

**PRELIMINARY OFFICIAL STATEMENT DATED JUNE 9, 2026**

**NEW ISSUE  
BOND ANTICIPATION NOTES**

**Rating: See “Rating” herein**

*In the opinion of Hawkins Delafield & Wood LLP, Bond Counsel to the Village, under existing statutes and court decisions and assuming continuing compliance with certain tax certifications described herein, (i) interest on the Notes is excluded from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”), and (ii) interest on the Notes is not treated as a preference item in calculating the alternative minimum tax under the Code, however, interest on the Notes is included in the “adjusted financial statement income” of certain corporations that are subject to the alternative minimum tax under Section 55 of the Code. In addition, in the opinion of Bond Counsel to the Village, under existing statutes, interest on the Notes is exempt from personal income taxes of New York State and its political subdivisions, including The City of New York. (See “Tax Matters” herein).*

*The Village WILL designate the Notes as “qualified tax-exempt obligations” pursuant to the provisions of Section 265(b)(3)(B) of the Code.*

**VILLAGE OF KIRYAS JOEL  
ORANGE COUNTY, NEW YORK  
\$3,000,000  
BOND ANTICIPATION NOTES – 2026  
(the “Notes”)**

**Date of Issue: June 30, 2026**

**Maturity Date: June 30, 2027**

The Notes are general obligations of the Village of Kiryas Joel, Orange 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 Notes 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 (the “Tax Levy Limit Law”). (See “Tax Levy Limit Law” herein.)

The Notes will be dated their Date of Issue and bear interest from that date until the Maturity Date, at the annual rate(s) as specified by the purchaser(s) of the Notes. The Notes will not be subject to redemption prior to maturity.

The Notes will be issued in registered form, and at the option of the purchaser(s), the Notes will be (i) registered in the name of the successful bidder(s) or (ii) registered in the name of Cede & Co., as the partnership nominee for The Depository Trust Company, New York, New York (“DTC”) as book-entry notes.

If the Notes are registered in the name of the purchaser(s), a single note certificate will be issued for those Notes bearing the same rate of interest in the aggregate principal amount awarded to such purchaser at such interest rate. Principal of and interest on such Notes will be payable in Federal Funds by the Village, at such bank or trust company located and authorized to do business in the State of New York as selected by the successful bidder(s).

DTC will act as securities depository for those Notes issued in book-entry form. Individual purchases of such Notes will 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 book-entry notes. Principal of and interest on such Notes will be paid by the Village to DTC, which will in turn remit such principal and interest to its Participants, for subsequent distribution to Beneficial Owners of the Notes, as described herein. (See “DESCRIPTION OF BOOK-ENTRY SYSTEM” herein.)

The Notes are offered when, as and if issued and received by the purchaser and subject to the receipt of the final approving opinion of Hawkins Delafield & Wood LLP, New York, New York, Bond Counsel. Capital Markets Advisors, LLC has served as Municipal Advisor to the Village in connection with the issuance of the Notes. It is anticipated that the Notes will be available for delivery on or about their Date of Issue.

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 NOTES AS DESCRIBED IN THE RULE, SEE “DISCLOSURE UNDERTAKING” HEREIN.

Dated: June \_\_, 2026

This Preliminary Official Statement and the information contained in it are subject to completion and amendment in a final Official Statement. This Preliminary Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, and there may not be any sale of the Bonds, in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to the registration or qualification under the securities laws of that jurisdiction.

**VILLAGE OF KIRYAS JOEL  
ORANGE COUNTY, NEW YORK**

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**ABRAHAM WIEDER  
Mayor**

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Jacob Freund ..... Trustee

Moses Goldstein ..... Trustee

Samuel Landau ..... Trustee

Jacob Reisman ..... Trustee

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Gedalye Szegedin ..... Village Administrator/Clerk

Moishe Gruber ..... Village Consultant

Joel Mertz ..... Village Treasurer

J. Benjamin Gailey, Esq. .... Village Attorney

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**BOND COUNSEL**

**HAWKINS DELAFIELD & WOOD LLP**  
*New York, New York*

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**FINANCIAL ADVISOR**

**CAPITAL MARKETS ADVISORS, LLC**  
Great Neck, New York  
(516) 487-9817

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 Village. 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 Notes 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 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 hereof.

**TABLE OF CONTENTS – TO BE UPDATED**

	<u>Page</u>		<u>Page</u>
THE BONDS .....	1	Opinion of Bond Counsel .....	7
Description of the Bonds .....	1	Certain Ongoing Federal Tax Requirements and	
Authority for and Purpose of the Bonds .....	2	Certifications .....	8
Optional Redemption .....	2	Certain Collateral Federal Tax Consequences .....	8
Nature of Obligation .....	2	Original Issue Discount .....	8
REMEDIES UPON DEFAULT .....	3	Bond Premium .....	8
No Past Due Debt .....	4	Information Reporting and Backup Withholding ..	9
MUNICIPAL BANKRUPTCY .....	4	Miscellaneous .....	9
Financial Control Boards .....	5	LEGAL MATTERS .....	9
RISK FACTORS .....	6	NO CONTINUING DISCLOSURE .....	10
Cybersecurity .....	6	RATING .....	10
IMPACTS OF COVID-19 .....	6	MUNICIPAL ADVISOR .....	10
LITIGATION .....	7	ADDITIONAL INFORMATION .....	10
TAX MATTERS .....	7		

**APPENDIX A**

THE VILLAGE .....	A-1	Valuations and Tax Data .....	A-8
General Information .....	A-1	Tax Collection Enforcement Procedure and History .....	A-9
Town of Palm Tree .....	A-1	Largest Taxpayers .....	A-9
Form of Government .....	A-1	Tax Levy Limit Law .....	A-9
Elected and Appointed Officials .....	A-1	VILLAGE INDEBTEDNESS .....	A-10
Services and Programs .....	A-2	Constitutional and Statutory Requirements .....	A-10
Employees .....	A-2	Statutory Procedure .....	A-11
Employee Pension Benefits .....	A-2	Remedies Upon Default .....	A-12
Other Post Employment Benefits .....	A-3	Constitutional Debt-Contracting Limitation .....	A-12
FINANCIAL FACTORS .....	A-3	Statutory Debt Limit and Net Indebtedness .....	A-13
Budgetary Procedure .....	A-3	Bond Anticipation Notes .....	A-13
Independent Audits .....	A-4	Tax and Revenue Anticipation Notes .....	A-13
NYS Fical Stress Monitoring System .....	A-4	Trend of Capital Indebtedness .....	A-14
Basis of Accounting .....	A-4	Overlapping and Underlying Debt .....	A-14
2016 Audited Results .....	A-4	Authorized and Unissued Debt .....	A-14
2017 Audited Results .....	A-4	Debt Ratios .....	A-15
2018 Audited Results .....	A-5	Debt Service Schedule .....	A-15
2019 Audited Results .....	A-5	ECONOMIC AND DEMOGRAPHIC DATA .....	A-16
2020 Audited Results .....	A-5	Largest Employers .....	A-16
2021 Adopted Budget .....	A-5	Population .....	A-16
Real Property Taxes .....	A-5	Income .....	A-16
State Aid .....	A-6	Employment and Unemployment .....	A-17
TAX INFORMATION .....	A-8	Utilities .....	A-18
Real Estate Tax Levying Limitation .....	A-8	Educational Institutions .....	A-18

APPENDIX B – SUMMARY FINANCIAL STATEMENTS

APPENDIX C – AUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED MAY 31, 2024

APPENDIX D – FORM OF APPROVING LEGAL OPINION

APPENDIX E – FORM OF CERTIFICATE TO PROVIDE NOTICES OF EVENTS

**OFFICIAL STATEMENT  
of the  
VILLAGE OF KIRYAS JOEL  
ORANGE COUNTY, NEW YORK**

**relating to**

**\$3,000,000  
BOND ANTICIPATION NOTES – 2026**

This Official Statement, which includes the cover page, inside cover page and appendices hereto, presents certain information relating to the Village of Kiryas Joel, which is coterminous with the Town of Palm Tree, in the County of Orange, in the State of New York (the “Village”, “Town”, “County” and “State,” respectively) in connection with the sale of \$3,000,000 Bond Anticipation Notes – 2026 (the “Notes”).

All quotations from and summaries and explanations of provisions of the Constitution and laws of the State and 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 Notes and the proceedings of the Village relating thereto are qualified in their entirety by reference to the definitive form of the Notes and such proceedings.

**THE NOTES**

***Description of the Notes***

The Notes are 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 interest thereon and, unless paid from other sources, the Notes 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 the Tax Levy Limit Law. (See “*Tax Levy Limit Law*” herein). The Notes will be dated and will mature, without option of prior redemption, as stated on the cover page hereof.

The Village Clerk will act as Paying Agent for the Notes issued in book-entry form. Paying agent fees, if any, will be paid by the purchaser. For those Notes registered to the purchaser, the purchaser will be, or named, Fiscal Agent. Fiscal Agent fees, if any, will be paid for by the purchaser. The Village’s contact information is as follows: Joel Mertz, Village Treasurer, 51 Forest Road, Monroe, NY, 10949, Phone: (845) 783-8300, Email: [jmertz@vokj-ny.org](mailto:jmertz@vokj-ny.org).

***Authority for and Purpose of the Notes***

The Notes are issued pursuant to the Constitution and the Laws of the State, including among others, the Village Law and Local Finance Law, and a bond resolution duly adopted by the Village Board of Trustees on October 17, 2025, authorizing the issuance of bonds or notes to finance the construction of a new swimming pool in the Ruach Hachaim Park on Village-owned land in the Town of Monroe. The proceeds from the sale of the Notes will be used to provide original financing pursuant to such resolution.

***Optional Redemption***

The Notes are not subject to optional redemption prior to maturity.

***Nature of Obligation***

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

The Notes 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 Notes, 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 the Tax Levy Limit Law. (See “*Tax Levy Limit Law*” herein.)

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 Notes, 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 Limit 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 Limit 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 Levy Limit Law*” herein.)

## **REMEDIES UPON DEFAULT**

Neither the Notes nor the proceedings with respect thereto, specifically provide any remedies which would be available to owners of the Notes should the Village default in the payment of principal of or interest on the Notes, nor do they contain any provisions for the appointment of a trustee to enforce the interests of the owners of the Notes upon the occurrence of any such default. The Notes are general obligation contracts between the Village and the owners for which the faith and credit of the Village are pledged and while remedies for enforcement of payment are not expressly included in the Village’s contract with such owners, any permanent repeal by statute or constitutional amendment of a noteholder’s remedial right to judicial enforcement of the contract should, in the opinion of Bond Counsel, be held unconstitutional.

