

PRELIMINARY OFFICIAL STATEMENT DATED SEPTEMBER 25, 2018

NEW MONEY SERIAL BONDS

RATING: See “RATING” herein

In the opinion of Norton Rose Fulbright US LLP, New York, New York, Bond Counsel, assuming continuous compliance with certain covenants described herein, interest on the Bonds will be excludable from gross income for federal income tax purposes under existing law, and interest on the Bonds will not be subject to the alternative minimum tax on individuals. In the further opinion of Bond Counsel, under existing law interest on the Bonds is exempt from personal income taxes imposed by the State of New York or any political subdivision thereof (including The City of New York). See “Tax Matters” herein for a description of the opinion of Bond Counsel and certain other tax consequences.

The Town will not designate the Bonds as “qualified tax-exempt obligations” under Section 265(b)(3) of the Internal Revenue Code of 1986.

**TOWN OF GREENBURGH
WESTCHESTER COUNTY, NEW YORK**

**\$18,065,636
PUBLIC IMPROVEMENT (SERIAL) BONDS, 2018
(the “Bonds”)**

Date of Issue: Date of Delivery

Maturity Dates: May 15, 2019 - 2038

The Bonds are general obligations of the Town of Greenburgh, Westchester County, New York (the “Town”), and will contain a pledge of the faith and credit of the Town for the payment of the principal of and interest on the Bonds. All the taxable real property within the Town will be subject to the levy of ad valorem taxes to pay principal of and interest on the Bonds, subject to applicable statutory limitations. See “The Tax Levy Limit Law,” 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”), New York, New York. 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 or any integral multiple thereof, except for an odd denomination of the Serial Bonds which includes \$636. Purchasers will not receive certificates representing their ownership interest in the Bonds. Payment of the principal of and interest on the Bonds will be made by the Town to DTC, which will in turn remit such principal and interest to its participants for subsequent disbursement to the beneficial owners of the Bonds as described herein. See “Book-Entry-Only System” herein.

The Bonds will be dated their Date of Delivery, will bear interest from such date payable May 15, 2019 and semiannually thereafter on each November 15 and May 15 until maturity and will mature on May 15 in the years and amounts as set forth on the inside cover page hereof.

The Bonds are subject to redemption prior to maturity as discussed herein. (See “Optional Redemption” herein). The record date for the payment of interest on the Bonds will be the last day of the calendar month preceding the interest payment dates.

The Bonds are offered when, as and if issued and received by the purchaser and subject to the receipt of an unqualified legal opinion as to the validity of the Bonds, by Norton Rose Fulbright US LLP, Bond Counsel. It is anticipated that the Bonds will be available for delivery in New York on or about October 18, 2018.

THE TOWN DEEMS THIS OFFICIAL STATEMENT TO BE FINAL FOR PURPOSES OF SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12 (THE “RULE”), EXCEPT FOR CERTAIN INFORMATION THAT HAS BEEN OMITTED HEREFROM IN ACCORDANCE WITH SAID RULE AND THAT WILL BE SUPPLIED WHEN THIS OFFICIAL STATEMENT IS UPDATED. FOLLOWING THE SALE OF THE OBLIGATIONS HEREIN DESCRIBED, THIS OFFICIAL STATEMENT WILL BE UPDATED UPON REQUEST OF THE SUCCESSFUL BIDDER(S). THE TOWN WILL COVENANT IN AN UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE WITH RESPECT TO THE BONDS AS DEFINED IN THE RULE. SEE “DISCLOSURE UNDERTAKING” HEREIN.

DATED: September __, 2018

This Preliminary Offering Statement and the information contained herein are subject to completion or amendment without notice. Under no circumstances shall this Preliminary Offering Statement constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the securities, in any jurisdiction in which such offer, solicitation, or sale would be unlawful prior to registration or qualification under the securities laws of such jurisdiction.

\$18,065,636
PUBLIC IMPROVEMENT (SERIAL) BONDS, 2018

Dated Date: Date of Delivery

Principal Due: May 15, 2019 – 2038 as shown below.

Interest Due: May 15 and November 15 of each year until maturity, commencing May 15, 2019.

| <u>Date</u> | <u>Amount</u> | <u>Interest Rate</u> | <u>Yield</u> | <u>CUSIP Number</u> |
|-------------|---------------|--------------------------|--------------|-------------------------|
| 2019 | \$1,320,636 | | | 393731 |
| 2020 | 1,330,000 | | | 393731 |
| 2021 | 1,335,000 | | | 393731 |
| 2022 | 1,210,000 | | | 393731 |
| 2023 | 1,220,000 | | | 393731 |
| 2024 | 1,135,000 | | | 393731 |
| 2025 | 1,140,000 | | | 393731 |
| 2026 | 1,145,000 | | | 393731 |
| 2027 | 1,150,000 | | | 393731 |
| 2028 | 1,150,000 | | | 393731 |
| 2029 | 715,000 | | | 393731 |
| 2030 | 715,000 | | | 393731 |
| 2031 | 715,000 | | | 393731 |
| 2032 | 715,000 | | | 393731 |
| 2033 | 720,000 | | | 393731 |
| 2034 | 470,000 | | | 393731 |
| 2035 | 470,000 | | | 393731 |
| 2036 | 470,000 | | | 393731 |
| 2037 | 470,000 | | | 393731 |
| 2038 | 470,000 | | | 393731 |

