each of the adjacent hangar owners with an additional 45 feet of hangar apron in front of their respective hangars, making it far easier to position aircraft and move stored aircraft in and out of the hangars. The extra space also allows for more clearance between aircraft being moved in and out of the hangars.

Substituting a vehicle service road will have no negative impact on either taxiing aircraft or vehicles using Gate 3. Vehicle drivers will have clearly marked lanes between Taxilane Bravo and Gate 3. Pilots taxiing aircraft to the BEH or Y2K hangars will turn toward the hangars after passing the northeast corner of the BEH hangar as they do now.

I would note that while the replacement of the taxilane in front of the BEH hangar with a vehicle service road will allow the adjacent hangar owners more room for maneuvering aircraft, it will have no effect on the number or types of aircraft or vehicles that use Lane 3, and make no change in the kinds of activity in the hangars on Lane 3.

For all of the above reasons I request that you notify the FAA that the Commission intends to alter the markings on this short section of ramp.

Respectfully,

A handwritten signature in black ink, appearing to read 'CR Donovan', enclosed within a large, loopy oval shape.

Christopher R. Donovan  
President, Boston Executive Helicopters

Gail Lattrell, Acting Director  
Airports Division, ANE-600  
New England Region  
Federal Aviation Administration  
1200 District Avenue  
Burlington, MA 01803-5078

Dear Ms. Latrell:

I am writing to notify you of the Norwood Airport Commission's intent to change the markings in a section of non-movement area ramp at Norwood Memorial Airport (Airport). If you determine that this minor action requires advance FAA approval, please consider this letter a request for expedited approval.

The Commission plans to remove taxilane markings from approximately 120 feet of ramp at the south end of the Gate 3 lane at the Airport, and replace the taxilane in that location with markings for a vehicle service road as specified in FAA Advisory Circular 150/5300-13A. At present this section of the taxilane extends from the northeast corner of the Boston Executive Helicopters hangar to a few feet from the airport fence and vehicle Gate 3.

The justification and benefits of this change are explained in detail in the attached letter from Christopher Donovan, CEO of Boston Executive Helicopters (BEH). This change will allow the hangar owners at the south end of Lane 3 greater use of the apron in front of their hangars. The change will have no effect on access to the lane by aircraft, which have no reason to use the taxilane centerline after passing the northeast corner of the BEH hangar. There will also be no change in access by vehicles using vehicle Gate 3 at the end of the lane; after marking this section of apron as a vehicle service road, vehicle operators using Gate 3 will have clearly marked vehicle lanes instead of using the center of an aircraft taxilane, as at present.

The change from taxilane to vehicle service road marking will not change any airport structures or facilities. Both taxiing aircraft and vehicles will be able to make the same use of this area of apron as they currently do, and the change will have no effect on the number or types of aircraft or vehicles that use this section of the apron. All of Lane 3 is non-movement area.

As Mr. Donovan mentions in his letter, the Commission has agreed to make this change as part of a comprehensive settlement of litigation in U.S. District Court, and the Commission has represented to the court that it will do so. Mr. Donovan also notes that use of taxilane markings for a vehicle route from Gate 3 appears to be inconsistent with several sections of FAA airport design guidance in AC 150/5300-13A.

In sum, the Commission intends to re-mark 120 feet of apron at the end of the pavement in a non-movement area, and the new marking will make no changes in the availability of the apron to aircraft or vehicles.

Because this change is so minor, and is entirely consistent with FAA standards, we would like to proceed with the new pavement markings now and add them to the Airport Layout Plan at the next time the plan is updated. If you believe that an ALP change is required now, and that FAA will need to approve that change, we request your expedited review of this simple action.

Finally, the Commission understands that we are in the process of the technical update to the Master Plan for the Airport. We see no reason to delay the requested marking as a result of that process. First, this change will be reflected in future versions of the proposed Master Plan update, and second, this action involves only painted ramp markings that can easily be changed if the Commission ultimately decides to do something different in this section of apron, based on the future planning process.

