

**PRELIMINARY OFFICIAL STATEMENT DATED JUNE 25, 2024**

**NEW ISSUE  
SERIAL BONDS**

**RATING: See “RATING” herein**

*In the opinion of Bond Counsel to the Village, under existing statutes, regulations, administrative rulings, and court decisions, and assuming continuing compliance by the Village with its covenants relating to certain requirements contained in the Internal Revenue Code of 1986, as amended (the “Code”), and the accuracy of certain representations made by the Village, interest on the Bonds is excluded from gross income of the owners thereof for Federal income tax purposes and is not an “item of tax preference” for purposes of the Federal alternative minimum tax imposed on individuals. However, interest on the Bonds held by certain corporations that are subject to the Federal corporate alternative minimum tax is included in the computation of “adjusted financial statement income” for purposes of the Federal alternative minimum tax imposed on such corporations. Bond Counsel is also of the opinion that under existing statutes interest on the Bonds is exempt from personal income taxes imposed by the State of New York and any political subdivision thereof (including The City of New York). No opinion is expressed regarding other Federal or State tax consequences arising with respect to the Bonds. See “TAX MATTERS” herein.*

The Bonds Will be designated by the Village as “qualified tax-exempt obligations” pursuant to the provision of Section 265 of the Code.

**VILLAGE OF BUCHANAN  
WESTCHESTER COUNTY, NEW YORK**

**\$1,520,000\***  
**PUBLIC IMPROVEMENT SERIAL BONDS – 2024**  
**(the “Bonds”)**

**Date of Issue: Dated Date**

**Maturity Date: July 15, 2025 – 2034**

The Bonds are general obligations of the Village of Buchanan, Westchester County, New York, (the “Village”) and will contain a pledge of the faith and credit of the Village for the payment of the principal thereof and interest thereon and, unless paid from other sources, the Bonds are payable from ad valorem taxes which may be levied upon all the taxable real property within the Village, subject to certain statutory limitations imposed by Chapter 97 of the New York Laws of 2011, as amended (see “TAX INFORMATION – Tax Levy Limitation Law” in Appendix A hereto).

The Bonds are dated their Date of Delivery and will bear interest from that date until maturity at the annual rate or rates as specified by the purchaser of the Bonds, payable on July 15, 2025 and semiannually thereafter on January 15 and July 15 in each year until maturity. The Bonds shall mature on July 15 in each year in the principal amounts specified on the inside cover page hereof. The Bonds will not be subject to redemption prior to maturity. (See “Optional Redemption” herein).

DTC will act as Securities Depository for the Bonds registered to Cede & Co. Individual purchases may be made in book-entry form only, in principal amounts of \$5,000 or integral multiples thereof. Purchasers will not receive certificates representing their ownership interests in the Bonds. Payment of the principal of and interest on the Bonds will be made by the Village to DTC, which will in turn remit such principal and interest to its participants for subsequent disbursement to the beneficial owners of the Bonds as described herein. (See “Book-Entry-Only System” herein.)

The Bonds are offered when, as and if issued by the Village subject to the final approving opinion of Harris Beach PLLC, New York, New York, Bond Counsel to the Village, and certain other conditions. Capital Markets Advisors, LLC has served as Municipal Advisor to the Village in connection with the issuance of the Bonds. It is expected that delivery of the Bonds will be made on or about July 25, 2024 in New York, New York.

THIS PRELIMINARY OFFICIAL STATEMENT IS IN A FORM DEEMED FINAL BY THE VILLAGE FOR PURPOSES OF SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12 (THE “RULE”). FOR A DESCRIPTION OF THE VILLAGE’S AGREEMENT TO PROVIDE CONTINUING DISCLOSURE FOR THE BONDS AS DESCRIBED IN THE RULE, SEE “DISCLOSURE UNDERTAKING” HEREIN.

Dated: July \_\_, 2024

\* Preliminary, subject to change.

The Bonds will mature on July 15 in the following years and principal amounts:

<u>Year</u>	<u>Amount*</u>	<u>Interest Rate</u>	<u>Yield</u>	<u>CUSIP**</u>	<u>Year</u>	<u>Amount*</u>	<u>Interest Rate</u>	<u>Yield</u>	<u>CUSIP**</u>
2025	\$ 90,000	%	%		2030	\$160,000	%	%	
2026	130,000				2031	165,000			
2027	135,000				2032	175,000			
2028	140,000				2033	185,000			
2029	150,000				2034	190,000			

- \* The principal maturities of the Bonds are subject to adjustment following their sale, pursuant to the terms of the accompanying Notice of Sale.
- \*\* CUSIP numbers have been assigned by an independent company not affiliated with the Village and are included solely for the convenience of the holders of the Bonds. The Village is not responsible for the selection or uses of these CUSIP numbers and no representation is made as to their correctness on the Bonds or as indicated above.

**VILAGE OF BUCHANAN  
WESTCHESTER COUNTY, NEW YORK**

**Theresa Knickerbocker  
Mayor**

**Robert Wheeler  
Deputy Mayor**

**BOARD OF TRUSTEES**

Awilda Baez.....Trustee

Anthony Capicotti .....Trustee

Daniel Stewart.....Trustee

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Marcus Serrano ..... Village Administrator

Cynthia Kempter ..... Village Clerk-Treasurer

Stephanie Porteus.....Village Attorney

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**BOND COUNSEL**  
 **HARRIS BEACH PLLC**  
ATTORNEYS AT LAW  
*Discover True Engagement\**  
**HARRIS BEACH PLLC**  
*New York, New York*

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**MUNICIPAL ADVISOR**



**CAPITAL MARKETS ADVISORS, LLC**  
*Long Island \* Hudson Valley \* Southern Tier \* Western New York*  
(516) 487-9818

No dealer, broker, salesman or other person has been authorized by the Village to give any information or to make any representations, other than those contained in this Official Statement and if given or made, such other information or representations must not be relied upon as having been authorized by the foregoing. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the Bonds by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information set forth herein has been obtained by the Village from sources which are believed to be reliable but it is not guaranteed as to accuracy or completeness. The information and expressions of opinion made herein are subject to change without notice and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the Village since the date hereon.

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**OFFICIAL STATEMENT**  
**VILLAGE OF BUCHANAN**  
**WESTCHESTER COUNTY, NEW YORK**

**relating to**  
**\$1,520,000\***  
**PUBLIC IMPROVEMENT SERIAL BONDS – 2024**

This Official Statement, which includes the cover pages and appendices attached hereto, presents certain information relating to the Village of Buchanan, Westchester County, in the State of New York (the “Village”, “County”, and “State”, respectively). It has been prepared by the Village in connection with the sale and delivery of \$1,520,000\* Public Improvement Serial Bonds – 2024 (the “Bonds”).

All quotations from and summaries and explanations of provisions of the Constitution and laws of the State as well as the acts and proceedings of the Village contained herein do not purport to be complete and are qualified in their entirety by reference to the official compilations thereof and all references to the Bonds and the proceedings of the Village relating thereto are qualified in their entirety by reference to the definitive form of the Bonds and such proceedings.

**THE BONDS**

***Description of the Bonds***

The Bonds are dated their Date of Delivery and will bear interest from that date until maturity, payable on July 15, 2025 and semiannually thereafter on July 15 and January 15 in each year until maturity. The Bonds shall mature on July 15 in the years and amounts specified on the inside cover page hereof. The Bonds will not be subject to redemption prior to maturity.

The Bonds will be issued in fully registered form and, when issued, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company (“DTC”). DTC will act as securities depository for the Bonds. Individual purchases may be made in book-entry form only, in the principal amount of \$5,000 and integral multiples thereof. Purchasers will not receive certificates representing their ownership interest in the Bonds.

Principal of and interest on the Bonds will be paid by the Village to DTC, which will in turn remit such principal of and interest on to its Participants (defined herein), for subsequent disbursement to the Beneficial Owners (defined herein) of the Bonds as described herein. The Bonds may be transferred in the manner described on the Bonds and as referenced in certain proceedings of the Village referred to therein.

The record payment date for the payment of principal of and interest on the Bonds is the last business day of the month preceding each interest payment date.

***Authorization for and Purpose of the Bonds***

The Bonds are issued pursuant to the State Constitution and statutes of the State, including among others, the Village Law and the Local Finance Law and two bond resolutions adopted by the Board of Trustees of the Village on December 5, 2023. The proceeds from the sale of the Bonds will provide original financing for the purposes as described in the table on the following page.

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\* Preliminary, subject to change.

<u>Purpose</u>	<u>Authorization Date</u>	<u>New Money</u>	<u>Amount to Bonds</u>
Acquisition of a Fire Pumper	12/05/2023	\$ 900,000	\$ 900,000
Acquisition of Machinery for Construction	12/05/2023	<u>620,000</u>	<u>620,000</u>
Totals:		<u>\$1,520,000</u>	<u>\$1,520,000</u>

### ***Optional Redemption***

The Bonds will not be subject to redemption prior to maturity.

### ***Nature of Obligation***

The Bonds when duly issued and paid for will constitute a contract between the Village and the holder thereof.

The Bonds will be general obligations of the Village and will contain a pledge of the faith and credit of the Village for the payment of the principal thereof and the interest thereon. For the payment of such principal of and interest on the Bonds, the Village has the power and statutory authorization to levy ad valorem taxes on all taxable real property in the Village, subject to certain statutory limitations imposed by Chapter 97 of the New York Laws of 2011, as amended (the "Tax Levy Limitation Law"). (See "TAX INFORMATION – Tax Levy Limitation Law" in Appendix A hereto.)

Under the Constitution of the State, the Village is required to pledge its faith and credit for the payment of the principal of and interest on the Bonds, and the State is specifically precluded from restricting the power of the Village to levy taxes on real estate for the payment of interest on or principal of indebtedness theretofore contracted. However, the Tax Levy Limitation Law imposes a statutory limitation on the Village's power to increase its annual tax levy. As a result, the power of the Village to levy real estate taxes on all the taxable real property within the Village is subject to statutory limitations set forth in Tax Levy Limitation Law, unless the Village complies with certain procedural requirements to permit the Village to levy certain year-to-year increases in real property taxes. (See "TAX INFORMATION – Tax Levy Limitation Law" in Appendix A hereto.)

### **BOOK-ENTRY-ONLY SYSTEM**

The Depository Trust Company ("DTC") will act as securities depository for the Bonds. Said Bonds will be issued as fully-registered bonds and notes registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered bond certificate will be issued for each Bond bearing the same rate of interest and CUSIP number, and will be deposited with DTC.

DTC, the world's largest depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). The DTC

Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at [www.dtcc.com](http://www.dtcc.com) and [www.dtc.org](http://www.dtc.org).

Purchases of the Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchaser of each bond ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Bonds, except in the event that use of the book-entry system for the Bonds is discontinued. To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of the Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

Redemption notices shall be sent to DTC. If less than all of the Securities within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Bonds unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the County as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Principal and interest payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the County, on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC or the Village, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Village, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the Village. Under such circumstances, in the event that a successor depository is not obtained, bond certificates are required to be printed and delivered.

The Village may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, bond certificates will be printed and delivered to DTC.

The information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the Village believes to be reliable, but the Village takes no responsibility for the accuracy thereof.

Source: The Depository Trust Company

THE VILLAGE WILL NOT HAVE ANY RESPONSIBILITY OR OBLIGATION TO PARTICIPANTS, TO INDIRECT PARTICIPANTS OR TO ANY BENEFICIAL OWNER WITH RESPECT TO (I) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC, ANY PARTICIPANT, OR ANY INDIRECT PARTICIPANT; (II) THE PAYMENTS BY DTC OR ANY PARTICIPANT OR INDIRECT PARTICIPANT OF ANY AMOUNT WITH RESPECT TO THE PRINCIPAL OF, OR PREMIUM, IF ANY, OR INTEREST ON THE BONDS; (III) ANY NOTICE WHICH IS PERMITTED OR REQUIRED TO BE GIVEN TO BONDHOLDERS; (IV) THE SELECTION BY DTC OR ANY PARTICIPANT OR INDIRECT PARTICIPANT OF ANY PERSON TO RECEIVE PAYMENT IN THE EVENT OF A PARTIAL REDEMPTION OF THE BONDS; OR (V) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC AS BONDOWNER.

