

CAPITAL IMPROVEMENT PROGRAM APPROPRIATIONS:

**AN ORDER AUTHORIZING THE CONSTRUCTION OF A NEW SCHOOL AT THE FORT RIVER SCHOOL SITE AND APPROPRIATION AND BORROWING AUTHORIZATION ORDER FY23 - 06 C**

**BE IT ORDERED** by the Town Council of the Town of Amherst that:

*That the city known as the Town of Amherst (the "Town") appropriates **Ninety-Seven Million, Four Hundred and Ninety-Two Thousand, Two Hundred and Ninety-Seven Dollars (\$97,492,297)** for the purpose of paying costs to construct, originally equip and furnish an elementary school on the Fort River site located at 70 South East Street, Amherst MA 01002, including the cost of architectural design, project management, demolition of the existing building and other necessary site improvements and all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the Town may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the School Building Committee; to meet this appropriation the Treasurer, with the approval of the Town Manager is authorized to borrow **Ninety-Two Million, Four Hundred and Ninety-Two Thousand, Two Hundred and Ninety-Seven Dollars (\$92,492,297)** under M.G.L. Chapter 44, or pursuant to any other enabling authority and **Five Million Dollars** shall be transferred to pay costs of this project from the Town's Capital Stabilization Fund; the total amount appropriated by this order shall be expended in addition to the **\$700,000** previously appropriated for this project from Community Preservation Act funds and **\$1,030,000** previously appropriated for a feasibility study resulting in a total appropriation for this project of **Ninety-Nine Million, Two Hundred and Twenty-Two Thousand, Two Hundred and Ninety-Seven Dollars (\$99,222,297)**, all as more fully set forth in Appropriation Order FY23-06C below; the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; provided further that any grant that Town may receive from the MSBA for the Project shall not exceed the lesser of (1) **sixty-seven and sixty-six hundredths percent (67.66 %)** of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2½); and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA. The Town Manager is hereby authorized to accept, contract for and expend any grants or gifts available for this project.*

**Appropriation Order FY23-06C – Town of Amherst Capital Program – Bond Authorizations and  
Appropriations for New School Construction**

<b>Total Project Cost:</b>	<b>\$99,222,297.00</b>	<b>Authorization for New School Project</b>
CO FY23-06A	\$92,492,297.00	Borrowing Authorization
CO FY23-06A	\$5,000,000.00	Appropriate and Transfer from Capital Stabilization to Reduce Borrowing Amount
CO FY24-08A (Voted 2/27/23)	\$700,000.00	Community Preservation Act Borrowing Authorization for Fort River Site Fields Replacement and Improvements
CO FY20-68 (Voted 2/10/20 and Amended 11/9/20)	\$750,000.00	Borrowing Authorization for Feasibility Study Costs
CO FY22-05E (Voted 2/7/22)	\$280,000.00	Appropriate and Transfer for Feasibility Study Costs
	<b>\$99,222,297.00</b>	

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above Order was adopted by a vote of \_\_\_\_ for, \_\_\_\_ against and \_\_\_\_ present on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Athena O’Keeffe, Town Council Clerk

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J. Lynn Griesemer, Council President