I appreciate your cooperation in this.

Sincerely,

Mark Ryan  
Chairman  
Norwood Airport Commission





Commonwealth of Massachusetts

NORWOOD AIRPORT COMMISSION

Mark P. Ryan, *Chairman*  
Martin B. Odstrohel

Michael Sheehan, *Vice Chairman*  
John J. Corcoran

Kevin J. Shaughnessy, *Clerk*

August 26, 2019

*Boston Executive Helicopters, LLC*  
Attn: Chris Donovan, President  
209 Access Road  
Norwood, MA 02062

DRAFT ONLY

**RE: Petition to FAA for Removal of TOFA/OFA Markings**

Dear Chris,

Consistent with our obligations under paragraph 9 of the General Release and Settlement Agreement ("Agreement") between *Boston Executive Helicopters* ("BEH") and the Town of Norwood ("Norwood") and the Norwood Airport Commission ("NAC"), I am writing on behalf of the NAC to confirm that when you submit your petition to the FAA seeking approval for the removal of all TOFA and/or OFA markings on the gate 3 taxi-lane, the NAC is prepared to submit a letter in support of this petition.

Please let us know once you have submitted your petition, by providing a copy to Airport Manager, Russ Maguire, at [rmauire@norwoodma.gov](mailto:rmauire@norwoodma.gov), so that we may forward a letter of support to the FAA.

Sincerely,

Mark P. Ryan, Chairman  
Norwood Airport Commission

Cc: Tony Mazzucco, Paul Bishop, John Davis, Adam Shims, Karts North



## The TOWN OF NORWOOD

Commonwealth of Massachusetts

### NORWOOD AIRPORT COMMISSION

Mark P. Ryan, *Chairman*  
Martin E. Odstrchel

Michael Sheehan, *Vice Chairman*  
John J. Corcoran

Kevin J. Shaughnessy, *Clerk*

August 27, 2019

*Boston Executive Helicopters, LLC*  
Attn: Chris Donovan, President  
209 Access Road  
Norwood, MA 02062

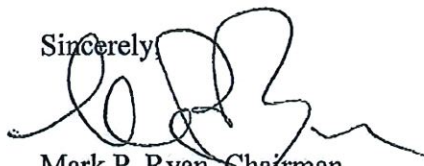
**RE: Support for Construction of Hangar on West Apron  
and BEH's Efforts to Obtain a Long-Term (30-year) Lease**

Dear Chris,

Consistent with our obligations under paragraph 3 of the General Release and Settlement Agreement ("Agreement") between *Boston Executive Helicopters* ("BEH") and the Town of Norwood ("Norwood") and the Norwood Airport Commission ("NAC"), I am writing on behalf of the NAC to let you know that should *Boston Executive Helicopters* elect to pursue construction of a hangar on the West Apron, the NAC supports such efforts. The NAC also supports BEH's efforts, should you elect to do so, to obtain FAA approval for a long-term lease (of up to 30 years) on the West Ramp.

When or if you chose to engage in these efforts, please let us know by sending a letter to the NAC via the Airport Manager, Russ Maguire, at [rmaguire@norwoodma.gov](mailto:rmaguire@norwoodma.gov), and we will submit specific letters of support on these matters to the FAA.

Sincerely,



Mark P. Ryan, *Chairman*  
Norwood Airport Commission

Cc: Tony Mazzucco, Paul Bishop, John Davis, Adam Simms, Karis North



## The TOWN OF NORWOOD

Commonwealth of Massachusetts

### NORWOOD AIRPORT COMMISSION

Mark P. Ryan, *Chairman*  
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August 27, 2019

*Boston Executive Helicopters, LLC*  
Attn: Chris Donovan, President  
209 Access Road  
Norwood, MA 02062

**RE: Petition to FAA for Removal of TOFA/OFA Markings**

Dear Chris,

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Please let us know once you have submitted your petition, by providing a copy to Airport Manager, Russ Maguire, at [rmauire@norwoodma.gov](mailto:rmauire@norwoodma.gov), so that we may forward a letter of support to the FAA.