### **MUNICIPAL BANKRUPTCY**

The undertakings of the Village should be considered with reference, specifically, to Chapter IX of the Bankruptcy Act, 11 U.S.C. §401, et seq., as amended (“Chapter IX”) and, in general, to other bankruptcy laws affecting creditors’ rights and municipalities. Chapter IX permits any political subdivision, public agency or instrumentality that is insolvent or unable to meet its debts (i) to file a petition in a Court of Bankruptcy for the purpose of effecting a plan to adjust its debts provided such entity is authorized to do so by applicable state law; (ii) directs such a petitioner to file with the court a list of a petitioner’s creditors; (iii) provides that a petition filed under such chapter shall operate as a stay of the commencement or continuation of any judicial or other proceeding against the petitioner; (iv) grants priority to debt owed for services or material actually provided within three (3) months of the filing of the petition; (v) directs a petitioner to file a plan for the adjustment of its debts; and (vi) provides that the plan must be accepted in writing by or on behalf of creditors holding at least two-thirds (2/3) in amount or more than one-half (1/2) in number of the listed creditors.

Bankruptcy proceedings by the Village could have adverse effects on holders of bonds or notes including (a) delay in the enforcement of their remedies, (b) subordination of their claims to those supplying goods and services to the Village after the initiation of bankruptcy proceedings and to the administrative expenses of bankruptcy proceedings and (c) imposition without their consent of a reorganization plan reducing or delaying payment of the Bonds. The Bankruptcy Code contains provisions intended to ensure that, in any reorganization plan not accepted by at least a majority of a class of creditors such as the holders of general obligation bonds, such creditors will have the benefit of their original claim or the “indubitable equivalent”. The effect of these and other provisions of the Bankruptcy Code cannot be predicted and may be significantly affected by judicial interpretation.

Accordingly, enforceability of the rights and remedies of the owners of the Bonds, and the obligations incurred by the Village, may become subject to Chapter IX and applicable bankruptcy, insolvency, reorganization, moratorium, or similar laws relating to or affecting the enforcement of creditor’s rights generally, now or hereafter in effect, equity principles which may limit the specific enforcement under State law of certain remedies, the exercise by the United States of America of the powers delegated to it by the Constitution, the reasonable and necessary exercise, in certain exceptional situations, of the police powers inherent in the sovereignty of the State and its governmental bodies in the interest of serving a significant and legitimate public purpose and the limitations on remedies against public agencies in the State. Bankruptcy proceedings, or the exercise of powers by the federal or State government, if initiated, could subject the owners of the Bonds to judicial discretion, interpretation and of their rights in bankruptcy or otherwise, and consequently may entail risks of delay, limitation, or modification of their rights.

The State has consented (see Title 6-A of the Local Finance Law) that any municipality in the State may file a petition with any United States district court or court of bankruptcy under any provision of the laws of the United States, now or hereafter in effect, for the composition or adjustment of municipal indebtedness. However, it is noted that there is no record of any recent filings by a New York municipality. Since the New York City fiscal crisis in 1975, the State has enacted legislation establishing financial control boards and fiscal stability authorities to monitor finance matters and restructure outstanding indebtedness for the cities of Yonkers, Troy and Buffalo and for the counties of Nassau and Erie.



No current state law purports to create any priority for holders of the Bonds should the Village be under the jurisdiction of any court, pursuant to the laws of the United States, now or hereafter in effect, for the composition or adjustment of municipal indebtedness.

The above references to the Bankruptcy Act are not to be construed as an indication that the Village is currently considering or expects to resort to the provisions of the Bankruptcy Act.

### **SPECIAL PROVISIONS AFFECTING REMEDIES UPON DEFAULT**

Section 3-a of the General Municipal Law provides, subject to exceptions not pertinent, that the rate of interest to be paid by the Village upon any judgment or accrued claim against it shall not exceed nine per centum per annum. This provision might be construed to have application to the holders of the Bonds in the event of a default in the payment of the principal of or interest on the Bonds.

In accordance with the general rule with respect to municipalities, judgments against the Village may not be enforced by levy and execution against property owned by the Village. Remedies for enforcement of payment are not expressly included in the Village's contract with holders of its bonds and notes.

The Federal Bankruptcy Code allows public bodies recourse to the protection of a Federal Court for the purpose of adjusting outstanding indebtedness. Section 85.80 of the Local Finance Law contains specific authorization for any municipality in the State to file a petition under any provision of Federal bankruptcy law for the composition or adjustment of municipal indebtedness.

There are separate State law provisions regarding debt service moratoriums enacted into law in 1975.

At the Extraordinary Session of the State Legislature held in November, 1975, legislation was enacted which purported to suspend the right to commence or continue an action in any court to collect or enforce certain short-term obligations of The City of New York. The effect of such act was to create a three-year moratorium on actions to enforce the payment of such obligations. On November 19, 1976, the Court of Appeals, the State's highest court, declared such act to be invalid on the ground that it violates the provisions of the State Constitution requiring a pledge by such Village of its faith and credit for the payment of such obligations.

As a result of the Court of Appeals decision, the constitutionality of that portion of Title 6-A of Article 2 of the Local Finance Law enacted at the 1975 Extraordinary Session of the State legislature authorizing any county, city, town or village with respect to which the State has declared a financial emergency to petition the State Supreme Court to stay the enforcement against such municipality of any claim for payment relating to any contract, debt or obligation of the municipality during the emergency period, is subject to doubt. In any event, no such emergency has been declared with respect to the Village.

There is in the Constitution of the State, Article VIII, Section 2, the following provision relating to the annual appropriation of monies for the payment of due principal of and interest on indebtedness of every county, city, town, village and school district in the State: "If at any time the respective appropriating authorities shall fail to make such appropriations, a sufficient sum shall be set apart from the first revenues thereafter received and shall be applied to such purposes. The fiscal officer of any county, city, town, village or school district may be required to set aside and apply such revenues as aforesaid at the suit of any holder of obligations issued for any such indebtedness."

This Constitutional provision providing for first revenue set asides does not apply to tax anticipation notes, revenue anticipation notes or bond anticipation notes.

### **MARKET AND RISK FACTORS**

There are certain potential risks associated with an investment in the Bonds, and investors should be thoroughly familiar with this Official Statement, including its appendices, in order to make an informed investment decision. Investors should consider, in particular, the following factors:

The Village's credit rating could be affected by circumstances beyond the Village's control. Economic conditions such as the rate of unemployment and inflation, termination of commercial operations by corporate taxpayers and employers, as well as natural catastrophes, could adversely affect the assessed valuation of Village property and its ability to maintain fund balances and other statistical indices commensurate with its current credit rating. As a consequence, a decline in the Village's credit rating could adversely affect the market value of the Bonds.

If and when an owner of any of the Bonds should elect to sell all or a part of the Bonds prior to maturity, there can be no assurance that a market will have been established, maintained and continue in existence for the purchase and sale of any of those Bonds. The market value of the Bonds is dependent upon the ability of holder to potentially incur a capital loss if such Bonds are sold prior to its maturity.

There can be no assurance that adverse events including, for example, the seeking by another municipality in the State or elsewhere of remedies pursuant to the Federal Bankruptcy Act or otherwise, will not occur which might affect the market price of and the market for the Bonds. In particular, if a significant default or other financial crisis should occur in the affairs of the State or any of its municipalities, public authorities or other political subdivisions thereby possibly further impairing the acceptability of obligations issued by those entities, both the ability of the Village to arrange for additional borrowing(s) as well as the market for and market value of outstanding debt obligations, including the Bonds, could be adversely affected.

The Village is dependent in part on financial assistance from the State. However, if the State should experience difficulty in borrowing funds in anticipation of the receipt of State taxes and revenues in order to pay State aid to municipalities and counties in the State, including the Village, in any year, the Village may be affected by a delay, until sufficient taxes have been received by the State to make State aid payments to the Village. Should the Village fail to receive State aid expected from the State in the amounts or at the times expected, occasioned by a delay in the payment of such monies or by a reduction in State aid, the Village is authorized by the Local Finance Law to provide operating funds by borrowing on account of the uncollected State aid.

Economic impacts from disease outbreaks or similar public health threats could have an adverse impact on the Village's financial condition and operating results. The outbreak of COVID-19, a respiratory disease caused by a new strain of coronavirus, had been declared a pandemic by the World Health Organization on March 11, 2020. See "*Impacts of COVID-19*" herein for a further discussion of the impacts of the COVID-19 pandemic.

Future amendments to applicable statutes whether enacted by the State or the United States of America affecting the treatment of interest paid on municipal obligations, including the Bonds, for income taxation purposes could have an adverse effect on the market value of the Bonds (see "*Tax Matters*" herein).

The enactment of the Tax Levy Limitation Law, which imposes a tax levy limitation upon municipalities, school districts and fire districts in the State, including the Village, without providing exclusion for debt service on obligations issued by municipalities and fire districts, may affect the market price and/or marketability for the Bonds. (See "*The Tax Levy Limitation Law*" herein.)

Federal or State legislation imposing new or increased mandatory expenditures by municipalities, school districts and fire districts in the State, including the Village could impair the financial condition of such entities, including the Village and the ability of such entities, including the Village to pay debt service on their respective obligations.

## **CYBERSECURITY**

The Village, like many other public and private entities, relies on technology to conduct its operations. As a recipient and provider of personal, private, or sensitive information, the Village faces multiple cyber threats including, but not limited to, hacking, viruses, malware and other attacks on computer and other sensitive digital networks and systems. To mitigate the risk of business operations impact and/or damage from cyber incidents or cyber-attacks, the Village invests in various forms of cybersecurity and operational controls; however, no assurances can be given that such security and operational control measures will be completely successful to guard against cyber threats and attacks. The results of any such attack could impact business operations and/or damage Village digital networks and systems and the costs of remedying any such damage could be substantial.

## LITIGATION

In common with other Villages, the Village from time to time receives notices of claim and is party to litigation. In the opinion of the attorney for the Village, unless otherwise set forth herein and apart from matters provided for by applicable insurance coverage, there are no claims or action pending which, if determined against the Village, would have an adverse material effect on the financial condition of the Village.

*John Doe v. Town of Cortlandt, Village of Buchanan, Buchanan-Verplanck Elementary School and Timothy Rifkin.* The matter is a Child Victim's Act case venued in Westchester County Supreme Court under Index No. 60651/2021 and is currently before the Appellate Division, Second Department. Since the Village's insurance carrier disclaimed all coverage and defense, the Village has retained outside counsel to represent it in this matter.

Plaintiff alleges that he was sexually abused by defendant, Timothy Rifkin, in 1992 when he was 15 years old. Plaintiff attended events at the Buchanan Teen Center where Timothy Rifkin was a counselor. Plaintiff alleges that the municipal defendants were negligent in the supervision and operation of the Buchanan Teen Center and in the negligent hiring and supervision of Timothy Rifkin. Plaintiff alleges to have sustained mental and physical injuries as a result of the sexual abuse, as well as medical expenses and lost earnings.

Plaintiff commenced this action on August 5, 2021. The Village served an answer to the complaint on September 24, 2021. Since that time, the parties have engaged in discovery and motion practice. All written discovery and party depositions have been conducted and the plaintiff has filed the Note of Issue for this action, which placed this case on the court's trial calendar. After the Note of Issue was filed, all parties, other than defendant, Timothy Rifkin, moved for summary judgment. By Order dated October 5, 2023, Justice Leonard D. Steinman granted the Village's motion for summary judgment on behalf of the Village as well as other motions made by the other parties. Plaintiff filed a motion to reargue the award of summary judgment to the Village. The Village opposed that motion and the motion was denied by Justice Steinman's Order dated January 17, 2024. Plaintiff also filed an appeal of the Order that granted the Village's motion for summary judgment. Plaintiff only appealed the Order insofar as it granted summary judgment to the Village; plaintiff did not appeal the award of summary judgment as to the other defendants. Plaintiff has now perfected the appeal (filed the Record on Appeal and his Appellate Brief). The Village's opposition to the appeal is due to be served by June 10, 2024.

Following the issuance of the Order that awarded summary judgment to all defendants other than Timothy Rifkin, the case was scheduled to proceed to trial as against only Timothy Rifkin. Shortly before the trial was scheduled to commence, Mr. Rifkin filed for bankruptcy, which has stayed the trial. As the motion for summary judgment on behalf of the Village has been granted and plaintiff's only ability to prevail in this action as against the Village is if he is successful on his appeal, there is only a limited chance that plaintiff will ultimately prevail in this action as against the Village. Just prior to the court's issuance of the order that granted summary judgment to the Village, plaintiff made a settlement demand to the Village of \$500,000.

## TAX MATTERS

In the opinion of Bond Counsel, based on existing statutes, regulations, administrative rulings and court decisions and assuming compliance by the Village with certain covenants and the accuracy of certain representations, interest on the Bonds is excluded from gross income for federal income tax purposes. Bond counsel is of the further opinion that interest on the Bonds is not an "item of tax preference" for purposes of the Federal alternative minimum tax on individuals. However, the Internal Revenue Code of 1986, as amended (the "Code") imposes a federal corporate alternative minimum tax equal to 15 percent of the "adjusted financial statement income" of corporations (other than S corporations, regulated investment companies and real estate investment trusts) having an average annual "adjusted financial statement income" for the 3-taxable-year period ending with the tax year that exceeds \$1,000,000,000. Interest on tax-exempt obligations such as the Bonds is included in the computation of a corporation's "adjusted financial statement income".

