

December 6, 2021

pre@sec.state.ma.us

comm@sec.state.ma.us

Secretary of the Commonwealth of Massachusetts
Public Records Division
McCormack Building
One Ashburton Place, Room 1719
Boston, MA 02108

Via Email only

RE: Appeal of my Public records request of November 8, 2021

Dear Secretary,

I am appealing the response from the Town of Norwood to my public records request of November 8, 2021.

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.¹ And ².

The records requested involve communication with Congressman Stephen Lynch's Office, State Senator Michael Rush, State Representative John Rogers, third parties, Norwood

¹ 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.

² 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.

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.

Town attorneys have also refused to provide Public Records even when a subpoena is issued for these records.³ 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”⁴ Francis Maguire confirmed this claiming receipt of material makes it a public record.⁵

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.

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.⁶
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.
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⁴ May 8, 2014, letter to Chris Donovan from NAC Commissioner Michael Sheehan.

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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.

The attorney for FlightLevel Norwood, LLC recently provided discovery that shows Norwood Town Employees Mark Ryan and Francis Maguire intentionally withheld Public records in violation of State Law. They did this with the knowledge and assistance of Town attorneys.⁷

The Norwood Airport Commission invented a "fueling restriction plan" and/or a fueling manual with the sole intent of retaliation toward BEH. Ryan and Maguire then met in secret with FLN, and according to FLN attorney Hartzell" (see the letters of December 23, 2018, February 7, 2019, and August 2, 2019).

"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).

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.

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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-IyHkltW39tZRn7Rh-v6R-xV80DNc5Mc/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/1VqDPkB4iEJCmhreqBLoaOjuEEPnJPkKJ?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>

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Respectfully,

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

Public Records Request November 8, 2021

Christopher Donovan <christopherdonovan1@gmail.com>

Mon, Nov 8, 2021 at 4:16 PM

To: Marylou Folan <mfolan@norwoodma.gov>

November 8, 2021

clerk@norwoodma.gov

Via email only

**Mrs. Mary Lou Folan
Town Clerk, Norwood
566 Washington St.
Norwood, Mass. 02062**

Dear Mrs. Folan,

This is a public records request.

Pursuant to the Massachusetts Public Records Law, M.G.L. c. 66, § 10, and the regulations known as the Public Records Access Regulations promulgated thereunder and published at 950 C.M.R. 32.00. Please consider this public records request.

Time is of the essence with respect to this request. As you know, the public records law requires the Town of Norwood to produce or provide access to the requested documents within ten (10) business days. Please inform me as soon as possible about any necessary arrangements for this production. I am requesting to review the requested documents, policies, or procedures.

If you claim that any documents are exempt from disclosure in whole or in part, I request that the Town exercise its discretion to release them. If you withhold any of the documents requested, please identify the exemption(s) claims and fully describe the documents for which each such exemption is claimed. The sender, receiver, date, time and subject, along with metadata.

Any claimed exemption regarding the office of Congressman Lynch, Senator Rush or Representative Rogers may be exempt from FOIA or the Public Records law however this exemption does not extend to the Town of Norwood or any representative of the Town of Norwood, employee or attorney. Should the Town claim any Congressional exemption or exemption regarding the state legislative branch please provide the exact communication, to/from, date, subject and/or meta data so I can appeal this claimed exemption under both state and federal law.

I am requesting the following public records please.

1. On November 8, 2021 the Norwood Airport Manager Francis Maguire, Norwood Airport Commission Chairman Mark Ryan, met with FlightLevel Norwood, LLC. owner Alan Radlo, Peter Eichleay and Congressman Stephen Lynch, State Senator Mike Rush and State Representative John Rogers along with other unknown individuals, at the Airport Manager's office, 111 Access Road. Norwood, Mass. 02062.

Some of the participants are pictured here for reference.

a. I am requesting copies of all communication, including powerpoint presentations or any documents or presentations, regardless of the form (IE. electronic, video or any other medium) between the Town of Norwood, Norwood Airport Commission, any representative or attorney, the NAC, FLN, MASS DOT, FAA, Jeff Adler, including Dubois and King, BOS, and any entity, known or unknown, including Congressman Stephen Lynch and his office or representatives, State Senator Mike Rush and his office or representatives, State Representative John Rogers his staff or representatives, regarding the meeting on November 8, 2021. This would include prior or subsequent to the secret meeting held on November 8, 2021.

b. I am requesting copies of all communication between the Town of Norwood, NAC, BOS and any entity known or unknown, with FLN, MASS DOT, Dubois and King, from January 1 2021 to the present.

This would include but not be limited to:

The NAC, Town, including any attorney or representative, and the BOS, Town Manager Tony Mazucco, Airport Manager Francis Maguire, , Attorney Karis North of Murphy Hesse Toomey and Lehane, including any representative, Jeffery Decarlo and Tracy Klay, Mass Aeronautics Commission and Jorge Pantelli, FAA Airport Compliance Officer, including any FAA employee in the New England Region and/or national FAA offices.

The Public Records Division has made clear through past orders to the Town of Norwood 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.
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Town can simply give their attorney all communication, and/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 disagrees and spells out the clear requirements under the Public Records orders to the Town of Norwood.

I am available to review the requested public records. Please confirm receipt of this public records request.

Thank you,
Christopher Donovan

209 Access Road. Norwood, Mass. 02062

Terms.