Sincerely,  


Mark P. Ryan, Chairman  
Norwood Airport Commission

Cc: Tony Mazzucco, Paul Bishop, John Davis, Adam Simms, Karis North





## The TOWN OF NORWOOD

Commonwealth of Massachusetts

### NORWOOD AIRPORT COMMISSION

Mark P. Ryan, *Chairman*  
Martin E. Odstrchel

Michael Sheehan, *Vice Chairman*  
John J. Corcoran

Kevin J. Shaughnessy, *Clerk*

August 27, 2019

*Boston Executive Helicopters, LLC*  
Attn: Chris Donovan, President  
209 Access Road  
Norwood, MA 02062

**RE: BEH's Views on Value of 'Verizon Land'  
and Suggestions for its Return to Aeronautical Use**

Dear Chris,

Consistent with our obligations under paragraph 8 of the General Release and Settlement Agreement ("Agreement") between *Boston Executive Helicopters* ("BEH") and the Town of Norwood ("Norwood") and the Norwood Airport Commission ("NAC"), I am writing on behalf of the NAC to request your views on the value of the area known as the "Verizon land" at the Norwood Airport, and your suggestions as to why it should be recovered by the Norwood Airport Commission for aeronautical use. We welcome your suggestions and would be more than happy to send them to the FAA.

At your earliest convenience, if you could provide us your views and suggestions, we will forward your recommendations to the FAA. Should the FAA ask to meet with us on this topic, we will certainly invite you to join us. You can send your letter to Airport Manager, Russ Maguire, at [rmaguire@norwoodma.gov](mailto:rmaguire@norwoodma.gov).

Sincerely,

Mark P. Ryan, *Chairman*  
Norwood Airport Commission

Cc: Tony Mazzuco, Paul Bishop, John Davis, Adam Simms, Karis North



## The TOWN OF NORWOOD

Commonwealth of Massachusetts

### *Norwood Memorial Airport*

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

OFFICE ADDRESS

125 Access Road  
Norwood, MA 02062

MAILING ADDRESS

125 Access Road  
Norwood, MA 02062

**SENT VIA CERTIFIED MAIL**

September 3, 2019

Donald Quinn  
220 Langley Road  
Newton, MA 02459

**RE: Return of Check (#0099410393) for Aircraft Tie-Down Payment**

Dear Mr. Quinn:

In light of my December 21, 2018 letter to you (*see attached*)—which was a notice to quit/notice of termination of your commercial tenancy-at-will—please find enclosed your April 25, 2019 un-deposited check (#0099410393) totaling \$530.

Sincerely,

Russ Maguire  
Executive Officer (Airport Manager)  
Norwood Airport Commission

Cc: Norwood Town Counsel; Norwood Airport Commission



Commonwealth of Massachusetts

NORWOOD AIRPORT COMMISSION

Mark P. Ryan, *Chairman*  
Martin E. Odstrechel

Michael Sheehan, *Vice Chairman*  
John J. Corcoran

Kevin J. Shaughnessy, *Clerk*

Russ Maguire  
rmaguire@norwoodma.gov

FILE

December 21, 2018

**SENT VIA CERTIFIED AND REGULAR MAIL**

Donald Quinn  
P.O. Box 623  
North Truro, MA 02652-0623

Donald Quinn  
220 Langley Road  
Newton, MA 02459

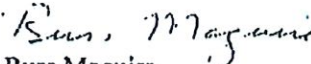
**Re: Notice to Quit/Notice of Termination of Commercial Tenancy-at-Will**

Dear Don:

Please accept this letter as formal notice of the Norwood Airport Commission's intention to terminate your commercial tenancy-at-will for west apron tie-down space number [W-15] located at the Norwood Memorial Airport in Norwood, Massachusetts, effective April 1, 2019 (the "**Termination Date**"). Please note that you will remain liable to pay rent for the final rent period prior to the Termination Date, an invoice for which has been sent to you under separate cover.