Upon default in the payment of principal of or interest on the Notes at the suit of the owner, a Court has the power, in proper and appropriate proceedings, to render judgment against the Village. The present statute limits interest on the amount adjudged due to contract creditors to nine per centum per annum from the date due to the date of payment. As a general rule, property and funds of a municipal corporation serving the public welfare and interest have not been judicially subjected to execution or attachment to satisfy a judgment. A Court also has the power, in proper and appropriate proceedings, to order payment of a judgment on such notes from funds lawfully available therefor or, in the absence thereof, to order the Village to take all lawful action to obtain the same, including the raising of the required amount in the next annual tax levy. In exercising its discretion as to whether to issue such an order, the Court may take into account all relevant factors, including the current operating needs of the Village and the availability and adequacy of other remedies. Upon any default in the payment of the principal of or interest on the Notes, the owners of such Notes could, among other remedies, seek to obtain a writ of mandamus from a Court ordering the governing body of the Village to assess, levy and collect an ad valorem tax, upon all taxable property of the Village subject to taxation by the Village sufficient to pay the principal of and interest on the Notes as the same shall come due and payable (and interest from the due date to date of payment) and otherwise to observe the covenants contained in the Notes and the proceedings with respect thereto all of which are included in the contract with the owners of the Notes. The mandamus remedy, however, may be impracticable and difficult to enforce. Further, the right to enforce payment of the principal of or interest on the Notes may be limited by bankruptcy, insolvency, reorganization, moratorium and similar laws and equitable principles, which may limit the specific enforcement of certain remedies.

In 1976, the New York Court of Appeals, the State’s highest court, held in *Flushing National Bank v. Municipal Assistance Corporation for the City of New York*, 40 N.Y.2d 731 (1976), that the New York State legislation purporting to postpone the payment of debt service on New York City obligations was an unconstitutional moratorium in violation of the New York State constitutional faith and credit mandate included in all municipal debt obligations. While that case can be viewed as a precedent for protecting the remedies of Noteholders, there can be no assurance as to what a Court may determine with respect to future events, including financial crises as they may occur in the State and in municipalities of the State, that require the exercise by the State of its emergency and police powers to assure the continuation of essential public services. (See also, *Flushing National Bank v. Municipal Assistance Corporation for the City of New York*, 40 N.Y.2d 1088 (1977), where the Court of Appeals described the pledge as a direct Constitutional mandate.)

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.

Pursuant to Article VIII, Section 2 of the State Constitution, the Village is required to provide an annual appropriation of monies for the payment of due and payable principal of and interest on indebtedness. Specifically this constitutional provision states: "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 constitutes a specific non-exclusive constitutional remedy against a defaulting municipality or school district; however, it does not apply in a context in which monies have been appropriated for debt service but the appropriating authorities decline to use such monies to pay debt service. However, Article VIII, Section 2 of the Constitution of the State also provides that the fiscal officer of any county, city, town, village or school district may be required to set apart and apply such revenues at the suit of any holder of any obligations of indebtedness issued with the pledge of the faith of the credit of such political subdivision. In *Quirk v. Municipal Assistance Corp.*, 41 N.Y.2d 644 (1977), the Court of Appeals described this as a "first lien" on revenues, but one that does not give holders a right to any particular revenues. It should thus be noted that the pledge of the faith and credit of a political subdivision in the State is a pledge of an issuer of a general obligation note to use its general revenue powers, including, but not limited to, its property tax levy, to pay debt service on such obligations, but that such pledge may or may not be interpreted by a court of competent jurisdiction to include a constitutional or statutory lien upon any particular revenues. The Constitutional provision providing for first revenue set asides does not apply to tax anticipation notes, revenue anticipation notes or bond anticipation notes.

While the courts in the State have historically been protective of the rights of holders of general obligation debt of political subdivisions, it is not possible to predict what a future court might hold.

In prior years, certain events and legislation affecting a holder's remedies upon default have resulted in litigation. While courts of final jurisdiction have generally upheld and sustained the rights of noteholders, such courts might hold that future events, including a financial crisis as such may occur in the State or in political subdivisions of the State, may require the exercise by the State or its political subdivisions of emergency and police powers to assure the continuation of essential public services prior to the payment of debt service.

### ***No Past Due Debt***

No principal or interest payment on Village indebtedness is past due. The Village has never defaulted in the payment of the principal of and/or interest on any indebtedness.

## **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 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 Notes. 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 notes, 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 Notes, 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 Notes 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 legislated a finance control or review board and assistance corporations to monitor and restructure finance matters in addition to New York City, for the Cities of Yonkers, Troy and Buffalo and for the Counties of Nassau and Erie. Similar active intervention pursuant to State legislation to relieve fiscal stress for the Village in the future cannot be assured.

No current state law purports to create any priority for holders of the Notes 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.

### ***Financial Control Boards***

Pursuant to Article IX Section 2(b)(2) of the State Constitution, any municipality in the State may request the intervention of the State in its “property, affairs and government” by a two-thirds vote of the total membership of its legislative body or on request of its chief executive officer concurred in by a majority of such membership. This has resulted in the adoption of special acts for the establishment of public benefit corporations with varying degrees of authority to control the finances (including debt issuance) of the Cities of Buffalo, Troy and Yonkers and the Counties of Erie and Nassau. The specific authority, powers and composition of the financial control boards established by these acts varies based upon circumstances and needs. Generally, the State legislature has granted such boards the power to approve or disapprove budget and financial plans and to issue debt on behalf of the municipality, as well as to impose wage and/or hiring freezes and in certain cases approve or disapprove collective bargaining agreements. Implementation is generally left to the discretion of the board of the public benefit corporation. Such a State financial control board was first established for New York City in 1975. In addition, upon the issuance of a certificate of necessity of the Governor reciting facts which in the judgment of the Governor constitute an emergency requiring enactment of such laws, with the concurrences of two-thirds of the members elected in each house of the State legislature, the State is authorized to intervene in the “property, affairs and governments” of local government units. This occurred in the case of the County of Erie in 2005. The authority of the State to intervene in the financial affairs of a local government is further supported by Article VIII, Section 12 of the Constitution which declares it to be the duty of the State legislature to restrict, subject to other provisions of the Constitution, the power of taxation, assessment, borrowing money and contracting indebtedness and loaning the credit of counties, cities, towns and villages so as to prevent abuses in taxation and assessment and in contracting indebtedness by them.

In 2013, the State established a new state advisory board to assist counties, cities, towns and villages in financial distress. The Financial Restructuring Board for Local Governments (the “FRB”), is authorized to conduct a comprehensive review of the finances and operations of any such municipality deemed by the FRB to be fiscally eligible for its services upon request by resolution of the municipal legislative body and concurrence of its chief executive. The FRB is authorized to make recommendations for, but cannot compel improvement of fiscal stability, management and delivery of municipal services, including shared services opportunities and is authorized to offer

grants and/or loans of up to \$5,000,000 through a Local Government Performance and Efficiency Program to undertake certain recommendations. If a municipality agrees to undertake the FRB recommendations, it will be automatically bound to fulfill the terms in order to receive the aid. The FRB is also authorized to serve as an alternative arbitration panel for binding arbitration.

Although from time to time there have been proposals for the creation of a statewide financial control board with broad authority over local governments in the State, the FRB does not have emergency financial control board powers to intervene in the finances and operations of entities such as the public benefit corporations established by special acts as described above.

Several municipalities in the State are presently working with the FRB. The Village has not applied to the FRB and does not reasonably anticipate submission of a request to the FRB for a comprehensive review of its finances and operations. School districts and fire districts are not eligible for FRB assistance.

## **RISK FACTORS**

There are certain potential risks associated with an investment in the Notes, 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 Notes.

If and when an owner of any of the Notes should elect to sell all or a part of the Notes 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 Notes. The market value of the Notes is dependent upon the ability of holder to potentially incur a capital loss if such Notes are sold prior to their 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 Notes. 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 Notes, could be adversely affected.

The Village is dependent in part upon financial assistance from the State in the form of State aid as well as grants and loans to be received ("State Aid"). The availability of such monies and the timeliness of such payment may be affected by a delay in the adoption of the State budget, the State's economy and financial condition, and other circumstances, including State fiscal stress. State aid appropriated and apportioned to the Village can be paid only if the State has such monies available therefore. The Village's receipt of State aid may be delayed as a result of the State's failure to adopt its budget timely and/or to appropriate State Aid to municipalities and school districts. Should the Village fail to receive all or a portion of the amounts of State Aid expected to be received from the State in the amounts and at the times anticipated, occasioned by a delay in the payment of such moneys or by a reduction in State Aid or its elimination, the Village is authorized pursuant to the Local Finance Law ("LFL") to provide operating funds by borrowing in anticipation of the receipt of such uncollected State Aid, however, there can be no assurance that, in such event, the Village will have market access for any such borrowing on a cost effective basis. (See also "*State Aid*" herein.)

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

The enactment of the Tax Levy Limit 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 Notes. (See “*The Tax Levy Limit 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.

An outbreak of disease or similar public health threat, such as the COVID-19 outbreak, or fear of such an event, could have an adverse impact on the Village’s financial condition and operating results by potentially delaying the receipt of real property taxes or resulting in a delay or reduction by the State in the payment of State aid. (See “*Impacts of COVID-19*” and “*State Aid*” herein).

## **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.

The Village, like many other public and private entities, contracts with third party vendors to provide services to the Village. Most, if not all third-party vendors, have their own cybersecurity and operational controls in place. The Village provides no assurances that such cybersecurity and operational control measures will be completely successful to guard against cyber threats and attacks.

## **LITIGATION**

Various notices of claim have been filed with the Village. The allegations set forth in the claims relate to personal injury. The claims assert money damages and may seek a specific action or forbearance on the part of the Village.

In the opinion of the Attorney for the Village, the resolution of such various claims presently pending against the Village will not have a material adverse effect on the Village's financial position. Such matters are generally either of immaterial amount or adequately covered by budgetary appropriations or insurance. Pursuant to the Local Finance Law, the Village is authorized to issue debt to finance judgments and claims, if necessary.

## **TAX MATTERS**

### ***Opinion of Bond Counsel***

In the opinion of Hawkins Delafield & Wood LLP, Bond Counsel to the Village, under existing statutes and court decisions and assuming continuing compliance with certain tax certifications described herein, (i) interest on the Notes is excluded from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”), and (ii) interest on the Notes is not treated as a preference item in calculating the alternative minimum tax under the Code, however, interest on the Notes is included in the “adjusted financial statement income” of certain corporations that are subject to the alternative minimum tax under Section 55 of the Code. The Tax Certificate of the Village (the “Tax Certificate”), which will be delivered concurrently with the delivery of the Notes, will contain provisions and procedures relating to compliance with applicable requirements of the Code. In rendering its opinion, Bond Counsel has relied on certain representations, certifications of fact, and statements of reasonable expectations made by the Village and others in connection with the Notes, and Bond Counsel has assumed compliance by the Village with certain ongoing provisions and procedures set forth in the Tax Certificate relating to compliance with applicable requirements of the Code to assure the exclusion of interest on the Notes from gross income under Section 103 of the Code.

In addition, in the opinion of Bond Counsel to the Village, under existing statutes, interest on the Notes is exempt from personal income taxes of New York State and its political subdivisions, including The City of New York.