The term **FLN** shall mean Flight Level Norwood, LLC, and/or any agent, servant, employee or representative of the same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same, agent, trustee, beneficiary. **FLN** shall include but not limited to the following: Flight level Norwood, LLC. EAC Realty Trust II, EAC Realty Trust IV, Peter Eichleay individually and in his capacity as Trustee of EAC Realty Trust II and EAC Realty Trust IV, Alan Radlo, ARR Aviation LLC, ARR Aviation II LLC, Nicholas Burlingham, Eric Martignette, Neil Hartzell and all attorneys, and/or representatives of Leclair Ryan PC, Flight level Aviation, Papa Whisky 1, LLC, ARR Aviation sales and service, LLC. ARR LLC, East Coast Aviation, LLC. KR Diversified INC, North Atlantic Air, INC. and/or any agent, servant, employee or representative of the same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same, any agent, trustee, beneficiary, servant, employee or representative of same.

The term **"The Town"** means the Town of Norwood, Massachusetts, and any committee, board, department, agent, servant, employee, official or representative of the same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same. This includes the Board of Selectmen, **"BOS"**, The Norwood Airport Commission, **"NAC"** and/or **"Commissioners"**, The Norwood Airport, **"Airport"** their agents, attorney's or representatives, the Norwood Town Manager Tony Mazzucco, Assistant Town Manager Bernie Cooper, any agent, representative or attorney of the same. This includes MHTL, AK, BMA,PDP, as defined below. This would also include Anderson and Kreiger or any attorney representing the Town of Norwood and/or the Norwood Airport Commission.

The Term Congressman **Stephen Lynch** includes himself, any representative or staff acting with Congressman Lynch in regard to the November 8, 2021 meeting at the Norwood Airport, including any prior communication between his office and the NAC, Town or FLN.

The Term Senator Mike Rush includes himself, any representative or staff acting with Senator Rush in regard to the November 8, 2021 meeting at the Norwood Airport, including any prior communication between his office and the NAC, Town or FLN.

The Term Representative John Rogers includes himself, any representative or staff acting with Representative Rogers in regard to the November 8, 2021 meeting at the Norwood Airport, including any prior communication between his office and the NAC, Town or FLN.

The term Murphy, Hesse, Toomey and Lehane “MHTL” Shall include but not limited to, Brandon Moss, Karis North, Lena Kate Ahern, and/or any agent, servant, employee or representative of same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same.

The term Anderson Kreiger “AK” includes attorneys David Mackey, Mina Makarious, and/or any agent, servant, employee or representative of the same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same.

The term Boston Metropolitan Airport “BMA” includes Michael Pendergast and/or any agent, servant, employee or representative of the same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same.

The term Pierce Davis Perration “PDP” shall include attorney John Davis, Adam Simms, and/or any agent, servant, employee or representative of the same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same.

The term “BOS” means the Board of Selectmen for the Town of Norwood, Massachusetts, and any committee, member, agent, servant, employee, official or representative of the same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same.

The term “Airport” means the Norwood Memorial Airport, in Norwood, Massachusetts and/or any agent, servant, employee or representative of the same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same.

The term “NAC” means the Norwood Airport Commission, and/or any agent, servant, employee or representative of the same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same. This includes current and past NAC members and/or attorneys, representatives, the Airport Manager, Russ Maguire, and any agent or attorney of the sam

The term “Commissioners” means any current or former commissioners or members of the NAC, in their individual and official capacities, and/or any agent, servant, employee or representative of same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same.

The term “BEH” means Boston Executive Helicopters, including but not limited to MII aviation services, Christopher Donovan, Moshe Yanai, any employee, accountant or consultant, agent, attorney, representative or associated person or entity.

The term **“DOT”** means the Massachusetts Department of Transportation, and/or any agent, servant, employee or representative of the same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same. This includes the Aeronautics Division of the Massachusetts DOT, agents, attorneys, or representatives.

The term **“Jeff Adler”** means the engineering firm Dubois and King, **including but not limited to, Guy Rouelle**, and/or any agent, servant, employee or representative of the same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same.

The term **“Norwood Engineering” “NE”** means the engineering firm Norwood Engineering, and/or any agent, servant, employee or representative of the same, including but not limited to any attorney, accountant or consultant employed by or on behalf of the same.

The term **“FAA”** means the Federal Aviation Administration including but not limited to any local, regional, or national employees or representatives, including attorneys or employees employed by or on behalf of the same.

11-19-21



The TOWN OF NORWOOD

Commonwealth of Massachusetts

TOWN CLERK
MARY LOU FOLAN

ASSISTANT TOWN CLERK
PATRICIA RALPH

November 19, 2021

Mr. Chris Donovan

RE: PUBLIC RECORDS REQUEST NOVEMBER 8, 2021

SENT: VIA EMAIL

Dear Mr. Donovan

On November 8, 2021 you sent correspondence in which you made the following request:

Numerous public records related the Norwood Airport Commission - copies of communication, including power point presentations or any documents or presentations regardless of the forms, etc.

Attached are the responsive records within the custody and control of the Town of Norwood. Also please note that no documents have been withheld.

