



**TO:** The Honorable the Members of the Board of Regents

**FROM:** Elizabeth R. Berlin *Elizabeth R. Berlin*

**SUBJECT:** Petition of the City School District of the City  
Amsterdam for Consent to Exceed the Constitutional Debt  
Limit

**DATE:** May 23, 2019

**AUTHORIZATION(S):** *Mary Ellen Elin*

### **SUMMARY**

#### **Issue for Decision (Consent Agenda)**

Should the Regents consent to allow the City School District of the City of Amsterdam to increase the indebtedness of the school district under the provisions of the State Constitution and the Local Finance Law?

#### **Reason(s) for Consideration**

Required by Article 8, Section 4, Paragraph (h) of the State Constitution and by Local Finance Law section 104.00(c).

#### **Proposed Handling**

This issue will come before the Board of Regents for action at the June 2019 meeting.

#### **Procedural History**

The Board of Regents is required to give consent for such petitions prior to the petition being forwarded to the State Comptroller for final consideration. The Board of Regents has discussed in the past similar requests from school districts to exceed their debt limit and is familiar with the guidelines and procedures for granting consent.

## **Background Information**

The Department received a petition from the Board of Education of the City School District of the City of Amsterdam seeking consent of the Board of Regents to an increase in the indebtedness of the City School District of the City of Amsterdam.

The State Constitution requires that any increase in the constitutional limit on local indebtedness for a school district wholly or partly within a city of less than 125,000 inhabitants receive: (1) the approving vote of 60 percent or more of the duly qualified voters; (2) the consent of the Regents; and (3) the consent of the State Comptroller.

According to the petition, the City School District of the City of Amsterdam, located in Montgomery County encompasses the entire City of Amsterdam, as well as the Villages of Hagaman and Fort Johnson, and portions of the Towns of Amsterdam, Florida, and Mohawk in Montgomery, Fulton, Saratoga, and Schenectady Counties, the Town of Perth in Fulton County, the Town of Charlton in Saratoga County and the Towns of Duanesburg and Glenville in Schenectady County. The documentation supporting the petition verifies that more than 60 percent of duly qualified voters approved the increase at an annual meeting held on May 15, 2018. The increase in indebtedness will be utilized for the acquisition of two (2) school busses.

Staff has reviewed the petition and supporting documentation and recommends that the requested consent be granted.

## **Related Regent's Items**

In 2009, the Board of Regents and the State Comptroller consented to and approved a prior request in the amount of \$61,235,300 from the Board of Education of the City School District of the City of Amsterdam. [See 2009 Request](http://www.regents.nysed.gov/meetings/2009Meetings/May2009/0509brca3.htm) (<http://www.regents.nysed.gov/meetings/2009Meetings/May2009/0509brca3.htm>)

In 2017, the Board of Regents and the State Comptroller consented to and approved a prior request in the amount of \$48,963,254 from the Board of Education of the City School District of the City of Amsterdam. [See 2017 Request](http://www.regents.nysed.gov/common/regents/files/917brca7.pdf) (<http://www.regents.nysed.gov/common/regents/files/917brca7.pdf>)

## **Recommendation**

VOTED: That the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of the City of Amsterdam in the amount not to exceed \$195,424 for the acquisition of two (2) school busses, in excess of the constitutional debt limit of said school district.

## **Timetable for Implementation**

Upon approval by the Board of Regents, the petition will be forwarded to the State Comptroller for final consideration.