# PRELIMINARY OFFICIAL STATEMENT DATED OCTOBER 19, 2023

**NEW AND RENEWAL ISSUES** **RATING: See "RATING" herein**
**BOOK-ENTRY-ONLY BONDS** **SERIAL BONDS AND BOND ANTICIPATION NOTES**

*In the opinion of Harris Beach PLLC, Bond Counsel to the Village, under existing statutes, regulations, administrative rulings, and court decisions, and assuming continuing compliance by the Village with its covenants relating to certain requirements contained in the Internal Revenue Code of 1986, as amended (the "Code"), and the accuracy of certain representations made by the Village, interest on the Bonds and the Notes is excluded from gross income of the owners thereof for Federal income tax purposes and is not an "item of tax preference" for purposes of the Federal alternative minimum tax imposed on individuals. However, for tax years beginning after December 31, 2022, interest on the Bonds and Notes held by certain corporations that are subject to the Federal corporate alternative minimum tax is included in the computation of "adjusted financial statement income" for purposes of the Federal alternative minimum tax imposed on such corporations. Bond Counsel is also of the opinion that under existing statutes interest on the Bonds and the Notes is exempt from personal income taxes imposed by the State of New York and any political subdivision thereof (including The City of New York). No opinion is expressed regarding other Federal or State tax consequences arising with respect to the Bonds and the Notes. See "TAX MATTERS" herein.*

*The Bonds and the Notes will NOT be designated by the Village as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code.*

## VILLAGE OF SLEEPY HOLLOW
## WESTCHESTER COUNTY, NEW YORK

### $18,862,295*
### PUBLIC IMPROVEMENT SERIAL BONDS – 2023
**(the "Bonds")**

**Date of Issue: Dated Date** **Maturity Date: November 15, 2024 – 2043**

### $1,895,842
### BOND ANTICIPATION NOTES – 2023
**(the "Notes")**

**Date of Issue: November 16, 2023** **Maturity Date: November 15, 2024**

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

The Bonds will be dated their Date of Delivery and will bear interest from that date until maturity at the annual rate or rates as specified by the purchaser of the Bonds, payable on November 15, 2024, and semiannually thereafter on May 15 and November 15 in each year until maturity. The Bonds shall mature on November 15 in each year in the principal amounts specified on the inside cover page hereof. The Bonds will be subject to redemption prior to maturity. (See "THE BONDS AND THE NOTES - *Optional Redemption*" 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. (See "THE BONDS AND THE NOTES - *Optional Redemption*" herein).

At the option of the purchaser, the Notes will be issued in (i) registered form registered in the name of the successful bidder(s) or (ii) registered book-entry form registered to Cede & Co., as the partnership nominee for The Depository Trust Company ("DTC").

If the Notes are issued registered in the name of the successful bidder, 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 the Bonds and those Notes issued as book-entry notes registered to Cede & Co. Individual purchases may be made in book-entry form only, in principal amounts of $5,000 or integral multiples thereof, except for one necessary odd denomination in the first maturity of the Bonds and in the Notes. Purchasers will not receive certificates representing their ownership interests in the Bonds and those Notes issued as book-entry notes. Payment of the principal of and interest on the Bonds and such Notes will be made by the Village to DTC, which will in turn remit such principal and interest to its participants for subsequent disbursement to the beneficial owners of the Bonds and such Notes as described herein. (See *"Book-Entry-Only System"* herein.)

The Bonds and the Notes are offered when, as and if issued by the Village subject to the respective final approving opinions of Harris Beach PLLC, New York, New York, Bond Counsel to the Village, and certain other conditions. Capital Markets Advisors, LLC has served as Municipal Advisor to the Village in connection with the issuance of the Bonds and the Notes. It is expected that delivery of the Bonds and the Notes will be made on or about November 16, 2023 in New York, New York.

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

Dated: November __, 2023

* Preliminary, subject to change.

The Bonds will mature on November 15, subject to optional redemption, in the following years and principal amounts:

| Year | Amount* | Interest Rate | Yield | CUSIP*** | Year | Amount* | Interest Rate | Yield | CUSIP*** |
|---|---|---|---|---|---|---|---|---|---|
| 2024 | $147,295 | % | % | | 2034** | $ 955,000 | % | % | |
| 2025 | 620,000 | | | | 2035** | 995,000 | | | |
| 2026 | 650,000 | | | | 2036** | 1,040,000 | | | |
| 2027 | 685,000 | | | | 2037** | 1,090,000 | | | |
| 2028 | 720,000 | | | | 2038** | 1,145,000 | | | |
| 2029 | 755,000 | | | | 2039** | 1,200,000 | | | |
| 2030 | 795,000 | | | | 2040** | 1,260,000 | | | |
| 2031 | 835,000 | | | | 2041** | 1,325,000 | | | |
| 2032** | 875,000 | | | | 2042** | 1,390,000 | | | |
| 2033** | 915,000 | | | | 2043** | 1,465,000 | | | |

* The principal maturities of the Bonds are subject to adjustment following their sale, pursuant to the terms of the accompanying Notice of Sale.

** Subject to optional redemption prior to maturity. (See "THE BONDS AND THE NOTES - *Optional Redemption*" herein).

*** CUSIP numbers have been assigned by an independent company not affiliated with the Village and are included solely for the convenience of the holders of the Bonds. The Village is not responsible for the selection or uses of these CUSIP numbers and no representation is made as to their correctness on the Bonds or as indicated above.

**VILAGE OF SLEEPY HOLLOW**
**WESTCHESTER COUNTY, NEW YORK**



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**BOND COUNSEL**

HARRIS BEACH PLLC
ATTORNEYS AT LAW
*Discover True Engagement*

**HARRIS BEACH PLLC**
*New York, New York*

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**MUNICIPAL ADVISOR**

CMA
CapitalMarketsAdvisors,LLC

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

No dealer, broker, salesman or other person has been authorized by the Village to give any information or to make any representations, other than those contained in this Official Statement and if given or made, such other information or representations must not be relied upon as having been authorized by the foregoing. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the Bonds and 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 made herein are subject to change without notice and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the Village since the date hereon.

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## APPENDIX A

**OFFICIAL STATEMENT**

**VILLAGE OF SLEEPY HOLLOW**
**WESTCHESTER COUNTY, NEW YORK**

**relating to**

**$18,862,295***
**PUBLIC IMPROVEMENT SERIAL BONDS – 2023**

*and*

**$1,895,842**
**BOND ANTICIPATION NOTES - 2023**

This Official Statement, which includes the cover pages and appendices attached hereto, presents certain information relating to the Village of Sleepy Hollow, Westchester County, in the State of New York (the "Village", "County", and "State", respectively). It has been prepared by the Village in connection with the sale and delivery of $18,862,295 Public Improvement Serial Bonds – 2023 (the "Bonds") and $1,895,842 Bond Anticipation Notes, 2022 (the "Notes").

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

## THE BONDS

### *Description of the Bonds*

The Bonds will be dated their Date of Delivery and will bear interest from that date until maturity, payable on November 15, 2024, and semiannually thereafter on May 15 and November 15 in each year until maturity. The Bonds shall mature on November 15 in the years and amounts specified on the inside cover page hereof. The Bonds will be subject to redemption prior to maturity (See "THE BONDS AND THE NOTES - *Optional Redemption*" herein).

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

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

The record date for payment of principal of and interest on the Bonds will be the last business day of the calendar month immediately preceding each interest payment date.

* Preliminary, subject to change.

## *Authorization for and Purpose of the Bonds*

The Bonds are issued pursuant to the State Constitution and statutes of the State, including among others, the Village Law and the Local Finance Law and various bond and amending bond resolutions adopted by the Board of Trustees of the Village on their respective dates. Proceeds from the sale of the Bonds, along with $701,229 of available funds, will be used to redeem the Village's outstanding Bond Anticipation Notes – 2022 at maturity on November 17, 2023.

