FRIENDS OF THE PLUM BEACH LIGHTHOUSE



THE PLUM BEACH LIGHT WAS BUILT DURING THE YEAR 1896-1899 USING WHAT WAS THEN AN INNOVATIVE ENGINEERING TECHNIQUE FOR ESTABLISHING A LIGHTHOUSE IN AN UNDERWATER SHOAL--THE PNEUMATIC CAISSON METHOD. IT WAS THE ONLY LIGHTHOUSE IN NEW ENGLAND SO CONSTRUCTED AND ONE OF ONLY ELEVEN IN THE UNITED STATES. IT WAS IDEAL FOR THE JOB OF WARNING SHIPS OF THE HAZARDS OF THE PLUM BEACH SHOAL AND DIRECTING THEM AWAY FROM THREATS TO LIFE AND CARGO POSED BY THE MUCH USED WEST PASSAGE OF NARRAGANSETT BAY.

DURING THE DEVASTAING 1938 HURRICANE THE PLUM BEACH LIGHTHOUSE AND ITS TWO KEEPERS, THOUGH BATTERED AND SUFFERING FROM THE OVERWHELMING WINDS AND WAVES THAT CAME AGAINST, OVER AND THROUGH THE STRUCTURE, BRAVELY STOOD FAST AND SURVIVED TO TELL THE STORY.

AFTER THE 1940 OPENING OF THE JAMESTOWN BRIDGE, WHICH WAS CONSTRUCTED TO GUIDE SHIPS TO THE CHANNEL AVOIDING THE PLUM BEACH SHOAL, THE LIGHTHOUSE WAS DEEMED OBSOLETE, TURNED OFF, AND EVENTUALLY ABANDONED BY THE COAST GUARD. DURING THE LAST 45 YEARS LITTLE HAS BEEN DONE TO COUNTERACT THE EFFECTS OF NEGLECT AND NEW ENGLAND WEATHER ON THIS STRUCTURE WHICH WAS ONCE THE PRIDE OF ITS KEEPERS AND OF THE SURROUNDING COMMUNITY. THE RESULT? THE RUSTY STRUCTURE FAMILIAR TO USERS OF THE BRIDGE, ABANDONED BY ALL BUT THE CORMORANTS AND GULLS.

SPRING NEWSLETTER

APRIL, 2001

Our monthly meeting was held on Saturday, April 28 at the North Kingstown Free Library. The Minutes of the Meeting of March 24, 2001 were read. The Treasurer's report was distributed to the members.

President Shirley Silvia reported that the monthly report to RIDOT had been written and mailed. Letters were also written to Melissa Eslinger re: her travel map of local lighthouses and to Tamara Elder and Timothy Phun at the John Muir School re: their fourth grade lighthouse reports on Plum Beach Lighthouse.

The bylaws re: Article VIII, No.6: Indemnification and Liability of Directors and Officers were reviewed. The brochure for the National Conference of the Points of Light Foundation to be held on June 28-July l, 2001 in Minneapolis/Saint Paul, Minnesota was circulated to the members.

May, 2001

Our monthly meeting was held on Saturday, May 19 at the North Kingstown Free Library. The Minutes of the Meeting of April 28 were read. The Treasurer's report was distributed to the members. Attorney Donato D'Andrea's letter to Senator Frank Caprio was discussed. It is hoped that the proposed legislation referred to in this letter will pass the RI Senate in June. A fax received from Michael Paul of LZA Technology was discussed. We look forward to further consultation with Michael. The members received a copy of a letter from Sandra Avila of the O'Neill Elementary School in Mission Viejo, California. The interest in lighthouses expressed by the children is wonderful.

President Shirley Silvia discussed and stressed that our goal is to restore and preserve the Plum Beach Light and, hopefully, the day will arrive when the public can visit and enjoy this piece of our national treasure. She explained that Tom Queenan from DOT is aware of the potential need of additional funding.

The members were saddened to learn that President Shirley Silvia has a very serious health problem that may cause us to consider a possible replacement in the future. She indicated the need for members to assume some of her present tasks in any event as she contends with this illness. Bob Onosko has agreed to do the Spring Newsletter; Chris Kinder the 2001 Membership Cards and Jonathan Matelli the envelopes. Shirley certainly can never be replaced. She is the founder of this group, has worked extremely hard and tirelessly, and is very committed to this project. Our best wishes and concern are with Shirley and her family during this difficult time.

June, 2001

Our monthly meeting was held on Saturday, June 30 at the North Kingstown Free Library. Secretary, Alda Kaye, read the Minutes of the Meeting of May 19.

The Treasurer's Report was presented. Cynthia Tully has agreed to assume the duties of Treasurer in the Fall. Bob Onosko will send a dues notice along with the Quarterly Newsletter to those with outstanding dues. Chris Kinder prepared the membership cards which will be mailed (to those not present at the meeting) along with the Newsletter in envelopes prepared by Jonathan Matelli.