Please feel free to contact me with any questions.

Sincerely,

  
Russ Maguire  
Executive Officer (Airport Manager)  
Norwood Airport Commission





## The TOWN OF NORWOOD

Commonwealth of Massachusetts

### *Norwood Memorial Airport*

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

OFFICE ADDRESS

125 Access Road  
Norwood, MA 02062

MAILING ADDRESS

125 Access Road  
Norwood, MA 02062

### SENT VIA CERTIFIED MAIL

September 3, 2019

David C. Mainville, Territory Performance Manager, Boston South  
*AVIS Rent A Car System, LLC*  
45 Commerce Way  
Woburn, MA 01801

### **RE: Use of the Main Parking Lot at Norwood Memorial Airport**

Dear David:

On July 9, as you recall, we met here in my office to discuss the Norwood Airport Commission's (NAC) concerns involving misuse of the municipal main lot by *AVIS* customers and car carriers. At that time, you were given a copy of the March 13, 2013 NAC meeting (*see Attachment A, p. 2*) showing a vote by the board to restrict your company's use of the municipal main lot to six parking spaces.

Also shared with you in July was *Attachment B*, showing my April 14, 2016 e-mail to four *AVIS* managers, which was copied to *Flight Level's* Chief Operating Officer, Mike Delaria, and company President, Peter Eichleay. This e-mail expressly illustrates the chronic nature of the problem involving your company.

More recently, as shared with you in July, airport management has witnessed an uptick in your company's misuse of the municipal main lot. This is evidenced by *Attachment C*, showing the tally of *AVIS* cars in the municipal main lot from May 31 – June 25, 2019. As you'll note, the audit, by Assistant Airport Manager, Mark Raymond, included photos of new *AVIS* cars—complete with stickers still in the

windows, and license plates yet to be installed—delivered to the municipal main lot by way of a car carrier.

In light of the Town's concerns, at our meeting several months ago, my understanding was that a letter from your company's senior management would be forthcoming. Since I've yet to receive any such correspondence, I thought it best to reach out to you again. Therefore, please advise as soon as possible regarding your company's interest/need for additional space in the municipality's main lot.

In the interim, until any agreement is reached with the NAC, I would expect your company to honor the Airport Commission's 2016 vote by using no more than six parking spaces in the municipality's main lot; these, in addition to the eight spaces already designated for your company's use by *Flight Level*.

Thank you.

Sincerely,

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

Russ Maguire, Manager

Norwood Memorial Airport

Cc: *Norwood Airport Commission*

## **ATTACHMENT A**



## NORWOOD AIRPORT COMMISSION MEETING

**March 13, 2013**

**ATTENDEES:** Commissioners: Thomas Wynne, Chairman, Leslie LeBlanc, Martin Odstrchel, Mark Ryan, Kevin Shaughnessy, Airport Manager Russ Maguire, Assistant Manager Mark Raymond, Jeff Adler, Project Manager DuBois & King.

Meeting Called to Order: 12:07PM

**APPROVED**

6/19/13

### APPOINTMENTS:

AIP Project Update: Jeff Adler of DuBois & King  
Pre-bld meeting scheduled for March 27, 2013 with April 10, 2013 bld opening date.  
Plan to file grant application before May 1, 2013 deadline.

Sub-lease interest: Boston Executive Helicopters/Swift Aviation; Chris Donovan;  
Requesting signatures to cancel prior lease assumption because FAA did not agree.  
On a motion by Mr. Wynne and seconded, the Commission voted unanimously to sign document.