**TOWN OF GREENBURGH
WESTCHESTER COUNTY, NEW YORK**

**PAUL J. FEINER
SUPERVISOR**

TOWN COUNCIL

S. Kenneth F. Jones..... Councilman
Diana D. Juettner Councilwoman
Kevin P. Morgan..... Councilman
Francis X. Sheehan Councilman

Judith A. Beville Town Clerk
Anne M. Povella Receiver of Taxes
Roberta Romano Town Comptroller
Timothy W. Lewis, Esq. Town Attorney
Edye B. McCarthy Town Assessor

INDEPENDENT AUDITORS

**PKF O’Connor Davies, LLP
Harrison, New York**

BOND COUNSEL

**Norton Rose Fulbright US LLP
New York, New York**

MUNICIPAL ADVISOR



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No dealer, broker, salesperson or other person has been authorized by the Town of Greenburgh to give any information or to make any representation other than those contained in this Official Statement. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy the Bonds by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information, estimates and expressions of opinion contained 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 Town of Greenburgh since the date thereof.

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OFFICIAL STATEMENT
TOWN OF GREENBURGH
WESTCHESTER COUNTY, NEW YORK

relating to
\$18,065,636
PUBLIC IMPROVEMENT (SERIAL) BONDS, 2018
(the “Bonds”)

The material set forth herein, including the cover pages, inside cover page and appendices hereto, has been prepared by the Town of Greenburgh, in the County of Westchester, in the State of New York (the “Town,” “County,” and “State,” respectively) in connection with the sale of \$18,065,636 Public Improvement (Serial) Bonds, 2018 (the “Bonds”).

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

THE BONDS

Description of the Bonds

The Bonds will be dated their date of delivery and mature serially as shown on the inside cover page of this Official Statement. The Bonds will be issued as registered bonds in book-entry form. See “Book-Entry-Only System,” herein. Ownership interests in the Bonds shall be available in denominations of five thousand dollars (\$5,000) or integral multiples thereof, except for one necessary odd denomination which includes \$636. Principal and interest will be paid in lawful money of the United States of America (Federal Funds) by the Town to the securities depository company.

The record date (the “record date”) for the bonds is the last day of the month immediately preceding each interest payment.

Authority for and Purpose of the Bonds

Authorization. The Bonds are issued pursuant to the Constitution and Laws of the State of New York, including among others, the Town Law and the Local Finance Law, and bond resolutions duly adopted by the Town Board on various dates. Certain details of the Bonds will be prescribed by certificates of the Supervisor executed pursuant to powers delegated to him to fix the terms, form and content of such bonds and to provide for the sale thereof.

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Purpose. The proceeds of the Bonds will be used to finance the various new projects listed below.