| Purpose | Original Issuance | Amount Outstanding | Principal Paydown | Amount to Bonds |
|---|---|---|---|---|
| Acquisition of Fire-Fighting Vehicles and Apparatus | 10/10/2017 | $1,043,559 | $47,896 | $995,663 |
| Water Improvements | 10/10/2017 | 506,014 | 5,455 | 500,559 |
| Machinery and Apparatus for Construction and Maintenance | 10/10/2017 | 307,935 | 24,335 | 283,600 |
| Improvements to Street Lighting | 10/10/2017 | 318,282 | 6,552 | 311,730 |
| Acquisition of Ambulance Equipment | 10/10/2017 | 79,636 | 14,375 | 65,261 |
| Construction of Parks and Recreation Areas | 10/10/2017 | 80,507 | 6,362 | 74,145 |
| Acquisition and Installation of Communications Equipment | 10/10/2017 | 38,478 | 6,946 | 31,532 |
| Acquisition and Installation of Traffic Control Devices | 10/10/2017 | 31,637 | 1,452 | 30,185 |
| Improvements to the Senior Center | 10/10/2017 | 28,511 | 851 | 27,660 |
| Acquisition of Computers | 10/10/2017 | 16,034 | 2,894 | 13,140 |
| Construction of Building Improvements | 10/10/2017 | 9,043 | 1,633 | 7,410 |
| Construction of Water Improvements | 10/16/2018 | 1,234,169 | 12,529 | 1,221,640 |
| Machinery and Apparatus for Construction and Maintenance | 10/16/2018 | 180,992 | 12,656 | 168,336 |
| Construction of Parks and Recreation Areas | 10/16/2018 | 158,037 | 11,050 | 146,987 |
| Construction and Reconstruction of Village Sidewalks and Curbs | 10/16/2018 | 110,904 | 16,253 | 94,651 |
| Planning for Capital Improvements | 10/16/2018 | 28,267 | 28,267 | 0 |
| Acquisition of Motor Vehicles | 10/16/2018 | 25,099 | 25,099 | 0 |
| Acquisition of Computers | 10/16/2018 | 66,576 | 9,757 | 56,819 |
| Acquisition and Installation of Communications Equipment | 10/16/2018 | 41,329 | 6,056 | 35,273 |
| Construction of Building Improvements | 10/16/2018 | 38,475 | 5,639 | 32,836 |
| Acquisition of Fire-Fighting Apparatus | 10/16/2018 | 29,681 | 4,349 | 25,332 |
| Acquisition of a Septic Tank | 10/16/2018 | 34,948 | 671 | 34,277 |
| Acquisition of Ambulance Equipment | 10/16/2018 | 9,045 | 9,045 | 0 |
| Construction and Reconstruction of Village Streets | 10/16/2018 | 26,487 | 1,852 | 24,635 |
| Machinery and Apparatus for Construction and Maintenance | 9/24/2019 | 399,245 | 24,898 | 374,347 |
| Water Improvements | 9/24/2019 | 341,735 | 3,268 | 338,467 |
| Sewer Improvements | 9/24/2019 | 284,689 | 5,107 | 279,582 |
| Acquisition of Motor Vehicles | 9/24/2019 | 91,006 | 44,366 | 46,640 |
| Acquisition and Installation of Communications Equipment | 9/24/2019 | 131,706 | 16,113 | 115,593 |
| Village Sidewalks & Curbs | 9/24/2019 | 128,427 | 15,713 | 112,714 |
| Waterway Improvements | 9/24/2019 | 85,618 | 10,475 | 75,143 |
| Acquisition of Fire-Fighting Apparatus | 9/24/2019 | 76,334 | 4,761 | 71,573 |
| Construction of Parks and Recreation Area Improvements | 9/24/2019 | 37,006 | 2,307 | 34,699 |
| Acquisition of Ambulance Equipment | 9/24/2019 | 16,927 | 8,252 | 8,675 |
| Acquisition of Computers | 9/24/2019 | 21,405 | 2,619 | 18,786 |
| Construction and Reconstruction of Village Streets | 9/24/2019 | 18,832 | 1,174 | 17,658 |
| Sewer Improvements | 10/13/2020 | 863,895 | 14,495 | 849,400 |
| Construction of Reservoir Improvements | 10/13/2020 | 572,917 | 5,165 | 567,752 |
| Construction of Bulkhead Improvements | 10/13/2020 | 517,048 | 8,675 | 508,373 |
| Water Improvements | 10/13/2020 | 427,084 | 3,850 | 423,234 |
| Machinery and Apparatus for Construction and Maintenance | 10/13/2020 | 583,311 | 32,664 | 550,647 |

| Purpose | Original Issuance | Amount Outstanding | Principal Paydown | Amount to Bonds |
|---|---|---|---|---|
| Acquisition of Fire-Fighting Apparatus | 10/13/2020 | 214,903 | 12,034 | 202,869 |
| Acquisition of Motor Vehicles | 10/13/2020 | $ 90,419 | $ 28,646 | $ 61,773 |
| Construction of Building Improvements | 10/13/2020 | 157,329 | 3,736 | 153,593 |
| Construction of Parks and Recreation Area Improvements | 10/13/2020 | 125,681 | 7,038 | 118,643 |
| Planning for Capital Improvements | 10/13/2020 | 68,622 | 21,740 | 46,882 |
| Assessment of Real Property | 10/13/2020 | 43,594 | 13,811 | 29,783 |
| Acquisition and Installation of Communications Equipment | 10/13/2020 | 55,069 | 5,740 | 49,329 |
| Construction and Reconstruction of Sidewalks | 10/13/2020 | 23,896 | 2,491 | 21,405 |
| Acquisition of Computers | 10/13/2020 | 19,116 | 1,993 | 17,123 |
| Acquisition of Fire Hydrants | 10/13/2020 | 15,560 | 871 | 14,689 |
| Acquisition of Ambulance Equipment | 10/13/2020 | 17,001 | 5,386 | 11,615 |
| Acquisition of Body Armor | 10/13/2020 | 4,498 | 1,425 | 3,073 |
| Improvements to Village Roads | 10/12/2021 | 777,444 | 39,317 | 738,127 |
| Sewer Improvements | 10/12/2021 | 630,360 | 9,903 | 620,457 |
| Machinery and Apparatus for Construction and Maintenance | 10/12/2021 | 405,532 | 20,508 | 385,024 |
| Acquisition of Computers | 10/12/2021 | 200,727 | 18,108 | 182,619 |
| Acquisition of a Fire Boat | 10/12/2021 | 157,590 | 14,217 | 143,373 |
| Cleaning of Village Water Mains | 10/12/2021 | 133,426 | 12,037 | 121,389 |
| Acquisition and Installation of Communications Equipment | 10/12/2021 | 54,407 | 4,908 | 49,499 |
| Construction of Building Improvements | 10/12/2021 | 43,075 | 952 | 42,123 |
| Parks and Recreation Area Improvements | 10/12/2021 | 39,923 | 2,019 | 37,904 |
| Acquisition of Ambulance Equipment | 10/12/2021 | 36,589 | 8,473 | 28,116 |
| Construction and Reconstruction of Village Bulkheads | 10/11/2022 | 2,202,613 | 0 | 2,202,613 |
| Sewer Improvements | 10/11/2022 | 1,122,517 | 0 | 1,122,517 |
| Acquisition of Land | 10/11/2022 | 1,050,600 | 0 | 1,050,600 |
| Construction and Reconstruction of Sidewalks and Curbs | 10/11/2022 | 690,242 | 0 | 690,242 |
| Acquisition of Motor Vehicles | 10/11/2022 | 494,833 | 0 | 494,833 |
| Construction and Reconstruction of Village Streets | 10/11/2022 | 262,650 | 0 | 262,650 |
| Machinery and Apparatus for Construction and Maintenance | 10/11/2022 | 256,872 | 0 | 256,872 |
| Acquisition and Installation of Communications Equipment | 10/11/2022 | 236,107 | 0 | 236,107 |
| Reconstruction of Village Buildings | 10/11/2022 | 157,590 | 0 | 157,590 |
| Replacement of Village Street Lights | 10/11/2022 | 157,590 | 0 | 157,590 |
| Parks and Recreation Area Improvements | 10/11/2022 | 141,306 | 0 | 141,306 |
| Acquisition of a Fire-Fighting Vehicle and Apparatus | 10/11/2022 | 114,515 | 0 | 114,515 |
| Reconstruction of Village Water Meters | 10/11/2022 | 97,942 | 0 | 97,942 |
| Acquisition and Construction of Holiday Improvements | 10/11/2022 | 84,048 | 0 | 84,048 |
| Acquisition of Ambulance Equipment | 10/11/2022 | 47,767 | 0 | 47,767 |
| Acquisition of an Ambulance | 10/11/2022 | 43,464 | 0 | 43,464 |
| Replacement of Village Fire Hydrants | 10/11/2022 | 26,265 | 0 | 26,265 |
| Acquisition of Computers | 10/11/2022 | 21,012 | 0 | 21,012 |
| | | $19,563,524 | $701,229 | $18,862,295 |

## THE NOTES

### *Description of the Notes*

The Notes will be dated and will mature as reflected on the cover page hereof.

The Notes will not be subject to redemption prior to maturity. Interest will be calculated on a 30-day month and 360-day year basis, payable at maturity.

The Notes will be issued in registered form either registered in the name of the successful bidder(s) or registered to Cede & Co., as the partnership nominee for DTC. The Village will act as Paying Agent for the Notes. The Village's contact information is as follows: Sara DiGiacomo, Treasurer, 28 Beekman Avenue, Sleepy Hollow, New York 10591, (914) 366-5144, e-mail: sdigiacomo@sleepyhollowny.org.