Bond Counsel expresses no opinion as to any other federal, state or local tax consequences arising with respect to the Notes, or the ownership or disposition thereof, except as stated above. Bond Counsel renders its opinion under existing statutes and court decisions as of the issue date, and assumes no obligation to update, revise or supplement its opinion to reflect any action thereafter taken or not taken, any fact or circumstance that may thereafter come to its attention, any change in law or interpretation thereof that may thereafter occur, or for any other reason. Bond Counsel expresses no opinion as to the consequence of any of the events described in the preceding sentence or the likelihood of their occurrence. In addition, Bond Counsel expresses no opinion on the effect of any action taken or not taken in reliance upon an opinion of other counsel regarding federal, state or local tax matters, including, without limitation, exclusion from gross income for federal income tax purposes of interest on the Notes.

### ***Certain Ongoing Federal Tax Requirements and Certifications***

The Code establishes certain ongoing requirements that must be met subsequent to the issuance and delivery of the Notes in order that interest on such Notes be and remain excluded from gross income under Section 103 of the Code. These requirements include, but are not limited to, requirements relating to use and expenditure of gross proceeds of the Notes, yield and other restrictions on investments of gross proceeds, and the arbitrage rebate requirement that certain excess earnings on gross proceeds be rebated to the federal government. Noncompliance with such requirements may cause interest on the Notes to become included in gross income for federal income tax purposes retroactive to their issue date, irrespective of the date on which such noncompliance occurs or is discovered. The Village, in executing the Tax Certificate, will certify to the effect that the Village will comply with the provisions and procedures set forth therein and that it will do and perform all acts and things necessary or desirable to assure the exclusion of interest on the Notes from gross income under Section 103 of the Code.

### ***Certain Collateral Federal Tax Consequences***

The following is a brief discussion of certain collateral federal income tax matters with respect to the Notes. It does not purport to address all aspects of federal taxation that may be relevant to a particular owner of a Note. Prospective investors, particularly those who may be subject to special rules, are advised to consult their own tax advisors regarding the federal tax consequences of owning and disposing of the Notes.

Prospective owners of the Notes should be aware that the ownership of such obligations may result in collateral federal income tax consequences to various categories of persons, such as corporations (including S corporations and foreign corporations), financial institutions, property and casualty and life insurance companies, individual recipients of Social Security and railroad retirement benefits, individuals otherwise eligible for the earned income tax credit, and taxpayers deemed to have incurred or continued indebtedness to purchase or carry obligations the interest on which is excluded from gross income for federal income tax purposes. Interest on the Notes may be taken into account in determining the tax liability of foreign corporations subject to the branch profits tax imposed by Section 884 of the Code.

### ***Original Issue Discount***

“Original issue discount” (“OID”) is the excess of the sum of all amounts payable at the stated maturity of a Note (excluding certain “qualified stated interest” that is unconditionally payable at least annually at prescribed rates) over the issue price of that maturity. In general, the “issue price” of a maturity (a bond with the same maturity date, interest rate, and credit terms) means the first price at which at least 10 percent of such maturity was sold to the public, i.e., a purchaser who is not, directly or indirectly, a signatory to a written contract to participate in the initial sale of the Notes. In general, the issue price for each maturity of the Notes is expected to be the initial public offering price set forth in this Official Statement. Bond Counsel further is of the opinion that, for any Note having OID (a “Discount Note”), OID that has accrued and is properly allocable to the owners of the Discount Note under Section 1288 of the Code is excludable from gross income for federal income tax purposes to the same extent as other interest on the Notes.

In general, under Section 1288 of the Code, OID on a Discount Note accrues under a constant yield method, based on periodic compounding of interest over prescribed accrual periods using a compounding rate determined by reference to the yield on that Discount Note. An owner’s adjusted basis in a Discount Note is increased by accrued OID for purposes of determining gain or loss on sale, exchange, or other disposition of such Discount Note.

Accrued OID may be taken into account as an increase in the amount of tax-exempt income received or deemed to have been received for purposes of determining various other tax consequences of owning a Discount Note even though there will not be a corresponding cash payment.

Owners of Discount Notes should consult their own tax advisors with respect to the treatment of original issue discount for federal income tax purposes, including various special rules relating thereto, and the state and local tax consequences of acquiring, holding, and disposing of Discount Notes.

### ***Bond Premium***

In general, if an owner acquires an obligation for a purchase price (excluding accrued interest) or otherwise at a tax basis that reflects a premium over the sum of all amounts payable on the obligation after the acquisition date (excluding certain “qualified stated interest” that is unconditionally payable at least annually at prescribed rates), that premium constitutes “bond premium” on that obligation (a “Premium Note”). In general, under Section 171 of the Code, an owner of a Premium Note must amortize the bond premium over the remaining term of the Premium Note, based on the owner’s yield over the remaining term of the Premium Note, determined based on constant yield principles (in certain cases involving a Premium Note callable prior to its stated maturity date, the amortization period and yield may be required to be determined on the basis of an earlier call date that results in the lowest yield on such Premium Note). An owner of a Premium Note must amortize the bond premium by offsetting the qualified stated interest allocable to each interest accrual period under the owner’s regular method of accounting against the bond premium allocable to that period. In the case of a tax-exempt Premium Note, if the bond premium allocable to an accrual period exceeds the qualified stated interest allocable to that accrual period, the excess is a nondeductible loss. Under certain circumstances, the owner of a Premium Note may realize a taxable gain upon disposition of the Premium Note even though it is sold or redeemed for an amount less than or equal to the owner’s original acquisition cost. Owners of any Premium Notes should consult their own tax advisors regarding the treatment of bond premium for federal income tax purposes, including various special rules relating thereto, and state and local tax consequences, in connection with the acquisition, ownership, amortization of bond premium on, sale, exchange, or other disposition of Premium Notes.

### ***Information Reporting and Backup Withholding***

Information reporting requirements will apply to interest on Notes, including the Notes. In general, such requirements are satisfied if the interest recipient completes, and provides the payor with, a Form W-9, “Request for Taxpayer Identification Number and Certification,” or if the recipient is one of a limited class of exempt recipients. A recipient not otherwise exempt from information reporting who fails to satisfy the information reporting requirements will be subject to “backup withholding,” which means that the payor is required to deduct and withhold a tax from the interest payment, calculated in the manner set forth in the Code. For the foregoing purpose, a “payor” generally refers to the person or entity from whom a recipient receives its payments of interest or who collects such payments on behalf of the recipient.

If an owner purchasing a Note through a brokerage account has executed a Form W-9 in connection with the establishment of such account, as generally can be expected, no backup withholding should occur. In any event, backup withholding does not affect the excludability of the interest on the Notes from gross income for federal income tax purposes. Any amounts withheld pursuant to backup withholding would be allowed as a refund or a credit against the owner’s federal income tax once the required information is furnished to the Internal Revenue Service.

### ***Miscellaneous***

Tax legislation, administrative actions taken by tax authorities, or court decisions, whether at the federal or state level, may adversely affect the tax-exempt status of interest on the Notes under federal or state law or otherwise prevent beneficial owners of the Notes from realizing the full current benefit of the tax status of such interest. In addition, such legislation or actions (whether currently proposed, proposed in the future, or enacted) and such decisions could affect the market price or marketability of the Notes.

Prospective purchasers of the Notes should consult their own tax advisors regarding the foregoing matters.

## **LEGAL MATTERS**

Legal matters incident to the authorization, issuance and sale of the Notes are subject to the approving legal opinion of Hawkins Delafield & Wood LLP, New York, New York, Bond Counsel in substantially the form attached hereto in Appendix D.

## **DISCLOSURE UNDERTAKING**

In order to assist the purchaser(s) in complying with Rule 15c2-12 with respect to the Notes, the Village will execute a Certificate to Provide Notices of Events, the form of which is attached hereto as Appendix E.

## **RATING**

The Village has not applied to S&P Global Ratings (“S&P”) for a rating on the Notes.

On April 13, 2021, S&P affirmed the Village’s long-term underlying credit rating of “A-” and revised the outlook from negative to stable.

With respect to the S&P's rating applicable to uninsured debt, such rating reflects only the views of such organization and any desired explanation of the significance of such rating should be obtained from the rating agency furnishing the same, at the following address: Standard & Poor's Corporation, 25 Broadway, New York, New York 10004. 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 such bonds or the availability of a secondary market for those bonds.

## **MUNICIPAL ADVISOR**

Capital Markets Advisors, LLC, Great Neck and New York, 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 Notes.

## **ADDITIONAL INFORMATION**

Additional information may be obtained from Mr. Joel Mertz, Village Treasurer, (845) 783-8300, [jmertz@vokj-ny.org](mailto:jmertz@vokj-ny.org) or from the Village’s Municipal Advisor, Capital Markets Advisors, LLC, 11 Grace Avenue, Suite 308, Great Neck, New York, (516) 487-9817. The Village Clerk will act as Paying Agent with respect to the Notes. The Village Treasurer noted above is the Paying Agent contact.

So far as any statements made in this Official Statement involve matters or estimates, whether or not expressly stated, they are set forth as such and not as representations of fact, and no representation is made that any of the statements will be realized. Neither this Official Statement nor any other statement which may have been made orally or in writing is to be construed as a contract with the holders of the Notes.

Estimates and Forecasts. The statements contained in this Official Statement and the appendices hereto that are not purely historical are forward-looking statements. Such forward-looking statements can be identified, in some cases, by terminology such as “may,” “will,” “should,” “expects,” “intends,” “plans,” “anticipates,” “believes,” “estimates,” “predicts,” “potential,” “illustrate,” “example,” and “continue,” or the singular, plural, negative or other derivations of these or other comparable terms. Readers should not place undue reliance on forward-looking statements. All forward-looking statements included in this Official Statement are based on information available to such parties on the date of this Official Statement, and the Village assumes no obligation to update any such forward-looking statements. The forward-looking statements included herein are necessarily based on various assumptions and estimates and are inherently subject to various risks and uncertainties, including, but not limited to, risks and uncertainties relating to the possible invalidity of the underlying assumptions and estimates and possible changes or developments in various important factors. Accordingly, actual results may vary from the projections, forecasts and estimates contained in this Official Statement and such variations may be material.

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 Notes by the Village and may not be reproduced or used in whole or in part for any other purpose.

VILLAGE OF KIRYAS JOEL  
ORANGE COUNTY, NEW YORK

By: \_\_\_\_\_  
Joel Mertz  
Village Treasurer

DATED: June \_\_, 2026

**APPENDIX A**

**THE VILLAGE**

## **THE VILLAGE**

### ***General Information***

The Village of Kiryas Joel is located in the Town of Palm Tree in Orange County, New York. The boundaries of the Village are coterminous with those of the Town. The estimated population of the Village was 43,863 in 2024 according to the U.S Census Bureau. The Village is primarily residential in nature and is located approximately 50 miles north of New York City.