| Date Authorized | Purpose | Amount To Be Issued- The Bonds |
|--------------------|---|--------------------------------------|
| 07-24-18 | Water Main Clean & Line - 40 | \$3,000,000 |
| 07-24-18 | Water Main Interconnection- Rumbrook to Knollwood Pump Station | 3,000,000 |
| 07-24-18 | Water Tank Rehabilitation | 2,750,000 |
| 07-20-18 | Roadway Resurfacing | 2,000,000 |
| 07-20-18 | Microwave System for Police Department Two Way Radio System | 650,000 |
| 07-20-18 | Nature Center - Repairs to Manor House | 600,000 |
| 07-20-18 | Curbing | 500,000 |
| 07-20-18 | Pedestrian Safety Improvements | 500,000 |
| 07-20-18 | Two Way Radio Replacement | 456,000 |
| 07-20-18 | Ardsley Road @ Sprain Road Signal Intersection Improvement | 350,000 |
| 07-20-18 | Large Hot Box Pavement | 350,000 |
| 07-20-18 | Automated Refuse Collection (One Arm Bandit) | 330,000 |
| 07-20-18 | Sidewalk-Juniper Hill Rd/Fair St. from 1st St. to Gibson Ave. | 330,000 |
| 07-20-18 | Town Hall - Replacement of HVAC Systems | 295,000 |
| 07-20-18 | Garbage Truck-Mack rear loader 29cy | 230,000 |
| 07-20-18 | Front End Loader | 230,000 |
| 07-20-18 | Medium Duty Truck with Snow Plow-Highway | 220,000 |
| 07-20-18 | East Rumbrook Park Frank Jazzo Field New Poles & LED Lights | 175,000 |
| 07-20-18 | Sport Utility Vehicle - Police | 158,500 |
| 07-20-18 | Police Cars - Unmarked | 151,500 |
| 07-20-18 | Collection Carts for automated program Sanitation | 150,000 |
| 07-20-18 | Interactive Pool Concrete Huanch Project | 136,000 |
| 07-20-18 | Motorola APX8000 dual band portable radio replacement | 114,544 |
| 07-20-18 | Replace servers | 105,200 |
| 07-20-18 | Town Website Upgrade | 98,225 |
| 07-20-18 | Garage Vehicle Exhaust System | 95,000 |
| 07-20-18 | Playground Upgrade for the Special Needs Assessment Model Update | 90,000 |
| 07-20-18 | Munis-AssetWorks Inventory Interface | 80,000 |
| 07-20-18 | Replace DPW 2-way Radio System | 75,000 |
| 07-20-18 | Regular Cab One Ton Dump Truck/Plow | 75,000 |
| 07-20-18 | Sidewalk - Columbia Avenue | 70,000 |
| 07-20-18 | Facility Boiler and Water Pump | 65,000 |
| 07-20-18 | ALS Response Equipment | 51,453 |
| 07-20-18 | Sport Utility Vehicle | 44,000 |
| 07-20-18 | Storage Area Network Appliance | 36,000 |
| 07-20-18 | Reception Area for Public- Engineering and Public Works | 35,000 |
| 07-20-18 | 4 post heavy duty vehicle lift | 35,000 |
| 07-20-18 | Renovation of Washington Park Basketball Court Surface | 30,300 |
| 07-20-18 | Replace Roof | 30,000 |
| 07-20-18 | Replace Boiler and Heating Units | 28,000 |
| 07-20-18 | Provide new computer switches for security systems | 25,000 |
| 07-20-18 | Radio receiver, West end of town | 25,000 |
| 07-20-18 | Install D.E.F. Fueling Station | 25,000 |
| 07-20-18 | Ford Escape | 24,200 |
| 07-20-18 | Server(s) replacement | 24,000 |
| 07-20-18 | Police Headquarters - Replace Garage Doors (3) | 22,000 |
| 07-20-18 | UPS Machine, Server room | 22,000 |
| 07-20-18 | Replace Old Network Switches | 21,000 |
| 07-20-18 | Administration Building Stabilization Parks | 20,000 |
| 07-20-18 | Mobile radio replacement | 16,514 |
| 07-20-18 | Air-condition for backup MIS facility | 15,000 |
| 07-20-18 | Panasonic Toughbooks | 15,000 |
| 07-20-18 | Natorium Lockers | 12,000 |
| 07-20-18 | Update Tax Map Utility | 9,200 |
| | Totals | <u><u>\$18,065,636</u></u> |

Optional Redemption of the Bonds

Call Provisions. The Bonds maturing on May 15, 2027 and thereafter, are subject to redemption prior to maturity, at the option of the Town, 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) on any date on or after May 15, 2026 at par plus accrued interest to the redemption date.

Call Notification. If less than all of the Bonds of any maturity are to be redeemed, the particular bonds of such maturity to be redeemed shall be selected by lot, in any customary manner of selection, as determined by the Supervisor. 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. 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 (See “Book-Entry-Only System” for additional information concerning redemptions).

Book-Entry Only System

DTC will act as securities depository for the Bonds. The Bonds will be issued as fully-registered Bonds 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 maturity and will be deposited with DTC.

DTC 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 (the “Commission”). More information about DTC can be found at www.dtcc.com and www.dtc.org.

Purchases of the Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC’s records. The ownership interest of each actual purchaser of each Bond (“Beneficial Owner”) is in turn to be recorded on the Direct and Indirect Participants’ records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC’s partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of the Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC’s records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

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

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

Redemption notices shall be sent to DTC. If less than all of the Bonds 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.

Principal and interest payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the Town, 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 (nor its nominee) or the Town, 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 Town, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

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

The Town may 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 DTC, and the Town takes no responsibility for the accuracy thereof.

Source: The Depository Trust Company

Nature of the Obligation

Each Bond when duly issued and paid for will constitute a contract between the Town and the holder thereof.

Holders of any series of notes or bonds of the Town may bring an action or commence a proceeding in accordance with the civil practice law and rules to enforce the rights of the holders of such series of notes or bonds.

The Bonds will be general obligations of the Town and will contain a pledge of the faith and credit of the Town for the payment of the principal thereof and the interest thereon as required by the Constitution and laws of the State. For the payment of such principal and interest, the Town has power and statutory authorization to levy ad valorem taxes on all real property within the Town subject to such taxation by the Town subject to applicable statutory limitations.

The Tax Levy Limit Law

Although the State Legislature is limited by Article VIII, Section 12 of the State Constitution from imposing limitations on the power to raise taxes to pay "interest on or principal of indebtedness theretofore contracted", the State Legislature may from time to time impose additional limitations on the ability to issue new indebtedness or to raise taxes therefor.

Chapter 97 of the Laws of 2011, as amended (the "Tax Levy Limit Law" or the "Law"), applies to local governments and school districts in the State (with certain exceptions) and imposes additional procedural requirements on the ability of municipalities to levy certain year-to-year increases in real property taxes.

