

## Milford Upper Charles Trail Committee

### Meeting Minutes

A meeting of the Milford Upper Charles Trail Committee was held on Tuesday, February 6, 2024. 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, Attorney Brian Murray, Frank Malangone, Frank Pirrello, Henry Papuga, Joseph Arcudi, and Jeff Howard. Absent from the meeting was one member: Elaine Capuzziello. James Wheelock (1 Cunniff Ave.) was present.

Chairman DeLuzio announced that the meeting was being audio recorded and asked if anyone had objection. Hearing no objection, the meeting was recorded.

#### **1. Approve the January 4, 2024 meeting minutes:**

It was moved and seconded to approve the minutes as presented. Mr. Papuga, Mr. Arcudi, and Mr. Howard being absent from the January 4<sup>th</sup> meeting abstained. Motion passed, 4 in favor, 3 abstentions.

#### **2. Invitation to speak:**

Mr. Wheelock was recognized. Chairman DeLuzio asked Mr. Wheelock if he would like to speak on anything that is not on the agenda. He had no comments.

#### **3. Final Report Status:**

Chairman DeLuzio handed out and read a paragraph describing the Friends of the Trail for the Final Report. Mr. Pirrello noted "Charles" is misspelled. Mr. Arcudi moved to delete "although has not met expectations in recent years". Motion was seconded. Motion passed unanimously. Chairman DeLuzio will make the changes.

Chairman DeLuzio handed out Mr. Papuga's comments on the Final Report 2023 Draft [*Typo: Draft was dated 2-28-23. Should have been 12-28-23*] and the Chairman's responses (Sent to Mr. Papuga prior to the meeting). Many comments were topographical errors, spacing, etc. but seven raised some issues. Chairman DeLuzio suggested the Committee focus on these for discussion although it could take a substantial part of the meeting to do so.

Mr. Papuga made the following comments:

- a) Suggested his comments/Chairman's responses be taken up at a future meeting to give the committee sufficient time to review them. Chairman DeLuzio concurred.
- b) Suggested adding a section to include the evaluations he conducted of the proposed enhancements recommended by Mr. Wheelock at a previous meeting. Chairman DeLuzio will add a section.
- c) Part 2. Rt. 85 Crossing at Walden Way had too much detail but will leave it to the Chairman's decision whether to condense it.
- d) Suggested and the names to those cutting the ribbons be added to the photos.

Chairman DeLuzio will incorporate all of Mr. Papuga's comments in next draft for the Committee review at the next meeting.

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### 4. Resume discussion regarding continuing the Committee

Chairman DeLuzio noted that the Committee had further discussion on this topic since the October 19, 2023 meeting at which the Committee voted that the Committee should not be dissolved but be continued.

Based on these discussions, he felt it was now the consensus of the Committee that the Committee should not be continued but be dissolved and then decide what to do next. Chairman DeLuzio called for a motion to rescind the October 19, 2023 vote. Mr. Papuga moved to rescind the Oct. 19<sup>th</sup> vote. Mr. Howard seconded.. Motion passed unanimously.

Chairman Deluzio offered his thought on what to do next. Establishing a new committee to carry on does not seem feasible. The Friends of the Trail are not an option. The only option he could see is the Parks Commission (PC) assuming some of the Committee's functions.

Chairman DeLuzio handed out his proposal [Parks Commission in lieu of a new Trail Committee or the Friends 501(c) (3)] and noted that he sent a copy to Mr. Arcudi (*Park Commission Chairman*) in advance of the meeting. Chairman DeLuzio took the list of what a new committee would do (list emailed to the Committee on 1/25/23) and extracted the essential functions. The vehicle to define those functions would be the current Maintenance Memorandum of Understanding (MOU), the title of which would change to Milford Upper Charles Trail MOU to broaden its scope.

The PC would designate the Trail as a facility under their jurisdiction and it shall be the lead agency responsible for its care, maintenance, and for consideration/approval of proposed enhancements.

### Proposed Functions

**Trail Enhancements:** For proposed enhancement projects the PC could appoint an Ad-hoc committee for further study and more information. Attorney Murray confirmed they have the authority to do so. Mr. Papuga asked if this means all trail enhancement proposal would have to go through the PC. Chairman Deluzio's response: An enhancement proponent could present the proposal to the Select Board. They could appoint an Ad-hoc Committee or forward it to the PC for their consideration. Mr. Papuga asked if a proponent requested the Town Planner to investigate funding sources to expand the Trail, would he have to go through the PC. Chairman DeLuzio's response: Not necessarily, but he would expect the Town Planner to consult with the PC since they would be responsible for maintaining the expansion.

Mr. Arcudi joined the discussion, He commented that what Chairman DeLuzio has proposed is what is taking place now and asked why are we voting on it. Chairman DeLuzio's response: The objective is to document what is going on now so that when there is no longer a Milford Upper Charles Trail Committee and new Parks Commissioners are in charge, there is clear understanding of responsibilities.

Mr. Papuga postulated the following: Based on what was just discussed the Trustees of Reservations (TOR) is basically under control of over 300 acres of Town conservation land surrounding Walden Woods. [*Correction: TOR controls 190 acres of the 303 acres of Town conservation land*]. The TOR recommends the Town open up this land for more recreation. (e.g., build a parking lot). Does this mean that if some committee takes the TOR's recommendation, it would have to go through the PC? Chairman DeLuzio's response: Opening up the conservation land has nothing to do with the Trail so it should not go through the PC.