The Code also imposes various limitations, conditions and other requirements which must be met at and subsequent to the date of issue of the Bonds in order that interest on the Bonds will be and remain excluded from gross income

for federal income tax purposes. Included among these requirements are restrictions on the investment and use of proceeds of the Bonds and in certain circumstances, payment of amounts in respect of such proceeds to the federal government. Failure to comply with the requirement of the Code may cause interest on the Bonds to be includable in gross income for purposes of federal income tax, possibly from the date of issuance of the Bonds. In the arbitrage and use of proceeds certificate to be executed in connection with the issuance of the Bonds, the Village will covenant to comply with certain procedures and will make certain representations and certifications, designed to assure satisfaction of the requirements of the Code in respect to the Bonds. The opinion of Bond Counsel assumes compliance with such covenants and the accuracy, in all material respects, of such representations and certificates.

Prospective purchasers of the Bonds should be aware that ownership of the Bonds, and the accrual or receipt of interest thereon, may have collateral federal income tax consequences for certain taxpayers, including financial institutions, property and casualty insurance companies, S corporations, certain foreign corporations, individual recipients of Social Security or Railroad benefits and taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry such obligations. Prospective purchasers should consult their tax advisors as to any possible collateral consequences of their ownership of the Bonds and their accrual or receipt of interest thereon. Bond Counsel expresses no opinion regarding any such collateral federal income tax consequences.

The Bonds WILL be designated by the Village as “qualified tax-exempt obligations” within the meaning of, and pursuant to, Section 265(b)(3) of the Code.

In the opinion of Bond Counsel, interest on the Bonds is exempt from personal income taxes imposed by the State or any political subdivision thereof, including The City of New York.

Bond Counsel has not undertaken to determine (or to inform any person) whether any actions taken (or not taken) or events occurring (or not occurring) after the date of issuance and delivery of the Bonds may affect the tax status of interest on the Bonds.

No assurance can be given that any future legislation, including amendments to the Code or the State income tax laws, regulations, administrative rulings, or court decisions, will not, directly or indirectly, cause interest on the Bonds to be subject to Federal or State income taxation, or otherwise prevent Bondholders and noteholders from realizing the full current benefit of the tax status of such interest. Further, no assurance can be given that the introduction or enactment of any such future legislation, or any judicial decision or action of the Internal Revenue Service or any State taxing authority, including, but not limited to, the promulgation of a regulation or ruling, or the selection of the Bonds for audit examination, or the course or result of any Internal Revenue Service examination of the Bonds or of obligations which present similar tax issues, will not affect the market price or marketability of the Bonds. Prospective purchasers of the Bonds should consult their own tax advisors regarding the foregoing matters.

All summaries and explanations of provisions of law do not purport to be complete and reference is made to such laws for full and complete statements of their provisions.

***ALL PROSPECTIVE PURCHASERS OF THE BONDS SHOULD CONSULT WITH THEIR TAX ADVISORS IN ORDER TO UNDERSTAND THE IMPLICATIONS OF THE CODE AS TO THE TAX CONSEQUENCES OF PURCHASING OR HOLDING THE BONDS.***

## **LEGAL MATTERS**

The legality of the authorization and issuance of the Bonds will be covered by the approving legal opinion of Harris Beach PLLC, New York, New York, Bond Counsel to the Village. Such legal opinion will state that in the opinion of Bond Counsel (i) the Bonds have been authorized and issued in accordance with the Constitution and statutes of the State of New York and constitute valid and legally binding general obligations of the Village, all the taxable property within which is subject to the levy of ad valorem taxes to pay the Bonds and interest thereon, subject to certain statutory limitations imposed by Chapter 97 of the New York Laws of 2011, as amended (see “TAX INFORMATION – Tax Levy Limitation Law” within Appendix A herein); provided, that the enforceability (but not the validity) of the Bonds may be limited by any applicable existing or future bankruptcy, insolvency or other law (State or Federal) affecting the enforcement of creditors’ rights; (ii) under existing statutes, regulations,

administrative rulings and court decisions, interest on the Bonds is excluded from the gross income of the owners thereof for Federal income tax purposes, is not an “item of tax preference” for purposes of the Federal alternative minimum taxes imposed on individuals, however, interest on the Bonds held by certain corporations that are subject to the Federal corporate alternative minimum tax is included in the computation of “adjusted financial statement income” for purposes of the Federal alternative minimum tax imposed on such corporations; (iii) interest on the Bonds is exempt from personal income taxes imposed by the State of New York or any political subdivision thereof (including The City of New York); and (iv) based upon Bond Counsel’s examination of law and review of the arbitrage and use of proceeds certificate executed by the Village Treasurer pursuant to Section 148 of the Code and the regulations thereunder, the facts, estimates and circumstances as set forth in said arbitrage certificate are sufficient to satisfy the criteria which are necessary under Section 148 of the Code to support the conclusion that the Bonds will not be “arbitrage bonds” within the meaning of said section, and no matters have come to Bond Counsel’s attention which makes unreasonable or incorrect the representations made in said arbitrage certificate. Bond Counsel expresses no opinion regarding Federal or State income tax consequences arising with respect to the Bonds.

Such legal opinions will also state that (i) in rendering the opinions expressed therein, Bond Counsel has assumed the accuracy and truthfulness of all public records, documents and proceedings examined by Bond Counsel which have been executed or certified by public officials acting within the scope of their official capacities, and has not verified the accuracy or truthfulness thereof, and Bond Counsel also has assumed the accuracy of the signatures appearing upon such public records, documents and proceedings and such certifications; (ii) the scope of Bond Counsel’s engagement in relation to the issuance of the Bonds, as applicable, has extended solely to the examination of the facts and law incident to rendering the opinions expressed therein; (iii) the opinions expressed therein are not intended and should not be construed to express or imply any conclusion that the amount of real property subject to taxation within the boundaries of the Village together with other legally available sources of revenue, if any, will be sufficient to enable the Village to pay the principal of and interest on the Bonds as the same become due and payable; (iv) reference should be made to the Official Statement for factual information which, in the judgment of the Village, would materially affect the ability of the Village to pay such principal and interest; and (v) while Bond Counsel has participated in the preparation of the Official Statement, Bond Counsel has not verified the accuracy, completeness or fairness of the factual information contained therein and, accordingly, no opinion is expressed by Bond Counsel as to whether the Village, in connection with the sale of such Bonds, has made any untrue statement of a material fact, or omitted to state a material fact necessary in order to make any statements made, in the light of the circumstances under which they were made, not misleading.

## **DISCLOSURE UNDERTAKING**

### ***Disclosure Undertaking for the Bonds***

This Official Statement is in a form “deemed final” by the Village for the purposes of Securities and Exchange Commission Rule 15c2-12 (the “Rule”). At the time of the delivery of the Bonds, the Village will provide an executed copy of its Continuing Disclosure Agreement (the “Bond Undertaking”). Said Undertaking will constitute a written agreement or contract of the Village for the benefit of holders of and owners of beneficial interests in the Bonds, to provide, or cause to be provided to the Electronic Municipal Market Access (“EMMA”) System implemented by the Municipal Securities Rulemaking Board established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934, or any successor thereto or to the functions of such Board contemplated by the Bond Undertaking:

(1) certain annual financial information or operating data with respect to the Village which is customarily prepared by the Village and is publicly available. Such information shall be provided not later than the end of the fiscal year following the fiscal year which is the subject of such information commencing with the fiscal year ending May 31, 2024. Such information shall be of the general type contained in Appendices B and C of the Village’s final Official Statement, and may include the annual financial report update document filed with the State Comptroller and the adopted budget unless an audit is prepared, in which case such audit shall be provided within sixty days of the date it becomes available. The Village is an issuer with less than \$10,000,000 in outstanding municipal securities (including the Bonds and excluding exempt municipal securities).

(2) (a) in a timely manner, not in excess of ten (10) business days after the occurrence of such event, notice of any of the following events with respect to the Bonds: (i) principal and interest payment delinquencies; (ii) non-payment related defaults, if material; (iii) unscheduled draws on debt service reserves reflecting financial difficulties; (iv) unscheduled draws on credit enhancements reflecting financial difficulties; (v) substitution of credit or liquidity providers, or their failure to perform; (vi) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices of determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds; (vii) modifications to rights of Bonds holders, if material; (viii) Bond calls, if material, and tender offers; (ix) defeasances; (x) release, substitution, or sale of property securing repayment of the Bonds, if material; (xi) rating changes; (xii) bankruptcy, insolvency, receivership or similar event of the Village; Note to clause (xii): For the purposes of the event identified in clause (xii) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Village in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or government authority has assumed jurisdiction over substantially all of the assets or business of the Village, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Village; (xiii) the consummation of a merger, consolidation, or acquisition involving the Village or the sale of all or substantially all of the assets of the Village, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and (xiv) appointment of a successor or additional trustee or the change of name of a trustee, if material, (xv) incurrence of a "financial obligation" (as defined in the Rule) of the Village, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a financial obligation of the Village, any of which affect bondholders, if material; and (xvi) default, event of acceleration, termination event, modification of terms or other similar events under a financial obligation of the Village, if any such event reflects financial difficulties.

“Financial Obligation” means a (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) guarantee of a debt obligation or any such derivative instrument; provided that “financial obligation” shall not include municipal securities as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

Event (iii) is included pursuant to a letter for the SEC staff to the National Association of Bond Lawyers dated September 19, 1995. However, event (iii) is not applicable, since no “debt service reserves” will be established for the Bonds.

With respect to event (iv) the Village does not undertake to provide any notice with respect to credit enhancement added after the primary offering of the Bonds.

With respect to event (xii) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Issuer in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or government authority has assumed jurisdiction over substantially all of the assets or business of the Issuer, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Village.

(b) in a timely manner, not in excess of ten (10) business days after the occurrence of such event, notice of a failure to provide the annual financial information by the date specified in the Bond Undertaking.

The Village may from time to time choose to provide notice of the occurrence of certain other events, in addition to those listed above, if the Village determines that any such other event is material with respect to the Bonds; but the Village does not undertake to commit to provide any such notice of the occurrence of any event except those events listed above.

The Village's Bond Undertaking shall remain in full force and effect until such time as the principal of, redemption premiums, if any, and interest on the Bonds shall have been paid in full or in the event that those portions of the Rule which require the Bond Undertaking, or such provision, as the case may be, do not or no longer apply to the Bonds. In addition, the Village reserves the right to terminate its obligation to provide the aforescribed, if and when the Village no longer remains an obligated person with respect to the Bonds within the meaning of the Rule.

The Village acknowledges that its undertaking pursuant to the Rule described under this heading is intended to be for the benefit of the holders of the Bonds (including holders of beneficial interests in the Bonds). The sole and exclusive remedy for breach or default under the Bond Undertaking is an action to compel specific performance of the undertakings of the Village, and no person or entity, including a Holder of the Bonds, shall be entitled to recover monetary damages thereunder under any circumstances. Any failure by the Village to comply with the Bond Undertaking will not constitute a default with respect to the Bonds.

The Village reserves the right to amend or modify the Bond Undertaking under certain circumstances set forth therein; provided that any such amendment or modification will be done in a manner consistent with Rule 15c2-12, as amended.

### **MUNICIPAL ADVISOR**

Capital Markets Advisors, LLC, Great Neck, New York, (the "Municipal Advisor") is an independent municipal advisor registered with the United States Securities and Exchange Commission and the Municipal Securities Rulemaking Board. The Municipal Advisor has served as the independent financial advisor to the Village in connection with this transaction.

In preparing the Official Statement, the Municipal Advisor has relied upon governmental officials, and other sources, who have access to relevant data to provide accurate information for the Official Statement. The Municipal Advisor has not been engaged, nor has it undertaken, to independently verify the accuracy of such information. The Municipal Advisor is not a public accounting firm and has not been engaged by the Village to compile, review, examine or audit any information in the Official Statement in accordance with accounting standards. The Municipal Advisor is not a law firm and does not provide legal advice with respect to this or any debt offerings of the Village. The Municipal Advisor is an independent advisory firm and is not engaged in the business of underwriting, trading or distributing municipal securities or other public securities and therefore will not participate in the underwriting of the Bonds.

### **RATING**

The Village has applied to S&P Global Ratings ("S&P") for a rating on the Bonds. Such application is pending at this time.