The Town has been subject to the Tax Levy Limit Law since January 1, 2012. Pursuant to the Tax Levy Limit Law, a local law must be adopted after a public hearing if a Town seeks to increase the tax levy by more than the lesser of (i) two percent (2%) or (ii) the annual increase in the consumer price index, over the amount of the Town's prior year's tax levy (the "Tax Levy Increase Limit").

The Tax Levy Limit Law permits certain exceptions to the Tax Levy Increase Limit. The Town may levy taxes exceeding the Tax Levy Increase Limit, if necessary, to support the following expenditures: (i) funds needed to pay judgments arising out of tort actions that exceed five percent of the total tax levied by the Town in the prior fiscal year and (ii) required pension payments (but only that portion of such payments attributable to the average actuarial contribution rate exceeding two percentage points). Taxes necessary for these expenditures will not be included in the calculation of the Tax Levy Increase Limit.

The Tax Levy Limit Law also provides for adjustments to be made to the Town's Tax Levy Increase Limit based upon changes in the assessed value of the taxable real property in the Town. The Town is also permitted to carry forward a certain portion of its unused tax levy capacity from the prior year.

Bonds of the Town issued prior to the June 24, 2011 effective date of the Tax Levy Limit Law are payable from real property taxes that can be levied as necessary without regard to any Constitutional or statutory limit. Inasmuch as the Law has no exclusion for principal and interest on notes and bonds, however, levies required to pay principal and interest on notes and bonds will be included in the calculation of the Tax Levy Increase Limit. In the absence of administrative or judicial guidance, and with a lack of long term experience operating under the Law, the effect of the Law on the Town's finances and its ability to continue to levy taxes sufficient to both pay debt service on pre June 24, 2011 and post June 24, 2011 notes and bonds and meet its other governmental responsibilities is uncertain.

ENFORCEMENT OF REMEDIES UPON DEFAULT

The following description of factors affecting the possible enforcement of remedies upon a default by the Town is not intended to constitute legal advice and is not a substitute for obtaining the advice of counsel on such matters. Factors governing the availability of remedies against the Town are complex and the obligations of the Town, under certain circumstances, might not be enforced precisely as written.

General Municipal Law Contract Creditors' Provision. Each Bond when duly issued and paid for will constitute a contract between the Town and the purchaser. Such contracts, if not honored, would generally be enforceable 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 Town 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 apply if there were a default in the payment of the principal of and interest on the Bonds.

Unavailability of Remedies of Levy and Attachment. 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. Under the general rule with respect to municipalities, judgments against the Town may not be enforced by levy and execution against property owned by the Town.

Constitutional Non-Appropriation Provision. The Constitution of the State, Article VIII, Section 2, contains the following provision relating to the annual appropriation of monies for the payment of 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 owner of obligations issued for any such indebtedness." If the Town were to fail to make a required appropriation, however, the ability of affected owners of Town indebtedness to enforce this provision as written could be compromised or eliminated as described below under "Bankruptcy", "State Debt Moratorium Law" and "Possible Priority of Continuation of Essential Public Services".

Bankruptcy. The Federal Bankruptcy Code allows municipalities, such as the Town, recourse to the protection of a Federal Court for the purpose of adjusting outstanding indebtedness. Should the Town file for relief under the Federal Bankruptcy Code there could be adverse effects on the owners of the Bonds.

The State, in Section 85.80 of the Local Finance Law, has authorized any municipality in the State to 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. Congress has enacted such a law in the form of the Federal Bankruptcy Code. Given the authority established in the aforesaid Section 85.80 of the Local Finance Law, the Federal Bankruptcy Code, under certain circumstances, can provide municipalities in New York with easier access to judicially approved adjustment of debt and can permit judicial control over identifiable and unidentifiable creditors.

Under the United States Constitution, Federal law is supreme and may be enforced irrespective of contrary state law. Accordingly, proceedings in accordance with the Federal Bankruptcy Code could result in an allocation of funds that fails to honor the faith and credit pledge required by the State Constitution.

No current State law purports to create any collateral or priority for owners of the Bonds should the Town 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 Bonds could be deemed unsecured obligations of the Town in a bankruptcy case.

Under the Federal Bankruptcy Code, a petition may be filed in the Federal Bankruptcy court by a municipality that is insolvent, which generally means the municipality is 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. Any plan of adjustment can be confirmed by the court over the objections of creditors if the plan is found to be "fair and equitable" and in the "best interests of creditors." The Town may be able, without the consent and over the objection of owners of the Bonds, to impair and alter the terms and provisions of the Bonds, including the payment terms, interest rate, maturity date, and payment sources, as long as the bankruptcy court finds that the alterations are "fair and equitable." If confirmed by the bankruptcy court, the plan would be binding upon all creditors affected by it.

The rights of the owners of Bonds to receive interest and principal from the Town and the enforceability of the Town's faith and credit pledge to pay such interest and principal could be adversely affected by the restructuring of the Town's debt under Chapter 9 of the Federal Bankruptcy Code. No assurance can be given that any priority of owners of debt obligations issued by the Town (including the Bonds) to payment from monies retained in any fund or from other sources would be recognized if a petition were filed by or on behalf of the Town under the Federal Bankruptcy Code. Such monies might, under such circumstances, be paid to satisfy the claims of all creditors generally, or might even be directed to satisfy other claims instead of being paid to the owners of the Bonds.