### MINUTES:

- May 9, 2012 regular meeting ; June 13, 2012 regular meeting, July 18, 2012 regular meeting; October 10, 2012 regular meeting; November 21, 2012 regular meeting; December 12, 2012 regular meeting; January 16, 2013; February 13, 2013.
- Above minutes need to be transcribed.

### AIRPORT MANAGERS REPORT:

- ❖ Loss of ATC: The FAA indicated that 189 contract air traffic control towers including Norwood, would close in April under the current agency plan.
- ❖ DC-3 Apron, lease: Review of letter by Brandon H. Moss, Town Counsel.
- ❖ Snow Removal: Airport Department exceeded its FY2013 snow removal appropriation. Expenses were \$61,000 vs. \$24,000 budget. Request submitted for an emergency fund transfer request.
- ❖ VIPR Program: Visible Intermodal Prevention and Response. An outreach program that involves the federal Air Marshal program and general aviation airport.
- ❖ Aircraft Safety Meeting: On February 20, 2013, the airport management participated in a safety meeting with the Norwood Fire Department.
- ❖ Notice of Award, DC-3 Apron: Notification of Award sent to Papa Whiskey.
- ❖ BEH Sub-Lease: NAC approved document.
- ❖ Solicitation for Engineering Services: The current three-year period will expire 6.1.13. Through the Town's Purchasing Department, the airport management has advertised a solicitation for engineering services.
- ❖ Gate 1 Ground Traffic: Airport management is recommending that permanent speed bumps be installed to curb speeding in the parking lot.
- ❖ Media Coverage: Newspaper article
- ❖ Public Relations: Airport management participated in the annual Touch a Truck event with several department vehicles.
- ❖ Air Traffic Reports: Reports submitted.

## NORWOOD AIRPORT COMMISSION MEETING

March 13, 2013

-2-

### OLD BUSINESS:

DC-3 apron, lease:

On a motion by Mr. Wynne and seconded, the Commission voted unanimously to sign the lease for DC-3 Ramp

### NEW BUSINESS:

- CY 2013 aircraft tie-down lease:

On a motion made by Mr. Wynne and seconded, the Commission voted unanimously to approve tie-down leases for William Curtis.

- Avis/Budget lease interest: Request for additional six parking spaces.
- On a motion made by Mr. Wynne and seconded, the Commission voted unanimously to approve additional parking spaces.
- Brox Industries:

### CORRESPONDENCE:

- 2/28/13 letter from NAC to J. Shalek, of I. W. Harding regarding a date to begin replacement work on Taxiway C.
- 3/7/13 letter from D. Stahley of I. W. Harding stating replacement work will be completed in late spring or early summer of 2013.
- 3/7/13 letter from L. Eisenberg to NAC requesting a meeting between Brox Industries and NAC to discuss the design criteria, specifications and test results of the material in place.
- Notification to abutters from Savers, regarding parking lot restriping, improved drainage and landscaping.

**ADDENDUM:** Mr. LeBlanc discussed many concerns that would affect the Norwood Airport in the event of the closing of the Air Traffic Control Tower.

**MEETING ADJOURNED: 1:15PM**

## **ATTACHMENT B**



Zimbra

rmaguire@norwoodma.gov

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**Norwood Airport; Use of Municipal Parking Lot by AVIS/Budget**

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**From :** Russ Maguire <rmaguire@norwoodma.gov> Thu, Apr 14, 2016 12:07 PM  
**Subject :** Norwood Airport; Use of Municipal Parking Lot by AVIS/Budget 1 attachment  
**To :** curtis challenger  
<curtis.challenger@avisbudget.com>  
**Cc :** Ross Warne <ross.warne@avisbudget.com>, Debbie Morano  
<Debbie.Morano@avisbudget.com>, tony ceruolo  
<tony.ceruolo@avisbudget.com>, Mike DeLaria  
<mdelaria@flightlevelaviation.com>, peter  
<peter@flightlevelaviation.com>  
**Bcc :** Mark Raymond <mraymond@norwoodma.gov>

Good morning Curtis,  
For the past 20 years, I've been the municipal airport manager for the Town of Norwood. That span includes the entirety of Avis/Budget's business presence on or adjacent to the municipal/airport parking lot, to include its sub-let use under Flight Level's lease with the Norwood Airport Commission (NAC), and its operation under Flight Level's commercial permit, which is granted by the NAC. That said, I'm copying on this e-mail the three AVIS managers I've worked with in the past. Additionally copied are Mike Delaria and Peter Eichleay, of Flight Level.