### ***Town of Palm Tree***

On January 1, 2019, the Town of Palm Tree commenced municipal operations. The Town was created by the division of the Town of Monroe to consist of the entire Village of Kiryas Joel and an additional 64 acres of unincorporated land outside the Village. The 64 acres is composed of 30 separate tax lots. On June 14, 2019, the Village Board of Trustees adopted Local Law No. 2 of 2019, annexing the unincorporated 64-acre territory to the Village. As a result of the annexation, the municipal boundaries of the Village now encompass the entirety of the Town of Palm Tree and thus the Town and Village are coterminous. At the November 5, 2019 General Election, the electors of the Village approved a proposition presented by the Village Board providing that the local government of the coterminous Town/Village be operated principally as a Village. This took effect on January 1, 2020.

As a result of the annexation described above, pursuant to Section 106.00 of the New York Local Finance Law the Town of Palm Tree is no longer authorized to issue bonds or notes. However, the Village of Kiryas Joel is authorized to issue bonds or notes to finance capital projects in and for the combined Town/Village and the Notes shall be issued pursuant to such authority. (See “Bond Anticipation Notes” under “VILLAGE INDEBTEDNESS,” herein.)

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

The Village was incorporated in 1977 as a municipal corporation by the State pursuant to the Village Law and is vested with such powers and has the responsibilities inherent in the operation of a 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 school district operating in the Village that possesses the same powers with respect to taxation and debt issuance. Village residents also pay real property taxes to the Town and the County to support programs conducted by these two 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.

### ***Elected and Appointed Officials***

The Village Board of Trustees (the “Board”) is the legislative, appropriating, governing and policy determining body of the Village and consists of a mayor and four trustees, all of whom are elected at large to serve four-year terms. The number of terms which a Trustee may serve is not limited. 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 indebtedness is subject to approval by the Board.

The Mayor is the chief elected official of the Village and is elected for a four 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 Village Treasurer is appointed by the Mayor, subject to the approval of the Board, to a term that runs concurrently with that of the Mayor and is the chief fiscal officer of the Village. Duties and responsibilities of the position include: collection of taxes, maintenance of the Village’s accounting systems and records, which includes

the responsibility to prepare and file an annual report with the State Comptroller, custody and investment of Village funds, and debt management. The Village Clerk, who also is appointed by the Mayor, subject to the approval of the Board, to a term that runs concurrently with that of the Mayor, has custody of the corporate seal, books, records, and papers of the Village, and all the official reports and communications of the Board 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. In addition, the Village Clerk issues various licenses and permits. The Village Administrator is appointed by the Mayor to a ten-year term and is responsible for the day-to-day management of the Village.

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

The Village provides its residents with many of the services traditionally provided by municipal governments. In addition, the Town and County furnish certain other services. The services provided by the Village are as follows: highway and public facilities maintenance; cultural and recreational activities, building code enforcement and planning and zoning administration; and fire protection.

Pursuant to State law, the County, not the Village, 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.

### ***Employees***

The Village employs 86 full-time and 82 part-time persons, none of whom are represented by unions.

### ***Employee Pension Benefits***

Substantially all employees of the Village are members of the New York State and Local Employees' Retirement System (the "Retirement System" or "ERS"). 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 "NYSRSSL"). 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.

NYSRSSL provides that all participating employers in each system are jointly and severally liable for any unfunded amounts. Such amounts are collected through annual billings to participating employers. All full-time employees and 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.

On December 12, 2009, a new Tier V pension level was signed into law. Key components of Tier V include: (1) raising the minimum age at which most civilians can retire without penalty from 55 to 62 and imposing a penalty of up to 38% for any civilian who retires prior to 62, (2) requiring employees to continue contributing 3% of their salaries toward pension costs so long as they accumulate additional pension credits, (3) increasing the minimum years of service required to draw a pension from 5 years to 10 years, and (4) capping the amount of overtime that can be considered in the calculation of pension benefits for civilians at \$15,000 per year, and for police and firefighters at 15% of non-overtime wages. The foregoing provisions are applicable to employees hired after January 1, 2010.

Additionally, on March 16, 2012, the Governor signed into law the new Tier VI pension program, effective for new ERS and TRS employees hired after April 1, 2012. The Tier VI legislation provides 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 VI employees will vest in the system after 10 years of employment and will continue to make employee contributions throughout employment.

The billing cycle for employer contributions to the ERS retirement system do not match budget cycles of the Village; however, the Village is provided with an estimate of the required payment for the subsequent year before its budget is implemented. As a result, the Village is notified of and can include the estimated cost of the employer contribution in its budget. The Village is also required to make a minimum payment of 4.5% of payroll each year, including years in which investment performance of the fund would make a lower employer contribution possible.

The New York State Retirement System has advised the Village that municipalities can elect to make employer contribution payments in the December or the following February, as required. If such payments are made in the December prior to the scheduled payment date in February, such payments may be made at a discount amount.

Due to significant capital market declines in 2008 and 2009, the State's Retirement System portfolio has experienced negative investment performance and severe downward trends in market earnings in certain years. As a result of the foregoing, the employer contribution rate for the State's Retirement System continues to be higher than the minimum contribution rate established by applicable law. The State calculates contribution amounts based upon a five-year rolling average. As a result, contribution rates are expected to remain higher than the minimum contribution rates set by applicable law in the near-term. To mitigate the expected increases in the employer contribution rate, legislation has been enacted that would permit local governments and school districts to borrow a portion of their required payments from the State pension plan at an interest rate of 5%. The new legislation also requires those local governments and school districts, who decide to amortize their pension obligations pursuant to the new law, to establish reserve accounts to fund payment increases that are a result of fluctuations in pension plan performance.

Beginning July 1, 2013, a voluntary defined contribution plan option will be 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.

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 the spikes in Actuarially Required Contribution rates ("ARCs"). The plan allows municipalities to pay the SCO amount in lieu of the ARC amount. The Village did not amortize any portion of its current pension contribution through the SCO and does not expect to amortize any portion of future pension contributions through the SCO.

### ***Other Post Employment Benefits***

The Village does not presently provide any post employment benefits other than pensions and thus, does not have any other post employment benefit liability.

## **FINANCIAL FACTORS**

### ***Budgetary Procedure***

The Village Treasurer is the budget officer of the Village and submits the tentative budget for the next fiscal year to the Board on or before March 20 of each year. Public hearings on the budget are held on or before April 15. Members of the public may express their views on the budget, but there is no provision for a formal vote. Following the public hearing, and on or before May 1, the Board meets to adopt the final budget.

Budgetary control is the responsibility of the Village Treasurer, Village Administrator and Village Board. Formal integration of the budget with the accounting system is used during the year as a management tool for all governmental funds.

The Village Board has approved a change to its fiscal year from ending May 31<sup>st</sup> to ending on a calendar year December 31<sup>st</sup> to match the coterminous Town of Palm Tree to help assist with reporting consistency.

Chapter 97 of the Laws of 2011 (the “Tax Levy Limit Law”) imposes a limitation on increases in the real property tax levy of the Village, subject to certain exceptions outlined in the new law. All budgets of the Village adopted in accordance with the procedure discussed herein must comply with the requirements of the new law. (*See “Tax Levy Limit Law,” herein.*)

### ***Independent Audits***

The Village retained the firm Aron E. Muller, Certified Public Accountants to audit its financial statements for the fiscal years ended May 31, 2020 through 2024. The Village changed its fiscal year to end on December 31<sup>st</sup> commencing December 31, 2021, but still has retained the firm Aron E. Muller, Certified Public Accounts. 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 Village was last audited by the State in 2010.

The Village utilizes fund accounting to record and report its various service activities. A fund represents both legal and an accounting entity which segregates the transactions of specific programs in accordance with special regulations, restrictions or limitations.

The Village has two basic fund categories (Governmental Funds and Fiduciary Funds) and five generic fund types. Governmental Funds are those through which most governmental functions of the Village are financed and include two fund types, as follows. The General Fund is the principal operating fund and includes all operations not required to be recorded in other funds. The Village also maintains a Water Fund and a Sewer Fund. The Capital Projects Fund accounts for financial resources to be used for the acquisition or construction of major capital facilities. The other fund category, Fiduciary Funds, is used to account for assets held by the Village in a trustee or custodial capacity and includes a Trust and Agency Fund.

### ***NYS Fiscal Stress Monitoring System***

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 designates the Village as “no designation” with a fiscal score of 6.7 and environmental score of 45.0.

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

### ***Basis of Accounting***

The Village maintains its records and reports on the modified accrual basis of accounting for recording transactions in all governmental funds. Under this method, (1) revenues are recorded when received in cash except that for revenues which are material and susceptible to accrual (measurable and available to finance the current year's operations) which are recorded when earned, and (2) expenditures, other than retirement plan contributions, vacation and sick pay, and accrued interest are recorded at the time liabilities are incurred.

### ***May 2021 Audited Results***

For the fiscal year ended May 31, 2021, the Village's General Fund revenues and other sources were \$12,439,051 and General Fund expenditures and other uses were \$12,115,990. Therefore, the Village recognized an operating General Fund surplus of \$323,061 and a cumulative General Fund balance of \$3,010,058 for the fiscal year ended May 31, 2021.

### ***December 31, 2021 Audited Results***

For the fiscal year ended December 31, 2021, the Village's General Fund revenues and other sources were \$10,232,781 and General Fund expenditures and other uses were \$8,739,088. Therefore, the Village recognized an operating General Fund surplus of \$1,493,693 and a cumulative General Fund balance of \$4,503,751 for the fiscal year ended December 31, 2021.

### ***December 31, 2022 Audited Results***

For the fiscal year ended December 31, 2022, the Village's General Fund revenues and other sources were \$21,084,274 and General Fund expenditures and other uses were \$18,085,849. Therefore, the Village recognized an operating General Fund surplus of \$2,998,425 and a cumulative General Fund balance of \$7,502,176 for the fiscal year ended December 31, 2022.

### ***December 31, 2023 Audited Results***

For the fiscal year ended December 31, 2023, the Village's General Fund revenues and other sources were \$21,871,517 and General Fund expenditures and other uses were \$23,467,883. Therefore, the Village recognized an operating General Fund surplus of \$1,867,204 and a cumulative General Fund balance of \$9,369,380 for the fiscal year ended December 31, 2023.

### ***December 31, 2024 Audited Results***

For the fiscal year ended December 31, 2024, the Village's General Fund revenues and other sources were \$24,312,938 and General Fund expenditures and other uses were \$23,467,883. Therefore, the Village recognized an operating General Fund surplus of \$845,055 and a cumulative General Fund balance of \$10,214,435 for the fiscal year ended December 31, 2024.

### ***December 31, 2025 Adopted Budget***

For the fiscal year ended December 31, 2025, the Village's budget was balanced with General Fund revenues and expenditures budgeted at \$24,609,620.

### ***December 31, 2026 Adopted Budget***

For the fiscal year ended December 31, 2026, the Village's budget was balanced with General Fund revenues and expenditures budgeted at \$25,992,590.

**Real 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, herein.) Property taxes accounted for 13.1% of total general fund revenues, for the fiscal year ended December 2024. On June 24, 2011, the Tax Levy Limit Law was enacted, which imposes a tax levy limitation upon the municipalities, school districts and fire districts in the State, including the Village, without providing an exclusion for debt service on obligations issued by municipalities and fire districts, including the Village. (See “Tax Levy Limit Law,” herein.)