Regardless of any specific adverse determinations in a bankruptcy proceeding of the Town, the fact of such a bankruptcy proceeding could have an adverse effect on the liquidity and market value of the Bonds.

State Debt Moratorium Law. Unless the Federal Bankruptcy Code or other Federal Law applies, as described above, enforcement of the rights of Bond owners will generally be governed by State law. In 1975, a general State law debt service moratorium statute was enacted.

Under that legislation, 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 was suspended. 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, in *Flushing National Bank v. Municipal Assistance Corporation for the City of New York*, 40 N.Y.2d 731 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. Accordingly, State legislation materially limiting the timing or manner of actions to enforce the faith and credit pledge against an issuer of general obligation debt (including that portion of Title 6-A of Article 2 of the Local Finance Law enacted in 1975 authorizing any municipality in a State-declared financial emergency period to petition to stay the enforcement against such municipality of any

claim for payment relating to any contract, debt or obligation of the municipality) could be determined to conflict with the State Constitution and may not be enforceable.

The State Constitutional provision providing for first revenue set asides applies to the payment of interest on all indebtedness and to the payment of principal payments or bonds, but does not apply to pay payment of principal due on tax anticipation notes, revenue anticipation notes or bond anticipation notes.

Possible Priority of Continuation of Essential Public Services. In prior years, certain events and legislation affecting an owner's remedies upon default have resulted in litigation. While courts of final jurisdiction have upheld and sustained the rights of note or bond owners, 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.

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

MARKET FACTORS

The financial and economic condition of the Town as well as the market for the Bonds could be affected by a variety of factors, some of which are beyond the Town's control. Adverse events in the State and in other jurisdictions, including, for example, the seeking by a municipality or large taxable property owner of remedies pursuant to the Federal Bankruptcy Code or otherwise, could occur which might affect the market price of and the market for the Bonds. If a significant default or other financial crisis should occur in the affairs of the State or another jurisdiction or any of its agencies or political subdivisions thereby further impairing the acceptability of obligations issued by borrowers within the State, both the ability of the Town to arrange for additional borrowings, and the market for and market value of outstanding debt obligations, including the Bonds, could be adversely affected.

There can be no assurance that the State appropriation for State aid to the Town will be continued in future years, either pursuant to existing formulas or in any form whatsoever. State aid appropriated and apportioned to the Town can be paid only if the State has such monies available therefor. The availability of such monies and the timeliness of such payment may also be affected by a delay in the adoption of the State budget and other circumstances, including State fiscal stress. In any event, State aid appropriated and apportioned to the Town can be paid only if the State has such monies available therefor. (See "State Aid" herein).

Should the Town fail to receive monies expected from the State in the amounts and at the times expected, the Town is permitted to issue revenue anticipation notes in anticipation of the receipt of delayed State aid.

If and when a holder of any of the Bonds should elect to sell a Bond prior to its maturity, there can be no assurance that a market shall have been established, maintained and be in existence for the purchase and sale of any of the Bonds. In addition, the price and principal value of the Bonds is dependent on the prevailing level of interest rates; if interest rates rise, the price of a bond or note, would cause the bondholder or noteholder to incur a potential capital loss if such bond or note were sold prior to its maturity.

Amendments to the U.S. Internal Revenue Code could reduce or eliminate the favorable tax treatment granted to municipal debt, including the Bonds and other debt issued by the Town. Any such future legislation could have an adverse effect on the market value of the Bonds (see "Tax Matters" herein).

The enactment of Chapter 97 of the Laws of 2011 on June 24, 2011, which imposes a tax levy limitation upon municipalities, including the Town, school districts, and fire districts in the State could have an impact upon operations of the Town and as a result, the market price for the Bonds (see "The Tax Levy Limit Law," herein).

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 Town as "no designation."

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

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

LITIGATION

The Town is a defendant where the plaintiff asserts claims for (1) alleged violations of the Fair Housing Act and (2) alleged violations of Equal Protection, Substantive Due Process and Procedural Due Process in relation to zoning and development issues that relate to a piece of property. The complaint alleges damages of \$26,000,000 in which the litigation is in its very early stages. Due to the inherent uncertainty of this proceeding, no accruals have been made for an unfavorable outcome, if any in the audited financial statements.

The Town is a defendant in a professional medical malpractice suit with a sustainable jury verdict of approximately \$12 million. This suit is in the early stages as the plaintiff has yet to be deposed.

The Town, in common with other municipalities, receives numerous notices of claims for money damages arising from false arrest, property damage or personal injury. There are numerous negligence and tort claims pending against the Town. The Town anticipates that insurance coverage will be sufficient to satisfy any resolution of the pending claims. The Town Attorney's office has reviewed the status of pending general liability actions and has determined that the amounts reflected as liabilities of the Risk Retention Fund are sufficient to satisfy any payments arising therefrom.