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Mr. Papuga responded that it is related to the Trail in that the Town Meeting approved acquiring an easement for a path from the trail [*in part*] to gain access the town conservation land. Mr. Arcudi commented that the PC would be involved in the discussion of the decision. Chairman DeLuzio noted that the connection to the conservation land is at the Flashing Beacons on Rt. 85 at Walden Way. In preparing the Committee's Town Meeting Article, Robert Buckley (Conservation Commission Chairman) insisted the purpose of the easement include a connection to the conservation land because someday a nature trail could be developed. This location is not suitable for a parking lot due to extensive wetlands.

Mr. Arcudi commented that if the parking lot is on conservation land, not on PC land, the PC would not be the deciding body.

Attorney Murray clarified the status of the town conservation land in question. It is town land under a Trustees of Reservations Conservation Restriction. The TOR enforces the conservation restriction.

Mr. Papuga further posited that because is technically an offshoot of the town meeting article, development of the conservation land for recreational use would have to go through the PC? Attorney Murray's response: Anything like this involves multiple stakeholders (e.g., Conservation Commission, Trustees of Reservations, Parks Commission for a recreational amenity, and the Highway Dept.),

Mr. Papuga: So this would not be covered by the requirement to go thru the PC. No one disagreed.

Chairman DeLuzio commented that providing access to the conservation land is not a trail enhancement. It is a stretch to define it as such. Mr. Papuga disagreed, read the article. [*A reading of the Article: "acquire a permanent easement on Assessor's Map Sheet 6, Lot 6-0-8 for the purpose of providing a pedestrian connection from the Milford Upper Charles Trail to the Towns Conservation Land and to the Walden Woods Development" ...No mention of "providing access"*]

Mr. Papuga gave another example. Would a nature trail along the northerly end of Milford Pond to Plains Park [*mostly on Water Department property*] come under the jurisdiction of the PC. Chairman DeLuzio thought it would. Attorney Muray also noted that the Milford Pond trail would be a park amenity. In general, jurisdiction would depend upon the stakeholders and the project.

**Regional Responsibilities:** Chairman DeLuzio noted that the Milford Upper Charles Trail is part of the envisioned 27- mile multi-town Upper Charles Trail and the East Coast Greenway. The Committee chairman has been the Town's contact person for matters relating to these regional initiatives. Once the committee is dissolved, he suggested the PC be the contact agency. Mr. Papuga commented that the Town Planner thinks that it is his responsibility to be the contact person. Mr. Papuga was not in favor of the P C taking on this function. Mr. Arcudi agreed. Chairman DeLuzio will follow up with the Town Planner.

**Problem Reporting and Advocacy for Problem Resolution.** Chairman DeLuzio noted the Friends of the Trail developed and excellent spread sheet to log reported problems and keep track of the time taken for resolution. They kept it up for a while but then abandoned it. He felt it was a good management tool, not only for keeping track of problems but a basis for justifying the need for more PC resources.

However, he noted it would be the Parks Commission decision whether to use it.

Mr. Arcudi noted that the Parks and Recreation Administrator does a very good job of tracking and reporting problems and progress to the Commission on a regular basis and does not see a need to adopt this approach. Mr. Howard suggested the wording be changed to reflect an electronic reporting system be developed to log and track problems. Mr. Arcudi rebutted that the Administrator has a system that is

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satisfactory to the Commission which they will continue to use. The PC has all the backup data it needs to justify additional resources.

**Periodic Trail Condition Assessments:** Chairman DeLuzio noted that the Committee issued a Comprehensive Maintenance Assessment Report in 2018. It is an excellent reference for identifying the elements for an annual trail condition assessment. Again, it also provided a basis for justifying additional resources. He suggested the PC could adopt a policy requiring the Parks and Recreation Director/Highway Surveyor conduct a periodic (maybe every two years) trail condition assessment and issue a report with recommendations.

Mr. Papuga recommended this be a recommendation in the Committee's Final Report. Att. Murray noted that the PC could not adopt a policy that requires the Highway Surveyor to perform this function.

Mr. Papuga suggested the Committee's Final Report recommendation should state that an annual assessment be performed and a report provided.

**Parks Commission, Parks Dept., and MUCT Committee Web Pages:** Chairman DeLuzio noted that the public's electronic contact to the MUCT Committee is via the Town's website (MUCT Committee web page). Once the MUCT Committee is dissolved, its web page and content will be removed from the Town's website. Chairman DeLuzio proposed the MUCT Committee web page content be transferred the Parks Dept, web page. Chairman DeLuzio was corrected in that Parks Dept. has an email contact address ([jasam@townofmilford.com](mailto:jasam@townofmilford.com)) on its web page. However, if the Town Planner is to be the contact, then the MUCT web page content will be transferred to the Planning and Engineering Dept. web page.

Based on these discussions, Chairman DeLuzio will not be presenting this proposal to the Parks Commission on Feb. 16<sup>th</sup>. Mr. Arcudi agreed and moved that the Committee not recommend this proposal to the Parks Commission. Mr. Papuga seconded. Motion passed unanimously

Mr. Malangone suggested the MOU, or some equivalent, be required to document responsibilities and be included in the Committee's Final Report. Attorney Murray suggest the Chairman tie the recommendations down and submit the important ones for the Final Report. He also recommended the MOU not be revised at this time. It is a snapshot in time and should be included in the Final Report as is.

Mr. Papuga moved that the Final Report recommendation should state: The Select Board, upon submittal of the Final Report, shall dissolve the Committee. Attorney Murray seconded. Motion passed unanimously.

Meeting Adjourned at 8:15 p.m.



Reno DeLuzio, Chairman

Date: 3/14/24