**Property Tax.** The following table sets forth total general fund revenues and real property taxes received for each of the last five audited fiscal years and the amount budgeted for the two most recent fiscal years.

<b><u>General Fund Revenues &amp; Real Property Taxes</u></b>			
Fiscal Year Ended May 31/December 31:	Total Revenues <sup>(1)</sup>	Real Property Taxes	Real Property Taxes to Revenues
2021	\$12,439,051	\$2,753,568	22.1%
2021 <sup>(2)</sup>	10,206,863	1,592,476	15.6
2022	21,028,119	2,849,205	13.5
2023	21,814,601	3,040,317	13.9
2024	24,312,938	3,193,147	13.1
2025 (Adopted Budget)	24,609,620	3,495,136	14.2
2026 (Adopted Budget)	25,992,590	3,776,476	14.5

(1) General Fund.

(2) The Village has changed its fiscal year to end on December 31<sup>st</sup> commencing December 31, 2021. See “Budgetary Procedure” herein.

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

**State Aid**

The Village receives financial assistance from the State. In its budget for the current fiscal year, approximately 15.8% of the total general fund revenues of the Village are estimated to be received in the form of State aid. 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. Additionally, 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 this year or future years, the Village may be affected by a delay in the receipt of State aid until sufficient State taxes have been received by the State to make State aid payments.

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. There can be no assurances that the State’s financial position will not change materially or adversely from current projections. State budgetary restrictions which eliminate or substantially reduce State aid could have a material adverse effect upon the Village, requiring either a counterbalancing increase in revenues from other sources to the extent available, or a curtailment of expenditures. (See also “RISK FACTORS” herein.)

The State receives a substantial amount of federal aid for health care, education, transportation and other governmental purposes, as well as federal funding to respond to, and recover from, severe weather events and other disasters. Many of the policies that drive this federal aid may be subject to change under the federal administration and the current Congress. Current federal aid projections, and the assumptions on which they rely, are subject to revision in the future as a result of changes in federal policy.

Reductions in federal funding levels could have a materially adverse impact on the State budget. In addition to the potential fiscal impact of policies that may be proposed and adopted by the federal administration and Congress, the State budget may be adversely affected by other actions taken by the federal government, including audits, disallowances, and changes to federal participation rates or other Medicaid rules.

The State’s 2021-22 Enacted Budget provided \$10.8 billion in State funding to local governments. This funding available for use over multiple years, is designed to support essential workers and government employees, assist COVID-19 vaccination efforts, boost local economies, and support local government services.

The Aid and Incentives for Municipalities (“AIM”) program provides State aid to all of the State’s cities (other than New York City), and 141 towns and villages. AIM was funded at \$656.1 million in the 2021-22 Enacted State Budget. The 2019-20 Enacted State Budget reduced AIM funding by \$59 million, eliminating aid for 1,325 towns and villages determined to be less reliant on AIM. At that time, the State established AIM-Related payments which continued funding for the impacted towns and villages in the amounts that they had previously received through AIM in State Fiscal Year 2018-2019. OSC is required to withhold certain county sales tax revenues and to make AIM-Related payments, paid in December and May each year, pursuant to Chapter 59 of the Laws of 2019.

The \$59 million reduction in the AIM program eliminated funding for those municipalities where the State deemed it was not necessary or significant, and provided that funding to those municipalities by intercepting \$59 million of sales tax revenue before any normal revenue share of sales tax occurred. The 2022-23 State Budget maintained the AIM program at its current level; however, the budget does put an end to the intercept of local sales tax to pay the \$59 million in AIM-Related payments for 479 villages and 846 towns. The 2023-24 State Budget maintains the same level of AIM funding as the prior year.

Should the Village fail to receive State aid expected from the State in the amounts and at the times expected, occasioned by a delay in the payment of such monies, the Village is authorized by the Local Finance Law to provide operating funds by borrowing in anticipation of the receipt of uncollected State aid.

The following table sets forth total general fund revenues and State aid revenues received for each of the last five audited fiscal years and the amounts budgeted for the two most recent fiscal years.

**General Fund Revenues & State Aid Revenues**

<u>Fiscal Year</u> <u>Ended May 31/December 31:</u>	<u>Total</u> <u>Revenues<sup>(1)</sup></u>	<u>State Aid</u>	<u>State Aid</u> <u>to Revenues</u>
2021	\$12,439,051	\$1,211,543	9.7%
2021 <sup>(2)</sup>	10,206,863	741,350	7.3
2022	21,028,119	2,441,934	11.6
2023	21,814,601	3,424,541	15.7
2024	24,312,938	3,302,977	13.6
2025 (Adopted Budget)	24,609,620	3,652,413	14.8
2026 (Adopted Budget)	25,992,590	4,109,107	15.8

(1) General Fund.

(2) The Village has changed its fiscal year to end on December 31<sup>st</sup> commencing December 31, 2021. See “*Budgetary Procedure*” herein.

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

## TAX INFORMATION

### *Real Estate Tax Levying Limitation*

The Village is responsible for levying taxes for Village purposes. The Village's real property tax levying powers, other than for debt service and certain other enumerated purposes, are limited by the State Constitution to two percent of the five-year average full valuation of taxable real property of the Village.

The following table sets forth the computation of the Village's real estate tax levying limitation and the determination of its tax margin for the last five fiscal years.

#### Real Property Tax Assessment and Rates

Fiscal Year Ending December 31st:	Assessed Valuation	State Equalization Ratio	Full Valuation
2021	\$168,750,392	0.1825	\$ 924,659,682
2022	174,611,425	0.1700	1,027,126,029
2023	186,351,042	0.1600	1,164,694,013
2024	197,346,505	0.1550	1,273,203,258
2025	214,196,933	0.1450	<u>1,477,220,228</u>
Total:			\$5,866,903,210
Five-Year Average Valuation			1,173,380,642
Tax Levying Limitation: 2% of Average Five-Year Full Valuation:			<u>23,467,613</u>
Exclusions Added Thereto:			3,823,503
Maximum Taxing Power			27,291,116
Real Estate Tax Levy for 2025			3,495,136
Constitutional Net Tax Margin			23,795,980
Percent of Tax Limitation Exhausted			<u>12.80%</u>

### *Valuations and Tax Data*

The following table shows the trend during the last five years for taxable assessed valuations, final state equalization ratios, full valuations, real property taxes and real property tax rates per \$100 assessed valuation.

	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Assessed Value	\$168,750,392	\$174,611,425	\$186,351,042	\$197,346,505	\$214,196,933
Equal. Ratio	0.1825	0.1700	0.1600	0.1550	0.1450
Full Value	924,659,682	1,027,126,029	1,164,694,013	1,273,203,258	1,477,220,228
Tax Levy:	2,753,568	2,849,204	3,040,897	3,495,136	3,776,476
General Tax Rate: <sup>(1)</sup>	16.32	16.32	16.32	17.71	17.63

(1) Per \$1,000 assessed valuation.

Source: The New York State Board of Real Property Services.

## ***Tax Collection Enforcement Procedure and History***

Property taxes are levied annually no later than May 20 and may be paid by July 1 without incurring a late charge. Thereafter penalties and interest are imposed pursuant to the Real Property Tax Law. Unpaid Village property taxes are delivered to the County on November 15 and are then relieved on the County's tax bill in January of the following year. The County makes the Village whole on any uncollected taxes in April in the year following their initial levy.

### ***Largest Taxpayers***

The following table presents the taxable assessments of ten of the Village's largest taxpayers for the 2025 fiscal year.

<b><u>Taxable Assessments</u></b>			
<u>Taxpayer</u>	<u>Nature of Business</u>	<u>Assessed Valuation</u>	<u>% of Total Assessed Value <sup>(1)</sup></u>
Oracle Equity LLC	Apartments	\$ 3,799,700	1.77%
Intergris Equity LLC	Apartments	3,670,800	1.71
Orange & Rockland Utilities	Elec. & Gas Utilities	3,228,245	1.51
Acres Crest LLC	Apartments	2,164,400	1.01
UTA of KJ BC II Inc.	Shopping Center	2,098,600	0.98
Lee Gardens Inc	Apartments	1,405,500	0.66
Forest Wood LLC	Apartments	1,081,200	0.50
UTA of KJ SC Inc.	Shopping Center	1,048,300	0.49
UTA of KJ MC Inc.	Health Building	954,900	0.45
Bakertown Road II Holdings	Land	<u>945,400</u>	<u>0.44</u>
	Total:	<u>\$20,397,045</u>	<u>9.52%</u>

(1) The Village's total assessed valuation for the 2025 fiscal year is \$214,196,933.

Source: Village of Kiryas Joel, Office of the Assessor.

### ***Tax Levy Limit Law***

Prior to the enactment of Chapter 97 of the Laws of 2011 (the "Tax Levy Limit Law") on June 24, 2011, all the taxable real property within the Village had been subject to the levy of ad valorem taxes to pay the bonds and notes of the Village and interest thereon without limitation as to rate or amount. However, the Tax Levy Limit Law imposes a tax levy limitation upon the Village for any fiscal year commencing after January 1, 2012, without providing an exclusion for debt service on obligations issued by the Village. 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 Limit Law.

The following is a brief summary of certain relevant provisions of Tax Levy Limit Law. The summary is not complete and the full text of the Tax Levy Limit Law should be read in order to understand the details and implications thereof.

The Tax Levy Limit Law imposes a limitation on increases in the real property tax levy of the Village, subject to certain exceptions. The Tax Levy Limit Law permits the Village to increase its overall real property tax levy over the tax levy of the prior year by no more than the "Allowable Levy Growth Factor", which is the lesser of one and two-one hundredths or the sum of one plus the Inflation Factor; provided, however that in no case shall the levy growth factor be less than one. The "Inflation Factor" is the quotient of: (i) the average of the 20 National Consumer Price Indexes determined by the United States Department of Labor for the twelve-month period ending six months prior to the start of the coming fiscal year minus the average of the National Consumer Price Indexes determined by the United States Department of Labor for the twelve-month period ending six months prior to the start of the prior fiscal year, divided by: (ii) the average of the National Consumer Price Indexes determined by the

United States Department of Labor for the twelve-month period ending six months prior to the start of the prior fiscal year, with the result expressed as a decimal to four places. The Village is required to calculate its tax levy limit for the upcoming year in accordance with the provision above and provide all relevant information to the New York State Comptroller prior to adopting its budget. The Tax Levy Limit Law sets forth certain exclusions to the real property tax levy limitation of the Village, including exclusions for certain portions of the expenditures for retirement system contributions and tort judgments payable by the Village. The Village Board may adopt a budget that exceeds the tax levy limit for the coming fiscal year, only if the Village Board first enacts, by a vote of at least sixty percent of the total voting power of the governing board of the Village, a local law to override such limit for such coming fiscal year.