Source: Town Officials.

Tax Certiorari Claims. The Town is a defendant in various claims by taxpayers for redetermination of assessed valuation and special franchises. The settlement of such claims could result in the payment of refunds by the Town. Any payments resulting from such claims will be funded in the year the payments are made. For 2016 and 2017, the Town paid \$1,619,672 and \$1,420,693 to refund taxes pursuant to tax certiorari settlements, respectively. For 2018, as of August 22, 2018, the Town paid \$949,460 to refund taxes pursuant to tax certiorari settlements.

Source: Town Officials.

TAX MATTERS

Tax Exemption

The delivery of the Bonds is subject to the opinion of Bond Counsel to the effect that interest on the Bonds for federal income tax purposes (1) will be excludable from gross income, as defined in section 61 of the Internal Revenue Code of 1986, as amended to the date of such opinion (the “Code”), pursuant to section 103 of the Code and existing regulations, published rulings, and court decisions, and (2) will not be included in computing the alternative minimum taxable income of the owners thereof who are individuals or, except as hereinafter described, corporations. The statutes, regulations, rulings, and court decisions on which such opinion is based are subject to change.

For taxable years that began on or before December 31, 2017, interest on the Bonds owned by certain corporations will be included in such corporations’ adjusted current earnings for purposes of computing the alternative minimum tax on such corporations. The alternative minimum tax on corporations has been repealed for taxable years beginning on or after January 1, 2018.

In rendering the foregoing opinions, Bond Counsel will rely upon representations and certifications of the Town made in a certificate (the “Tax Certificate”) dated the date of delivery of the Bonds pertaining to the use, expenditure, and investment of the proceeds of the Bonds and will assume continuing compliance by the Town with the provisions of the Tax Certificate subsequent to the issuance of the Bonds. The Tax Certificate contains covenants by the Town with respect to, among other matters, the use of the proceeds of the Bonds and the facilities financed therewith by persons other than state or local governmental units, the manner in which the proceeds of the Bonds are to be invested, the periodic calculation and payment to the United States Treasury of arbitrage “profits” from the investment of proceeds, and the reporting of certain information to the United States Treasury. Failure to comply with any of these covenants may cause interest on the Bonds to be includable in the gross income of the owners thereof from the date of the issuance.

Bond Counsel’s opinion is not a guarantee of a result, but represents its legal judgment based upon its review of existing statutes, regulations, published rulings and court decisions and the representations and covenants of the Town described above. No ruling has been sought from the Internal Revenue Service (the “IRS”) with respect to the matters addressed in the opinion of Bond Counsel, and Bond Counsel’s opinion is not binding on the IRS. The IRS has an ongoing program of auditing the tax-exempt status of the interest on tax-exempt obligations. If an audit of the Bonds is commenced, under current procedures the IRS is likely to treat the Town as the “taxpayer,” and the owners of the Bonds would have no right to participate in the audit process. In responding to or defending an audit of the tax-exempt status of the interest on the Bonds, the Town may have different or conflicting interests from the owners of the Bonds. Public awareness of any future audit of the Bonds could adversely affect the value and liquidity of the Bonds during the pendency of the audit, regardless of its ultimate outcome.

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

Except as described above, Bond Counsel expresses no opinion with respect to any federal, state or local tax consequences under present law, or proposed legislation, resulting from the receipt or accrual of interest on, or the acquisition or disposition of, the Bonds. Prospective purchasers of the Bonds should be aware that the ownership of tax-exempt obligations such as the Bonds may result in collateral federal tax consequences to, among others, financial institutions, life insurance companies, property and casualty insurance companies, certain foreign corporations doing business in the United States, S corporations with subchapter C earnings and profits, individual recipients of Social Security or Railroad Retirement benefits, individuals otherwise qualifying for the earned income tax credit, owners of an interest in a Financial Asset Securitization Investment Trust (FASIT), and taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry, or who have paid or incurred certain expenses allocable to, tax-exempt obligations. Prospective purchasers should consult their own tax advisors as to the applicability of these consequences to their particular circumstances.

Existing law may change so as to reduce or eliminate the benefit to holders of the Bonds of the exclusion of interest thereon from gross income for federal income tax purposes. Proposed legislative or administrative action, whether or

not taken, could also affect the value and marketability of the Bonds. Prospective purchasers of the Bonds should consult with their own tax advisors with respect to any proposed changes in tax law.

Tax Accounting Treatment of Premium on Certain Bonds

The initial public offering price of certain Bonds (the "Discount Bonds") may be less than the amount payable on such Bonds at maturity. An amount equal to the difference between the initial public offering price of a Discount Bond (assuming that a substantial amount of the Discount Bonds of that maturity are sold to the public at such price) and the amount payable at maturity constitutes original issue discount to the initial purchaser of such Discount Bond. A portion of such original issue discount allocable to the holding period of such Discount Bond by the initial purchaser will, upon the disposition of such Discount Bond (including by reason of its payment at maturity), be treated as interest excludable from gross income, rather than as taxable gain, for federal income tax purposes, on the same terms and conditions as those for other interest on the Bonds described above under "Tax Exemption." Such interest is considered to be accrued actuarially in accordance with the constant interest method over the life of a Discount Bond, taking into account the semiannual compounding of accrued interest, at the yield to maturity on such Discount Bond and generally will be allocated to an initial purchaser in a different amount from the amount of the payment denominated as interest actually received by the initial purchaser during the tax year.