Pursuant to Chapter 66, Section 10 (b) (ix) of the Massachusetts General Laws, you have the right to appeal to the Supervisor of Records in the Office of the Secretary of the Commonwealth under Chapter 66, 10A (a) of the Massachusetts General Laws, and the right to seek judicial review of an unfavorable decision by commencing a civil action in the Superior Court under Chapter 66, Section 10A (c) of the Massachusetts General Laws.

Sincerely,

Mary Lou Folan, Town Clerk
Records Access Office

Zimbra

mryan@norwoodma.gov

Fwd: Growth

From : alan radlo <arraviationllc@gmail.com>

Thu, Jan 21, 2021 05:35 PM

Subject : Fwd: Growth**To :** Mark Ryan <mryan@norwoodma.gov>

Good day Mr. Ryan. I hope this short note finds you and your family well as the Covid situation still has a tight grip on the nation. The purpose of my note surrounds my assumption that a settlement agreement involving the town and an airfield tenant required conversations to be shared for 18 months and this period is about to end. If this is the case I would like to have a productive conversation with you about the growth plans that FLN is considering implementing on the field. I had postponed talks I considered privileged and did not want shared. My last note many months ago was to thank the NAC for moving forward with the new master plan which contained the runway extension approval. Now after a prolonged period it is time to hold positive talks which I believe will have productive outcomes.

My Regards. Alan Radlo

Sent from my iPhone

11/16/21, 9:22 AM

1-22-21

Runway-

Zimbra

Zimbra

meetings privileged

mryan@norwoodma.gov

Fwd: Growth

From : Mark Ryan <mryan@norwoodma.gov>

Fri, Jan 22, 2021 03:49 PM

Subject : Fwd: Growth

To : Mina S. Makarious <mina@andersonkreiger.com>, Russ Maguire, A.A.E. ,ACE <rmaguire@norwoodma.gov>

Redacted

[Redacted]

From: "Alan Radlo" <arravlatonlic@gmail.com>

To: "mryan" <mryan@norwoodma.gov>

Sent: Thursday, January 21, 2021 5:35:39 PM

Subject: Fwd: Growth

Good day Mr. Ryan. I hope this short note finds you and your family well as the Covid situation still has a tight grip on the nation. The purpose of my note surrounds my assumption that a settlement agreement involving the town and an airfield tenant required conversations to be shared for 18 months and this period is about to end. If this is the case I would like to have a productive conversation with you about the growth plans that FLN is considering implementing on the field. I had postponed talks I considered privileged and did not want shared. My last note many months ago was to thank the NAC for moving forward with the new master plan which contained the runway extension approval. Now after a prolonged period it is time to hold positive talks which I believe will have productive outcomes.

Settlement over

My Regards. Alan Radlo

Sent from my iPhone

No Claimed exemption IAW The Public records law

11/15/21, 9:23 AM

Zimbra

1.27-21

Zimbra

mryan@norwoodma.gov

Beverly Airport Plans to Lengthen Primary Runway | Aviation Pros

From : alan radlo <arraviationllc@gmail.com>

Wed, Jan 27, 2021 11:04 AM

Subject : Beverly Airport Plans to Lengthen Primary Runway | Aviation Pros

To : Mark Ryan <mryan@norwoodma.gov>

Thought this would be of interest...https://www.aviationpros.com/aoa/runway-management/news/21207338/beverly-airport-plans-to-lengthen-primary-runway?utm_source=AIRB+E-

[NewsLetter&utm_medium=email&utm_campaign=AVVDB210127006&o_eid=3559J8039534C0H&rdx.ident\[pull\]=omeda|3559J8039534C0H&oly_enc_id=3559J8039534C0H](https://www.aviationpros.com/aoa/runway-management/news/21207338/beverly-airport-plans-to-lengthen-primary-runway?utm_source=AIRB+E-Newsletter&utm_medium=email&utm_campaign=AVVDB210127006&o_eid=3559J8039534C0H&rdx.ident[pull]=omeda|3559J8039534C0H&oly_enc_id=3559J8039534C0H)

3-1-21

Zimbra

mryan@norwoodma.gov

FW: FW: Send data from MFP11887533 03/01/2021 10:17

From : Peter Eichleay <peter@flightlevelaviation.com>

Mon, Mar 01, 2021 11:36 AM

Subject : FW: FW: Send data from MFP11887533 03/01/2021 10:17

1 attachment

To : Russ Maguire <rmaguire@norwoodma.gov>

Cc : mryan@norwoodma.gov, msheehan@norwoodma.gov, jcorcoran@norwoodma.gov

Russ: please find Judge's order attached.

Thanks,
Peter

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

From: Neil Hartzell <nartzell@fmglaw.com>

Date: Mon, Mar 1, 2021 at 10:22 AM

Subject: FW: Send data from MFP11887533 03/01/2021 10:17

To: Nicholas W. Burlingham <nburlingham@flightlevelaviation.com>, Peter Eichleay <peichleay@gmail.com>, alan radlo <arraviationllc@gmail.com>

Cc: Jason Pithie <jaypithie@pithielaw.com>

All: here is the Order signed by Judge Kirpalani on Friday 2/26.