President Shirley Silvia reported that the letter to Honorable Frank Caprio from title attorney D'Andrea corrects misstatements: the lighthouse had not been "purchased" from the state; the state transferred title to the lighthouse without consideration, and the lighthouse does not "sit on an underwater rock"; the foundation actually sits on the bottom on the bay. President Silvia also reported on the Newsletter from the Dutch Island Lighthouse Society, the new lighthouse books from Voyager Press, and the products provided by Craftiques Stencil Studio. She also indicated that we have one new member, Paul Blanchard, and inquiries have been received from John Stokes and Mike Young.

The National Lighthouse Museum Newsletter was distributed. Shirley will renew our non-profit corporation status with the Secretary of State.

Bill No. 5403 giving us clear title is on the Governor's desk for Signature. Senator Caprio anticipates no problems.

Shirley told the group that she had undergone surgery and that during the surgery it was found that she had additional health issues. She is recuperating. I am sure I speak for everyone when I say, once again, we wish Shirley a speedy recovery.

Upon adjournment, the group recessed to the Town Beach for a picnic. There will be no meetings in July or August, and possibly September. Have a great summer!

William R. Onosko
Member

LAW OFFICES
DONATO ANDRE D'ANDREA
35 LONG WHARF MALL
P. O. BOX 3115
NEWPORT, RHODE ISLAND 02840

(401) 847-0301

May 1, 2001

Hon. Frank Caprio
Chairman, Senate Finance Committee
State Capitol Building-Room 211
Providence, Rhode Island 02903

Re: House Bill No 5403

Dear Chairman Caprio:

I am writing at the suggestion of my senator, M. Teresa Paiva-Weed, to explain the reason why the above bill has been requested. As a title attorney, I have been asked to provide title insurance for the Plum Beach Lighthouse which has been purchased from the state by the Friends of Plum Beach Lighthouse for purposes of restoration. Whoever built the lighthouse created a very realistic-looking collection of rocks that appears to constitute an island. However, the lighthouse is built on a rock that is under the water.

Having been led by the superior design, the state did execute a deed to the Friends of the Plum Beach Lighthouse in 1999. However, I cannot obtain title insurance because, in fact, the structure sits on an underwater rock. Because this rock constitutes "land" underwater, this land is subject to what is called the "Public Trust Doctrine."

The Public Trust Doctrine, developed by Rhode Island Supreme Court decisions over the centuries, states that all land under tide-flow water is owned by the state and is held by the state in trust for the public, which can use such land for fishing, etc. General Assembly approval is needed for such land to be sold. The proposed legislation must be passed in order to validate the 1999 deed so that I can obtain title insurance to protect the investment of the charitable group that will be restoring the lighthouse.

I have been in contact with Tom Queenan of the Department of Transportation He testified in favor of the bill when it was heard in committee in the House of Representatives. If the bill does not pass, the title obtained by the Friends of Plum Beach Lighthouse under the 1999 deed will be considered defective and that organization will be unable to obtain title insurance on the land, the lighthouse, and any improvements it may wish to make.

I hope the foregoing explains the bill without going on at too much length. If you need any further information or documentation, please let me know.

Sincerely yours,

Donato Andre D'Andrea

DAD/ma
cc: Hon. M. Teresa Paiva-Weed
Friends of Plum Beach Lighthouse

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May 23, 2001

Hon. Frank Caprio
Chairman, Senate Finance Committee
State Capitol Building-Room 211
Providence, Rhode Island 02903

Re: House Bill No. 5403

Dear Chairman Caprio:

The Friends of Plum Beach Lighthouse have recently met, and they noted a couple of items in my letter to you of May 1, that they have asked me to correct.

In the third line of the first paragraph I stated that the lighthouse had been "purchased" from the state. In fact, the state transferred title to the lighthouse without consideration. Friends of Plum Beach Lighthouse is not a profit-making corporation. It is a group interested in preserving the lighthouse for historical purposes.

I also mentioned in my letter that the lighthouse sits on an underwater rock. It has been pointed out to me that the foundation actually sits on the bottom of the bay, below any sand that is sitting on the bay bottom.

I regret having made those mis-statements in my letter. I trust that they do not affect the desirability of having the above house bill passed so that I can obtain title insurance for this charitable group.

Sincerely yours,

Donato Andre D'Andrea

DAD/ma
cc: Hon. M. Teresa Paiva-Weed
Friends of Plum Beach Lighthouse

caprio (8)

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June 25, 2001

Ms. Shirley A. Silvia
Friends of Plum Beach Lighthouse
P.O. Box 451
Portsmouth, Rhode Island 02871

Dear Shirley:

On June 23, 2001, I had a talk with Senator Weed concerning the status of our bill. Senator Weed informed me that the Senate and House each usually hold bills that originate in the other house until the final hour. She told me that she spoke with Senator Caprio the prior week. As of the time we spoke on June 23, she had not seen any posting that there would be a hearing on the bill. However, she reports that Senator Caprio said the bill was "no problem."

Senator Weed said that the information I sent to Senator Caprio was just what was needed and that she feels there is no reason to anticipate any problems. I intend to check back with Senator Weed again if I have not heard that the bill has passed.

With best wishes, I remain

Sincerely yours,

Donato Andre D'Andrea

DAD/ma

silvia (8)

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silvia (8)