However, such interest may be required to be taken into account in determining the alternative minimum taxable income of a corporation for taxable years that began on or before December 31, 2017, for purposes of calculating a corporation's alternative minimum tax imposed by Section 55 of the Code, and the amount of the branch profits tax applicable to certain foreign corporations doing business in the United States, even though there will not be a corresponding cash payment. In addition, the accrual of such interest may result in certain other collateral federal income tax consequences to, among others, financial institutions, life insurance companies, property and casualty insurance companies, S corporations with subchapter C earnings and profits, individual recipients of Social Security or Railroad Retirement benefits, individuals otherwise qualifying for the earned income tax credit, owners of an interest in a FASIT, and taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry, or who have paid or incurred certain expenses allocable to, tax-exempt obligations. Moreover, in the event of the redemption, sale or other taxable disposition of a Discount Bond by the initial owner prior to maturity, the amount realized by such owner in excess of the basis of such Discount Bond in the hands of such owner (adjusted upward by the portion of the original issue discount allocable to the period for which such Discount Bond was held) is includable in gross income. Owners of Discount Bonds should consult with their own tax advisors with respect to the determination of accrued original issue discount on Discount Bonds for federal income tax purposes and with respect to the state and local tax consequences of owning and disposing of Discount Bonds.

The purchase price of certain Bonds (the "Premium Bonds") paid by an owner may be greater than the amount payable on such Bonds at maturity. An amount equal to the excess of a purchaser's tax basis in a Premium Bond over the amount payable at maturity constitutes premium to such purchaser. The basis for federal income tax purposes of a Premium Bond in the hands of such purchaser must be reduced each year by the amortizable bond premium, although no federal income tax deduction is allowed as a result of such reduction in basis for amortizable bond premium. Such reduction in basis will increase the amount of any gain (or decrease the amount of any loss) to be recognized for federal income tax purposes upon a sale or other taxable disposition of a Premium Bond. The amount of premium which is amortizable each year by a purchaser is determined by using such purchaser's yield to maturity. Purchasers of the Premium Bonds should consult with their own tax advisors with respect to the determination of amortizable bond premium on Premium Bonds for federal income tax purposes and with respect to the state and local tax consequences of owning and disposing of Premium Bonds.

LEGAL MATTERS

The legality of the authorization and issuance of the Bonds will be covered by the unqualified legal opinion of Norton Rose Fulbright US LLP, Bond Counsel, New York, New York. Such legal opinion will be delivered in substantially the form attached hereto as "APPENDIX E".

DISCLOSURE UNDERTAKING

This Official Statement is in a form “deemed final” by the Town for the purposes of Securities and Exchange Commission Rule 15c2-12 (the “Rule”). 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 Town has agreed to provide, at the time of delivery of the Bonds, an executed Disclosure Undertaking in substantially the form attached hereto as “Appendix F.”

Continuing Disclosure Compliance History

Despite being posted timely, operating data filed in connection to the fiscal 2016 was inadvertently not linked to the Town’s 2016 series of bonds. The Town’s base CUSIP was changed by 1 digit for the 2016 bonds which resulted in an administrative error. The operating data was however filed to all other outstanding bonds of the Town.

The following table sets forth the dates in which the Town filed annual operating data and its independent audit reports for the last five completed fiscal years.

| | <u>2018 Filing</u> <u>(2017 Audit)</u> | <u>2017 Filing</u> <u>(2016 Audit)</u> | <u>2016 Filing</u> <u>(2015 Audit)</u> | <u>2015 Filing</u> <u>(2014 Audit)</u> | <u>2014 Filing</u> <u>(2013 Audit)</u> |
|---|---|---|---|---|---|
| Date Audit Received ⁽¹⁾ | 7/20/18 | 8/19/17 | 9/19/16 | 7/10/15 | 07/14/14 |
| Audit Filing Date ⁽²⁾ | 8/28/18 | 8/29/17 | 9/23/16 | 7/21/15 | 07/24/14 |
| Operating Data Filing Date ⁽³⁾ | 6/27/18 | 6/30/17 | 06/30/16 ⁽⁴⁾ | 06/30/15 ⁽⁴⁾ | 06/29/14 ⁽⁴⁾ |

- (1) Represents date of audit letter. Public release of the audit occurred after this date on the date when the audit was accepted by the Town Board.
- (2) Represents the date in which the audit report was filed with the Municipal Securities Rulemaking Board (the “MSRB”).
- (3) Represents the date in which annual operating data was filed with the MSRB.
- (4) The Town was in the process of completing the unaudited annual update document when the 2014 through 2017 operating data was filed. As a result, the filing did not include unaudited financial information for the 2013 through 2015 fiscal years. The Town subsequently filed the 2013 through 2015 audit reports on July 24, 2014, July 21, 2015, and September 23, 2016, which was within the required 60 day timeline. Unaudited results were filed with the Towns 2017 operating data.

