



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: The Honorable the Members of the Board of Regents

FROM: Jhone M. Ebert *Jhone M. Ebert*

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

DATE: June 6, 2016

AUTHORIZATION(S): *MaryEllen Elia*

SUMMARY

Issue for Decision (Consent Agenda)

Should the Regents consent to allow the City School District of the City of Johnstown 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 petition for consent will come before the Board of Regents at the June 2016 meeting for discussion and action.

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.

Background Information

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

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.

The petition identifies that the district is located in upstate New York, in Fulton County, about 35 miles northwest of the City of Albany. The district is located primarily in the city of Johnstown, but also encompasses various portions of the Towns of Ephratah, Johnstown and Palantine and the City of Gloversville. The documentation supporting the petition verifies that more than 60 percent of duly qualified voters approved the increase at a special meeting held on December 9, 2014.

The increase in indebtedness will be used for the construction of additions to and reconstruction of various school district buildings, construction of a new concession stand and bathroom at Knox Junior High School, including site work thereat, and the acquisition of original furnishings, equipment, machinery and apparatus required. Staff has reviewed the petition and supporting documentation and recommends that the requested consent be granted.

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 Johnstown in an amount not to exceed \$39,600,000 for the construction of additions to and reconstruction of various school district buildings, construction of a new concession stand and bathroom at Knox Junior High School, including site work thereat, and the acquisition of original furnishings, equipment, machinery and apparatus required and the issuance of such bonds and/or bond anticipation notes 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.