The Village's outstanding, uninsured bonds are currently rated "AA-" by S&P.

Such rating reflects only the views of such rating agency and any desired explanation of the significance of such rating should be obtained from S&P at the following address: S&P, 55 Water Street, New York, New York 10041. There can be no assurance that such rating will continue for any specified period of time or that such rating will not be revised or withdrawn, if in the judgment of S&P, circumstances so warrant. Any such change or withdrawal of such rating may have an adverse effect on the market price of the Bonds or the availability of a secondary market for the Bonds.

**ADDITIONAL INFORMATION**

Additional information may be obtained from Marcus Serrano, Village Administrator, 236 Tate Avenue, Buchanan, New York 10511, (914) 737-1033, or from the Village’s Municipal Advisor, Capital Markets Advisors, LLC, 11 Grace Avenue, Suite 308, Great Neck, New York, (516) 487-9818.

Any statements in this Official Statement involving matters of opinion or estimates, whether or not expressly so stated, are intended as such and not as representations of fact. No representation is made that any of such statements will be realized. This Official Statement is not to be construed as a contract or agreement between the Village and the original purchasers or holders of any of the Bonds.

Harris Beach PLLC has not participated in the preparation of the demographic, financial or statistical data contained in this Official Statement, nor verified the accuracy, completeness of fairness thereof, and, accordingly expresses no opinion with respect thereto.

Capital Markets Advisors, LLC may place a copy of this Official Statement on its website at [www.capmark.org](http://www.capmark.org). Unless this Official Statement specifically indicates otherwise, no statement on such website is included by specific reference or constitutes a part of this Official Statement. Capital Markets Advisors, LLC has prepared such website information for convenience, but no decisions should be made in reliance upon that information. Typographical or other errors may have occurred in converting original source documents to digital format, and neither the Village nor Capital Markets Advisors, LLC assumes any liability or responsibility for errors or omissions on such website. Further, Capital Markets Advisors, LLC and the Village disclaim any duty or obligation either to update or to maintain that information or any responsibility or liability for any damages caused by viruses in the electronic files on the website. Capital Markets Advisors, LLC and the Village also assume no liability or responsibility for any errors or omissions or for any updates to dated website information.

This Official Statement is submitted only in connection with the sale of the Bonds by the Village and may not be reproduced or used in whole or in part for any other purpose.

VILLAGE OF BUCHANAN,  
WESTCHESTER COUNTY, NEW YORK

By: \_\_\_\_\_  
Marcus Serrano  
Village Administrator

DATED: July \_\_, 2024



**APPENDIX A**

**THE VILLAGE**

## **THE VILLAGE**

### ***General Information***

The Village was incorporated as a municipal government by the State in 1928. The Village is vested with such powers and has the responsibilities inherent in the operation of municipal government, including the adoption of rules and regulations to govern its affairs. In addition, the Village may tax real property situated in its boundaries and incur debt subject to the provisions of the State's Local Finance Law. There is one independent public-school district, the Hendrick Hudson School (the "School District") situated outside the Village that possesses the same powers with respect to taxation and debt issuance. Village residents also pay real property taxes to the Town of Cortlandt (the "Town") and the County of Westchester to support programs conducted by these governmental entities.

Government operations of the Village are subject to the provisions of the State Constitution and various statutes affecting village governments, including the Village Law, the General Municipal Law and the Local Finance Law. Real property assessment, collection, and enforcement procedures are determined by the Real Property Tax Law and the County Tax Code. Real property taxes are levied and become a lien on June 1. The Village bills, collects and enforces its own real property taxes (see "Tax Collection Procedure" herein).

### ***Form of Government***

The Board of Trustees (the "Board") is the legislative, appropriating, governing and policy determining body of the Village and consists of four trustees elected at large to serve a two-year term, plus the Mayor. Trustees may be elected to an unlimited number of terms. It is the responsibility of the Board to enact, by resolution, all legislation including ordinances and local laws. Annual operating budgets for the Village must be approved by the Board; modifications and transfers between budgetary appropriations also must be authorized by the Board. The original issuance of all Village indebtedness is subject to approval by the Board.

The Mayor is the Chief Executive Officer of the Village and is elected for a two-year term of office with the right to succeed himself. In addition, the Mayor is a full member of and the presiding officer of the Board.

The Board appoints a Village Administrator who is responsible for managing daily operations.

The Village Clerk is appointed by the Mayor, subject to confirmation by the Board, to serve a two-year term.

The responsibilities of the Clerk are many and varied. The Clerk has custody of the corporate seal, books, records, and papers of the Village, and all the official reports and communications of the Board, and is clerk to the Board and each board of village officers and keeps the records of their proceedings. The Village Clerk is responsible for maintaining the Village code of laws and ordinances as it relates to the codes for building, plumbing, electric, zoning, vehicle and traffic regulations, and general ordinances.

The Village Treasurer is the Chief Fiscal Officer of the Village. Duties include: maintaining the Village's accounting systems and records, which includes the responsibility to prepare and file an annual financial report with the State Comptroller, custody and investment of Village funds, and debt management.

The role of the Clerk and Treasurer is combined into one position Clerk-Treasurer.

### ***Services and Programs***

The Village provides its residents with many of the services traditionally provided by village governments. In addition, the Town and County furnish certain other services. A list of these services provided by the Village are as follows: police protection and law enforcement; fire protection; wastewater treatment, wastewater collection services; refuse collection, highway and public facilities maintenance; a local justice court that is responsible for enforcing provisions of the State's Vehicle and Traffic Law and local ordinances as well as having jurisdiction over certain civil and criminal matters; cultural and recreational activities; building code enforcement; and planning and zoning administration. Ambulance service is furnished by a volunteer ambulance company.

Pursuant to State law, the County is responsible for funding and providing various social service and health care programs such as Medicaid, aid to families with dependent children, home relief and mental health programs. In addition, the County operates a two-year community college which offers associate degrees in various fields of study.

***Employees***

The Village provides services through approximately 30 full-time and part-time employees. The following table shows employee representation by collective bargaining agent and the date of expiration of the respective collective bargaining agreements.

<u>Employees Represented</u>	<u>Bargaining Agent</u>	<u>Contract Expiration Date</u>
12	Teamsters	5/31/2027
6	Police	5/31/2025

Source: Village officials.

***Employee Benefits***

Substantially all employees of the Village are members of the New York State and Local Employees Retirement System (“ERS”) or the New York State and Local Police and Fire Retirement System (“PFRS”) (ERS and PFRS are referred to collectively hereinafter as the “Retirement System” where appropriate). The Retirement System is a cost-sharing multiple public employer retirement system. The obligation of employers and employees to contribute and the benefits to employees are governed by the New York State Retirement and Social Security Law (the “Retirement System Law”). The Retirement System offers a wide range of plans and benefits which are related to years of service and final average salary, vesting of retirement benefits, death and disability benefits and optional methods of benefit payments. All benefits generally vest after five years of credited service, except for members hired on or after January 1, 2010 whose benefits vest after ten years of credited service. The Retirement System Law generally provides that all participating employers in the Retirement System are jointly and severally liable for any unfunded amounts. Such amounts are collected through annual billings to all participating employers. Generally, all employees, except certain part-time employees, participate in the Retirement System. The Retirement System is non-contributory with respect to members hired prior to July 27, 1976. All members hired on or after July 27, 1976 through and including December 31, 2009, must contribute three percent of their gross annual salary toward the costs of retirement programs until they attain ten years in the Retirement System, at such time contributions become voluntary. Members hired on or after January 1, 2010 must contribute three or more percent of their gross annual salary toward the costs of retirement programs for the duration of their employment.

Additionally, on March 16, 2012, the Governor signed into law the new Tier 6 pension program, effective for new ERS employees hired after April 1, 2012. The Tier 6 legislation provides, among other things, for increased employee contribution rates of between 3% and 6%, an increase in the retirement age from 62 years to 63 years, a readjustment of the pension multiplier, and a change in the time period for final average salary calculation from 3 years to 5 years. Tier 6 employees will vest in the system after ten years of employment and will continue to make employee pension contributions throughout employment.

Police officers and firefighters who are members of PFRS are divided into four tiers. As with ERS, retirement benefit plans available under PFRS are most liberal for Tier 1 employees. The plans adopted for PFRS employees are noncontributory for Tier 1 and Tier 2 employees. Police officers and firefighters that were hired between July 1, 2009 and January 8, 2010 are currently in Tier 3, which has a 3% employee contribution rate by members. There is no Tier 4 in PFRS. Police officers and firefighters hired after January 9, 2010 are in Tier 5 which also requires a 3% employee contribution from members. Police officers and firefighters hired after April 1, 2012 are in Tier 6, which also originally had a 3% contribution requirement for members for FY 12-13; however, as of April 1, 2013, Tier 6 PFRS members are required to contribute a specific percentage of their annual salary, as follows, until retirement or until the member has reached 32 years of service credit, whichever occurs first: \$45,000.00 or less contributes 3%; \$45,000.01 to \$55,000.00 contributes 3.5%; \$55,000.01 to \$75,000.00 contributes 4.5%; \$75,000.01 to \$100,000.00 contributes 5.75%; and more than \$100,000.00 contributes 6%.

Beginning July 1, 2013, a voluntary defined contribution plan option was made available to all unrepresented employees of New York State public employers hired on or after that date, and who earn \$75,000 or more on an annual basis.

The New York State Retirement System allows municipalities to make employer contribution payments in December of each year, at a discount, or the following February, as required. The Village generally opts to make its pension payments in December in order to take advantage of the discount and anticipates making its upcoming payment in December for the current year.

The State Legislature enacted Chapter 57 of the Laws of 2010. This chapter authorized local governments, at their option, to amortize a portion of their ERS and PFRS contributions beginning in 2014. The maximum amortization amount each year going forward will be determined by the difference between each employer's effective contribution rate as compared to the System's overall graded rate. The amortized amounts are to be paid in equal annual installments over a ten-year period, although amounts may be prepaid at any time. Interest will be charged at rates which approximate a market rate of return on taxable fixed rate securities of a comparable duration and will be adjusted annually. The Village has not elected to amortize any portion of our ERS or PFRS contributions.

On September 14, 2023, the State Comptroller announced for Fiscal Year 2024-25, the average contribution rate for the ERS increased from % 13.1% to 15.2%, and for PFRS increased from 27.8 % to 27.8 % to 31.2%. Projections for required contributions will vary by employer depending on factors such as retirement plans, salaries and the distribution of their employees among six retirement tiers. The employer contribution rates announced will apply to each employer's salary base during the period of April 1, 2024 through March 31, 2025. Payments based on those rates are due by February 1, 2025, but may be prepaid by December 15, 2024.

In Spring 2013, the State and ERS approved a Stable Contribution Option ("SCO"), which modified its existing SCO adopted in 2010, that gives municipalities the ability to better manage spikes in Actuarially Required Contribution rates. The plan allows municipalities to pay the SCO amount in lieu of the contribution amount.

The Village pays its ERS and PFRS contributions on a pay as you go basis and does not expect to participate in the SCO in the foreseeable future.

**ERS and PFRS Contributions**

The Village's retirement expenditures for each of the last five fiscal years and amounts budgeted for the current fiscal year is shown in the following table.

Fiscal Year Ended May 31:	ERS	PFRS
2020	\$190,641	\$236,382
2021	175,624	195,814
2022	159,862	251,173
2023	151,865	252,129
2024	157,036	265,195
2025 (Budget)	192,636	307,262

Source: Village Officials and the Audited Financial Statements of the Village. The summary itself is not audited.

***Other Postemployment Benefits***

The Village implemented GASB Statement No. 75 ("GASB 75") of the Governmental Accounting Standards Board ("GASB"), which replaces GASB Statement No. 45 as of fiscal year ended May 31, 2019. GASB 75 requires state and local governments to account for and report their costs associated with post-retirement healthcare benefits and other non-pension benefits, known as other post-employment benefits ("OPEB"). GASB 75 generally requires that employers account for and report the annual cost of OPEB and the outstanding obligations and commitments related to OPEB similarly to GASB Statement No. 68 reporting requirements for pensions.

GASB 75 requires state and local governments to measure a defined benefit OPEB plan as the portion of the present value of projected benefit payments to be provided to current active and inactive employees, attributable to past periods of service in order to calculate the total OPEB liability. Total OPEB liability generally is required to be determined through an actuarial valuation using a measurement date that is no earlier than the end of the employer's prior fiscal year and no later than the end of the employer's current fiscal year.

GASB 75 requires that most changes in the OPEB liability be included in OPEB expense in the period of the changes. Based on the results of an actuarial valuation, certain changes in the OPEB liability are required to be included in OPEB expense over current and future years.