Neil Hartzell
Freeman Mathis & Gary, LLP
60 State Street | Suite 600 | Boston, MA 02109-1800
D: 617.963.5966 | C: 857.366.1181
mailto:nartzell@fmglaw.com | www.fmglaw.com

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 **DOC030121.pdf**
304 KB

Runway

4-27-21

11/15/21, 9:24 AM

Zimbra

Zimbra

mryan@norwoodma.gov

Moderna expanding Covid-19 vaccine production in Norwood manufacturing campus - Boston Business Journal

From : alan radlo <arraviationllc@gmail.com>

Tue, Apr 27, 2021 12:26 PM

Subject : Moderna expanding Covid-19 vaccine production in Norwood manufacturing campus - Boston Business Journal

To : Mark Ryan <mryan@norwoodma.gov>, Russ Maguire <rmaguire@norwoodma.gov>, Peter Eichleay <peter@flightlevelaviation.com>

Fantastic news. Just another example of why the expansion of the runway is so critical to the growth of the aviation business at KOWD. Proximity to transportation has always been a critical determining factor where corporations reside. Companies worth tens of billions of dollars such as Analog and Moderna need to have an airport adequate for their corporate jets and their clients to use. The litany of companies that have gone public on the northern portion of rt. 128 has evidenced itself in the growth of corporate jet traffic at Beverly. I hope the project to expand the runway at KOWD continues in the most timely fashion possible without interference by tenants who complain about the lack of progress which is 100% their own fault. Is there an estimate on the beginning of construction as Flight Level need plan another hangar build. Thank you

[https://www.bizjournals.com/boston/news/2021/04/27/moderna-expanding-near-norwood-manufacturing-campu.html?](https://www.bizjournals.com/boston/news/2021/04/27/moderna-expanding-near-norwood-manufacturing-campu.html?ana=e_bost_bn_breakingnews_breakingnews&j=90558223&t=Breaking)

[ana=e_bost_bn_breakingnews_breakingnews&j=90558223&t=Breaking](https://www.bizjournals.com/boston/news/2021/04/27/moderna-expanding-near-norwood-manufacturing-campu.html?ana=e_bost_bn_breakingnews_breakingnews&j=90558223&t=Breaking)

[News&mkt_tok=NjzLVVXWS0yMjkAAAF8sxQgo3JO1QOA_RurSp9j57kwEr2dg9K7badsfAYWUgA4ns4udMOxVpAQNXo_OZf8rceTVZwtgZ4CIbAqPg9knf62q6taW-OLsDKm3W6V-OtB4NnwLo](https://www.bizjournals.com/boston/news/2021/04/27/moderna-expanding-near-norwood-manufacturing-campu.html?ana=e_bost_bn_breakingnews_breakingnews&j=90558223&t=Breaking)

11/15/21, 9:24 AM

Zimbra

5-21-21

Zimbra

mryan@norwoodma.gov

skiptheferry-outdoor.jpg

From : alan radlo <arraviationllc@gmail.com>

Fri, May 21, 2021 06:13 PM

Subject : skiptheferry-outdoor.jpg

1 attachment

To : Mark Ryan <mryan@norwoodma.gov>, Russ Maguire
<rmaguire@norwoodma.gov>

On the Mass Turnpike near Boston

Sent from my iPhone

Zimbra

Secret discussions

mryan@norwoodma.gov

Runway expansion**From :** alan radlo <arraviationllc@gmail.com>

Fri, Jun 11, 2021 07:10 AM

Subject : Runway expansion

To : Russ Maguire <rmauire@norwoodma.gov>, Mark Ryan
<mryan@norwoodma.gov>, Nicholas W. Burlingham
<nburlingham@flightlevelaviation.com>

Good morning Mr Maguire. I would be pleased to know the best estimate on timing of the runway extension. It is my belief that this extension will result in an increase of traffic and why we have built one new hangar and are planning to build another new hangar. Would you be so kind as to share the expected time table of this project as it is important to our capital expenditure plans and funds spent at Norwood versus alternative investments.

At the monthly commission meetings I hear about the current environmental studies but I never have heard about the next steps and when it is believed that paving can begin. You are aware of the gallons of fuel sold at the airport and know how stagnant this has been and how much it has fallen from prior years while at the same time Beverly gallons sold have increased at a very rapid rate and will soon be close to 1 million gallons partly due to organic growth and the wealth expansion in that area as well as planes eschewing Bedford for Beverly which has a 5,000 foot runway. I expect some Bedford traffic also using Norwood with the expected runway expansion and fewer diversions every time the runway is wet. I would suggest for confirmation of what is going on at Beverly whose size used to pale compared to Norwood a look at today's expected departures from Beverly versus Norwood.

This morning while writing this letter you will notice on Flightaware that there are 7 jets scheduled to depart Beverly with certainly more as the day moves forward. In looking at the scheduled departures from Norwood it is a very sad comparison with 4 departures of which are 2 small turboprops and 2 Cessna that we will probably fill with 10 gallons each. These numbers speak for themselves of what the delays in moving forward has cost this airport which has had its hands tied behind its back by a disgruntled tenant whose actions were finally detailed for the public in a long overdue pointed message. No one ever discusses what the real costs of lost business has been and how hard it is trying to be a good tenant trying and making the airport better while having virtually no ability to have discussions with the commission. Thank you for your courtesy and professionalism.