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

The Notes are issued pursuant to the State Constitution and statutes of the State, including among others, the Village Law and the Local Finance Law (Chapter 33-a of the Consolidated Laws of the State) and a bond resolution adopted by the Board of Trustees of the Village on October 10, 2023. Proceeds from the sale of the Notes will provide original financing for the purposes as further described in the table below.

| Purpose | Original Issuance | Amount Authorized | Amount to Notes |
|---|---|---|---|
| Acquisition of Motor Vehicles | 10/10/2023 | $ 99,807 | $ 99,807 |
| Acquisition of Police Department Equipment | 10/10/2023 | 37,675 | 37,675 |
| Acquisition of Holiday Improvements | 10/10/2023 | 131,325 | 131,325 |
| Planning for Climate Action Improvements | 10/10/2023 | 78,795 | 78,795 |
| Acquisition of Computers | 10/10/2023 | 81,946 | 81,946 |
| Acquisition and Installation of Communications Equipment | 10/10/2023 | 64,885 | 64,885 |
| Reconstruction of Village Buildings | 10/10/2023 | 99,807 | 99,807 |
| Acquisition, Construction and Reconstruction of Parks and Recreation Areas | 10/10/2023 | 162,843 | 162,843 |
| Acquisition of Machinery and Apparatus for Construction and Maintenance | 10/10/2023 | 330,939 | 330,939 |
| Acquisition, Construction and Reconstruction of Village Bulkheads | 10/10/2023 | 685,171 | 685,171 |
| Acquisition and Replacement of Village Lighting | 10/10/2023 | 50,429 | 50,429 |
| Acquisition, Construction and Reconstruction of Water Improvements | 10/10/2023 | 72,220 | 72,220 |
| | | $1,895,842 | $1,895,842 |

## THE BONDS AND THE NOTES

### *Optional Redemption*

The Bonds maturing in the years 2024 to 2031, inclusive, are not subject to redemption prior to maturity. The Bonds maturing on or after November 15, 2032 will be subject to redemption prior to maturity, at the option of the Village, on any date on or after November 15, 2031, in whole or in part, and if in part in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at the redemption price equal to the principal amount of the Bonds to be redeemed, plus accrued interest to the date of redemption.

If less than all of the Bonds of any maturity are to be redeemed, the particular Bonds of such maturity redeemed shall be selected by lot in any customary manner of selection as determined by the Village Treasurer. Notice of such call for redemption shall be given by mailing such notice to the registered holder not more than sixty (60) days nor less than thirty (30) days prior to such date by regular United States mail. Notice of redemption having been given as aforesaid, the Bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date. Interest shall cease to be paid thereon after such redemption date.

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

### *Nature of Obligation*

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

The Bonds and 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 Bonds and 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 applicable statutory limitations imposed by Chapter 97 of the New York Laws of 2011, as amended (the "Tax Levy Limitation Law"). (See "*Tax Levy Limitation Law*" in Appendix A hereto.)

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

## BOOK-ENTRY-ONLY SYSTEM

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

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

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

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

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

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

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

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

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

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

Source: The Depository Trust Company

THE VILLAGE WILL NOT HAVE ANY RESPONSIBILITY OR OBLIGATION TO PARTICIPANTS, TO INDIRECT PARTICIPANTS OR TO ANY BENEFICIAL OWNER WITH RESPECT TO (I) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC, ANY PARTICIPANT, OR ANY INDIRECT PARTICIPANT; (II) THE PAYMENTS BY DTC OR ANY PARTICIPANT OR INDIRECT PARTICIPANT OF ANY AMOUNT WITH RESPECT TO THE PRINCIPAL OF, OR PREMIUM, IF ANY, OR INTEREST ON THE BONDS AND THE DTC NOTES; (III) ANY NOTICE WHICH IS PERMITTED OR REQUIRED TO BE GIVEN TO

BONDHOLDERS; (IV) THE SELECTION BY DTC OR ANY PARTICIPANT OR INDIRECT PARTICIPANT OF ANY PERSON TO RECEIVE PAYMENT IN THE EVENT OF A PARTIAL REDEMPTION OF THE BONDS AND THE DTC NOTES; OR (V) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC AS BONDOWNER.

## SPECIAL PROVISIONS AFFECTING REMEDIES UPON DEFAULT

**General Municipal Law Contract Creditors' Provision.** Each Bond and Note when duly issued and paid for will constitute a contract between the Village and the holder thereof. Under current law, provision is made for contract creditors of the Village to enforce payments upon such contracts, if necessary, through court action. Section 3-a of the General Municipal Law provides, subject to exceptions not pertinent, that the rate of interest to be paid by the Village upon any judgment or accrued claim against it on an amount adjudged due to a creditor shall not exceed nine per centum per annum from the date due to the date of payment. This provision might be construed to have application to the holders of the Bonds and the Notes in the event of a default in the payment of the principal of and interest on the Bonds and the Notes.

**Execution/Attachment of Municipal Property.** 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, although judicial mandates have been issued to officials to appropriate and pay judgments out of certain funds or the proceeds of a tax levy. In accordance with the general rule with respect to municipalities, judgments against the Village may not be enforced by levy and execution against property owned by the Village.

**Authority to File For Municipal Bankruptcy.** The Federal Bankruptcy Code allows public bodies, such as counties, cities, towns and villages, recourse to the protection of a Federal Court for the purpose of adjusting outstanding indebtedness. Section 85.80 of the Local Finance Law contains specific authorization for any municipality in the State or its emergency control board to file a petition under any provision of Federal bankruptcy law for the composition or adjustment of municipal indebtedness.

The State has consented that any municipality in the State may file a petition with the 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. Subject to such State consent, under the United States Constitution, Congress has jurisdiction over such matters and has enacted amendments to the existing federal bankruptcy statute, being Chapter 9 thereof, generally to the effect and with the purpose of affording municipal corporations, under certain circumstances, with easier access to judicially approved adjustment of debt, including judicial control over identifiable and unidentifiable creditors.

No current state law purports to create any priority for holders of the Bonds and 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 rights of the owners of the Bonds and the Notes to receive interest and principal from the Village could be adversely affected by the restructuring of the Village's debt under Chapter 9 of the Federal Bankruptcy Code. No assurance can be given that any priority of holders of debt obligations issued by the Village (including the Bonds and the Notes) to payment from monies retained in any debt service fund or from other cash resources would be recognized if a petition were filed by or on behalf of the Village under the Federal Bankruptcy Code or pursuant to other subsequently enacted laws relating to creditors' rights; such monies might, under such circumstances, be paid to satisfy the claims of all creditors generally.

Under the Federal Bankruptcy Code, a petition may be filed in the Federal Bankruptcy court by a municipality which is insolvent or unable to meet its debts as they mature. Generally, the filing of such a petition operates as a stay of any proceeding to enforce a claim against the municipality. The Federal Bankruptcy Code also requires that a plan be filed for the adjustment of the municipality's debt, which may modify or alter the rights of creditors and which could be secured. Any plan of adjustment confirmed by the court must be approved by the requisite number of creditors. If confirmed by the bankruptcy court, the plan would be binding upon all creditors affected by it.

**State Debt Moratorium Law.** There are separate State law provisions regarding debt service moratoriums enacted into law in 1975.

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

As a result of the Court of Appeals decision in Flushing National Bank v. Municipal Assistance Corporation for the City of New York, 40 N.Y.2d 731 (1976), the constitutionality of that portion of Title 6-A of Article 2 of the Local Finance Law, as described below, 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.

**Right of Municipality or State to Declare a Municipal Financial Emergency and Stay Claims Under State Debt Moratorium Law.** The State Legislature is authorized to declare by special act that a state of financial emergency exists in any county, city, town or village. (The provision does not by its terms apply to school districts or fire districts.) In addition, the State Legislature may authorize by special act establishment of an "emergency financial control board" for any county, city, town or village upon determination that such a state of financial emergency exists. Thereafter, unless such special act provides otherwise, a voluntary petition to stay claims may be filed by any such municipality (or by its emergency financial control board in the event said board requests the municipality to petition and the municipality fails to do so within five days thereafter). A petition filed in supreme court in the county in which the municipality is located in accordance with the requirements of Title 6-A of the Local Finance Law ("Title 6-A") effectively prohibits the doing of any act for ninety days in the payment of claims against the municipality, including payment of debt service on outstanding indebtedness.

This includes staying the commencement or continuation of any court proceedings seeking payment of debt service due, the assessment, levy or collection of taxes by or for the municipality or the application of any funds, property, receivables or revenues of the municipality to the payment of debt service. The stay can be vacated under certain circumstances with provisions for the payment of amounts due or overdue upon a demand for payment in accordance with the statutory provisions set forth therein. The filing of a petition may be accompanied with a proposed repayment plan which, upon court order approving the plan, may extend any stay in the payment of claims against the municipality for such "additional period of time as is required to carry out fully all the terms and provisions of the plan with respect to those creditors who accept the plan or any benefits thereunder." Court approval is conditioned, after a hearing, upon certain findings as provided in Title 6-A.

A proposed plan can be modified prior to court approval or disapproval. After approval, modification is not permissible without court order after a hearing. If not approved, the proposed plan must be amended within ten days or else the stay is vacated and claims, including debt service due or overdue, must be paid. It is at the discretion of the court to permit additional filings of amended plans and continuation of any stay during such time. A stay may be vacated or modified by the court upon motion of any creditor if the court finds after a hearing that the municipality has failed to comply with a material provision of an accepted repayment plan or that due to a "material change in circumstances" the repayment plan is no longer in compliance with statutory requirements.