I've also attached a copy of the approved Norwood Airport Commission minutes from the board's March 13, 2013 meeting. If you reference the circled section on page two, you'll note that, at that 2013 meeting, in response to an AVIS/Budget request for six additional parking spaces--beyond the eight spaces directly leased to Flight Level by the NAC (between Flight Level's terminal and Taso's restaurant)--the NAC authorized in the main parking lot an additional six spaces only for AVIS/Budget's use.

Unfortunately, we're beginning to see AVIS/Budget's use of the main municipal parking lot in excess of the six spaces granted by the NAC. This is an unauthorized use of the municipal lot, and it needs to end. Please feel free to copy this message to any applicable co-worker at AVIS/Budget, with the expectation that your company will not, in the future, use the lot in any manner other than that which it has been authorized by the governing board, the Norwood Airport Commission.

Thank you.

--  
Russ Maguire, Manager  
Norwood Memorial Airport

---

 **20160414101423220.pdf**  
105 KB

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## **ATTACHMENT C**



<u>DATE</u>	<u>TIME</u>	<u># OF CARS</u>
31-May-19	MORNING	10
3-Jun-19	MORNING	7
3-Jun-19	AFTERNOON	5
4-Jun-19	MORNING	7
4-Jun-19	AFTERNOON	8
5-Jun-19	AFTERNOON	11
6-Jun-19	AFTERNOON	8
7-Jun-19	MORNING	7
7-Jun-19	AFTERNOON	4
10-Jun-19	MORNING	7
10-Jun-19	AFTERNOON	9
11-Jun-19	MORNING	9
12-Jun-19	MORNING	8
14-Jun-19	MORNING	3
17-Jun-19	MORNING	7
18-Jun-19	MORNING	6
19-Jun-19	MORNING	5
20-Jun-19	MORNING	1
21-Jun-19	MORNING	1
22-Jun-19	AFTERNOON	12
24-Jun-19	MORNING	15
24-Jun-19	AFTERNOON	12
25-Jun-19	MORNING	12
25-Jun-19	AFTERNOON	17



22 JUNE 2019





22 JUNE 2019









0,380.00

1 mile powertrain  
warranty

service, Gasoline,  
installed options

1 miles,  
buyers.

09204

Dealer Name / Address:

KENDALL TOYOTA  
10948 S. DIXIE HIGHWAY  
MIAMI

Delivered by Truck to: 28877

AVIS  
86 OLYMPIA DRIVE  
NEWARK NJ 07114



22 JUNE 2019



TRUCKAWAY LOADLINE ASSIGNMENT

TIME: 15:13:53

LOAD:  
POS.: ( )