Discussions

Runway Extension

611-21

11/16/21, 9:25 AM

Zimbra

Zimbra

No Attachments

mryan@norwoodma.gov

Re: Paved Safety Area Project, Runway 17/35

From : Russ Maguire <rmaguire@norwoodma.gov>
Subject : Re: Paved Safety Area Project, Runway 17/35

Fri, Jun 11, 2021 09:41 AM

2 attachments

To : alan radlo <arraviationllc@gmail.com>

Cc : Mark Ryan <mryan@norwoodma.gov>, nburlingham
<nburlingham@flightlevelaviation.com>

Good morning Alan,

Thanks very much for your e-mail. Your active interest in seeing our airport developed to its full potential is, and always has been, much appreciated.

I've attached for your benefit two capital improvement planning (CIP) documents which show the paved safety area project for runway 17/35. The documents show the timeline that the Norwood Airport Commission (NAC) was expecting for this project versus the time-line that FAA ultimately agreed to.

In August 2020, we had programmed FY 2022 for the construction of the paved safety area project, and in fact, we had already ramped up the environmental assessment work needed for the construction phase. However, in the fall of 2020, after we had submitted this original CIP draft to FAA--our primary funding partner--the agency pushed back. Because FAA felt that other projects in our infrastructure needed more immediate attention, the agency asserted that the paved safety area project had no chance of being funded in FY 2022. FAA then re-set the time-line to FY 2026, as shown on the revised CIP.

The NAC, our engineer (Jeff Adler of DuBois & King), and I were not in agreement with FAA. So on October 15, 2020, I met with several officials from the agency. I asked that FAA consider interchanging the two FY 2022 projects (runway 10/28 construction, taxiway C stub re-location) with the two FY 2026 projects (runway 17/35 construction, plus construction of the paved safety areas). I underscored the safety nature of the paved safety area project, which FAA seemed at least responsive to, given the undershoot/overshoot history for runway 17/35. I also let FAA know that we were in the midst of a federally funded environmental assessment project as a precursor to the paved safety areas project. I referenced back to our technical master plan update as well, emphasizing how this document clearly identified as a short-term project the runway 17/35 paved safety areas. Ultimately however, FAA held to its original position, stating that other projects in our infrastructure simply needed more immediate attention.

So, to sum up our feelings: We're frustrated with the project's revised time-line. That said, we respect FAA's assessment of this project in light of OWD's overall development plan.

Russ

----- Original Message -----

From: "alan radlo" <arraviationllc@gmail.com>
To: "rmaguire" <rmaguire@norwoodma.gov>, "Mark Ryan" <mryan@norwoodma.gov>, "nburlingham" <nburlingham@flightlevelaviation.com>
Sent: Friday, June 11, 2021 7:10:44 AM
Subject: Runway expansion

Good morning Mr Maguire. I would be pleased to know the best estimate on timing of the runway extension. It is my belief that this extension will result in an increase of traffic and why we have built one new hangar and are planning to build another new hangar. Would you be so kind as to share the expected time table of this project as it is important to our capital expenditure plans and funds spent at Norwood versus alternative investments.

At the monthly commission meetings I hear about the current environmental studies but I never have heard about the next steps and when it is believed that paving can begin. You are aware of the gallons of fuel sold at the airport and know how stagnant this has been and how much it has fallen from prior years while at the same time Beverly gallons sold have increased at a very rapid rate and will soon be close to 1 million gallons partly due to organic growth and the wealth expansion in that area as well as planes eschewing Bedford for Beverly which has a 5,000 foot runway. I expect some Bedford traffic also using Norwood with the expected runway expansion and fewer diversions every time the runway is wet. I would suggest for confirmation of what is going on at Beverly whose size used to pale compared to Norwood a look at todays expected departures from Beverly versus Norwood.

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--

Russ Maguire, Manager
Norwood Memorial Airport

 **Revised CIP, November 2020.pdf**
274 KB

 **Original CIP, August 2020.pdf**
245 KB

Zimbra

mryan@norwoodma.gov

NetJets Pauses Light Jet Sales as Flight Demand Booms | Business Aviation News: Aviation International News

From : alan radlo <arraviationllc@gmail.com>

Mon, Jul 12, 2021 11:51 PM

Subject : NetJets Pauses Light Jet Sales as Flight Demand Booms | Business Aviation News: Aviation International News
To : Russ Maguire <rmaquire@norwoodma.gov>, Mark Ryan <mryan@norwoodma.gov>, Peter Eichleay <peter@flightlevelaviation.com>, Nicholas W. Burlingham <nburlingham@flightlevelaviation.com>

Good morning. When first introduced to you and several selectmen Peter and Nick and I presented our views of the macro dynamics of the industry.

The main topic was the proliferation of the large charter companies with personal jets taking a back seat to managed jets and charter programs. Clearly Covid has furthered this industry change even faster than that which we presented. I was appreciative of meetings in the past when strictly aviation matters and our vision of growth for the airport were able to be discussed with responsible parties acting responsibly. I believe our vision did match that of the commission as the board members took the time and effort working with consultants to devise the updated master plan and also the consideration for new hangars. Chief amongst our presentation and discussion was the need for a runway expansion. I am thankful the commission concurred as evidenced by the RFP for conservation work as the prelude to a runway extension. Recently I was notified that the paving preliminarily set for less than 6 months out has been delayed by four years. This is most disheartening to myself and I am sure to yourselves. It was even more discouraging that a rapidly rising charter company named JetIt which uses the most quiet and efficient newest light jet decided to not work with me bringing a jet and potential maintenance work for the company to Norwood due to the runway length. I am currently personally involved with a charter company that can not bring its Learjets to Norwood even after recently sponsoring a new charter company tenant to bring a light jet to Norwood. On Sunday afternoon Flexjets was to have two trips to Norwood with a Phenom 300 and a Legacy 450. Due to expected rain both trips were moved to Bedford. As you may be aware besides Bedford's continued growth Beverly has doubled their fuel sales since I acquired the Norwood lease. There is no shortage of runway length issues and the resultant cancellations of arrival and delayed departures and permanent public relations damage besides the few I have noted. There can be no more clear examples of Norwood falling further behind other area airports at an even faster rate through no fault of the commission or selectmen. The article published today I have attached describes what is currently occurring in the business world. I have been active in the pursuit of other airport leases to help to continue to grow the FlightLevel network. I assure you just as you are also aware that the commissions I