Once an approved repayment plan has been completed, the court, after a hearing upon motion of any creditor, or a motion of the municipality or its emergency financial control board, will enter an order vacating any stay then in effect and enjoining of creditors who accepted the plan or any benefits thereunder from commencing or continuing any court action, proceeding or other act described in Title 6-A relating to any debt included in the plan.

Title 6-A requires notice to all creditors of each material step in the proceedings. Court determinations adverse to the municipality or its financial emergency control board are appealable as of right to the appellate division in the judicial department in which the court is located and thereafter, if necessary, to the Court of Appeals. Such appeals stay the judgment appealed from and all other actions, special proceedings or acts within the scope of Section 85.30 of Title 6-A pending the hearing and determination of the appeals.

Whether Title 6-A is valid under the Constitutional provisions regarding the payment of debt service is not known. However, based upon the decision in the Flushing National Bank case described above, its validity is subject to doubt.

While the State Legislature has from time to time adopted legislation in response to a municipal fiscal emergency and established public benefit corporations with a broad range of financial control and oversight powers to oversee such municipalities, generally such legislation has provided that the provisions of Title 6-A are not applicable during any period of time that such a public benefit corporation has outstanding indebtedness issued on behalf of such municipality.

**Fiscal Stress and State Emergency Financial Control Boards.** Pursuant to Article IX Section 2(b)(2) of the State Constitution, any local government 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 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 County of 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 approve collective bargaining agreements in certain cases. Implementation is 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, on a certificate of necessity of the governor reciting facts which in the judgment of 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 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, but cannot compel improvement of fiscal stability for 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, unlike 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 expect to do so in the foreseeable future. School districts and fire districts are not eligible for FRB assistance.

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

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

**Default Litigation.** In prior years, certain events and legislation affecting a holder's remedies upon default have resulted in litigation. While courts of final jurisdiction have upheld and sustained the rights of bondholders, such courts might hold that future events including financial crises as they may occur in the State and in political subdivisions of the State, 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. See "Nature of Obligation" and "State Debt Moratorium Law" herein.

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

## MARKET FACTORS

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

If and when an owner of any of the Bonds and the Notes should elect to sell all or a part of the Bonds and 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 the Bonds and the Notes. The market value of the Bonds and the Notes is dependent upon the ability of holder to potentially incur a capital loss if such Bonds and Notes are sold prior to its maturity.

There can be no assurance that adverse events including, for example, the seeking by another municipality in the State or elsewhere of remedies pursuant to the Federal Bankruptcy Act or otherwise, will not occur which might affect the market price of and the market for the Bonds and 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 Bonds and 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 impact to the State's economy and financial condition due to the COVID-19 outbreak 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. 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 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 "*FINANCIAL FACTORS - Revenues"* in Appendix A attached hereto ) .)

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

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

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. COVID-19 had spread globally, including to the United States, had been declared a pandemic by the World Health Organization and caused the Federal government to declare a national state of emergency. The State also initially declared a state of emergency and the Governor took steps designed to mitigate the spread and impacts of COVID-19. The outbreak of COVID-19 and the dramatic steps taken by the State to address it negatively impacted the State's economy and financial condition. (See "*FINANCIAL FACTORS – Revenues*" in Appendix A attached hereto).

### *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 may invest 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 has not been subject to any major cyber attacks; but does carry cybersecurity insurance. The Village also implemented a two-factor authentication system to keep login credentials secure.

## LITIGATION

The Village is subject to a number of lawsuits in the ordinary conduct of its affairs. The Village does not believe, however, that such suits, individually or in the aggregate, are likely to have a material adverse effect on the financial condition of the Village.

Certain property owners have also filed certiorari petitions under Article 7 of the Real Property Tax Law. Such petitions allege that property values as presently determined are excessive and request assessment reductions and, in most actions, a refund of property taxes previously paid. According to the Village, the expected liability, if any, is not substantial.

## TAX MATTERS

In the opinion of Bond Counsel, Bond Counsel to the Village, based on existing statutes, regulations, administrative rulings and court decisions and assuming compliance by the Village with certain covenants and the accuracy of certain representations, interest on the Bonds and Notes is excluded from gross income for Federal income tax purposes and is not an “item of tax preference” for purposes of the Federal alternative minimum tax imposed on individuals. However, for tax years beginning after December 31, 2022, the Code imposes a federal corporate alternative minimum tax equal to 15 percent of the “adjusted financial statement income” of corporations (other than S corporations, regulated investment companies and real estate investment trusts) having an average annual “adjusted financial statement income” for the 3-taxable-year period ending with the tax year that exceeds $1,000,000,000. Interest on tax-exempt obligations such as the Bonds and the Notes is included in the computation of a corporation’s “adjusted financial statement income”.

The Internal Revenue Code of 1986, as amended (the "Code"), imposes various limitations, conditions and other requirements which must be met at and subsequent to the date of issue of the Bonds and Notes in order for interest on the Bonds and Notes to be and remain excluded from gross income for Federal income tax purposes. Included among these requirements are restrictions on the investment and use of proceeds of the Bonds and Notes, and in certain circumstances, payment of amounts in respect of such proceeds to the United States. Failure to comply with the requirement of the Code may cause interest on the Bonds and Notes to be includable in gross income for purposes of Federal income tax, possibly from their respective dates of issuance. In the Arbitrage and Use of Proceeds Certificate of the Village to be executed in connection with the issuance of the Bonds and Notes, the Village will covenant to comply with certain procedures and it will make certain representations and certifications, designed to assure satisfaction of the requirements of the Code with respect to the Bonds and Notes. The opinion of Bond Counsel assumes compliance with such covenants and the accuracy, in all material respects, of such representations and certificates.

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

The Bonds and Notes will NOT be designated as "qualified tax exempt obligations" within the meaning of, and pursuant to, Section 265(b)(3) of the Code.

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

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

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

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

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

## LEGAL MATTERS

The legality of the authorization and issuance of the Bonds and the Notes will be covered by the respective approving legal opinions of Harris Beach PLLC, New York, New York, Bond Counsel to the Village. Such legal opinions will state that in the opinion of Bond Counsel (i) the Bonds and the Notes have been authorized and issued in accordance with the Constitution and statutes of the State of New York and constitute valid and legally binding general obligations of the Village, all the taxable property within which is subject to the levy of ad valorem taxes to pay the Bonds and the Notes and interest thereon, subject to certain applicable statutory limitations imposed by Chapter 97 of the Laws of 2011 of the State of New York, as amended (see "REAL PROPERTY TAXES – Tax Levy Limitation Law" within Appendix A herein); provided, that the enforceability (but not the validity) of the Bonds and the Notes may be limited by any applicable existing or future bankruptcy, insolvency or other law (State or Federal) affecting the enforcement of creditors' rights; (ii) under existing statutes, regulations, administrative rulings and court decisions, interest on the Bonds and the Notes is excluded from the gross income of the owners thereof for Federal income tax purposes, is not an "item of tax preference" for purposes of the Federal alternative minimum taxes imposed on individuals, however, for tax years beginning after December 31, 2022, interest on the Bonds and the Notes held by certain corporations that are subject to the Federal corporate alternative minimum tax is included in the computation of "adjusted financial statement income" for purposes of the Federal alternative minimum tax imposed on such corporations; (iii) interest on the Bonds and the Notes is exempt from personal income taxes imposed by the State of New York or any political subdivision thereof (including The City of New York); and (iv) based upon Bond Counsel's examination of law and review of the arbitrage and use of proceeds certificate executed by the Village Treasurer of the Village pursuant to Section 148 of the Code and the regulations thereunder, the facts, estimates and circumstances as set forth in said arbitrage certificate are sufficient to satisfy the criteria which are necessary under Section 148 of the Code to support the conclusion that the Bonds and the Notes will not be "arbitrage bonds" within the meaning of said section, and no matters have come to Bond Counsel's attention which makes unreasonable or incorrect the representations made in said arbitrage certificate. Bond Counsel expresses no opinion regarding Federal or State income tax consequences arising with respect to the Bonds and the Notes.

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

# DISCLOSURE UNDERTAKINGS

## *Disclosure Undertaking for the Bonds*

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

(1) certain annual financial information or operating data with respect to the Village which is customarily prepared by the Village and is publicly available. Such information shall be provided not later than the end of the fiscal year following the fiscal year which is the subject of such information commencing with the fiscal year ending May 31, 2023. Such information shall be of the general type contained in Appendices B and C of this Official Statement, and may include the annual financial report update document filed with the State Comptroller and the adopted budget unless an audit is prepared, in which case such audit shall be provided within sixty days of the date it becomes available.