The Tax Levy Limit Law does not contain an exception from the levy limitation for the payment of debt service on either outstanding general obligation bonds or notes of the Village or such indebtedness incurred after the effective date of the Tax Levy Limit Law. As such, there can be no assurances that the Tax Levy Limit Law will not come under legal challenge for violating (i) Article VIII, Section 12 of the State Constitution for not providing an exception for debt service on obligations issued prior to the enactment of the Tax Levy Limit Law, (ii) Article VIII, Section 10 of the State Constitution by effectively eliminating the exception for debt service to general real estate tax limitations, and (iii) Article VIII, Section 2 of the State Constitution by limiting the pledge of its faith and credit by a municipality or school district for the payment of debt service on obligations issued by such municipality or school district.

## **VILLAGE INDEBTEDNESS**

### ***Constitutional and Statutory Requirements***

The New York State Constitution limits the power of the Village (and other municipalities and 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 Notes.

***Purpose and Pledge.*** The Village shall not give or loan any money or property to or in aid of any individual or private corporation or private undertaking 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 in one of the two fiscal years immediately succeeding the fiscal year in which such indebtedness was contracted, 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 purposes for which it is contracted, unless the Village determines to issue debt amortized 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 bond anticipation notes.

***General.*** The Village is further subject to constitutional limitation by the general constitutionally imposed duty of the State Legislature to restrict the power of taxation and contracting indebtedness to prevent abuses in the exercise of such powers. As has been noted under “*Nature of Obligation*”, the State Legislature is prohibited by a specific constitutional provision 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 Limit Law imposes a statutory limitation on the Village’s power to increase its annual tax levy, 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 Levy Limit Law*” herein).

***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 most recent five-year average full valuation of taxable real estate of the Village and subject to certain enumerated exclusions and deductions such as water and certain sewer facilities and cash 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 final equalization rate as determined by the State Board of Real Property Services. The State Legislature is required to prescribe the manner by which such rate shall be determined. The average full valuation is determined by taking the sum of full valuations of such last completed assessment roll and the four preceding assessment rolls, and dividing such sum by five.

There is no constitutional limitation on the amount that may be raised by the Village by tax on real estate in any fiscal year to pay principal of and interest on all indebtedness. However, the Tax Levy Limit Law imposes a statutory limitation on the power of the Village to increase its annual tax levy. The amount of such increases is limited by the formulas set forth in the Tax Levy Limit Law. (See "*Tax Levy Limit Law*" herein).

### ***Statutory Procedure***

In general, the State Legislature has authorized the power and procedure for the Village to borrow and incur indebtedness 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, the finance board of the Village. Certain such resolutions may be subject to permissive referendum, or may be submitted to the Village voters at the discretion and (3/5) three-fifths vote 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. The Village has complied with such procedures for the bond resolution adopted in connection with the issuance of the Notes.

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 and Statutory Requirements*".)

In addition, under each bond resolution, the Village Board may delegate the power to issue and sell bonds and notes to the Village 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***

The following table sets forth the current debt-contracting limitation of the Village.

**Debt Contracting Limitation**

Fiscal Year Ended <u>December 31st:</u>	Assessed <u>Valuation</u>	State Equalization <u>Ratio<sup>(1)</sup></u>	Full <u>Valuation</u>
2021	\$168,750,392	0.1825	\$ 924,659,682
2022	174,611,425	0.1700	1,027,126,029
2023	186,351,042	0.1600	1,164,694,013
2024	197,346,505	0.1550	1,273,203,258
2025	214,196,933	0.1450	1,477,220,228
Total Five-Year Full Valuation			\$5,866,903,210
Average Five-Year Full Valuation			1,173,380,642
Debt Contracting Limitation - 7% of Average Full Valuation			<u>\$ 82,136,644</u>

(1) Equalization rates are established by the New York State Board of Real Property Services and the State Comptroller's Office.

Source: New York State Board of Real Property Services.

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

The debt limit of the Village is \$82,136,644 as of June 9, 2026.

**Statutory Debt Limit and Net Indebtedness**

Debt-Contracting Limitation:	\$82,136,644
Gross Direct Indebtedness:	
Serial Bonds	\$12,560,000
NYS Environmental Facilities Corp. ("EFC") Bonds	27,444,157
Bond Anticipation Notes:	<u>28,208,926</u>
Total Gross Direct Indebtedness	\$68,213,083
Less Exclusions and Deductions:	
Appropriations During 2026 Fiscal Year	\$ 681,388
Water Debt	<u>51,963,195</u>
Total Exclusions	<u>\$52,644,583</u>
Total Net Direct Indebtedness	<u>15,568,500</u>
Debt-Contracting Margin	\$66,568,144
Percentage of Debt-Contracting Power Exhausted	18.95%

Source: Village Officials.

### ***Bond Anticipation Notes***

On February 18, 2021, the Village issued \$57,151,701 in bond anticipation notes through the New York State Environmental Facilities Corporation (“EFC”) as part of the Clean Water State Revolving Fund Project No. 18208B. Such notes mature on May 20, 2028.

### ***Tax and Revenue Anticipation Notes***

The Village has not issued tax or revenue anticipation notes in recent years. At this time, the Village does not expect to issue any tax or revenue anticipation notes in the future.

### ***Trend of Capital Indebtedness – Village of Kiryas Joel***

The following table sets forth the amount of direct capital indebtedness outstanding for each of the last five fiscal years.

	<b><u>Direct Capital Indebtedness Outstanding<sup>(1)</sup></u></b>				
	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Bonds:	\$41,658,271	\$44,481,492	\$41,895,000	\$42,353,223	\$41,702,157
Bond Anticipation Notes:	<u>57,151,701</u>	<u>0</u>	<u>0</u>	<u>25,680,426</u>	<u>25,680,426</u>
Totals	<u>\$98,809,972</u>	<u>\$44,481,492</u>	<u>\$41,895,000</u>	<u>\$68,033,649</u>	<u>\$67,382,583</u>

(1) Inclusive of bonds and notes issued through the New York State Environmental Facilities Corporation.

Source: Village Officials, Audited Financial Statements of the Village. Summary itself is not audited.

### ***Trend of Capital Indebtedness – Town of Palm Tree***

The following table sets forth the amount of direct capital indebtedness outstanding for each of the last five fiscal years.

	<b><u>Direct Capital Indebtedness Outstanding<sup>(1)</sup></u></b>				
	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Bonds:	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Bond Anticipation Notes:	<u>3,240,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Totals	<u>\$ 3,240,000</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>

(1) Unaudited.

Source: Village Officials. Summary itself is not audited.

***Overlapping and Underlying Debt***

In addition to the Village, other political subdivisions have the power to issue bonds and to levy taxes or cause taxes to be levied on taxable real property in the Village. The real property taxpayers of the Village are responsible for a proportionate share of outstanding debt obligations of these subdivisions. Such taxpayers’ share of overlapping and underlying debt is based on the amount of the Village’s equalized property values taken as a percentage of each separate unit’s total values. The following table presents the amount of overlapping and underlying debt and the Village’s share of this debt. Authorized but unissued debt has not been included.

**Statement of Direct and Overlapping Indebtedness**

<u>Issuer</u>	<u>Net Debt Outstanding</u>	<u>As of</u>	<u>Village Share</u>	<u>Amount Applicable To Village</u>
Orange County	\$183,112,000	8/05/2025	1.08%	\$1,977,610
Monroe Town	24,401,828	7/08/2025	13.55	3,306,448
Kiryas Joel UFSD	0	6/30/2022	100.00	<u>0</u>
Total Net Overlapping Debt				<u>\$ 5,284,058</u>
Total Net Direct Debt				<u>15,568,500</u>
Net Direct and Overlapping Debt				<u>\$20,852,558</u>

Source: Data provided by County, Town and Village officials.

***Debt Ratios***

The following table presents certain debt ratios relating to the Village’s direct and overlapping indebtedness.

	<u>Debt Ratios</u>		
	<u>Amount</u>	<u>Debt Per Capita<sup>(1)</sup></u>	<u>Debt to Full Value<sup>(2)</sup></u>
Net Direct Debt	\$15,568,500	\$354.93	1.05%
Net Direct and Overlapping Debt	20,852,558	475.40	1.41

(1) The population of the Village was estimated to be approximately 43,863 in 2024 according to the U.S. Census Bureau.

(2) The Village’s full value of taxable real property for fiscal year 2025 is \$1,477,220,228.

*(The remainder of this page has been intentionally left blank.)*

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

The following table shows the debt service requirements to maturity on the Village's outstanding general obligation bonded indebtedness, for each fiscal year ending December 31.

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

<u>Fiscal Year</u> <u>Ending December 31:</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u> <u>Debt Service</u>
2026 <sup>(1)</sup>	\$ 2,379,388	\$ 1,050,242	\$ 3,429,630
2027	2,592,710	1,030,240	3,622,950
2028	2,377,032	977,417	3,354,449
2029	2,417,354	922,996	3,340,350
2030	2,472,676	863,848	3,336,524
2031	2,527,997	799,950	3,327,947
2032	2,535,000	733,336	3,268,336
2033	2,230,000	665,008	2,895,008
2034	2,195,000	602,800	2,797,800
2035	2,245,000	542,100	2,787,100
2036	2,320,000	478,443	2,798,443
2037	2,375,000	411,876	2,786,876
2038	2,065,000	345,357	2,410,357
2039	2,125,000	279,098	2,404,098
2040	2,185,000	210,790	2,395,790
2041	2,245,000	140,484	2,385,484
2042	2,310,000	69,736	2,379,736
2043	425,000	31,275	456,275
2044	435,000	24,384	459,384
2045	445,000	17,240	462,240
2046	420,000	10,591	430,591
2047	190,000	4,475	194,475
2048	<u>190,000</u>	<u>1,492</u>	<u>191,492</u>
Total:	<u>\$41,702,157</u>	<u>\$10,213,176</u>	<u>\$51,915,333</u>

(1) For the entire Fiscal Year.

### ***Authorized and Unissued Debt***

The Village has \$13,535,000 in authorized but unissued debt for various capital purposes including the resolution authorizing the issuance of the Notes.

## ECONOMIC AND DEMOGRAPHIC DATA

### *Largest Employers*

#### Largest Employers

<u>Employers</u>	<u>Nature of Business</u>	<u>Estimated Number Of Employees</u>
United Talmudical Academy	Religious School System	626
Kiryas Joel School District	Public School District	355
KJ Poultry	Poultry Processing Plant	250
Ezras Choilom, Inc.	Health Center	112
Mesivta of U.T.A.	College	120

Source: Village Officials.

### *Population*

The following table presents population trends for the Village, County and State, based upon available census data.

	<u>Population Trend</u>			<u>Percentage Change</u>	<u>Percentage Change</u>
	<u>2000</u>	<u>2010</u>	<u>2020</u>	<u>2000-2010</u>	<u>2010-2020</u>
Village	13,138	20,175	32,954	53.6%	63.3%
County	341,367	372,813	401,310	9.2	7.6
State	18,976,457	19,378,102	20,201,249	2.1	4.2

Source: U.S. Bureau of the Census.

### *Income*

The following table presents median family income and median household income for the Village, County and State.