11/16/21, 9:25 AM

Zimbra

Secret Meetings

Russ will pay

speaking to are all to aware of the importance of a local airport to commerce in their region. I would like to request either a public discussion at the next NAC meeting or private meeting to discuss the cost of a personal investment to keep the runway project as close to the proposed date as possible. If I was to pay for the expansion it would be available for use by all tenants of the airport. In fact one tenant could finally prove it is in favor of growth by participating in this endeavour instead of other actions it continues to take to frustrate every process and everybody and shed the work of everyone in a bad light. The airport can not wait four years for a runway expansion! I would ask Mark or Russ to please share this short note with other commission members or selectmen as I do not have their business emails.

<https://www.ainonline.com/aviation-news/business-aviation/2021-07-09/netjets-pauses-light-jet-sales-flight-demand-booms>

Other NAC members

Zimbra

mryan@norwoodma.gov

Airport runway extension discussion at next NAC meeting

From : alan radlo <arraviationllc@gmail.com>

Wed, Sep 15, 2021 08:55 PM

Subject : Airport runway extension discussion at next NAC meeting**To :** Russ Maguire <rmaguire@norwoodma.gov>, Mark Ryan <mryan@norwoodma.gov>

Good day. The purpose of my letter is to ask that at the next Norwood Air Commission public meeting a discussion on the runway extension be held. A key element of the 2021 master plan was the extension of the runway in what has been described as "ground ready" for construction. I believe the environmental work on this has occurred. It was completely disheartening to hear that this project has been put off from January 2022 to the year 2026. This is untenable particularly given that the soon to be signed congressional infrastructure bill has \$25 billion in funds for airports.

It was five years ago that on several occasions my associates and I met with members of the NAC as well as selectmen to discuss an ever increasingly macroeconomic trend at general aviation airports favoring the growth of large charter companies such as NetJets and Flexjets and Wheels Up ever while the disappearance of corporate owned aircraft continued. We factually demonstrated this trend to the selectmen and the NAC in a multi page presentation. We showed that the large charter companies had requisites for general aviation airports their fleets could use and that the 5,000 foot runway length was a crucial component of their requirements. Some of the newest jets now have a slightly lower runway length requirement on dry pavement. We demonstrated that modern jet aircraft because of their speed and height going over the town had a lower noise envelope than flight school piston and general aviation piston planes. Most importantly discussed was how Beverly Airport and its 5000 foot runway which always trailed Norwood in fuel sales has doubled fuel sales to 1 million gallons while Norwood declined towards 500,000 gallons over the past five years. Currently Beverly is going full speed to increasing its runway to 5600 feet while Norwood Airport runway improvement is limited yet again to modification of some taxiways.

I will highlight a few examples of lost jet traffic at Norwood and most importantly the public relations nightmare and lost clients. A year ago at the FedEx golf championship in Norton there was a rainstorm on Labor Day which is when the final round is played. In the midst of Covid we placed players with delayed departures due to rain in all our offices and sent out for food. The best players in the world were stuck at the airfield because of its length and with the rain the charter companies deemed it unsafe to depart. Players such as Webb Simpson number three in the world had to Uber to Bedford and others to Boston to depart where spare charter planes were sent while the scheduled planes sat idle on the Norwood field. Jim Nantz the

top sports announcer waited till midnight to leave after the rain had ended. The chairman of Wheels Up lives in Cohasset and used Norwood for business travel and he no longer comes to Norwood and Wheels Up traffic has all but dried up. A famous football coach lives in the next numbered house to mine in Hingham and was a large user of Norwood Airport and now uses Bedford as he was tired of leaving from Norwood and being diverted to Bedford. Just a few weeks past a large corporate client of NetJets was scheduled to leave from Norwood and NetJets cancelled his departure due to a wet runway in a jet that they have used to service Norwood but since tightened their restrictions. The client and the pilots had to take a taxi to Bedford where NetJet had a spare plane. These clients are lost for good and the reputation of the airport has been permanently hurt. If it is not the rain the winter season brings even more diversions. Just yesterday a newer jet flown by Flexjets that can handle a shorter field arrived. In accessing the FlightLevel ramp it traversed the C exit. This newer jet has long wings and they appeared to be wider than the C exit and possibly overlapped the grass on either side. In the winter there is always snow on either side of this exit and there is no way this newer jet that is now using the airport would be able to access the FlightLevel ramp as a NOTAM would eliminate Norwood from being used. If time has not passed Norwood Airport by it is certainly close to that point. The only savior is for the runway to be extended as described in the master plan. In fact the move to 4600 feet will not even bring Norwood back competitively vis a vis other general aviation airports.