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

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

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

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

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

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

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

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

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

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

### *Disclosure Undertaking for the Notes*

This Official Statement is in a form "deemed final" by the Village for the purposes of the Rule. At the time of the delivery of the Notes, the Village will provide an executed copy of its "Continuing Disclosure Certificate" (the "Undertaking"). Said Undertaking will constitute a written agreement or contract of the Village for the benefit of holders of and owners of beneficial interests in the Notes. In accordance with the requirements of Rule 15c2-12, as the same may be amended or officially interpreted from time to time, promulgated by the Commission, the Village has agreed to provide or cause to be provided, for the benefit of the Beneficial Owners of the Notes, in a timely manner not in excess of ten (10) business days after the occurrence of the event during the period in which the Notes are outstanding, to the Electronic Municipal Market Access ("EMMA") system of the Municipal Securities Rulemaking Board ("MSRB") or any other entity designated or authorized by the Commission to receive reports pursuant to the Rule, notice of the occurrence of any of the following events with respect to the Notes:

(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 Notes, or other material events affecting the tax status of the Notes; (vii) modifications to rights of Noteholders, if material; (viii) Note calls, if material, and tender offers; (ix) defeasances; (x) release, substitution, or sale of property securing repayment of the Notes, if material; (xi) rating changes; (xii) bankruptcy, insolvency, receivership or similar event of the Village; [note to clause (xii): For the purposes of the event identified in clause (xii) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Village in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or government authority has assumed jurisdiction over substantially all of the assets or business of the Village, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Village]; (xiii) the consummation of a merger, consolidation, or acquisition involving the Village or the sale of all or substantially all of the assets of the Village, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; (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 Village, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Village, any of which affect 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 Village, any of which reflect financial difficulties

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

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

The Village may from time to time choose to provide notice of the occurrence of certain other events, in addition to those listed above, if the Village determines that any such other event is material with respect to the Notes; but the Village does not undertake to commit to provide any such notice of the occurrence of any material event except those events listed above or any failure to comply in a timely manner with the requirements of the Rule.

The Village reserves the right to terminate its obligation to provide the aforedescribed notice of material events, as set forth above, if and when the Village no longer remains an obligated person with respect to the Notes within the meaning of the Rule. The Village acknowledges that its undertaking pursuant to the Rule described under this heading is intended to be for the benefit of the holders of the Notes (including holders of beneficial interests in the Notes). The right of holders of the Notes to enforce the provisions of the undertaking will be limited to a right to obtain specific enforcement of the Village's obligations under its material events notices undertaking and any failure by the Village to comply with the provisions of the undertaking will neither be a default with respect to the Notes nor entitle any holder of the Notes to recover monetary damages. A Continuing Disclosure Certificate to this effect shall be provided to the purchaser at closing.

The Village is exempt from filing continuing disclosure under Rule 15c2-12 in connection with the Notes as the Notes have a maturity of eighteen months or less.

## *Compliance History*

The independent audit report for the fiscal year ended May 31, 2018 was not completed by the required continuing disclosure filing date. The audited financial statement was promptly filed by the Village once it became available. A late filing notice was subsequently posted by the Village on April 2, 2019. Operating data for the 2018 fiscal year was posted in a timely fashion.

## MUNICIPAL ADVISOR

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

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

## RATING

The Village has applied to Moody's Investors Service, Inc. ("Moody's") for a rating on the Bonds. Such application is pending at this time. The Village did not apply to Moody's for a rating on the Notes.

Moody's has assigned a rating of "Aa3" to the outstanding bonded debt of the Village.

Such rating reflects only the views of such rating agency and any desired explanation of the significance of such rating should be obtained from Moody's at the following address: Moody's Investors Service, 7 World Trade Center at 250 Greenwich Street, New York, New York 10007. 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 Moody's, circumstances so warrant. Any such change or withdrawal of such rating may have an adverse effect on the market price of the Bonds and the Notes or the availability of a secondary market for the Bonds and the Notes.

## ADDITIONAL INFORMATION

Additional information may be obtained from Sara DiGiacomo, Village Treasurer, 28 Beekman Avenue, Sleepy Hollow, New York 10591, (914) 366-5144, or from the Village's Municipal Advisor, Capital Markets Advisors, LLC, 11 Grace Avenue, Suite 308, Great Neck, New York, (516) 487-9818.

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

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

Capital Markets Advisors, LLC may place a copy of this Official Statement on its website at www.capmark.org. 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.

The Village hereby disclaims any obligation to update developments of the various risk factors or to announce publicly any revision to any of the forward-looking statements contained herein or to make corrections to reflect future events or developments except to the extent required by Rule 15c2-12 promulgated by the Securities and Exchange Commission.

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.

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

VILLAGE OF SLEEPY HOLLOW,
WESTCHESTER COUNTY, NEW YORK

By: ______________________________________
Sara DiGiacomo
Treasurer and Chief Fiscal Officer

DATED: November __, 2023

# APPENDIX A

## THE VILLAGE

# THE VILLAGE

## *General Information*

The Village was incorporated as a municipal government by the State in 1874. The Village is vested with such powers and has the responsibilities inherent in the operation of municipal government, including the adoption of rules and regulations to govern its affairs. In addition, the Village may tax real property situated in its boundaries and incur debt subject to the provisions of the State's Local Finance Law. There are two independent public-school districts (Tarrytown U.F.S.D. and Pocantico Hills C.S.D.) situated in the Village that possess the same powers with respect to taxation and debt issuance. Village residents also pay real property taxes to the Town of Mount Pleasant (the "Town") and the County of Westchester to support programs conducted by these governmental entities.

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

## *Form of Government*

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

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

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

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

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

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

## *Services and Programs*

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

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

## Employees

The Village provides services through approximately 104 full-time and part-time employees. The following table shows employee representation by collective bargaining agent and the date of expiration of the respective collective bargaining agreements.

| Employees Represented | Bargaining Agent | Contract Expiration Date |
|---|---|---|
| 30 | Local 456, International Brotherhood of Teamsters, Chauffeurs, Warehousemen And Helpers of America | 5/31/23[(1)] |
| 29 | North Tarrytown PBA, Inc. | 5/31/26 |
| 22 | Local 456, White Collar Unit | 5/31/22[(1)] |

(1) Currently in negotiations.

Source: Village officials.

## Employee Pension Benefits

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

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

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

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

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

Due to significant capital market declines in 2008 and 2009, the State's Retirement System portfolio experienced negative investment performance and severe downward trends in market earnings. As a result of the foregoing, the employer contributions for the State’s Retirement System continue to be higher than the minimum contribution rate established by Chapter 49. Legislation was enacted that permits 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 legislation also requires those local governments and school districts that amortize their pension obligations pursuant to the regulation to establish reserve accounts to fund payment increases that are a result of fluctuations in pension plan performance.

The State Legislature enacted Chapter 57 of the Laws of 2010. This chapter authorized local governments, at their option, to amortize a portion of their ERS and PFRS contributions beginning in 2014. The maximum amortization amount each year going forward will be determined by the difference between each employer's effective contribution rate as compared to the System's overall graded rate. The amortized amounts are to be paid in equal annual installments over a ten year period, although amounts may be prepaid at any time. Interest will be charged at rates which approximate a market rate of return on taxable fixed rate securities of a comparable duration and will be adjusted annually. The Village elected to amortize the maximum allowable ERS and PFRS contributions in the amount of $715,756, requiring annual installments of $88,711. The balances due as of May 31, 2023 totaled $70,236.

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

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

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

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

**ERS and PFRS Contributions.**

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

| Fiscal Year Ended May 31: | ERS | PFRS |
|---|---|---|
| 2019 | $635,402 | $ 887,447 |
| 2020 | 658,011 | 861,625 |
| 2021 | 663,485 | 959,968 |
| 2022 | 782,904 | 1,081,167 |
| 2023 | 662,213 | 1,021,212 |
| 2024 (Budget) | 850,000 | 1,355,000 |

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

## *Other Postemployment Benefits*

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

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

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

The Village's total OPEB liability as of May 31, 2022 was $42,100,044 using a discount rate of 3.70% and actuarial assumptions and other inputs as described in the Village's actuarial report.

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

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

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

# FINANCIAL FACTORS

## *Budgetary Procedure*

The head of each administrative unit of the Village is required to file detailed estimates of revenues (other than real property taxes) and expenditures for the next fiscal year with the Budget Officer (the Village Mayor) on or before March 1st of each year. After reviewing these estimates, the Budget Officer prepares a tentative budget which includes his recommendations. The tentative budget is filed with the Village Clerk not later than March 20th. Subsequently, the Village Clerk presents the tentative budget to the Board at a regular or special meeting. Review and preliminary alteration of the tentative budget by the Board must be completed by March 31st. Following this review process, the tentative budget and such modifications, if any, as approved by the Board, become the preliminary budget. A public hearing on the preliminary budget, notice of which must be given at least five (5) days prior to the hearing, must be held not later than April 15th. After the public hearing, the Board may further change and revise the preliminary budget. The Board must adopt the preliminary budget as submitted or amended by May 1st, at which time the preliminary budget becomes the annual budget of the Village for the ensuing fiscal year. Budgetary control is the responsibility of the Village Treasurer.

A summary of the adopted budgets for the 2022-23 and 2023-24 fiscal years is included in Appendix B of this Official Statement. Full copies of the budget may be obtained by request from the Village or from the Village's Municipal Advisor.