06/18/19

F.O.A. DATE

LOADLINE ASSIGNMENT - TRUCK

G072

29877 AVIS

DESCRIPTION: LE  
MODEL NUM.: 1852  
COLOR.....: SUPER WHITE  
YEAR.....: 2020  
VIN NUMBER.: JTDPEPRAE7L3026914

CARRIER ABR: UR

INSPECTED...: 523  
SELL TO DLR: 09204  
SELL TO DLR: KENDALL TOYOTA  
SHIP TO DLR: 29877  
SHIP TO DLR: AVIS



22 JUNE 2019

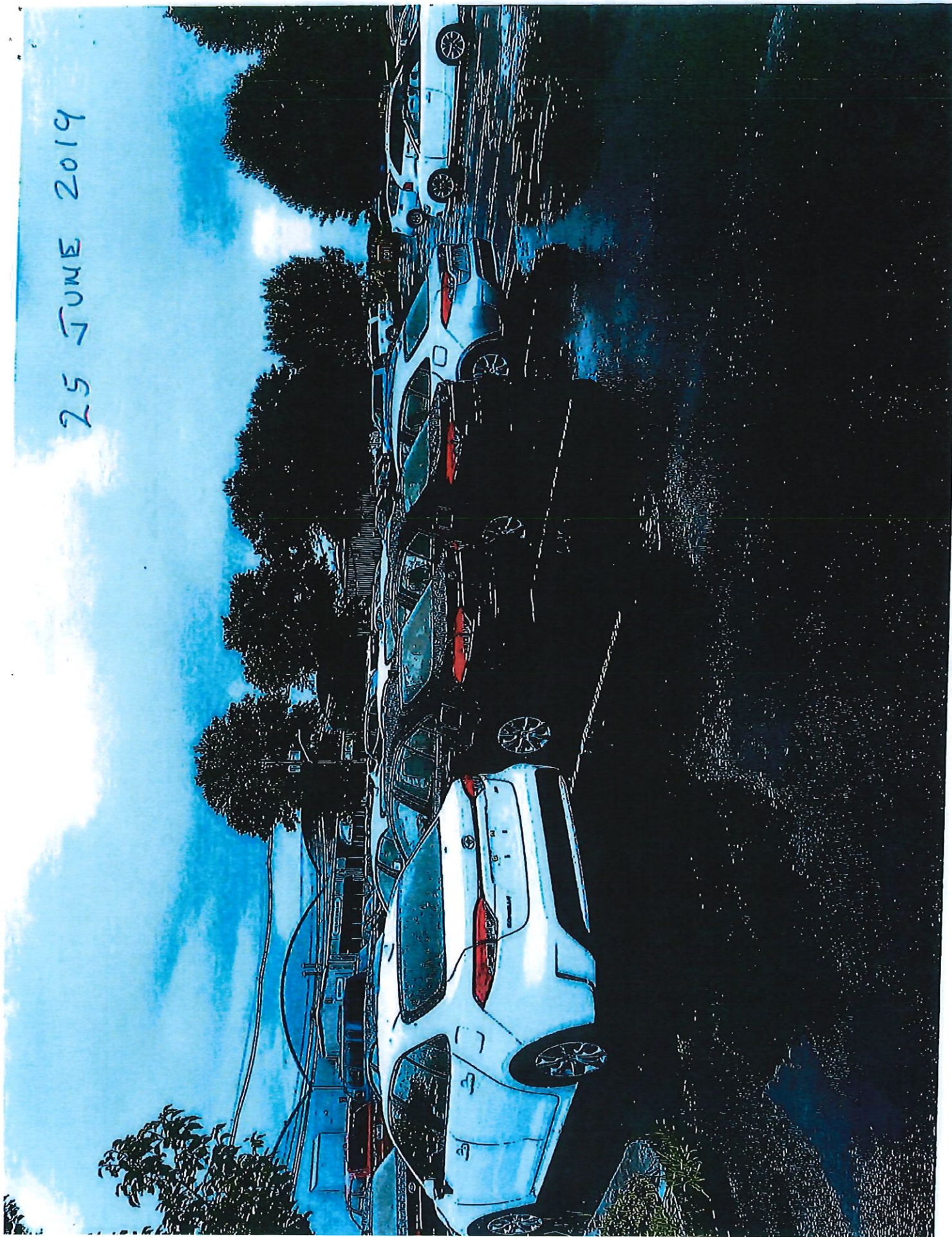


25 JUNE 2019





25 JUNE 2019





25 JUNE 2019





**CONTACT:** Mark Ryan, Chairman; Russ Maguire, Airport Manager

[illegible]