Can the runway extension be kick started again? Can local and state and or federal legislators assist Norwood and its discussions with the FAA which had approved the extension and for reasons not known but conjectured stopped the project. Can we have a discussion regarding the cost of the expansion so that I can make an investment decision to pay for the extension myself? In fact the other FBO on the field would be able to have its clients benefit from the runway extension and if it really wants to show its true colors can help pay for this extension. I thank the NAC for having listened to our macroeconomic presentation and their time and obstacle laden bureaucratic hard work to put in place the new master plan to grow the use of Norwood Airport. I have invested in this airfield and brought new flight schools and scheduled and unscheduled charter companies onto the airfield. I will continue to personally subsidize other aviation companies to grow at Norwood inclusive of hopefully placing Norwood in the forefront of the electric short take off and landing new aircraft leading company that we have had discussions with. However investments need have returns. FlightLevel is rapidly growing in NewEngland with 9 locations and soon with its third Michigan location and we hope shortly a prominent Florida location to tie all the airports together and Norwood is important to us.

Secret Presentation

Zimbra

mryan@norwoodma.gov

From : alan radlo <arraviationllc@gmail.com>

Thu, Sep 16, 2021 04:07 PM

Subject : <No Subject>**To :** Mark Ryan <mryan@norwoodma.gov>, Russ Maguire
<rmaguire@norwoodma.gov>

Good day sirs. I mentioned in my letter that I thought possibly there could be some legislative help on kickstarting the runway extension. To this end in consult with Congressman Lynch's office I was referred to Shayna Barnes. She handles FAA matters on behalf of the Congressman. There are many noise complaints concerning Logan to his office given that South Boston is in legislative territory. To this end even though corporate jets are less noisy than a commercial jetliner an extension of the Norwood runway has the potential to make a small dent to the Logan congestion and noise the Congressman's office is usually being asked to speak to the FAA about. I hope to hear from the Congressman's liaison and told her I and or the NAC would fill her in with any additional information she requested. Please add this as an addendum to my prior letter to you. Regards Alan Radlo.

Zimbra

mryan@norwoodma.gov

Fwd: Norwood Airport Runway Extension**From :** alan radlo <arraviationllc@gmail.com>

Thu, Sep 23, 2021 11:46 AM

Subject : Fwd: Norwood Airport Runway Extension

To : Russ Maguire <rmaguire@norwoodma.gov>, Mark Ryan <mryan@norwoodma.gov>, Nicholas W. Burlingham <nburlingham@flightlevelaviation.com>, Peter Eichleay <peter@flightlevelaviation.com>

I have included my written comments to the Congressman's liaison who handles FAA matters. After three days of back in forth the best I could get from the liaison is the forwarding of my email to her. Typical bureaucracy asking me what I want the congressional office to do. I believe Massachusetts DOT should be involved. They care about the excess traffic at Bedford and the now more crowded Beverly. They took the time to approve the master plan and hopefully will tell their FAA counterparts the urgency of this matter since it is ready to be put out to bid being shovel ready.

Can you contact the Mass DOT about this major issue or provide me with the name of their FAA liaison.

If this does not work then I would like to discuss personally paying for the project.

I am here over five years and do not have 5 years of patience till the project possibly gets accepted. Thank you

Sent from my iPhone

Begin forwarded message:

From: "Barnes, Shaynah" <Shaynah.Barnes@mail.house.gov>

Date: September 23, 2021 at 11:35:45 AM EDT

To: alan radlo <arraviationllc@gmail.com>

Subject: RE: Norwood Airport Runway Extension

Good morning

I hope you are well. I am in receipt of your email. I will forward your concern to the FAA. When I get a reply, I will share it with you. I hope this is helpful information. Thank you.

Shaynah Barnes Munro
Office of Congressman Stephen F. Lynch

Brockton District Office

Ph: 508-586-5555 Fax: 508-580-4692

<https://lynch.house.gov/contact-me>

Please consider the environment before printing this email

-----Original Message-----

From: alan radlo <arraviationllc@gmail.com>
Sent: Wednesday, September 22, 2021 3:48 PM
To: Barnes, Shaynah <Shaynah.Barnes@mail.house.gov>
Subject: Norwood Airport Runway Extension

The Norwood Airport has had stagnant growth over the past 5 years while air traffic at Boston reliever airports such as Bedford and Beverly have seen rapid growth. The Norwood Air Commission is aware that the stagnant growth is a result of having only a 4000 foot runway. The Norwood Air Commission in its attempt also see reliever traffic from Boston and the economic growth that revolves around a vibrant airport set in motion a master plan that had amongst its improvements the inclusion of a 600 foot runway expansion. Funds were spent on the master plan which was accepted and approved by both the Massachusetts Department of Transportation and the FAA. Funds have also been spent on conservation plans which also have been approved. The project is shovel ready and was set to be put out for bid. Out of nowhere the FAA stopped the project and instead wants to make incidental improvements that are inconsequential.

WHY HAS THIS NECESSARY PROJECT BEEN HALTED FOR FOUR YEARS BY THE FAA? Norwood Airport needs this runway expansion to keep corporate development and the jobs that come with it. Put this project scheduled for this January back in place so that Norwood Airport can experience traffic reliever growth from the noisy Logan Airport corridor in the Congressman's constituency.