## *Independent Audits*

The Village retained the firm of PKF O'Connor Davies, LLP, Certified Public Accountants, to audit its financial statements for the fiscal year ended May 31, 2022. Appendix B, attached hereto, presents excerpts from the Village's most recent audited reports covering the last five fiscal years. However, the summary itself has not been audited or reviewed by the Village's auditor.

## *Investment Policy*

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

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

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

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

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

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

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

## *Revenues*

The Village derives its revenues primarily from real property taxes and special assessments, State aid and departmental fees and charges. A summary of such revenues for the fiscal years 2014-2018 is presented in Appendix B, hereto. Information for said fiscal years has been excerpted from the Village's audited financial reports, however, such presentation has not been audited.

**Property Taxes.** The Village derives a major portion of its revenues from a tax on real property (see "Statement of Revenues, Expenditures and Changes in Fund Balance" in Appendix B). Property taxes accounted for approximately 66.3% of General Fund revenue for the fiscal year ended May 31, 2022, excluding other financing sources.

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

**General Fund Revenue & Real Property Taxes**

| Fiscal Year Ended May 31: | General Fund Revenue | Real Property Taxes | Taxes to Revenue |
|---|---|---|---|
| 2018 | $16,605,330 | $12,320,003 | 74.2% |
| 2019 | 16,183,669 | 11,733,060 | 72.5 |
| 2020 | 18,962,854 | 12,461,761 | 65.7 |
| 2021 | 18,538,843 | 12,534,646 | 67.6 |
| 2022 | 19,465,805 | 12,897,365 | 66.3 |
| 2023 (Adopted Budget) | 19,944,854 | 14,215,900 | 71.3 |
| 2024 (Adopted Budget) | 22,216,745 | 15,720,548 | 70.8 |

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

**State Aid.** The Village receives financial assistance from the State. State aid accounted for approximately 1.3% of the General Fund revenue during the 2022 fiscal year. A substantial portion of the State aid received is directed to be used for specific programs. If the State should experience difficulty in borrowing funds in anticipation of the receipt of State taxes in order to pay State aid to municipalities and school districts in the State, including the Village, in any year or future years, 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. Additionally, if the State should not adopt its budget in a timely manner, municipalities and school districts in the State, including the Village, may be affected by a delay in the payment of State aid.

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

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

**General Fund Revenue & State Aid Revenue**

| Fiscal Year Ended May 31: | General Fund Revenue | State Aid | State Aid to Revenue |
|---|---|---|---|
| 2018 | $16,605,330 | $335,126 | 2.0% |
| 2019 | 16,183,669 | 163,604 | 1.0 |
| 2020 | 18,962,854 | 600,557 | 3.2 |
| 2021 | 18,538,843 | 273,229 | 1.5 |
| 2022 | 19,465,805 | 244,685 | 1.3 |
| 2023 (Adopted Budget) | 19,944,854 | 352,437 | 1.8 |
| 2024 (Adopted Budget) | 22,216,745 | 467,316 | 2.1 |

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

**Sales Tax.** The Village receives a share of the County sales tax. The County presently imposes a 1 ½% County-wide sales and use tax on all retail sales. Additionally, the State, effective May 1, 2005, imposes a 4% State sales tax and a 3/8% sales tax levied in the Metropolitan Transportation Authority District. The cities in the County have the power under State law to impose by local law and State legislative enactment their own sales and use taxes. At present, such taxes are imposed at a rate of 2½% in the Cities of White Plains, Mount Vernon, New Rochelle, and Yonkers. The Cities of Rye and Peekskill do not impose such a sales tax.

In July 1991, the State Legislature authorized an additional 1% sales tax for the County to impose in localities other than cities which have their own sales tax. The additional 1% sales tax is to be apportioned between the County (33 1/3%), school districts in the County (16 2/3%) and towns, villages and cities in the County which have imposed sales taxes (50%). The County imposes this additional tax in localities other than cities which have their own sales tax. This additional 1% sales tax became effective on October 15, 1991 and has been extended through November 30, 2023.

In February of 2004, the State Legislature authorized an increase of ½% to the additional 1% 1991 sales tax. The County retains 70% of this amount, the municipalities 20% and the school districts 10%. This increase became effective March 1, 2004 and expires on November 30, 2023.

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

**General Fund Revenue & Sales Tax**

| Fiscal Year Ended May 31: | General Fund Revenue | Sales Tax | Sales Tax to Revenue |
|---|---|---|---|
| 2018 | $16,605,330 | $1,545,383 | 9.3% |
| 2019 | 16,183,669 | 1,595,514 | 9.9 |
| 2020 | 18,962,854 | 1,950,496 | 10.3 |
| 2021 | 18,538,843 | 2,277,730 | 12.3 |
| 2022 | 19,465,805 | 2,391,980 | 12.3 |
| 2023 (Adopted Budget) | 19,944,854 | 2,275,000 | 11.4 |
| 2024 (Adopted Budget) | 22,216,745 | 2,650,000 | 11.9 |

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

## *Impact of COVID-19*

On March 11, 2021, President Biden signed into law the American Rescue Plan Act of 2021. Included in this bill was $350 billion in direct aid to state and local governments. Payments to local governments is made in two tranches, the first half 60 days after enactment and the second half one year later. The funding is available through, and must be spent by, the end of calendar year 2024.

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

The Village was eligible to receive $1,030,356 of federal stimulus funding and received the first tranche of funding on July 22, 2021 in the amount of $515,178 and the second tranche on July 19, 2022 in the amount of $515,178. The Village plans to use these funds on several different infrastructure projects, which will reduce the need to borrow additional funds, but no projects have been determined at this time.

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

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

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

The most current applicable report of the State Comptroller designates the Village as "not filed" for the fiscal year ended May 31, 2022.

The financial affairs of the Village are subject to periodic compliance reviews by OSC to ascertain whether the Village has complied with the requirements of various State and federal statutes. The last audit conducted by OSC was released on February 3, 2017. The purpose of the audit was to examine the Village's processes and procedures over cash receipts from parking violations for the period June 1, 2015 through June 30, 2016. The complete report can be obtained from OSC's website.

See the State Comptroller's official website for more information regarding the foregoing. References to websites and/or website addresses presented herein are for informational purposes only and implies no warranty of accuracy of information therein. Unless specified otherwise, such websites and the information or links contained therein are not incorporated into, and are not part of, this Official Statement.

## TAX INFORMATION

### *Assessed and Full Valuations*

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

**Taxable Assessed and Full Valuations**

| | 2020 | 2021 | 2022 | 2023 | 2024 |
|---|---|---|---|---|---|
| Taxable Assessed Valuation | $ 262,012,191 | $ 266,800,436 | $ 269,710,908 | $286,553,953 | $ 313,224,792 |
| State Equalization Rate (1) | 20.62% | 21.24% | 19.94% | 18.69% | 18.69% |
| Full Valuation | $1,270,670,179 | $1,256,122,580 | $1,352,612,377 | $1,533,193,970 | $1,675,895,088 |

(1) Determined by the Office of Real Property Tax Services (the "ORPTS").

Source: Village Officials.

### *Tax Collection Procedures*

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

The Village is responsible for levying and collecting its own real property taxes. Taxes may be paid in two installments on June 1 and December 1. First installment taxes may be paid without penalty at any time during the month of June. There is no penalty for the December installment if that amount is paid prior to January 1. Late payments are assessed a 5% penalty for the first month or fraction thereof and 1% each month thereafter up to a maximum of 12%. The Village enforces delinquent Village real property taxes.

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

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

**Tax Levy and Collection Record**

| Fiscal Years Ended May 31: | Taxes Levied For Year | Current Taxes Collected | Delinquent Taxes Collected | Current Taxes To Levy | Current & Delinquent Taxes to Levy |
|---|---|---|---|---|---|
| 2020 | $12,438,595 | $12,208,924 | $ 0 | 98.2% | 98.2% |
| 2021 | 12,539,650 | 12,513,119 | 259,224 | 99.8 | 101.9 |
| 2022 | 12,914,866 | 12,879,687 | 18,072 | 99.9 | 100.0 |
| 2023 | 14,215,900 | 14,214,539 | 37,574 | 100.0 | 100.3 |
| 2024[(1)] | 15,720,548 | 8,209,914 | 0 | 52.2 | 52.2 |

(1) As of September 28, 2023.

Source: Village Officials.

## Tax Rates

**Village Tax Rates Per $1,000 of Assessed Valuation**

| FY Ending May 31: | Homestead Tax Rate | Non-Homestead Tax Rate |
|---|---|---|
| 2020 | $36.40 | $87.22 |
| 2021 | 35.63 | 88.50 |
| 2022 | 35.63 | 92.13 |
| 2023 | 36.66 | 93.41 |
| 2024 | 38.67 | 91.06 |

Source: Village Officials.