The Village's total OPEB liability as of May 31, 2023 was \$16,675,210 using a discount rate of 4.24% and actuarial assumptions and other inputs as described in the Village's actuarial report.

Should the Village be required to fund the total OPEB liability, it could have a material adverse impact upon the Village's finances and could force the Village to reduce services, raise taxes or both. At the present time, however, there is no current or planned requirement for the Village to partially fund its OPEB liability.

At this time, New York State has not developed guidelines for the creation and use of irrevocable trusts for the funding of OPEB. As a result, the Village will continue funding this expenditure on a pay-as-you-go basis.

Legislation has been introduced from time to time to create an optional investment pool to help the State and local governments fund retiree health insurance and OPEB. Such legislation would generally authorize the creation of irrevocable OPEB trusts so that the State and its local governments can help fund their OPEB liabilities, establish an OPEB investment fund in the sole custody of the State Comptroller for the investment of OPEB assets of the State and participating eligible local governments, designate the president of the Civil Service Commission as the trustee of the State's OPEB trust and the governing boards as trustee for local governments and allow school districts to transfer certain excess reserve balances to an OPEB trust once it is established. In addition, there would be no limits on how much a local government can deposit into the trust. The Village cannot predict whether such legislation will be enacted into law in the foreseeable future.

## **FINANCIAL FACTORS**

### ***Budgetary Procedure***

The head of each administrative unit of the Village is required to file detailed estimates of revenues (other than real property taxes) and expenditures for the next fiscal year with the Budget Officer (the Village Administrator) on or before March 1st of each year. After reviewing these estimates, the Budget Officer prepares a tentative budget which includes his recommendations. The tentative budget is filed with the Village Clerk not later than March 31st. Subsequently, the Village Administrator presents the tentative budget to the Board at a regular or special meeting. Review and preliminary alteration of the tentative budget by the Board must be completed by April 15th. Following this review process, the tentative budget and such modifications, if any, as approved by the Board, become the preliminary budget. A public hearing on the preliminary budget, notice of which must be given at least five (5) days prior to the hearing, must be held not later than April 15th. After the public hearing, the Board may further change and revise the preliminary budget. The Board must adopt the preliminary budget as submitted or amended by May 1st, at which time the preliminary budget becomes the annual budget of the Village for the ensuing fiscal year. Budgetary control is the responsibility of the Village Treasurer.

A summary of the adopted budgets for the 2023-24 and 2024-25 fiscal years is included in Appendix B of this Official Statement. Full copies of the budget may be obtained by request from the Village or from the Village's Municipal Advisor.

## ***Independent Audits***

**Audited Financial Statements.** The Village retained the firm of PKF O'Connor Davies, LLP, Certified Public Accountants, to audit its financial statements for the fiscal year ended May 31, 2023. Appendix B, attached hereto, presents excerpts from the Village's most recent audited reports covering the last five fiscal years.

**State Audits.** In addition, the Village is subject to audit by the State Comptroller to review compliance with legal requirements and the rules and regulations established by the State. "The State Comptroller's Fiscal Stress Monitoring System and Compliance Reviews" herein.

## ***Investment Policy***

Pursuant to Section 39 of the State's General Municipal Law, the Village has an investment policy applicable to the investment of all moneys and financial resources of the Village. The responsibility for the investment program has been delegated by the Board to the Chief Financial Officer who was required to establish written operating procedures consistent with the Village's investment policy guidelines. According to the investment policy of the Village, all investments must conform to the applicable requirements of law and provide for: the safety of the principal; sufficient liquidity; and a reasonable rate of return.

**Authorized Investments.** The Village has designated one bank or trust companies located and authorized to conduct business in the State to receive deposits of money. The Village is permitted to invest in special time deposits or certificates of deposit.

In addition to bank deposits, the Village is permitted to invest moneys in direct obligations of the United States of America, obligations guaranteed by agencies of the United States where the payment of principal and interest are further guaranteed by the United States of America and obligations of the State. Other eligible investments for the Village include: revenue and tax anticipation notes issued by any municipality, school district or district corporation other than the Village (investment subject to approval of the State Comptroller); obligations of certain public authorities or agencies; obligations issued pursuant to Section 109(b) of the General Municipal Law (certificates of participation) and certain obligations of the Village, but only with respect to moneys of a reserve fund established pursuant to Section 6 of the General Municipal Law. The Village may also utilize repurchase agreements to the extent such agreements are based upon direct or guaranteed obligations of the United States of America. Repurchase agreements are subject to the following restrictions, among others: all repurchase agreements are subject to a master repurchase agreement; trading partners are limited to banks or trust companies authorized to conduct business in the State or primary reporting dealers as designated by the Federal Reserve Bank of New York; securities may not be substituted; and the custodian for the repurchase security must be a party other than the trading partner. All purchased obligations, unless registered or inscribed in the name of the Village, must be purchased through, delivered to and held in the custody of a bank or trust company located and authorized to conduct business in the State. Reverse repurchase agreements are not permitted under State law.

**Collateral Requirements.** All Village deposits in excess of the applicable insurance coverage provide by the Federal Deposit Insurance Act must be secured in accordance with the provisions of and subject to the limitations of Section 10 of the General Municipal Law of the State. Such collateral must consist of the "eligible securities," "eligible surety bonds" or "eligible letter of credit" as described in the Law.

Eligible securities pledged to secure deposits must be held by the depository or third-party bank or trust company pursuant to written security and custodial agreements. The Village's security agreements provide that the aggregate market value of pledged securities must equal or exceed the principal amount of deposit, the agreed upon interest, if any, and any costs or expenses arising from the collection of such deposits in the event of a default. Securities not registered or inscribed in the name of the Village must be delivered, in a form suitable for transfer or with an assignment in blank, to the Village or its designated custodial bank. The custodial agreements used by the Village provide that pledged securities must be kept separate and apart from the general assets of the custodian and will not, under any circumstances, be commingled with or become part of the backing for any other deposit or liability. The custodial agreement must also provide that the custodian shall confirm the receipt, substitution or release of the

collateral, the frequency of revaluation of eligible securities and the substitution of collateral when a change in the rating of a security may cause ineligibility.

An eligible irrevocable letter of credit may be issued, in favor of the Village, by a qualified bank other than the depository bank. Such letters may have a term not to exceed 90 days and must have an aggregate value equal to 140% of the deposit obligations and the agreed upon interest. Qualified banks include those with commercial paper or other unsecured or short-term debt ratings within one of the three highest categories assigned by at least one nationally recognized statistical rating organization or a bank that is in compliance with applicable Federal minimum risk-based capital requirements.

An eligible surety bond must be underwritten by an insurance company authorized to do business in the State which has claims paying ability rated in the highest rating category for claims paying ability by at least two nationally recognized statistical rating organizations. The surety bond must be payable to the Village in an amount equal to 100% of the aggregate deposits and the agreed interest thereon.

**Revenues**

The Village derives its revenues primarily from real property taxes, PILOTs, Transfer from Water, and departmental fees and charges. A summary of such revenues for the fiscal years 2018-2021 is presented in Appendix B, hereto. Information for said fiscal years has been excerpted from the Village’s audited financial reports, however, such presentation has not been audited.

**Property Taxes.** The Village derives a major portion of its revenues from a tax on real property (see “Statement of Revenues, Expenditures and Changes in Fund Balance” in Appendix B). Property taxes accounted for approximately 49.8% of General Fund revenue for the fiscal year ended May 31, 2023.

The following table sets forth General Fund revenue and real property taxes received for each of the past five audited fiscal years and the budgeted amounts for the two most recent fiscal years.

**General Fund Revenue & Real Property Taxes**

Fiscal Year Ended <u>May 31</u>	General Fund <u>Revenue</u>	Real <u>Property Taxes</u>	Taxes to <u>Revenue</u>
2019	\$6,096,164	\$2,031,596	33.3%
2020	6,578,268	2,337,567	35.5
2021	7,169,825	3,205,612	44.7
2022	8,372,779	3,763,358	44.9
2023	8,682,643	4,325,107	49.8
2024 (Adopted Budget)	7,989,482	4,410,602	55.2
2025 (Adopted Budget)	8,246,284	4,672,875	56.7

Source: Audited Financial Statements and Adopted Budgets of the Village. The summary itself is not audited.

**State Aid.** The Village receives financial assistance from the State. State aid accounted for approximately 15.8% of the General Fund revenue during the 2023 fiscal year. If the State should experience difficulty in borrowing funds in anticipation of the receipt of State taxes in order to pay State aid to municipalities and school districts in the State, including the Village, in any year or future years. Since the small amount received from the State, the Village will not be affected by a delay in the receipt of State aid. Additionally, if the State should not adopt its budget in a timely manner, municipalities and school districts in the State, including the Village, may be affected by a delay in the payment of State aid.

The State is not constitutionally obligated to maintain or continue State aid to the Village. No assurance can be given that present State aid levels will be maintained in the future. State budgetary restrictions which eliminate or substantially reduce State aid could have a material adverse effect upon other Villages, requiring either a counterbalancing increase in revenues from other sources to the extent available, or a curtailment of expenditures. (See also “Market Factors,” herein.)

The following table sets forth General Fund revenue and State aid revenue received for each of the past five audited fiscal years and the budgeted amounts for the two most recent fiscal years.

**General Fund Revenue & State Aid Revenue**

Fiscal Year Ended <u>May 31</u>	General Fund <u>Revenue</u>	State <u>Aid</u>	State Aid to <u>Revenue</u>
2019	\$6,096,164	\$ 58,279	1.0%
2020	6,578,268	173,215	2.6
2021	7,169,825	66,689	0.9
2022	8,372,779	1,170,791	14.0
2023	8,682,643	1,375,493	15.8
2024 (Adopted Budget)	7,989,482	1,058,830	13.3
2025 (Adopted Budget)	8,246,284	969,359	11.8

Source: Audited Financial Statements and Adopted Budgets of the Village. The summary itself is not audited.

**Sales Tax.** The Village receives a share of the County sales tax. The County presently imposes a 2-1/2% County-wide sales and use tax on all retail sales. This, in addition to the present 4% State sales tax and 3/8 of 1% sales tax levied in the Metropolitan Transportation Authority District, provides a minimum combined sales tax in the County of 6-7/8%. In addition, the cities in the County have the power under State law to impose by local law and State legislative enactment their own sales and use taxes. At present, such taxes are imposed at a rate of 2% in the City of White Plains, at 2.5% in Mount Vernon and New Rochelle and at 3% in Yonkers.

In July 1991, the State Legislature authorized an additional 1% sales tax for the County to impose in localities other than cities which have their own sales tax. This additional 1% sales tax became effective on October 15, 1991. The additional 1% sales tax is to be apportioned between the County (33.33%), school districts in the County (16.66%) and towns, villages, and cities in the County which have not imposed sales taxes (50%).

Effective March 2004, the State Legislature authorized an additional ½ of 1% sales tax for the County to impose in localities other than cities which have their own sales tax. The additional ½ of 1% sales tax is to be apportioned between the County (70%), school districts in the County (10%), and towns, villages, and cities in the County which have not imposed sales taxes (20%).

Effective April 2019, the State Legislature authorized an additional 1% sales tax for the County to impose in localities other than cities which have their own sales tax. The additional ½ of 1% sales tax is to be apportioned between the County (70%), school districts in the County (10%), and towns, villages, and cities in the County which have not imposed sales taxes (20%).

The following table sets forth General Fund revenue and sales taxes received for each of the past five audited fiscal years and the budgeted amounts for the two most recent fiscal years.

**General Fund Revenue & Sales Tax**

Fiscal Year Ended <u>May 31</u>	General Fund <u>Revenue</u>	Sales <u>Tax</u>	Sales Tax <u>to Revenue</u>
2019	\$6,096,164	\$360,452	5.9%
2020	6,578,268	440,566	6.7
2021	7,169,825	530,218	7.4
2022	8,372,779	554,456	6.6
2023	8,682,643	594,336	6.8
2024 (Adopted Budget)	7,989,482	420,000	5.3
2025 (Adopted Budget)	8,246,284	450,000	5.5

Source: Audited Financial Statements and Adopted Budgets of the Village. The summary itself is not audited.



## ***Impact of COVID-19***

On March 11, 2021, President Biden signed into law the American Rescue Plan Act of 2021. Included in this bill was \$350 billion in direct aid to state and local governments. Payments to local governments will be made in two tranches, the first half 60 days after enactment and the second half one year later. The funding is available through, and must be spent by, the end of calendar year 2026.

