



TO: The Honorable the Members of the Board of Regents

FROM: James N. Baldwin 

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

DATE: November 4, 2021

AUTHORIZATION(S): 

SUMMARY

Issue for Decision (Consent)

Should the Board of Regents consent to allow the City School District of the City of Ogdensburg 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 Full Board for consideration at its November 2021 meeting, where it will be voted on and action taken.

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, in the past, discussed 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 Ogdensburg seeking consent of the Board of Regents to an increase in the indebtedness of the City School District of the City of Ogdensburg.

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 Board of Regents; and (3) the consent of the State Comptroller.

According to the petition, the City School District of the City of Ogdensburg is located in portions of the City of Ogdensburg, and the Towns of Lisbon and Oswegatchie, in St. Lawrence County, New York. 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 18, 2021. The amount requested for approval by the Board of Regents is \$1,300,000, in excess of the constitutional debt limit, to be used to fund the purchase of twelve (12) student transport vehicles, including necessary furnishings, fixtures and equipment and all other costs incidental thereto.

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

Related Regents Items

In 2012, the Board of Regents and the State Comptroller consented to and approved a prior request in the amount of \$57,206,400 from the Board of Education of the City School District of the City of Ogdensburg. See prior Regents Item:

December 2012: [Petition of the Ogdensburg City School District for Consent to Exceed the Constitutional Debt Limit](http://www.regents.nysed.gov/common/regents/files/documents/meetings/2012Meetings/December2012/1212brca5.pdf)
(<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2012Meetings/December2012/1212brca5.pdf>)

Recommendation

It is recommended that the Board of Regents take the following action:

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 City School District of the City of Ogdensburg in an amount not to exceed \$1,300,000 for the purchase of twelve (12) student transport vehicles, including necessary furnishings, fixtures and equipment, and all other costs incidental thereto, 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.