## Tax Levy Limitation Law

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

The Tax Levy Limit Law restricts, among other things, the amount of real property taxes (including assessments of certain special improvement districts) that may be levied by or on behalf of a municipality in a particular year, beginning with fiscal years commencing on or after January 1, 2012. Pursuant to the Tax Levy Limit Law, the tax levy of a municipality cannot increase by more than the lesser of (i) two percent (2%) or (ii) the annual increase in the consumer price index ("CPI"), over the amount of the prior year's tax levy. Certain adjustments would be permitted for taxable real property full valuation increases or changes in physical or quantity growth in the real property base as defined in Section 1220 of the Real Property Tax Law. A municipality may exceed the tax levy limitation for the coming fiscal year only if the governing body of such municipality first enacts, by at least a sixty percent vote of the total voting strength of the board, a local law (resolution in the case of fire districts and certain special districts) to override such limitation for such coming fiscal year only. There are permissible exceptions to the tax levy limitation provided in the Tax Levy Limit Law, including expenditures made on account of certain tort settlements and certain increases in the average actuarial contribution rates of the New York State and Local Employees' Retirement System, the Police and Fire Retirement System, and the Teachers' Retirement System. (See "Employment Benefit Plans" herein). Municipalities are also permitted to carry forward a certain portion of their unused levy limitation from a prior year. Each municipality, prior to adoption of each fiscal year budget, must submit for review to the State Comptroller any information that is necessary in the calculation of its tax levy for each 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 debt of municipalities or such debt incurred after the effective rate of the Tax Levy Limit Law (June 24, 2011).

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

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

## *Property Tax Limit*

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

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

**Constitutional Tax Margin**
**For Fiscal Year 2023-24**

| | |
|---|---|
| Average Full Valuation of Taxable Real Property | $1,417,698,839 |
| Constitutional Tax Limit (2% of Average Full Valuation) | 28,353,977 |
| Tax Levy | $16,239,489 |
| Exclusions From Tax Limit: | |
| Debt Service | 1,865,293 |
| Tax Levy Subject to Tax Limit | 14,374,196 |
| Tax Margin | $13,979,781 |
| Margin/Limit | 50.70% |

## *Largest Taxpayers*

The following table presents the total assessed valuations of the Village's largest property owners for the fiscal year ended May 31, 2023.

**Taxable Assessments**

| Name | Property Use | Assessed Valuation | % of Total Assessed Valuation |
|---|---|---|---|
| LL Parcel E & LL Parcel I, LLC | Mixed Use | $13,729,000 | 4.79% |
| Lighthouse Landing Ventures | Mixed Use | 9,217,755 | 3.22 |
| Consolidated Edison Co. | Utility | 6,669,926 | 2.33 |
| 95 Beekman Avenue Assoc. | Mixed Use | 3,472,400 | 1.21 |
| Sleepy Hollow Residences LLC | Residential | 2,500,000 | 0.87 |
| Phelps Memorial Hospital | Hospital | 2,319,000 | 0.81 |
| Sleepy Hollow Holdings LLC | Mixed Use | 1,588,200 | 0.55 |
| Steven & Kent House, LLC | Residential | 1,573,000 | 0.55 |
| Rockefeller, Margaretta | Residential | 1,215,000 | 0.42 |
| Hudson Pines Land LLC | Mixed Use | 1,054,895 | 0.37 |
| Total | | $ 43,339,176 | 15.12% |

(1) The 2022-23 taxable assessed value of the Village is $286,553,953.

Source: Village Officials.

# VILLAGE INDEBTEDNESS

## *Constitutional Requirements*

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

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

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

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

**Debt Limit.** The Village has the power to contract indebtedness for any Village purpose so long as the principal amount thereof shall not exceed seven per centum of the average full valuation of taxable real estate of the Village, subject to certain enumerated exclusions and deductions such as water and certain sewer facilities and cash or appropriations for current debt service. The constitutional method for determining full valuation is by taking the assessed valuation of taxable real estate for the last completed assessment roll and applying thereto the rate which such assessed valuation bears to the full valuation as determined by the ORPTS. The State Legislature is required to prescribe the manner by which such rate shall be determined. Average full valuation is determined by taking the sum of the full valuations of such last completed assessment roll and the four preceding assessment rolls and dividing such sum by five.

## *Statutory Procedure*

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

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

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

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

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

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

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

## *Constitutional Debt-Contracting Limitation*

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

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

**Computation of Constitutional**
**Debt Contracting Limitation**

| Fiscal Year Ending May 31: | Assessed Valuation | State Equalization Rate [1] | Full Valuation |
|---|---|---|---|
| 2024 | $313,224,792 | 18.69% | $1,675,895,088 |
| 2023 | 286,553,953 | 18.69 | 1,533,193,970 |
| 2022 | 269,710,908 | 19.94 | 1,352,612,377 |
| 2021 | 266,800,436 | 21.24 | 1,256,122,580 |
| 2020 | 262,012,191 | 20.62 | 1,270,670,179 |
| Total Full Valuation | | | $7,088,494,194 |
| Five-Year Average Full Valuation | | | 1,417,698,839 |
| Debt Contracting Limitation: 7% of Five-Year Average Full Valuation | | | $ 99,238,919 |

(1) Determined by the ORPTS.

### *Statutory Debt Limit and Net Indebtedness*

**Statement of Debt Contracting Power**
**As of October 19, 2023**

| | Amount | Percentage |
|---|---|---|
| Debt Contracting Limitation | $99,238,919 | 100.00% |
| Gross Indebtedness: | | |
| Serial Bonds [1] | $10,948,000 | 11.03 |
| Bond Anticipation Notes | 19,563,524 | 19.71 |
| | $30,511,524 | 30.74 |
| Less: | | |
| Water Debt [1] | $ 8,607,965 | 8.67 |
| Sewer Debt | 2,107,126 | 2.12 |
| Budgetary Appropriations | 127,000 | 0.13 |
| | $10,842,091 | 10.92 |
| Net Indebtedness | $19,669,433 | 19.82 |
| Debt-Contracting Margin | $79,569,486 | 80.18% |

(1) Includes approximately $3.2 million correlates to a long-term loan with the New York State Environmental Facilities Corporation.

### *Bond Anticipation Notes*

On November 17, 2022, the Village issued $19,563,524 Bond Anticipation Notes, 2022, which mature on November 17, 2023. These notes will be redeemed at maturity with proceeds from the sale of Bonds, along with $701,229 in available funds.

### *Tax and Revenue Anticipation Notes*

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

### *Trend of Capital Debt*

The following table sets forth the amount of direct capital indebtedness outstanding for each of the last five fiscal years ended May 31.

**Capital Debt**

| Fiscal Year Ended May 31: | Bonds | Bond Anticipation Notes | Total |
|---|---|---|---|
| 2019 | $16,456,000 | $7,425,857 | $23,881,857 |
| 2020 | 16,684,000 | 7,293,031 | 23,977,031 |
| 2021 | 15,302,000 | 10,914,367 | 26,216,367 |
| 2022 | 13,855,000 | 12,943,476 | 26,798,476 |
| 2023(1) | 12,353,000 | 19,563,524 | 31,916,524 |

(1) Unaudited

Source: Audited Financial Statements of the Village.

### *Overlapping and Underlying Debt*

**Statement of Direct and Overlapping Indebtedness**

| | |
|---|---|
| Village Gross Direct Indebtedness | $30,511,524 |
| Village Exclusions and Deductions | 10,842,091 |
| Village Net Direct Indebtedness | $19,669,433 |

| Issuer | Date of Report | Net Debt Outstanding | Percentage Applicable | Applicable Net Overlapping Debt |
|---|---|---|---|---|
| Westchester County | 11/17/22 | $927,705,719 | 0.66% | $ 6,122,858 |
| Mount Pleasant Town | 12/31/22 | 22,235,448 | 11.26 | 2,503,711 |
| Tarrytown UFSD | 6/30/22 | 56,560,000 | 44.51 | 25,174,856 |
| Pocantico Hills CSD | 11/19/22 | 6,600,000 | 12.00 | 792,000 |
| Total | | | | $34,593,425 |

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

## *Debt Ratios*

The following table sets forth certain debt ratios based upon the Village's Direct and Overlapping Indebtedness.

**Net Direct and Overlapping Debt Ratios**

| | Amount | Debt Per Capita (1) | Debt to Estimated Full Value (2) |
|---|---|---|---|
| Net Direct Debt | $19,669,433 | $1,970 | 1.17% |
| Net Direct & Overlapping Debt | 54,262,858 | 5,434 | 3.24 |

(1) The population of the Village is 9,986 based on the 2020 Census.
(2) The estimated full valuation of taxable property for the 2023-24 fiscal year is $1,675,895,088.

## *Authorized But Unissued Debt*

Following the issuance of the Bonds and the Notes, the Village will have no authorized but unissued debt.

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

### *Debt Service Schedule*

The following table shows the annual debt service requirements to maturity on the Village's outstanding general obligation bonded indebtedness, exclusive of the Bonds and economically defeased obligations and exclusive of the Bonds.