Specifically, eligible uses of the aid include: (i) revenue replacement for the provision of government services to the extent the reduction in revenue is due to the COVID-19 public health emergency relative to revenues collected in the most recent fiscal year prior to the emergency; (ii) premium pay for essential workers; (iii) assistance to small businesses, households, and hard-hit industries, and economic recovery; and (iv) investments in water, sewer and broadband infrastructure. The bill also contains two restrictions on eligible uses: (i) funds cannot be used to directly or indirectly offset tax reductions or delay a tax increase; and (ii) funds cannot be deposited into any pension fund. The Village received \$228,922 and will be using these funds for wastewater projects as directed by NYS DEC.

## ***Indian Point Nuclear Power Plants***

In accordance with amendments to the Real Property Tax Law enacted in 2001, the Town, the County, the School District and the Village exempted from taxation the nuclear powered electric generating facilities Indian Point 2 and Indian Point 3, which are owned by Entergy Nuclear Northeast (“Entergy”) and located in the Village. The parties have entered into “Payment In Lieu Of Taxes” (“PILOT”) agreements dated January 1, 2002, which obligate Indian Point 2 and Indian Point 3 to make PILOT payments to the various taxing jurisdictions. The PILOT agreements commenced on January 1, 2002 and expired on June 15, 2015. A subsequent agreement took effect on January 1, 2015 and will remain in effect through December 31, 2024. However, on January 9, 2017, then Governor Cuomo announced the closure of the Indian Point facilities by April 2021. Tax payments from Entergy remained in place through 2021 and have ramped down gradually following closure.

The PILOT agreement states that the following year of the closing of a reactor, the Village would receive 70% of the PILOT payment that it would have received if the reactor had not closed. The following year, the Village would receive 40% and starting on the third year, the Village would receive 10% until 2025, when the PILOT agreement expires. After 2025, the Village and the owner of the reactors can negotiate a new PILOT agreement, or the assessed value of the plants will revert to the tax rolls.

Entergy closed its remaining Indian Point Unit 3 plant on April 30, 2021. In May of 2021, Indian Point Energy Center was purchased by Holtec International (“Holtec”). As part of its Agreement, Holtec agreed to maintain a minimum balance of \$400 million in Indian Point’s decommissioning trust fund for the next 10 years.

Due to the sale, the PILOT with Entergy also expired. The taxing jurisdictions, including the State, intervened in order to be involved in the sale and to be able to negotiate with the purchaser (Holtec). This led to an agreement that provided for a lump-sum payment to the State that would be shared with the taxing jurisdictions and non-for-profits. The agreement also provided for a one-time PILOT and required negotiations to try to reach an agreement on an expanded PILOT. If a PILOT cannot be reached by the end of the agreement, the taxing jurisdictions would then assess the property.

The State has created The Electric Generation Facility Cessation Mitigation Program (Cessation Fund) to provide grant assistance to support local government entities, including counties, towns, cities, villages, school districts and special districts, impacted by reductions in the tax liability and/or payments in lieu of taxes (tax loss) owed by an electric generation facility subject to their taxing authority.

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The Village will receive reimbursement from the Cessation Fund to offset reduction of PILOT payments.

<b>Cessation Fund Year</b>	<b><u>2022-23</u></b>	<b><u>2023-24</u></b>	<b><u>2024-25</u></b>	<b><u>2025-26</u></b>	<b><u>2026-27</u></b>	<b><u>2027-28</u></b>
Reduction of PILOT Payment	\$1,564,718	\$1,664,718	\$1,764,718	\$1,864,718	\$2,764,718	\$2,764,718
Cessation Fund Percent Reimbursement	70.00%	60.00%	50.00%	40.00%	30.00%	20.00%
Cessation Fund Payment	1,095,302	998,830	882,359	745,887	829,415	552,943

PILOT payments from Entergy for 2019-2020 totaled \$2.76 million. During 2020, the Village and Entergy entered into a 2-year agreement in which Entergy lowered the reduction of the PILOT from 30% and 60% to 25% and 50%, respectively for fiscal years 2020-21 and 2021-22. This resulted in a payment to the Village of \$2,397,011 for 2020-21 and \$1,797,758 for 2021-22. In addition, the Village entered into a Memorandum of Agreement with Holtec on May 5, 2021, whereas Holtec and the Village will start negotiating a new PILOT agreement beginning in 2022. If the Village and Holtec fail to reach agreement on the new PILOT, HOLTEC will pay a one-time PILOT payment of \$1,200,000 to the Village for fiscal year 2022-23. The Village and Holtec agreed on a four-year PILOT on June 8, 2022. The Village and Holtec are currently negotiating for a new longer-term agreement.

The Village is currently exploring all avenues to reduce expenses, increase other revenue sources and encourage development. The Village is planning a combination of expense reductions, an increase of other revenue sources and higher taxes over the next several years to maintain the services provided to residents. Taxes over the next ten years are expected to increase an average of 10% to 12% per year. The increases maybe substantially mitigated by development. The Village increased taxes by 39.95% in fiscal year 2020-21, 18.97% in fiscal year 2021-22, 14.95% in fiscal year 2022-23, 1.91% in fiscal year 2023-24 and 5.34% in fiscal year 2024-25.

### ***The State Comptroller’s Fiscal Stress Monitoring System and Compliance Reviews***

The New York State Comptroller has reported that New York State’s school districts and municipalities are facing significant fiscal challenges. As a result, the Office of the State Comptroller (“OSC”) has developed a Fiscal Stress Monitoring System (“FSMS”) to provide independent, objectively measured and quantifiable information to school district and municipal officials, taxpayers and policy makers regarding the various levels of fiscal stress under which the State’s school districts and municipalities are operating.

The fiscal stress scores are based on financial information submitted as part of each school district’s ST-3 report filed with the State Education Department annually, and each municipality’s annual report filed with the State Comptroller. Using financial indicators that include year-end fund balance, cash position and patterns of operating deficits, the system creates an overall fiscal stress score which classifies whether a school district or municipality is in “significant fiscal stress”, in “moderate fiscal stress,” as “susceptible to fiscal stress” or “no designation”. Entities that do not accumulate the number of points that would place them in a stress category will receive a financial score but will be classified in a category of “no designation.” This classification should not be interpreted to imply that the entity is completely free of fiscal stress conditions. Rather, the entity’s financial information, when objectively scored according to the FSMS criteria, did not generate sufficient points to place them in one of the three established stress categories.

The most current applicable report of the State Comptroller designated the Village as “Not Filed.”

See the State Comptroller’s official website for more information on FSMS. Reference to this website implies no warranty of accuracy of information therein.

The financial affairs of the Village are subject to periodic compliance reviews by OSC to ascertain whether the Village has complied with the requirements of various State and federal statutes. The Village has not been audited by OSC in the past five years.

## TAX INFORMATION

### *Assessed and Full Valuations*

The following table shows the trend during the last five years for taxable assessed valuations, state equalization ratios and full valuations.

#### Taxable Assessed and Full Valuations

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
Taxable Assessed Valuation	\$ 7,113,085	\$ 7,147,144	\$ 7,122,623	\$ 7,011,409	\$ 7,040,216
State Equalization Rate	1.76%	1.13%	1.71%	1.64%	1.49%
Full Valuation	404,152,557	632,490,619	416,527,661	427,524,939	472,497,718
Tax Levy	2,284,675	3,212,675	3,808,915	4,310,057	4,410,602
Tax Rate <sup>(1)</sup>	321.19	449.50	534.76	614.72	626.49

(1) Per \$1,000 of assessed valuation of the Village.

Source: Village Officials.

### *Tax Collection Procedures*

The collection and enforcement of real property taxes is governed by the Real Property Tax Law of the State as well as by the County Tax Code.

The Village is responsible for levying and collecting its own real property taxes. Taxes may be paid in one installment on June 1. Taxes may be paid without penalty at any time during the month of June. Late payments are assessed a 2% penalty for the first month or fraction thereof and 1% each month thereafter. The Village enforces delinquent Village real property taxes.

Town, County and School District taxes levied against real property in the Village are collected by the Town. The Town must remit the full amount of levy directly to the School District and the County.

The following table sets forth the Village's tax levies and tax collection record.

#### Tax Levy and Collection Record

Fiscal Years Ended	Taxes Levied	Current Taxes Collected	Delinquent Taxes Collected	Current Taxes To Levy	Current & Delinquent Taxes to Levy
<u>May 31:</u>	<u>For Year</u>	<u>Collected</u>	<u>Collected</u>	<u>To Levy</u>	<u>Taxes to Levy</u>
2020	\$3,249,112	\$3,137,865	\$92,289	96.6%	99.4%
2021	3,808,884	3,713,984	40,601	97.5	98.6
2022	3,808,915	3,760,534	4,736	98.7	98.9
2023	4,310,057	4,292,755	35,556	99.6	100.4
2024	4,410,602	4,393,728	35,534	99.6	100.4

Source: Village Officials.

### *Property Tax Limit*

In accordance with Article 8, Section 10 of the New York State Constitution, the amount of real property taxes that may be raised by the Village in any fiscal year is limited to two per centum (2%) of the five-year average full valuation of the taxable real estate of the Village plus: (1) the amounts required for principal and interest on all capital indebtedness, and (2) current appropriations for certain capital purposes. (See "TAX INFORMATION – Tax Levy Limitation Law") herein.

The following table shows the Constitutional tax margin of the Village for the fiscal year ending May 31, 2024.

<b>Constitutional Tax Margin For Fiscal Year 2023-24</b>	
Average Full Valuation of Taxable Real Property	\$470,638,699
Constitutional Tax Limit (2% of Average Full Valuation)	9,412,774
Tax Levy	4,410,602
Exclusions From Tax Limit:	
Debt Service	210,963
Tax Levy Subject to Tax Limit	4,199,639
Tax Margin	\$5,213,135
Margin/Limit	44.6%

### ***Tax Levy Limitation Law***

On June 24, 2011, Chapter 97 of the Laws of 2011 was signed into law by the Governor (the “Tax Levy Limitation Law”). The Tax Levy Limitation Law applies to all local governments, including school districts (with the exception of the city school districts of Yonkers, Syracuse, Rochester, Buffalo and New York City). It also applies to independent special districts and to town and county improvement districts as part of their parent municipalities’ tax levies.

The Tax Levy Limitation Law restricts, among other things, the amount of real property taxes (including assessments of certain special improvement districts) that may be levied by or on behalf of a municipality in a particular year, beginning with fiscal years commencing on or after January 1, 2012. Pursuant to the Tax Levy Limitation Law, the tax levy of a municipality cannot increase by more than the lesser of (i) two percent (2%) or (ii) the annual increase in the consumer price index (“CPI”), over the amount of the prior year’s tax levy. Certain adjustments would be permitted for taxable real property full valuation increases or changes in physical or quantity growth in the real property base as defined in Section 1220 of the Real Property Tax Law. A municipality may exceed the tax levy limitation for the coming fiscal year only if the governing body of such municipality first enacts, by at least a sixty percent vote of the total voting strength of the board, a local law (resolution in the case of fire districts and certain special districts) to override such limitation for such coming fiscal year only. There are permissible exceptions to the tax levy limitation provided in the Tax Levy Limitation Law, including expenditures made on account of certain tort settlements and certain increases in the average actuarial contribution rates of the New York State and Local Employees’ Retirement System, the Police and Fire Retirement System, and the Teachers’ Retirement System. Municipalities are also permitted to carry forward a certain portion of their unused levy limitation from a prior year. Each municipality prior to adoption of its fiscal year budget must submit for review to the State Comptroller any information that is necessary in the calculation of its tax levy for such fiscal year.

The Tax Levy Limitation Law does not contain an exception from the levy limitation for the payment of debt service on either outstanding general obligation debt of municipalities or such debt incurred after the effective date of the Tax Levy Limitation Law (June 24, 2011).

Article 8 Section 2 of the State Constitution requires every issuer of general obligation notes and bonds in the State to pledge its faith and credit for the payment of the principal thereof and the interest thereon. This has been interpreted by the Court of Appeals, the State’s highest court, in Flushing National Bank v. Municipal Assistance Corporation for the City of New York, 40 N.Y.2d 731 (1976), as follows:

“A pledge of the city’s faith and credit is both a commitment to pay and a commitment of the city’s revenue generating powers to produce the funds to pay. Hence, an obligation containing a pledge of the City’s “faith and credit” is secured by a promise both to pay and to use in good faith the city’s general revenue powers to produce sufficient funds to pay the principal and interest of the obligation as it becomes due. That is why both words, “faith” and “credit”, are used and they are not tautological. That is what the words say and that is what courts have held they mean.”