Thank you.

9-28-21

11/15/21, 9:27 AM

Zimbra

Zimbra

mryan@norwoodma.gov

Another lost customer

From : alan radlo <arraviationllc@gmail.com>

Tue, Sep 28, 2021 12:03 PM

Subject : Another lost customer

To : Mark Ryan <mryan@norwoodma.gov>, Russ Maguire <rmaguire@norwoodma.gov>, Peter Eichleay <peter@flightlevelaviation.com>, Nicholas W. Burlingham <nburlingham@flightlevelaviation.com>

Once again a trip out of Norwood to Cape May was diverted due to a wet runway. The passenger was waiting at Norwood and yet again for the second time within a month an individual had to take a car service to Bedford to depart. Another lost client. I am beyond despair trying to better this airport. I have talked to the congressional associate to contact the FAA over the delay in paving the safety area at the ends of the runway. I am sure I probably have received the bureaucratic run around. I have written to the Massachusetts Department of Transportation head of planning. Again more than likely a letter thrown away. The master plan was approved by the FAA and by the Mass DOT. What are the names of the individuals who signed off on the master plan. Please provide their names so I can try and discuss this matter with them. This is a SAFETY issue. What is the excuse that a SAFETY area can not have asphalt put on top of it without necessitating any change to the landing systems in place. Why is it that the NAC can not schedule a joint meeting with FlightLevel and discuss this SAFETY issue with the FAA. I do not understand why the Mass DOT can not have influence over the canceled safety paving with the FAA. The NAC knows the importance of the airport to the community and particularly to a company such as Moderna.

Zimbra

mryan@norwoodma.gov

Airport Activity → North Central State Airport (Pawtucket, RI) [KSFZ] - FlightAware

From : alan radlo <arraviationllc@gmail.com>

Sun, Oct 03, 2021 08:13 AM

Subject : Airport Activity → North Central State Airport (Pawtucket, RI) [KSFZ] - FlightAware

11 attachments

To : Mark Ryan <mryan@norwoodma.gov>, Russ Maguire <rmaguire@norwoodma.gov>

Here is what happens when the charter companies and their larger jets bypass Norwood! At least 9 mid to large size corporate jets bypassing Norwood and using North Central. Can this be shared with anyone else that can help get the safety area paved over.

<https://flightaware.com/live/airport/KSFZ/enroute>

Join FlightAware Login

08:09AM EDT English (USA)

Forgot the flight number?

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En Route/Scheduled to KSFZ North Central State Airport (Pawtucket, RI) [KSFZ]

Ident	Type	Origin	Scheduled Departure Time	Departure	Estimated Arrival Time
LX194	GLEX	Northeast Philadelphia (KPNE)		Sun 01:30PM EDT	Sun 02:23PM EDT
LX0597	CL35	Newark Liberty Intl (KEWR)		Sun 02:30PM EDT	Sun 03:12PM EDT
LX0530	CL30	Dane Co Rgnl (KMSN)		Sun 12:30PM CDT	Sun 03:37PM EDT
LX0585	CL35	Tampa Intl (KTPA)		Sun 01:10PM EDT	Sun 03:39PM EDT
JTL402	C680	Flying Cloud (KFCM)		Sun 08:15AM CDT	Sun 04:49PM EDT
EJA768	CL30	Washington Dulles Intl (KIAD)		Sun 02:30PM EDT	Sun 05:54PM EDT
EJA511	C700	Washington Dulles Intl (KIAD)		Sun 02:30PM EDT	Sun 05:54PM EDT
LX1452	GLF4	Teterboro (KTEB)		Sun 09:09PM EDT	Sun 09:55PM EDT
EJA816	C700	Laurence G Hanscom Fld (KBED)		Sun 09:53PM EDT	Sun 10:23PM EDT

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11/15/21, 9:28 AM

Zimbra

10-6-21

Zimbra

Discussion on appeal

mryan@norwoodma.gov

From : alan radlo <arraviationllc@gmail.com>

Wed, Oct 06, 2021 11:50 AM

Subject : <No Subject>

To : Mark Ryan <mryan@norwoodma.gov>

~~You pay those lawyers! Totally unprepared not knowing about recorded leases! Hopefully the appellate judge at the end made the point that matters the most saying BEH was represented by smart counsel and signed the document with the non exclusive terminology. If other points matter then it is back to the drawing board~~

Sent from my iPhone

There is no letter from Ryan
for this response

Zimbra

mryan@norwoodma.gov

Re: Meeting

From : Whelan, Brianna (HOU)
<Brianna.Whelan@mahouse.gov>

Sun, Nov 07, 2021 10:20 AM

Subject : Re: Meeting

To : Mark Ryan <mryan@norwoodma.gov>

Thank you! See you tomorrow!

From: Mark Ryan <mryan@norwoodma.gov>
Date: Friday, November 5, 2021 at 4:03 PM
To: Whelan, Brianna (HOU) <Brianna.Whelan@mahouse.gov>
Subject: Meeting

Hi Brianna

Attendees on Monday:

- Mark Ryan - Norwood Airport Commission
- Russ Maguire - Norwood Airport Manager
- Guy Rouelle and/or Jeff Adler - Norwood Airport Engineering Consultants
- Alan Radio - Owner of Flighlevel Aviation

Thanks for setting this up.

Mark Ryan