

Town to sign lease for Beavertail property with Coast Guard

By Dotti Farrington

Town Councilors voted 4-0 Feb. 26 to sign the licensing agreement with the US Coast Guard for continued use, until September, of the federal Beavertail Lighthouse property at Beavertail State Park. This, while the various parties involved in the lighthouse's future continue negotiations.

The lease agreement, which had been up for renewal in 2004, was delayed by the frequent turnover in town administration, and compounded by disputes or conflicting statements among the parties about the lighthouse's use and future.

The agreement encourages the town to work with the Beavertail Lighthouse Museum Association (BLMA) on management of the museum, which the BLMA has done for about two decades. However, the document does not spell out any terms for the town and BLMA to manage an expanded and improved museum. Those terms still need to be negotiated, it was noted.

The BLMA last week advised the council that estimates for its plans, to be detailed soon, are for \$500,000 in renovations. The agreement recognition was added to help BLMA "get in line" to ask for federal consideration of its plans.

The agreement covers about seven acres of land that includes the lighthouse complex.

The town became involved in the lighthouse operation after the state bought about 160 abutting acres that were declared surplus federal land in 1980 and that became the Beavertail State Park.

In the 1980s, the museum was opened as the joint project of town, state and federal entities entrusting the museum operation to the newly-formed BLMA.

BLMA last month sent the council a letter detailing the association's involvement in the lighthouse options.

Lease issue

The most recent snag in the status of the lease was concern voiced some weeks ago by outgoing Town Solicitor J. William W. Harsch. He cautioned that a recent notice about exterior lead contamination and documentation about interior lead paint "puts the town on notice for the first time" about the existence of the pollutant and about potential liability for its removal. He said responsibilities of ownership may override disclaimers within a transfer deed.

New Town Solicitor Peter Ruggiero reported that he obtained assurances from the Coast Guard, as owner of the property, that it would retain responsibility for

clean-up of any lead paint that has been, or may be, found at any time at any exterior location on the property and that was related to any activity before the town took over use of the lighthouse complex in the 1980s. He also said it was affirmed that the town as licensee (lessee) remains responsible for any interior lead paint.

Ruggiero commented that some aspects of the assurances he obtained may be problematic in terms of determining whose actions contributed to the existence of lead paint. Councilors said the exact date of town involvement would have to be established. They nonetheless agreed to sign the lease, however short term that it may be.

Before voting to continue the remainder of the lease, councilors were told that the windows at the premises were not replaced and thus may be of concern about lead paint abatement. BLMA told the councilors that they recently installed new storms windows but retained the old windows because of their historic significance.

As affordable housing

The town's renting of a part of the lighthouse complex as affordable housing also has been an issue. Both BLMA and the joint town and state Beavertail Advisory Committee oppose use of the complex for affordable housing.

Town Administrator Bruce Keiser said that some federal officials reported they had no knowledge that the town had been subletting part of the lighthouse complex for a caretaker with affordable housing status. "It still is not fully resolved," he commented. He said Michael Turillo, the next designated tenant, has been trained and certified to abate the lead paint inside the residential area so that it would meet all applicable regulations.

Councilor William Kelly said the lead abatement had to be completed regardless of the eventual use of the lighthouse campus.

Keiser reviewed the status of the BLMA proposal to expand its museum and educational uses of the complex in cooperation with eventual ownership when the lighthouse is made available, expected in less than a year. The state has a role in the lighthouse acquisition and use, according to plans. Keiser



Winter gear

Steve Bonner and Joe Ford show off Jamestown's new \$88,000 dump truck, which has been put to use this season for snow removal. The two public works employees are sporting their new lime-green winter safety gear, which was purchased with a grant from the Rhode Island Resource Recovery Corporation.

Photo by Jeff McDonough

said details of the joint operation are still being negotiated.

The lighthouse is on the National Register of Historic Places, and is considered especially significant because of its role in the American Revolution. Beavertail is one of about 300 lighthouses that the Coast Guard has been decommissioning and making available, mainly for non-profit groups. BLMA has been planning for the preservation and use of Beavertail Light facilities for the last five years.

BLMA position

"To help clarify... and provide you with information, we have summarized some pertinent issues," wrote Varoujan Karentz, association acquisition chairman.

He stated that the "final disposition of the light station rests with the US National Park Service in accordance with the National Historic Lighthouse Preservation Act of 2000, not the US Coast Guard."

He explained the Guard will declare the property as "excess" and turn it over to the General Services Administration (GSA) who will call for letters of interest. Those who qualify will be referred to the National Park Service who will solicit competitive applications from those who wish to take over ownership. Until that time, the present renewable Coast Guard license to the town remains in effect, Karentz said.

Memorandums of Understanding (MOUs)... establish the state as the owner, with the town and BLMA as partners for BLMA to be site manager, Karentz reported. He said BLMA "has met favorably" about its plans with the RI Department of Environmental Management's Parks and Recreation Division, town Planning Commission, Beavertail Advisory Committee and the US Coast Guard.

"BLMA has assumed a designated role as the organization to submit the application to the National Park Service on behalf of the state and the town," Karentz stated. The Coast Guard has acknowledged responsibility to clean up any environmental hazards, subject to periodic inspections by the new owner, he reported.

BLMA and the US National Trust of Historic Places jointly funded the "Beavertail Master Plan," recently completed by Newport Collaborative Architects. The plan supplements and refines the association's previous "Notice of Intent" dated August 2004, Karentz said. The new plan is be-

ing reviewed by BLMA directors and is to be submitted to councilors soon, Karentz said.

Consultants and contractors have estimated it will cost about \$500,000 to repair, restore and stabilize the six buildings on site, and added funds will be needed to expand the museum, according to Karentz.

BLMA is prepared to undertake a major fund drive to finance the work, he added.

Affected tenants

Among those affected by the dispute is Richard Shutt, current caretaker, with whom the town mediated a court-sanctioned eviction effective March 31. The town wanted to rotate the tenancy of the quarters, and a year ago chose Turillo, his wife and their four children, to move into the keeper's house. However, Shutt's claim for continued residency delayed the turnover. Keiser stressed that no move-in would be allowed until the lead paint problem is abated. Keiser said Turillo estimated it will take about three weeks to do the lead abatement work.

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