

# Milford Upper Charles Trail Committee

## Meeting Minutes

A meeting of the Milford Upper Charles Trail Committee was held on Tuesday, February 14, 2023. Reno DeLuzio being in the chair called the meeting to order at 7:15 p.m.

Present at the meeting were seven members: Reno DeLuzio, Henry Papuga, Elaine Capuziello, Jeff Howard, Joseph Arcudi, Frank Pirrello, and Frank Malangone. Absent from the meeting were three members: Brian Murray, Margaret Knowlton, and Rose Mary Natelson.

### **Administrative Items:**

Chairman DeLuzio announced that he received a letter of resignation from Rose Mary Natelson. He will notify her and request she send her resignation to the Select Board. He also announced that Margaret Knowlton had moved to Framingham. She had not been responding to Committee emails for quite some time. He mailed her a letter recommending that if she is no longer able to participate, that she sends a letter of resignation to the Select Board.

### **1. Approve Previous Meeting Minutes:**

The October 28, 2020 Meeting Minutes were approved as presented.

### **2. Invitation to Speak:**

James Wheelock (1 Cunniff Ave.) was recognized. He presented a list of trail related issues for the Committee's consideration. He noted that he did not expect the Committee to address them at this meeting. Chairman DeLuzio took his list under advisement and will include it on the next meeting agenda.

### **3. Proposed Amendment to the General By-Law Article 34 to allow the use of Electric Bicycles (E-Bikes):**

Chairman DeLuzio announced that the Friends of the Milford Upper Charles Trail had been considering allowing the use of E-Bikes on the Bike Trail. Chairman DeLuzio (also a member of the Friends) informed them that the Town By-Law (Article 34) "Regulating Use of Town of Milford Bicycle Paths, Trails and Associated Areas" would have to be amended.

Since the Friends would need a citizens petition to amend the By-Law and a Town Meeting Member to present the motion to amend, Chairman DeLuzio offered to present the initiative to the Trail Committee for consideration. If the Trail Committee was in favor of it and was willing to sponsor it at Town Meeting, Chairman DeLuzio would do what is necessary to submit it for the May 22, 2023 Annual Town Meeting.

Chairman DeLuzio handed out a markup of Article 34 sections that are affected. [*previously emailed to the Committee and posted on the Town Website*]. The By-Law was enacted as revised on October 24, 2005 and had not been revisited since. The principal author was Police Chief Thomas O'Loughlin (now Selectman). As a result of the Chairman's review, the markup reflects other proposed modifications as well.

Chairman DeLuzio noted that the use of Tricycles and a helmet regulation will be added at the next revision. There were no objections to the markup or to adding these two items.

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Regarding the helmet regulation: Chairman DeLuzio handed out the full text of State Statute MGL Chapter 85, Section 11B, subsection(2)(iii). (*Note: handout -- MGL was incorrectly titled, content was o.k.*). Mr. Papuga recommended the regulation should just be stated as “in accordance with MGL ...” in lieu of including the full text in Article 34 because the MGL may change in the future. Chairman DeLuzio will modify the requirement accordingly.

Chairman DeLuzio noted he will ask Selectman O’Loughlin to review the proposed amendment since he was the principal author.

Motion was made and seconded to sponsor an Article for the May 22, 2023 Annual Town Meeting to amend the Town By-Law, Article 34 to allow the use of Electric Bikes (E-Bikes) on Milford Bicycle Paths, and other modification as reflected in the handout, and as modified by adding the use of Tricycles and the helmet regulation (as modified), and as may be further modified upon review by Selectman O’Loughlin and Town Counsel.

There was no further discussion. Motion passed unanimously.

### **4. Walden Woods Rt. 85 Connecting Path to the Bike Trail Status:**

Chairman DeLuzio handed out the status [*Previously emailed to Members*]. He focused on items 11 thru 14 which is the progress since the previous status report of 11/6/21. He focused on item 11 and handed out a copy of footbridge live load analysis and a copy of the foundation analysis for the members inspection.

The two analysis were presented to the Building Commissioner for his consideration of waivers to reduce the live load requirement from 90 psf. to 65 psf. and the use of concrete pads in lieu full depth foundations for this limited use application. He concurred with these analysis and agreed to grant the waiver requests when submitted with the Building Permit Application.

These analysis eliminated the need for Structural Engineering and Soil Testing services at a quoted fee of \$7,500. The footbridge procurement RFQ specifies delivery of a design plan stamped by a Mass. registered structural engineer as required by the Building Commissioner.

### **5. Trail Committee going forward:**

Chairman DeLuzio presented the following:

- a) 2/14/23 Trail Account Balance --- \$3,067
- b) Town was awarded a \$40,000 State grant for the Rt. 85 Connecting Path to the Bike Trail project. Funds to be expended under the jurisdiction of the Highway Dept. (*Chairman DeLuzio will send a thank you letter to Rep. Brian Murray for his efforts in securing the grant.*)
- c) The remaining Committee obligations before the Committee can be dissolved by the Select Board:
  - Expend the \$3,067 for the purpose of environmental permitting and improvements of the existing path in accordance with the Oct. 28, 2020 vote.
  - Write a final report.

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Chairman DeLuzio recommended:

- a) Transfer the \$3,067 to the Highway Dept. to be combined with the State Grant.  
Motion was made and seconded. Mr. Papuga felt it could be better spent elsewhere.  
Motion passed 6 in favor, 1 opposed.
- b) The Committee remain intact to support the Article 34 amendment and until a final report is written. It was agreed by consensus.

*Reno De Luzio*

Reno DeLuzio, Chairman

Date 3/21/23