	<u>Median Family Income</u>			<u>Percentage Change</u>	<u>Percentage Change</u>
	<u>2000</u>	<u>2010</u>	<u>2021</u>	<u>2000-2010</u>	<u>2010-2021</u>
Village	\$15,372	\$20,446	\$ 39,621	52.8%	93.8%
County	60,355	79,883	102,933	9.2	28.9
State	51,691	65,897	92,731	4.8	40.7

Source: U.S. Bureau of the Census.

## ***Employment and Unemployment***

The following tables provide information concerning employment and unemployment in the County and State. Data provided for the County and State are not necessarily representative of the Village.

	<b><u>Civilian Labor Force</u></b> <b>(Thousands)</b>				
	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
County	180,800	184,800	189,400	190,200	191,500
State	9,592,000	9,682,200	9,849,900	9,928,100	10,009,000

Source: New York State Department of Labor statistics. Information not seasonally adjusted.

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

### **Yearly Average Unemployment Rates**

<u>Year</u>	<u>County</u>	<u>State</u>
2021	5.0%	7.1%
2022	3.4	4.3
2023	3.5	4.0
2024	3.7	4.2
2025	3.9	4.3

Source: New York State Department of Labor statistics. Information not seasonally adjusted.

### **Monthly Unemployment Rates**

<u>Month</u>	<u>County</u>	<u>State</u>
May 2025	3.5%	3.8%
June	3.7	4.1
July	4.2	4.8
August	4.4	4.9
September	4.1	4.7
October	N/A	N/A
November	3.7	4.4
December	3.6	4.3
January 2026	4.1	4.7
February	4.6	5.2
March	4.0	4.4
April	3.7	4.2

Source: New York State Department of Labor statistics. Information not seasonally adjusted.

### ***Utilities***

Electricity and natural gas are supplied to the Village by Orange and Rockland Utilities. Telephone service is provided by Verizon. The Village provides water supply distribution to its residents and is responsible for financing the construction, operation and maintenance of this system. Sewer service is provided to Village residents by the Village as is refuse collection.

The Village is served by a network consisting of all major forms of transportation. Several primary State and U.S. Highways including the New York State Thruway, Palisades Interstate Parkway, Garden State Parkway, and Route #17 run through the County. The Coach USA Bus line, as well as, the Tor Bus Line provide transportation within the Village of Haverstraw. Freight service is provided by Conrail. Bus passenger service is provided to New York City and other points both within and outside the County. Air transportation is provided by the three New York metropolitan airports (Kennedy, LaGuardia and Newark) and Stewart International Airport in Newburgh, New York.

### ***Educational Institutions***

Primary education is provided by the Kiryas Joel Union Free School District as well as United Talmudical Academy and Bais Rochel. In addition, there are colleges, universities and vocational schools located throughout the County. The Orange County Community College is a publicly supported two-year community college maintained by the County with an enrollment policy for high school graduates meeting certain residency requirements.

**END OF APPENDIX A**

**APPENDIX B**

**SUMMARY FINANCIAL STATEMENTS**

**VILLAGE OF KIRYAS JOEL**  
**ORANGE COUNTY, NEW YORK**  
 Adopted and Proposed Budgets - General Fund  
 Fiscal Year ending December 31:

	<u>2025</u>	<u>2026</u>
Appropriations:	<u>\$24,609,620</u>	<u>\$25,992,590</u>
Total Appropriations	<u><u>\$24,609,620</u></u>	<u><u>\$25,992,590</u></u>
Revenues:		
Estimated Other Revenues	\$17,462,071	\$18,107,007
State Aid	3,652,413	4,109,107
Appropriated Fund Balance	0	0
Real Property Taxes	<u>3,495,136</u>	<u>3,776,476</u>
Total Revenues	<u><u>\$24,609,620</u></u>	<u><u>\$25,992,590</u></u>

Source: Adopted Budgets of the Village.

**VILLAGE OF KIRYAS JOEL**  
**ORANGE COUNTY, NEW YORK**  
Balance Sheet  
General Fund  
Fiscal Year Ended May 31:

	<u>2020</u>	<u>2021<sup>(1)</sup></u>	<u>2021<sup>(2)</sup></u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
<b>Assets:</b>						
Cash and Equivalents	\$942,084	\$872,509	\$1,981,010	\$2,156,189	\$1,030,045	\$1,326,986
Accounts Receivable	1,034,790	1,082,043	1,609,915	2,834,495	2,489,879	2,671,911
Grants Receivable	400,972	1,418,384	144,525	1,142,487	1,711,051	1,256,971
Mortgage Receivable	0	0	0	0	0	0
Prepaid Expenses	0	0	154,955	110,144	149,325	0
Due from Other Governments	0	0	1,600,606	1,676,755	1,808,802	1,715,698
Due From Other Funds	975,000	1,175,000	1,416,487	2,728,455	3,591,436	5,450,753
<b>Total Assets</b>	<u>\$3,352,846</u>	<u>\$4,547,936</u>	<u>\$6,907,498</u>	<u>\$10,648,525</u>	<u>\$10,780,538</u>	<u>\$12,422,319</u>
<b>Liabilities and Fund Balance:</b>						
<b>Liabilities:</b>						
Accounts Payable & Accrued Liabilities	\$399,249	\$429,528	\$404,306	\$931,106	\$827,508	\$1,724,398
Escrow & Security Deposits Payable	266,600	308,350	414,850	575,650	583,650	437,650
Deferred Revenues	0	0	784,591	839,593	0	45,836
Due To Other Governments	0	800,000	800,000	0	0	0
Due To Other Funds	0	0	0	800,000	0	0
<b>Total Liabilities</b>	<u>\$665,849</u>	<u>\$1,537,878</u>	<u>\$2,403,747</u>	<u>\$3,146,349</u>	<u>\$1,411,158</u>	<u>\$2,207,884</u>
<b>Fund Equity and Other Credits:</b>						
<b>Reserved for:</b>						
Reserved for Repairs/Debt Service	\$0	\$0	\$0	\$0	\$0	\$0
<b>Unreserved:</b>						
Unassigned	2,686,997	3,010,058	4,503,751	7,502,176	9,369,380	10,214,435
<b>Total Fund Balance</b>	<u>2,686,997</u>	<u>3,010,058</u>	<u>4,503,751</u>	<u>7,502,176</u>	<u>9,369,380</u>	<u>10,214,435</u>
<b>Total Liabilities and Fund Balance</b>	<u>\$3,352,846</u>	<u>\$4,547,936</u>	<u>\$6,907,498</u>	<u>\$10,648,525</u>	<u>\$10,780,538</u>	<u>\$12,422,319</u>

(1) Full fiscal year June 1, 2020 ended May 31, 2021.

(2) Fiscal year changed to December 31 commencing June 1, 2021

Source: Audited Financial Statements of the Village.

**ORANGE COUNTY, NEW YORK**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**General Fund**  
**Fiscal Year Ended May 31 and December 31:**

REVENUES	2020	2021 <sup>(1)</sup>	2021 <sup>(2)</sup>	2022	2023	2024
Real Property Taxes	\$2,620,188	\$2,753,568	\$1,592,476	\$2,849,205	\$3,040,317	\$3,193,147
Real Property Tax Items	82,469	83,189	53,814	71,138	106,225	113,673
Non-Property Tax Items	3,837,579	3,579,497	4,473,615	6,949,601	6,916,170	7,190,444
Departmental Income	3,221,439	3,849,170	2,695,527	5,878,118	5,906,542	8,070,551
Use of Money and Property	15,859	32	0	0	148,726	48,387
Sale of Property and Compensation for loss	43,725	131,927	50,000	24,980	29,297	0
Federal Aid	385,890	830,125	591,431	2,724,566	2,211,855	2,381,132
State Aid	1,339,494	1,211,543	741,350	2,441,934	3,424,541	3,302,977
Miscellaneous	2,995	0	8,650	88,577	30,928	12,627
<b>Total Revenues</b>	<b>\$11,549,638</b>	<b>\$12,439,051</b>	<b>\$10,206,863</b>	<b>\$21,028,119</b>	<b>\$21,814,601</b>	<b>\$24,312,938</b>
					21,871,517	24,312,938
<b>EXPENDITURES</b>						
General Government Support	\$1,583,912	\$1,689,910	\$1,221,384	\$2,017,832	\$2,149,569	\$2,365,855
Public Safety	1,637,339	1,794,678	964,399	1,818,246	2,296,578	2,646,697
Health	60,000	0	0	0	60,000	60,000
Street Maintenance	313,337	330,769	204,140	510,291	475,019	1,085,017
Transportation	727,736	1,501,902	1,248,113	3,098,694	4,095,072	6,035,169
Home and Community Services	3,449,082	3,875,461	2,586,902	5,404,030	5,800,712	6,298,929
Economic Assistance	593,892	585,491	362,120	695,452	795,121	798,128
Culture and Recreation	72,284	93,811	44,300	104,422	176,952	212,939
Employee Benefits	1,434,097	1,533,114	967,035	1,777,150	2,105,363	2,704,591
Debt Service	555,226	686,978	544,449	1,253,179	1,194,121	1,260,558
<b>Total Expenditures</b>	<b>\$10,426,905</b>	<b>\$12,092,114</b>	<b>\$8,142,842</b>	<b>\$16,679,296</b>	<b>\$19,148,507</b>	<b>\$23,467,883</b>
<b>Excess of Revenues over (under) Expenditures</b>	<b>\$1,122,733</b>	<b>\$346,937</b>	<b>\$2,064,021</b>	<b>\$4,348,823</b>	<b>\$2,666,094</b>	<b>\$845,055</b>
					20,004,313	24,323,689
<b>Other Financing Sources (Uses):</b>						
Proceeds of Obligations	\$0	\$0	\$0	\$0	\$0	\$0
Proceeds from Sale of Sanitation Vehicles	0	0	0	0	0	0
Interfund Transfers In	0	0	25,918	56,155	56,916	0
Interfund Transfers Out	(915,500)	(23,876)	(596,246)	(1,406,553)	(855,806)	0
Transfers to Debt Service Fund	0	0	0	0	0	0
<b>Total Other Financing Sources (Uses)</b>	<b>(\$915,500)</b>	<b>(\$23,876)</b>	<b>(\$570,328)</b>	<b>(\$1,350,398)</b>	<b>(\$798,890)</b>	<b>\$0</b>
<b>Excess (Def) of Revenues and Other Sources Over Expenditures and Other Uses</b>	<b>207,233</b>	<b>323,061</b>	<b>1,493,693</b>	<b>2,998,425</b>	<b>1,867,204</b>	<b>845,055</b>
<b>Fund Balance Beginning of Year</b>	<b>\$2,479,764</b>	<b>\$2,686,997</b>	<b>\$3,010,058</b>	<b>\$4,503,751</b>	<b>\$7,502,176</b>	<b>\$9,369,380</b>
<b>Fund Balance End of Year</b>	<b>\$2,686,997</b>	<b>\$3,010,058</b>	<b>\$4,503,751</b>	<b>\$7,502,176</b>	<b>\$9,369,380</b>	<b>\$10,214,435</b>

(1) Full fiscal year June 1, 2020 ended May 31, 2021.