**Schedule of Debt Service Requirements**

| Years Ending May 31: | Principal[1] | Interest | Total Debt Service |
|---|---|---|---|
| 2024[2] | $1,532,000 | $333,293 | $1,865,293 |
| 2025 | 1,587,000 | 286,055 | 1,873,055 |
| 2026 | 902,000 | 244,355 | 1,146,355 |
| 2027 | 937,000 | 208,780 | 1,145,780 |
| 2028 | 972,000 | 208,780 | 1,143,555 |
| 2029 | 1,012,000 | 132,605 | 1,144,605 |
| 2030 | 837,000 | 97,180 | 934,180 |
| 2031 | 867,000 | 65,480 | 932,480 |
| 2032 | 367,000 | 45,680 | 412,680 |
| 2033 | 377,000 | 38,205 | 415,205 |
| 2034 | 377,000 | 30,455 | 407,455 |
| 2035 | 387,000 | 22,420 | 409,420 |
| 2036 | 397,000 | 13,805 | 410,805 |
| 2037 | 402,000 | 4,675 | 406,675 |
| 2038 | 127,000 | 0 | 127,000 |
| 2039 | 127,000 | 0 | 127,000 |
| 2040 | 127,000 | 0 | 127,000 |
| 2041 | 127,000 | 0 | 127,000 |
| 2042 | 127,000 | 0 | 127,000 |
| 2043 | 127,000 | 0 | 127,000 |
| 2044 | 127,000 | 0 | 127,000 |
| 2045 | 127,000 | 0 | 127,000 |
| 2046 | 128,000 | 0 | 128,000 |
| 2047 | 128,000 | 0 | 128,000 |
| 2048 | 128,000 | 0 | 128,000 |
| | $12,353,000 | $1,731,768 | $14,047,543 |

(1) Includes approximately $3.2 million long-term loan with New York State Environmental Facilities Corporation.
(2) For the entire fiscal year.

## ECONOMIC AND DEMOGRAPHIC DATA

The Village is located on the eastern bank of the Hudson River approximately 25 miles north of New York City in the Town of Mount Pleasant. The land area of the Village is approximately 2.3 square miles.

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

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

## *Population*

**Population**

| | 2000 | 2010 | 2020 | % Change 2000-2010 | % Change 2010-2020 |
|---|---|---|---|---|---|
| Village | 9,212 | 9,870 | 9,986 | 7.1% | 1.2% |
| Town | 43,221 | 43,724 | 44,436 | 1.2 | 1.6 |
| County | 923,459 | 949,113 | 1,004,457 | 2.8 | 5.8 |
| State | 18,976,457 | 19,378,102 | 20,201,249 | 2.1 | 4.2 |

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

## *Income*

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

**Per Capita Money Income**

| | 2010 | 2020 | % Change |
|---|---|---|---|
| Village | $35,455 | $50,210 | 41.6% |
| Town | 48,825 | 60,118 | 23.1 |
| County | 47,814 | 57,953 | 21.2 |
| State | 30,948 | 40,898 | 32.2 |

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

## *Employment*

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

**Civilian Labor Force**

| | 2018 | 2019 | 2020 | 2021 | 2022 |
|---|---|---|---|---|---|
| Town | 22,800 | 23,100 | 22,200 | 22,400 | 22,800 |
| County | 492,700 | 498,200 | 488,600 | 487,900 | 496,400 |
| State | 9,826,100 | 9,854,000 | 9,580,800 | 9,557,900 | 9,617,000 |

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

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

**Yearly Average Unemployment Rates**

| Year | Town | County | State |
|---|---|---|---|
| 2018 | 3.4% | 3.9% | 4.1% |
| 2019 | 3.3 | 3.6 | 3.9 |
| 2020 | 6.8 | 8.0 | 9.8 |
| 2021 | 4.2 | 4.8 | 7.0 |
| 2022 | 2.7 | 3.1 | 4.3 |

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

**Monthly Unemployment Rates**

| Month | Town | County | State |
|---|---|---|---|
| September 2022 | 2.5% | 2.9% | 3.6% |
| October | 2.3 | 2.7 | 3.7 |
| November | 2.4 | 2.8 | 3.8 |
| December | 2.4 | 2.7 | 3.8 |
| January 2023 | 3.2 | 3.5 | 4.6 |
| February | 3.1 | 3.3 | 4.5 |
| March | 2.7 | 2.9 | 4.0 |
| April | 2.0 | 2.3 | 3.7 |
| May | 2.4 | 2.8 | 3.8 |
| June | 2.6 | 3.0 | 4.2 |
| July | 2.8 | 3.1 | 4.1 |
| August | 3.2 | 3.5 | 4.4 |

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

**Major Private Sector Employers in the County**

| Name of Business | Nature of The Business |
|---|---|
| Westchester Medical Center | Hospital and health care services |
| PepsiCo Inc. | Soft drinks and snack foods |
| IBM Corp. | Computer hardware and software |
| St. John's Riverside Hospital | Hospital and health care services |
| White Plains Hospital | Hospital and health care services |
| Regeneron Pharmaceuticals Inc. | Pharmaceuticals |
| Saint Joseph's Medical Center | Hospital and health care services |
| Northern Westchester Hospital | Hospital and health care services |
| Montefiore New Rochelle Hospital | Hospital and health care services |

Source: The 2022 Comprehensive Annual Financial Report of Westchester County.

## *Housing Data*

**Housing Stock (2000 – 2020)**

| | Number of Units | | | % Change | |
|---|---|---|---|---|---|
| | 2000 | 2010 | 2020 | 2000-2010 | 2010-2020 |
| Village | 3,253 | 3,637 | 4,110 | 11.8% | 13.0% |
| Town | 13,985 | 14,469 | 15,356 | 3.5 | 6.1 |
| County | 349,445 | 370,821 | 376,315 | 6.1 | 1.5 |
| State | 7,679,307 | 8,108,103 | 8,488,066 | 5.6 | 4.7 |

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

## *Development Activities*

The Village in conjunction with the Downtown Revitalization Corporation and the Chamber of Commerce has developed a strategy to revitalize the downtown business area of Sleepy Hollow in an effort to stimulate economic growth in the community. The strategy includes using grant money to help businesses renovate their store fronts, working with the banks to offer low interest loans to business owners, working on streetscape improvements, and having community events designed to attract business to the area. Already, the Village has organized a triathlon, a half marathon, a street fair, and a Halloween block party that showcase the diversity of the community and that bring thousands of people to the downtown. Efforts to increase tourism have been extremely successful with thousands of people visiting the Village.

The Village recently hired a Communications Director who will disseminate information to the residents. Eventually, information on all Village projects will be sent out to the residents and be available on its website.

**Former General Motors Facility Site.** This project calls for the redevelopment of 96 acres of waterfront property previously occupied by the General Motors (GM) Corporation. After completing an extensive and careful review, the site is being redeveloped with a new 140-room hotel, 132,000 square feet of commercial retail space, 35,000 square feet of office space, and 1,177 new residential dwelling units. The Village issued a special permit for this project paving the way for the redevelopment. In late 2014, the property was sold by General Motors to Edge on Hudson. The sale of the site immediately placed the property on the Village tax rolls at a far higher rate than the previous Payment In Lieu Of Taxes (PILOT) received from General Motors. The project is underway with completed roads, site work and utilities. Well over 100 units are occupied in the new Hines luxury apartment building. All town houses built by the Toll Brothers have been sold. Additional town houses and condos are being built across the site. Two out of three apartment buildings along the tracks have Certificate of Occupancies and are being inhabited. The next large building that will be constructed (at the south east corner nearest to Ichabod's Landing on the Hudson River) will include some restaurants and a new waterfront park is expected this year. Construction on this site will continue for several years adding additional tax revenue and building department fees over time.

**Municipal Reservoir Expansion.** A project for a new reservoir tripled the Village's storage capacity and compliances with NYS mandates. The completion of the new 1.6 million gallon water storage facility has enabled additional development in the Village including the Edge on Hudson project and other large projects in the downtown area. The Village has used the opportunity of having a second water source to upgrade the old storage facility and improve the overall water system.

**Local Development Corporation.** In 2014, the Village created a local development corporation (LDC), the purpose of which, among other things, is to promote and support economic development opportunities in the Village and its surrounding communities. The LDC is currently overseeing a 28-acre redevelopment project for the Village, which will include parkland, recreational facilities and a new DPW garage. The LDC has retained a highly regarded architect (Sage and Coombe) for the new DPW garage; and construction is expected to begin in the spring of 2023. Once the garage is relocated, the property housing the old garage will be sold. An appraisal was done on this property and the value is estimated to be well over $4 million.

**Infrastructure Projects.** The Village has been focused on updating its ageing infrastructure. Recent projects, either completed or underway include, drinking water upgrades, improved sewer system, sidewalks and curbing, improved parks, decorative downtown lighting and streetscape improvements. The Village has received both State and Federal grants to help fund these projects.

**END OF APPENDIX A**

# APPENDIX B

## SUMMARY OF FINANCIAL STATEMENTS AND BUDGETS

## APPENDIX C

**AUDITED FINANCIAL STATEMENTS**

**FOR THE FISCAL YEAR ENDED MAY 31, 2022***

**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/P21733621.pdf**

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

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