



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

**FROM:** Jim Baldwin 

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

**DATE:** November 3, 2022

**AUTHORIZATION(S):** 

### SUMMARY

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

Should the Board of Regents consent to allow the City School District of the City of Norwich 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 §104.00(c).

#### **Proposed Handling**

This petition will come before the Full Board for action at its November 2022 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, 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 Norwich seeking consent of the Board of Regents to an increase in the indebtedness of the City School District of the City of Norwich. In 2007, the Board of Regents and the State Comptroller consented to and approved a prior

request in the amount of \$34,100,000 from the Board of Education of the City School District of the City of Norwich.

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. Additionally, the Local Finance Law requires that the proposition to authorize the increase in indebtedness contain a statement to the effect that the obligations to be issued may be issued in excess of the constitutional debt limitation of the school districts

According to the petition, the City School District of the City of Norwich is located in the City of Norwich and portions of the Towns of Guilford, McDonough, New Berlin, North Norwich, Norwich, Oxford, Pharsalia, Plymouth, Preston, and Smyrna, in Chenango County, New York. The documentation supporting the petition verifies that more than 60 percent of duly qualified voters approved the increase at a special meeting held on November 19, 2021. Additionally, the proposition contained a statement to the effect that the obligations to be issued may be issued in excess of the constitutional debt limitation of the school districts. The amount requested for approval by the Board of Regents is \$35,000,000, to be used to fund the reconstruction and equipping of existing school buildings and facilities, 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**

June 2007: [Petition of the City School District of the City of Norwich for Consent to Exceed the Constitutional Debt Limit](https://www.regents.nysed.gov/meetings/2007Meetings/June2007/0607emscvesidca2.htm)  
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### **Recommendation**

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

VOTED: 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 Norwich in an amount not to exceed \$35,000,000 to fund the reconstruction and equipping of existing school buildings and facilities, 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.