Article 8 Section 12 of the State Constitution specifically provides as follows:

“It shall be the duty of the legislature, subject to the provisions of this constitution, to restrict the power of taxation, assessment, borrowing money, contracting indebtedness, and loaning the credit of counties, cities, towns and villages, so as to prevent abuses in taxation and assessments and in contracting of indebtedness by them. Nothing in this article shall be construed to prevent the legislature from further restricting the powers herein specified of any county, city, town, village or school district to contract indebtedness or to levy taxes on real estate. The legislature shall not, however, restrict the power to levy taxes on real estate for the payment of interest on or principal of indebtedness theretofore contracted.”

On the relationship of the Article 8 Section 2 requirement to pledge the faith and credit and the Article 8 Section 12 protection of the levy of real property taxes to pay debt service on bonds subject to the general obligation pledge, the Court of Appeals in the Flushing National Bank case stated:

“So, too, although the Legislature is given the duty to restrict municipalities in order to prevent abuses in taxation, assessment, and in contracting of indebtedness, it may not constrict the city’s power to levy taxes on real estate for the payment of interest on or principal of indebtedness previously contracted....While phrased in permissive language, these provisions, when read together with the requirement of the pledge of faith and credit, express a constitutional imperative: debt obligations must be paid, even if tax limits be exceeded”.

In addition, the Court of Appeals in the Flushing National Bank case has held that the payment of debt service on outstanding general obligation bonds and notes takes precedence over fiscal emergencies and the police power of municipalities.

Therefore, while the Tax Levy Limitation Law may constrict an issuer’s power to levy real property taxes for the payment of debt service on debt contracted after the effective date of the Tax Levy Limitation Law, it is clear that no statute is able (1) to limit an issuer’s pledge of its faith and credit to the payment of any of its general obligation indebtedness or (2) to limit an issuer’s levy of real property taxes to pay debt service on general obligation debt contracted prior to the effective date of the Tax Levy Limitation Law. Whether the Constitution grants a municipality authority to treat debt service payments as a constitutional exception to such statutory tax levy limitation is not clear.

It is possible that the Tax Levy Limitation Law will be subject to judicial review to resolve the constitutional issues raised by its adoption. Although courts in New York have historically been protective of the rights of holders of general obligation debt of political subdivisions, the outcome of any such legal challenge cannot be predicted.

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## ***Largest Taxpayers***

The following table presents the total assessed valuations of the Village's largest property owners for the fiscal year ended May 31, 2024.

### **Taxable Assessments**

<u>Name</u>	<u>Nature of Business</u>	<u>Assessed Valuation</u>	<u>% of Total Assessed Valuation</u>
Consolidated Edison Co.	Utility	\$2,150,259	30.54%
Algonquin Gas Trans. Co.	Utility	716,915	10.18
Certaineed Gypsum	Commercial	352,000	5.00
Cartalemi, Charles	Residential	94,800	1.35
Marlborough Warehouse LLC	Commercial	57,900	0.82
Equity Enterprises, Inc.	Financial	56,070	0.80
I&P Realty Corp.	Real Estate	51,125	0.72
241 Bleakley Ave LLC	Commercial	40,300	0.57
142 Bannon Ave Realty Corp.	Real Estate	35,000	0.50
Brian F. Cook Realty Corp.	Real Estate	<u>33,225</u>	<u>0.47</u>
Totals:		<u>\$3,587,594</u>	<u>50.95%</u>

(1) The 2023-24 taxable assessed value of the Village is \$7,040,216.

Source: Village Officials.

## **VILLAGE INDEBTEDNESS**

### ***Constitutional Requirements***

The New York State Constitution limits the power of the Village (and other municipalities and certain school districts of the State) to issue obligations and to otherwise contract indebtedness. Such constitutional limitations include the following, in summary form, and are generally applicable to the Village and its obligations.

**Purpose and Pledge.** Subject to certain enumerated exceptions, the Village shall not give or loan any money or property to or in aid of any individual or private corporation or give or loan its credit to or in aid of any of the foregoing or any public corporation.

The Village may contract indebtedness only for a Village purpose and shall pledge its faith and credit for the payment of principal of and interest thereon.

**Payment and Maturity.** Except for certain short-term indebtedness contracted in anticipation of taxes or to be paid within three fiscal year periods, indebtedness shall be paid in annual installments commencing no later than two years after the date such indebtedness shall have been contracted and ending no later than the expiration of the period of probable usefulness of the object or purpose as determined by statute or, in the alternative, the weighted average period of probable usefulness of the several objects or purposes for which it is contracted. No installment may be more than fifty per centum in excess of the smallest prior installment, unless the Village determines to issue a particular debt obligation amortizing on the basis of substantially level or declining annual debt service. The Village is required to provide an annual appropriation for the payment of interest due during the year on its indebtedness and for the amounts required in such year for amortization and redemption of its serial bonds and such required annual installments on its notes.

**Debt Limit.** The Village has the power to contract indebtedness for any Village purpose so long as the principal amount thereof shall not exceed seven per centum of the average full valuation of taxable real estate of the Village,

subject to certain enumerated exclusions and deductions such as water and certain sewer facilities and cash or appropriations for current debt service. The constitutional method for determining full valuation is by taking the assessed valuation of taxable real estate for the last completed assessment roll and applying thereto the rate which such assessed valuation bears to the full valuation as determined by the ORPTS. The State Legislature is required to prescribe the manner by which such rate shall be determined. Average full valuation is determined by taking the sum of the full valuations of such last completed assessment roll and the four preceding assessment rolls and dividing such sum by five.

### ***Statutory Procedure***

In general, the State Legislature has authorized the power and procedure for the Village to borrow and incur indebtedness by the enactment of the Local Finance Law subject, of course, to the constitutional provisions set forth above. The power to spend money, however, generally derives from other law, including the Village Law and the General Municipal Law.

Pursuant to the Local Finance Law, the Village authorizes the incurrence of indebtedness, including bonds and bond anticipation notes issued in anticipation of such bonds, by the adoption of a resolution, approved by at least two-thirds of the members of the Village Board of Trustees, the finance board of the Village. Such resolutions may be subject to permissive referendum, or may be submitted to the Village voters at the discretion of the Village Board.

The Local Finance Law also provides for a twenty-day statute of limitations after publication of a bond resolution (in summary or in full), together with a statutory notice which, in effect, estops thereafter legal challenges to the validity of obligations authorized by such bond resolution, except for alleged constitutional violations.

Each bond resolution usually authorizes the construction, acquisition or installation of the object or purpose to be financed, sets forth the plan of financing and specifies the maximum maturity of the bonds subject to the legal (Constitution, Local Finance Law and case law) restrictions relating to the period of probable usefulness with respect thereto.

Each bond resolution also authorizes the issuance of bond anticipation notes prior to the issuance of serial bonds. Statutory law in New York permits notes to be renewed each year provided that principal is amortized and provided that such renewals do not (with certain exceptions) extend more than five years beyond the original date of borrowing. However, notes issued in anticipation of the sale of serial bonds for assessable improvements are not subject to such five year limit and may be renewed subject to annual reductions of principal for the entire period of probable usefulness of the purpose for which such notes were originally issued. (See "Payment and Maturity" under "Constitutional Requirements.")

In addition, under each bond resolution, the Village Board of Trustees may delegate the power to issue and sell bonds and notes to the Treasurer, the chief fiscal officer of the Village.

In general, the Local Finance Law contains similar provisions providing the Village with power to issue general obligation revenue anticipation notes, tax anticipation notes, capital notes, deficiency notes and budget notes.

### ***Constitutional Debt-Contracting Limitation***

ORPTS annually establishes State equalization rates for all assessing units in the State, including the Village, which are determined by statistical sampling of market/assessment studies. The equalization rates are used in the calculation and distribution of certain state aids and are used by many localities in the calculation of debt contracting and real property taxing limitations. The Village has a debt contracting limitation equal to seven percent (7%) of average full valuation (See "Constitutional Requirements, Debt Limit," herein).

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The Village determines the assessed valuation for taxable real properties. The ORPTS determines the assessed valuation of special franchises and the taxable ceiling of railroad property. Special franchises include assessments on certain specialized equipment of utilities under, above, upon or through public streets or public places. Certain properties are taxable for school purposes but exempt for Village purposes.

**Computation of Constitutional  
Debt Contracting Limitation**

Fiscal Year Ending <u>May 31</u>	Assessed <u>Valuation</u>	State Equalization <u>Rate <sup>(1)</sup></u>	Full <u>Valuation</u>
2020	\$7,113,085	1.76%	\$404,152,557
2021	7,147,144	1.13	632,490,619
2022	7,122,623	1.71	416,527,661
2023	7,011,409	1.64	427,524,939
2024	7,040,216	1.49	<u>472,497,718</u>
Total Full Valuation			<u>\$2,353,193,494</u>
Five-Year Average Full Valuation			<u>\$470,638,699</u>
Debt Contracting Limitation: 7% of Five-Year Average Full Valuation			<u>\$32,944,709</u>

(1) Determined by the ORPTS.

***Statutory Debt Limit and Net Indebtedness***

**Statement of Debt Contracting Power  
As of June 25, 2024**

	<u>Amount</u>	<u>Percentage</u>
Debt Contracting Limitation	<u>\$32,944,709</u>	<u>100.0%</u>
Gross Indebtedness:		
Serial Bonds <sup>(1)</sup>	\$1,880,000	5.7
Bond Anticipation Notes	<u>0</u>	<u>0.0</u>
	<u>\$1,880,000</u>	<u>5.7</u>
Less:		
Water Debt	0	0.0
Sewer Debt	916,279	2.8
Budgetary Appropriations	<u>150,000</u>	<u>0.4</u>
	<u>1,066,279</u>	<u>3.2</u>
Net Indebtedness	<u>813,721</u>	<u>2.5</u>
Debt-Contracting Margin	<u><u>\$32,130,988</u></u>	<u><u>97.5%</u></u>

***Bond Anticipation Notes***

The Village does not have any outstanding bond anticipation notes.



***Tax and Revenue Anticipation Notes***

The Village has not issued tax anticipation notes or revenue anticipation notes in the last five years.

***Trend of Capital Debt***

The Village has no capital indebtedness outstanding.

***Overlapping and Underlying Debt***

The real property taxpayers of the Village are responsible for a proportionate share of outstanding debt obligations of the County, as well as the Town and School District. Such taxpayers’ share of this overlapping debt is based upon the amount of the Village’s equalized property values taken as a percentage of each separate units’ total values. The table below sets forth both the total outstanding principal amount of debt issued by the Village and the approximate magnitude of the burden on taxable property in the Village of the debt issued and outstanding by such overlapping entities.

**Statement of Direct and Overlapping Indebtedness**

Village Gross Direct Indebtedness				\$1,880,000
Village Exclusions and Deductions				<u>1,066,279</u>
Village Net Direct Indebtedness				<u>\$ 813,721</u>
				Applicable
				Net
				Overlapping
				Debt
	<u>Issuer</u>	<u>Date</u>	<u>Net</u>	<u>Percentage</u>
		<u>of</u>	<u>Debt</u>	<u>Applicable</u>
		<u>Report</u>	<u>Outstanding</u>	
	Westchester County	11/16/23	\$1,043,271,034	0.01%
	Cortlandt Town	09/14/23	12,067,149	6.53
	Hendrick Hudson CSD	11/01/23	22,985,000	15.50
				<u>3,562,675</u>
	Total			<u><u>\$4,454,987</u></u>

Source: Data obtained from Officials Statements and annual filings posted to the Municipal Securities Rulemaking Board website.

***Debt Ratios***

The following table sets forth certain debt ratios based upon the Village's net direct and overlapping indebtedness.

**Net Direct and Overlapping Debt Ratios**

		<u>Debt</u>	<u>Debt to</u>
		<u>Per</u>	<u>Estimated</u>
		<u>Capita<sup>(1)</sup></u>	<u>Full Value<sup>(2)</sup></u>
Net Direct Debt	<u>Amount</u>	\$ 353	0.17%
Net Direct & Overlapping Debt	\$ 813,721	2,289	1.12

(1) The population of the Village is 2,302 based on the 2020 Census.

(2) The estimated full valuation of taxable property for the 2023-24 fiscal year is \$472,497,718.

### ***Authorized But Unissued Debt***

Following the issuance of the Bonds, the Village will have \$64,300 for the acquisition of motor vehicles and \$179,200 for the construction and reconstruction of various building improvements authorized but unissued.

### ***Debt Service Schedule***

The following table sets forth all principal and interest payments required on the outstanding bonded indebtedness of the Village, exclusive of the Bonds.

