

## **Councilors OK transfer of additional GE properties to Pittsfield Economic Development Authority**

*By Jim Therrien, Berkshire Eagle Staff Berkshire Eagle*

*Posted:*

BerkshireEagle.com

---

Story Body:

Berkshire Eagle Staff

PITTSFIELD -- City councilors have approved an agreement to transfer additional GE properties in the city to the Pittsfield Economic Development Authority -- a move that also will allow for the development of a recreational walkway around Silver Lake.

Before signing off on the deal, however, councilors sought assurances that the transfers would not expose the city to potential liability for hazardous materials cleanup costs.

Mayor Daniel L. Bianchi had requested approval on Tuesday of the transfer agreements of the parcels, which were part of the GE industrial complex off East Street near Silver Lake, adjacent to the 52 acres PEDDA manages as the William Stanley Business Park of the Berkshires.

That property has been remediated by GE and transferred to PEDDA over the past 15 years as part of an agreement involving federal and state environmental agencies overseeing a massive cleanup project on the GE sites. The parcels in question had not been included in the initial agreement covering the transfer of the former GE properties.

The deal approved Tuesday also allows the city an easement to maintain a planned recreational walkway around the north bank of Silver Lake, which is expected to be dedicated by the spring of 2014 -- once final remediation work at that site is completed.

Ward 5 Councilor Jonathan Lothrop and others pressed Assistant City Solicitor Darren Lee and PEDDA Executive Director Corydon Thurston for assurances the agreements would not expose Pittsfield to future liability for environmental cleanup costs.

Saying former industrial properties thought to be clear of pollution are sometimes "found not to be remediated completely," Lothrop asked, "where is the city's protection in the future?"

Lee noted that Pittsfield "is not taking title to the land, PEDDA is," and therefore the city "can't be held liable" for problems discovered at a later date.

Lothrop also questioned whether PEDDA, a quasi-public entity created to manage the business park, "might not be around forever," and that the city could then face liability for future cleanup work.

"I hope PEDDA will remain alive for years to come," Thurston said, adding it could continue to manage the site through income from park tenants.

He said that the mayor's requests are in the form of amendments to the original agreement creating PEDDA and relative to the GE lands, and that the pact protects against liability for other parties.

Under the original agreement, GE was responsible for remediating chemicals and other materials on the properties -- including GE's former Power Transformer facility site -- and for continued monitoring under the direction of environmental agencies.

GE is funding the cleanup work and ongoing soil, water and air monitoring required under an overriding agreement with the federal Environmental Protection Agency and the state Department of Environmental Protection.

Both agencies also will sign off on cleanup work on the new parcels to be transferred before they are acquired by PEDDA, Thurston said.

In answer to a question from Ward 2 Councilor Kevin Morandi, Lee said the city will acquire an easement to maintain the planned walkway but won't own the property.

Thurston said the additional small parcels -- surrounding the lake -- were originally thought to be owned by the city or otherwise part of the original agreement creating PEDDA, but title work found they remained owned by GE or private owners. That error will be addressed with the amendments and the land will come under the agreement.

A pedestrian walkway, funded by GE and extending around the north shore of the lake, is planned by PEDDA in 2014

To reach Jim Therrien:

[jtherrien@berkshireagle.com](mailto:jtherrien@berkshireagle.com),

or (413) 496-6247

On Twitter: @BE\_therrien