(2) Fiscal year changed to December 31 commencing June 1, 2021

Source: Audited Financial Statements of the Village

**APPENDIX C**

**AUDITED FINANCIAL STATEMENTS  
FOR THE FISCAL YEAR ENDED  
MAY 31, 2024**

**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/P21968979.pdf>**

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

**\* Such Financial Statements and opinion are intended to be representative only as of the date thereof. Aron E. Muller, Certified Public Accountants has not been requested by the Village to further review and/or update such Financial Statements or opinion in connection with the preparation and dissemination of this Official Statement.**

**APPENDIX D**

**FORM OF APPROVING LEGAL OPINION**

FORM OF OPINION OF BOND COUNSEL

Hawkins Delafield & Wood LLP  
140 Broadway, 42<sup>nd</sup> Floor  
New York, New York 10005

June \_\_, 2026

The Board of Trustees of the  
Village of Kiryas Joel, in the  
County of Orange, New York

Ladies and Gentlemen:

We have acted as Bond Counsel to the Village of Kiryas Joel (the “Village”), in the County of Orange, New York, a municipal corporation of the State of New York, and have examined a record of proceedings relating to the authorization, sale and issuance of the \$3,000,000 Bond Anticipation Notes – 2026 (the “Notes”) of the Village, dated and delivered on the date hereof.

In such examination, we have assumed the genuineness of all signatures, the authenticity of all documents submitted to us as originals and the conformity with originals of all documents submitted to us as copies thereof. Based on and subject to the foregoing, and in reliance thereon, as of the date hereof, we are of the following opinions:

1. The Notes are valid and legally binding general obligations of the Village for which the Village has validly pledged its faith and credit and, unless paid from other sources, all the taxable real property within the Village is subject to the levy of ad valorem real estate taxes to pay the Notes and interest thereon, subject to certain statutory limitations imposed by Chapter 97 of the New York Laws of 2011, as amended. The enforceability of rights or remedies with respect to such Notes may be limited by bankruptcy, insolvency or other laws affecting creditors’ rights or remedies heretofore or hereafter enacted.

2. Under existing statutes and court decisions and assuming continuing compliance with certain tax certifications described herein, (i) interest on the Notes is excluded from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”), and (ii) interest on the Notes is not treated as a preference item in calculating the alternative minimum tax under the Code, however, interest on the Notes is included in the “adjusted financial statement income” of certain corporations that are subject to the alternative minimum tax under Section 55 of the Code.

The Code establishes certain requirements which must be met subsequent to the issuance of the Notes in order that the interest on the Notes be and remain excluded from gross income for federal income tax purposes under Section 103 of the Code. These requirements include, but are not limited to, requirements relating to the use and expenditure of proceeds of the Notes, restrictions on the investment of proceeds of the Notes prior to expenditure and the requirement that certain earnings be rebated to the federal government. Noncompliance with such

requirements may cause the interest on the Notes to become subject to federal income taxation retroactive to the date of issuance thereof, irrespective of the date on which such noncompliance occurs or is ascertained.

On the date of issuance of the Notes, the Village will execute a Tax Certificate relating to the Notes containing provisions and procedures pursuant to which such requirements can be satisfied. In executing the Tax Certificate, the Village represents that it will comply with the provisions and procedures set forth therein and that it will do and perform all acts and things necessary or desirable to assure that the interest on the Notes will, for federal income tax purposes, be excluded from gross income.

In rendering the opinion in this paragraph 2, we have relied upon and assumed (i) the material accuracy of the Village's representations, statements of intention and reasonable expectations, and certifications of fact contained in the Tax Certificate with respect to matters affecting the status of the interest on the Notes, and (ii) compliance by the Village with the procedures and representations set forth in the Tax Certificate as to such tax matters.

3. Under existing statutes, interest on the Notes is exempt from personal income taxes of New York State and its political subdivisions, including The City of New York.

We express no opinion as to any other federal, state or local tax consequences arising with respect to the Notes, or the ownership or disposition thereof, except as stated in paragraphs 2 and 3 above. We render our opinion under existing statutes and court decisions as of the date hereof, and assume no obligation to update, revise or supplement our opinion to reflect any action hereafter taken or not taken, any fact or circumstance that may hereafter come to our attention, any change in law or interpretation thereof that may hereafter occur, or for any other reason. We express no opinion as to the consequence of any of the events described in the preceding sentence or the likelihood of their occurrence. In addition, we express no opinion on the effect of any action taken or not taken in reliance upon an opinion of other counsel regarding federal, state or local tax matters, including, without limitation, exclusion from gross income for federal income tax purposes of interest on the Notes.

We give no assurances as to the adequacy, sufficiency or completeness of the Preliminary Official Statement and/or Official Statement relating to the Notes or any proceedings, reports, correspondence, financial statements or other documents, containing financial or other information relative to the Village, which have been or may hereafter be furnished or disclosed to purchasers of ownership interests in the Notes.

Very truly yours,

Hawkins Delafield & Wood LLP

**APPENDIX E**

**FORM OF CERTIFICATE TO PROVIDE NOTICES OF EVENTS**

## UNDERTAKING TO PROVIDE NOTICES OF EVENTS

### Section 1. Definitions

“EMMA” shall mean the Electronic Municipal Market Access System implemented by the MSRB.

“Financial Obligation” shall mean “financial obligation” as such term is defined in the Rule.

“GAAP” shall mean generally accepted accounting principles as in effect from time to time in the United States.

“Holder” shall mean any registered owner of the Securities and any beneficial owner of Securities within the meaning of Rule 13d-3 under the Securities Exchange Act of 1934.

“Issuer” shall mean the **Village of Kiryas Joel**, in the County of Orange, a municipal corporation of the State of New York.

“MSRB” shall mean the Municipal Securities Rulemaking Board established in accordance with the provisions of Section 15B(b)(1) of the Securities Exchange Act of 1934.

“Purchaser” shall mean the financial institution(s) referred to in the Certificate of Determination, executed by the Village Treasurer as of June 30, 2026.

“Rule 15c2-12” shall mean Rule 15c2-12 under the Securities Exchange Act of 1934, as amended through the date of this Undertaking, including any official interpretations thereof.

“Securities” shall mean the Issuer’s \$3,000,000 Bond Anticipation Notes-2026, dated June 30, 2026 maturing on June 30, 2027, and delivered on the date hereof.

Section 2. Obligation to Provide Notices of Events. (a) The Issuer hereby undertakes, for the benefit of Holders of the Securities, to provide or cause to be provided either directly or through Capital Markets Advisors, LLC, 11 Grace Avenue, Suite 308, Great Neck, New York 11021 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 Undertaking, in a timely manner, not in excess of ten (10) business days after the occurrence of any such event, notice of any of the following events with respect to the Securities:

- (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 Securities, or other events affecting the tax status of the Securities;
- (vii) modifications to rights of Securities holders, if material;
- (viii) Bond calls, if material, and tender offers;
- (ix) defeasances;
- (x) release, substitution, or sale of property securing repayment of the Securities, if material;
- (xi) rating changes;
- (xii) bankruptcy, insolvency, receivership or similar event of the Issuer;

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 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 Issuer;

- (xiii) the consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, 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;
- (xiv) appointment of a successor or additional trustee or the change of name of a trustee, if material;

- (xv) incurrence of a Financial Obligation of the Issuer, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Issuer, any of which affect security holders, if material; and
- (xvi) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Issuer, any of which reflect financial difficulties.

(b) Nothing herein shall be deemed to prevent the Issuer from disseminating any other information in addition to that required hereby in the manner set forth herein or in any other manner. If the Issuer disseminates any such additional information, the Issuer shall have no obligation to update such information or include it in any future materials disseminated hereunder.

(c) Nothing herein shall be deemed to prevent the Issuer from providing notice of the occurrence of certain other events, in addition to those listed above, if the Issuer determines that any such other event is material with respect to the Securities; but the Issuer does not undertake to commit to provide any such notice of the occurrence of any event except those events listed above.

Section 3. Remedies. If the Issuer shall fail to comply with any provision of this Undertaking, then any Holder of Securities may enforce, for the equal benefit and protection of all Holders similarly situated, by mandamus or other suit or proceeding at law or in equity, this Undertaking against the Issuer and any of the officers, agents and employees of the Issuer, and may compel the Issuer or any such officers, agents or employees to perform and carry out their duties under this Undertaking; provided that the sole and exclusive remedy for breach of this Undertaking shall be an action to compel specific performance of the obligations of the Issuer hereunder and no person or entity shall be entitled to recover monetary damages hereunder under any circumstances. Failure to comply with any provision of this Undertaking shall not constitute an event of default on the Securities.

Section 4. Parties in Interest. This Undertaking is executed to assist the Purchaser to comply with (b)(5) of the Rule and is delivered for the benefit of the Holders. No other person shall have any right to enforce the provisions hereof or any other rights hereunder.

Section 5. Amendments. Without the consent of any holders of Securities, the Issuer at any time and from time to time may enter into any amendments or changes to this Undertaking for any of the following purposes:

- (a) to comply with or conform to any changes in Rule 15c2-12 (whether required or optional);
- (b) to add a dissemination agent for the information required to be provided hereby and to make any necessary or desirable provisions with respect thereto;
- (c) to evidence the succession of another person to the Issuer and the assumption of any such successor of the duties of the Issuer hereunder;

- (d) to add to the duties of the Issuer for the benefit of the Holders, or to surrender any right or power herein conferred upon the Issuer;
- (e) to cure any ambiguity, to correct or supplement any provision hereof which may be inconsistent with any other provision hereof, or to make any other provisions with respect to matters or questions arising under this Undertaking which, in each case, comply with Rule 15c2-12 or Rule 15c2-12 as in effect at the time of such amendment or change;

provided that no such action pursuant to this Section 5 shall adversely affect the interests of the Holders in any material respect. In making such determination, the Issuer shall rely upon an opinion of nationally recognized bond counsel.

Section 6. Termination. This Undertaking shall remain in full force and effect until such time as all principal, redemption premiums, if any, and interest on the Securities shall have been paid in full or the Securities shall have otherwise been paid or legally defeased in accordance with their terms. Upon any such legal defeasance, the Issuer shall provide notice of such defeasance to the EMMA System. Such notice shall state whether the Securities have been defeased to maturity or to redemption and the timing of such maturity or redemption.

Section 7. Undertaking to Constitute Written Agreement or Contract. This Undertaking shall constitute the written agreement or contract for the benefit of Holders of Securities, as contemplated under Rule 15c2-12.

Section 8. Governing Law. This Undertaking shall be governed by the laws of the State of New York determined without regard to principles of conflict of law.

IN WITNESS WHEREOF, the undersigned has duly authorized, executed and delivered this Undertaking as of June 30, 2026.

**VILLAGE OF KIRYAS JOEL, NEW YORK**

By \_\_\_\_\_  
**VILLAGE TREASURER**