#### **Bond Principal and Interest Maturity**

Fiscal Year Ending May 31 <sup>st</sup>	<u>Principal</u>	<u>Interest</u>	Total Principal & <u>Interest</u>
2025 <sup>(1)</sup>	\$150,000	\$65,000	\$215,000
2026	150,000	58,700	208,700
2027	75,000	53,800	128,800
2028	80,000	50,050	130,050
2029	80,000	46,050	126,050
2030	85,000	42,050	127,050
2031	90,000	37,800	127,800
2032	95,000	35,100	130,100
2033	95,000	32,250	127,250
2034	100,000	29,400	129,400
2035	100,000	26,400	126,400
2036	105,000	23,400	128,400
2037	105,000	20,250	125,250
2038	110,000	17,100	127,100
2039	110,000	13,800	123,800
2040	115,000	10,500	125,500
2041	115,000	7,050	122,050
2042	120,000	3,600	123,600
Totals	<u>\$1,800,000</u>	<u>\$569,500</u>	<u>\$2,369,500</u>

(1) For the entire fiscal year.

### **ECONOMIC AND DEMOGRAPHIC DATA**

The Village is located on the eastern bank of the Hudson River approximately 45 miles north of New York City in the Town of Cortlandt Manor. The land area of the Village is approximately 1.4 square miles.

The Village is largely a suburban community, about two-thirds residential and one-third commercial and industrial in nature.

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The following tables provide information regarding Village population, income and employment statistics.

**Population**

	<b><u>Population</u></b>				
	<u>2000</u>	<u>2010</u>	<u>2020</u>	<u>% Change</u>	
				<u>2000-2010</u>	<u>2010-2020</u>
Town	38,467	41,592	42,545	8.1%	2.3%
County	923,459	949,113	1,004,457	2.8	5.8
State	18,976,457	19,378,102	20,201,249	2.1	4.2

Source: U.S. Department of Commerce, Bureau of the Census.

**Income**

The following table indicates comparative income statistics for the Village, Town, County and State.

<b><u>Per Capita Money Income</u></b>			
	<u>2010</u>	<u>2019</u>	<u>% Change</u>
Town	42,815	53,608	25.2%
County	47,814	57,049	19.3
State	30,948	39,326	27.1

Source: U.S. Department of Commerce, Bureau of the Census. American Community Survey 5-Year Estimate.

**Employment**

The following tables provide information concerning employment in the Town, County and State. Data provided for the County and the State may not be representative of the Village.

<b><u>Civilian Labor Force</u></b>					
	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Town	22,400	21,600	21,700	22,200	22,600
County	498,400	487,400	485,800	496,400	504,700
State	9,850,900	9,564,400	9,533,000	9,595,800	9,717,800

Source: New York State Department of Labor, Bureau of Labor Statistics. Information not seasonally adjusted.

Unemployment rates are not compiled for the Village but are available for the Town, County and State. The following tables are not necessarily representative of the Village.

**Yearly Average Unemployment Rates**

<u>Year</u>	<u>Town</u>	<u>County</u>	<u>State</u>
2019	3.4%	3.6%	3.9%
2020	7.1	8.0	9.8
2021	4.2	4.8	7.1
2022	2.9	3.2	4.3
2023	3.1	3.4	4.2

Source: New York State Department of Labor, Bureau of Labor Statistic. Information not seasonally adjusted

**Monthly Unemployment Rates**

<u>Month</u>	<u>Town</u>	<u>County</u>	<u>State</u>
May 2023	2.8%	3.0%	3.9%
June	3.0	3.2	4.1
July	3.3	3.4	4.2
August	3.5	3.8	4.5
September	3.3	3.6	4.2
October	3.5	3.7	4.4
November	3.3	3.6	4.2
December	3.4	3.7	4.4
January 2024	3.5	3.8	4.3
February	3.6	4.0	4.5
March	3.5	3.8	4.2
April	3.1	3.4	3.9

Source: New York State Labor Department and U.S. Bureau of Labor Statistics.

***Development Activities***

In order to encourage development, the Village approved an overlay district for the Route 9A corridor. This has prompted interest by developers. There are discussions with an owner of property within this area to develop a mix use development. The Village has also retained the services of a planner to rezone the former Indian Point property. The Village has been informed that approximately 65 acres maybe released for redevelopment within two to three years. Additionally, the Village staff is working with the owner of property to develop 100 residential units.

**Wastewater treatment plant.** The Village has been awarded a 1.6 million WQIP grant from NYS DEC to update the treatment of wastewater.

**Infrastructure Projects.** The Village has been focused on updating its aged infrastructure. Recent projects, either completed or underway include, improving wastewater system, sidewalks and curbing, improved parks, decorative downtown lighting, paving of roads and streetscape improvements. The Village has received State grants to help fund some of these projects.

**END OF APPENDIX A**

**APPENDIX B**

**SUMMARY OF FINANCIAL STATEMENTS AND BUDGETS**

VILLAGE OF BUCHANAN  
 Adopted Budgets - General Fund  
 Fiscal Year Ended May 31:

	<u>2024</u>	<u>2025</u>
Revenues:		
Real Property Tax	\$ 4,410,602	\$ 4,672,875
Other Tax Items	1,110,000	1,012,000
Non Property Tax Items	535,000	573,000
Departmental Income	649,800	740,800
Intergovernmental Charges	20,000	20,000
Use of Money and Property	25,000	70,000
Licenses and Permits	33,250	63,250
Fines and Forfeitures	25,000	50,000
Sale of Property and Comp. for Loss	10,000	10,000
Miscellaneous	12,000	15,000
Interfund Transfers	100,000	50,000
State Aid	1,058,830	969,359
Federal Aid	-	-
	<hr/>	<hr/>
Total Revenues	<u>\$ 7,989,482</u>	<u>\$ 8,246,284</u>
Expenditures:		
General Government Support	\$ 1,860,273	\$ 1,786,447
Public Safety	1,506,818	1,638,225
Public Health	2,500	2,500
Transportation	535,669	571,299
Economic Assistance	3,000	3,000
Cultural and Recreation	429,100	431,812
Home and Community	1,089,921	1,063,795
Employee Benefits	1,967,201	2,094,206
Interfund Transfer	350,000	350,000
Debt Service	245,000	305,000
	<hr/>	<hr/>
Total Expenditures	<u>\$ 7,989,482</u>	<u>\$ 8,246,284</u>

Source: Adopted Budgets of the Village. Summary itself isn't audited.

VILLAGE OF BUCHANAN  
Balance Sheet  
General Fund  
Fiscal Year Ended May 31:

	<u>2022</u>	<u>2023</u>
<b>Assets:</b>		
Cash and Equivalents	\$ 3,452,749	\$ 1,573,063
Investments	968,411	3,483,732
Taxes Receivable	132,234	117,179
Accounts Receivable	281,528	423,640
State and Federal Aid	-	20,567
Due from Other Governments	484,544	169,492
Due from Other Funds	6,215	95,868
	<u>\$ 5,325,681</u>	<u>\$ 5,883,541</u>
<b>Total Assets</b>		
<b>Liabilities and Fund Equity:</b>		
Accounts Payable	\$ 416,470	\$ 96,291
Accrued Liabilities	56,576	103,035
Employee Payroll Deductions	4,758	7,750
Due to Retirement Systems	69,284	70,372
Unearned Revenues	192,306	271,514
Due to Other Funds	1,607,613	1,385,080
Deposits Payable	119,863	121,494
	<u>\$ 2,466,870</u>	<u>\$ 2,055,536</u>
<b>Total Liabilities and Fund Equity</b>		
Deferred Inflows of Resources	\$ 132,234	\$ 117,179
<b>Fund Balances:</b>		
Restricted	\$1,023,148	\$1,084,365
Assigned	-	-
Unassigned	1,703,429	2,626,461
	<u>2,726,577</u>	<u>3,710,826</u>
<b>Total Fund Balance</b>		
<b>Total Liabilities and Fund Balance</b>		
	<u>\$ 5,325,681</u>	<u>\$ 5,883,541</u>

Source: Audited Financial Statements of the Village. Summary itself isn't audited.

VILLAGE OF BUCHANAN  
Statement of Revenues, Expenditures, and Changes in Fund Balance  
General Fund  
Fiscal Year Ended May 31

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
<b>Revenues:</b>					
Real Property Taxes	\$ 2,031,596	\$ 2,337,567	\$ 3,205,612	\$ 3,763,358	\$ 4,325,107
Other Tax Items	2,714,110	2,775,351	2,499,460	1,800,614	1,213,098
Non-Property Taxes	469,139	539,175	662,539	674,619	734,060
Departmental Income	698,273	601,012	586,846	392,464	601,875
Use of Money and Property	26,232	59,899	44,058	120,326	199,111
Licenses and Permits	17,520	12,838	40,458	136,496	82,963
Fines and Forfeitures	29,481	31,584	8,229	58,657	101,267
Sale of Property and Comp. for Loss	33,885	32,249	19,617	92,972	4,223
State Aid	58,279	173,215	66,989	1,170,791	1,375,493
Federal Aid	-	-	-	104,784	-
Miscellaneous	17,649	15,378	36,017	57,698	45,446
<b>Total Revenue</b>	<b><u>\$ 6,096,164</u></b>	<b><u>\$ 6,578,268</u></b>	<b><u>\$ 7,169,825</u></b>	<b><u>\$ 8,372,779</u></b>	<b><u>\$ 8,682,643</u></b>
<b>Expenditures</b>					
General Government Support	\$ 1,089,527	\$ 938,044	\$ 1,094,712	\$ 1,513,733	\$ 1,095,858
Public Safety	1,357,670	1,112,593	1,462,479	1,398,849	1,462,899
Health	2,500	-	2,500	-	-
Transportation	515,364	495,781	485,325	718,411	629,663
Economic Assistance and Opportunity	2,850	2,050	2,850	2,850	2,850
Culture and Recreation	297,597	283,789	122,930	372,543	377,043
Home and Community Services	1,189,391	1,005,389	834,941	843,011	943,205
Employee Benefits	1,764,991	1,700,664	1,645,623	1,685,167	1,832,053
Debt Service	172,115	176,981	191,654	188,290	286,726
Capital Outlay	-	-	-	-	-
<b>Total Expenditures</b>	<b><u>\$ 6,392,005</u></b>	<b><u>\$ 5,715,291</u></b>	<b><u>\$ 5,843,014</u></b>	<b><u>\$ 6,722,854</u></b>	<b><u>\$ 6,630,297</u></b>
<b>Excess of Revenues over Expenditure:</b>	<b>\$ (295,841)</b>	<b>\$ 862,977</b>	<b>\$ 1,326,811</b>	<b>\$ 1,649,925</b>	<b>\$ 2,052,346</b>
<b>Other Financing Sources (Uses)</b>					
Issuance premium	\$ -	\$ -	\$ 3,000	\$ 86,700	\$ -
Operating Transfers In	689,957	50,000	-	-	11,903
Operating Transfers Out	(200,000)	(474,564)	(828,696)	(1,104,784)	(1,080,000)
Proceeds of Serial Bonds	-	-	-	-	-
<b>Total Other Sources (Uses)</b>	<b>\$ 489,957</b>	<b>\$ (424,564)</b>	<b>\$ (825,696)</b>	<b>\$ (1,018,084)</b>	<b>\$ (1,068,097)</b>
<b>Excess of Revenues and Other Sources Over (Under) Expenditures and Other Uses</b>	<b><u>194,116</u></b>	<b><u>438,413</u></b>	<b><u>501,115</u></b>	<b><u>631,841</u></b>	<b><u>984,249</u></b>
<b>Fund Balance - Beg. of Year</b>	<b>\$ 961,092</b>	<b>\$ 1,155,208</b>	<b>\$ 1,593,621</b>	<b>\$ 2,094,736</b>	<b>\$ 2,726,577</b>
<b>Fund Balance - End of Year</b>	<b><u>\$ 1,155,208</u></b>	<b><u>\$ 1,593,621</u></b>	<b><u>\$ 2,094,736</u></b>	<b><u>\$ 2,726,577</u></b>	<b><u>\$ 3,710,826</u></b>

Source: Audited Financial Statements of the Village. Summary itself isn't audited.



**APPENDIX C**

**AUDITED FINANCIAL STATEMENTS**

**FOR THE FISCAL YEAR ENDED MAY 31, 2023\***

**CAN BE ACCESSED ON THE ELECTRONIC MUNICIPAL MARKET ACCESS  
("EMMA") WEBSITE  
OF THE MUNICIPAL SECURITIES RULEMAKING BOARD ("MSRB")  
AT THE FOLLOWING LINK:**

**<https://emma.msrb.org/P11760957.pdf>**

**The audited financial statements referenced above are hereby incorporated into this  
Official Statement.**

**\* PKF O'Connor Davies, LLP, has not commented on or approved this Official Statement, has not been requested to perform any procedures on the information in its included report since its date and has not been asked to consent to the inclusion of its report in this Official Statement.**