Since 2007, there have been in excess of 50 rating actions reported by Moody’s Investors Service, S&P Global Ratings and Fitch Ratings affecting the municipal bond insurance companies, some of which had insured bonds previously issued by the Town. However, since 2009, the ratings of any company insuring outstanding bonds of the Town were below the Town’s credit rating. As such, material event notices were not filed by the Town in each instance.

The Town has reviewed its continuing disclosure practices to ensure that all material event notices and annual filings are filed in a timely manner.

MUNICIPAL ADVISOR

Capital Markets Advisors, LLC, Hopewell Junction, 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 Town 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 Town 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 Town. 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.

RATINGS

The Town has applied to S & P Global Ratings (“S&P”) and Moody’s Investors Service (“Moody’s”) for a rating of the Bonds. Such application is pending at this time.

The Town’s underlying rating is currently “AAA” with S&P and “Aaa” by Moody’s.

Such ratings reflect only the respective views of S&P and Moody’s and any desired explanation of the significance of such rating should be obtained from S&P and Moody’s at their respective addresses: S&P, 55 Water Street, New York, New York 10041 and Moody’s, 7 World Trade Center at 250 Greenwich Street, New York, New York 10007. There can be no assurance that such ratings continue for any specified period of time or that such ratings will not be revised or withdrawn, if in the judgment of S&P or Moody’s, circumstances so warrant. Any such change or withdrawal of such ratings may have an adverse effect on the market price of the Bonds or the availability of a secondary market for the Bonds.

ADDITIONAL INFORMATION

Additional information may be obtained from the Roberta Romano, CPA, Interim Comptroller, 177 Hillside Avenue, Greenburgh, New York 10607, (914) 993-1527, e-mail: rromano@greenburghny.com or from the Town’s Municipal Advisor, Capital Markets Advisors, LLC, 822 Route 82 – Suite 310, Hopewell Junction, NY 12533, (845) 227-8678.

Any statements in the 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 Town and the original purchasers or holders of any of the Bonds.

The Municipal Advisor 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. The Municipal Advisor 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 Town nor The Municipal Advisor assumes any liability or responsibility for errors or omissions on such website. Further, The Municipal Advisor and the Town 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. The Municipal Advisor and the Town also assume no liability or responsibility for any errors or omissions or for any updates to dated website information.

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

TOWN OF GREENBURGH
WESTCHESTER COUNTY, NEW YORK

By: _____
Paul J. Feiner
Supervisor and Chief Fiscal Officer

DATED: September __, 2018

APPENDIX A

THE TOWN

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THE TOWN

There follows in this Official Statement a brief description of the Town together with certain information concerning its governmental organization, economy, indebtedness and finances.

General Information

The Town is situated on the east bank of the Hudson River in the southern portion of the County. Incorporated on March 7, 1788, the Town encompasses 30.8 square miles and includes six incorporated villages, ten independent school districts and three fire districts. The Town, which is the twelfth most populous town in the State according to the US Census Bureau with an estimated population in 2016 of 91,283 (the American Community Survey – 5 Year Estimate), is primarily residential in nature and many of its residents commute to their jobs in Manhattan which is located approximately 25 miles to the south.

The County is one of the most affluent sections in the United States and, generally, the available economic data shows that the Town is stronger than the County taken as a whole. According to 2016 Census data (the American Community Survey-5 Year Estimate), the average per capita money income for Town residents (\$60,224) was approximately 20.6% and 76.0% higher than for the County and the State (\$49,938 and \$34,212), respectively. Families in the Town with annual incomes exceeding \$100,000 in 2016 comprised approximately 67.9% of all families, compared to 54.8% for the County and 36.3% for the entire State. In addition, as reported by the Census Bureau, the median value of owner-occupied homes in the Town during 2016 (\$539,600), was almost more than three times that of the national median value (\$184,700), and nearly double that of New York State (\$286,300). Owner-occupied home values in the Town in past years have been comparable to the County, which the Census estimated at \$507,300 for 2016. See “Economic and Demographic Data,” herein.

According to the New York State Department of Labor, the employed labor force for 2017 for the Town was 47,000, which was an increase of approximately 6.1% since 2010. Furthermore, according to the American Community Survey – 5 Year Estimate (US Census Bureau), in 2016 approximately 58.5% of the Town’s labor force held positions in management, business, science, and arts occupations; while the percentages for the County and State were estimated at 46.6% and 39.7%, respectively. Unemployment rates for Town residents are generally below the rates for the County as a whole and substantially below State or national levels. See “Economic and Demographic Data,” herein.

Form of Government

The Town was established as a municipal government by the State and is vested with the powers and responsibilities inherent in the operation of a municipal government including the authority to tax real property and incur debt. There are located, wholly within the Town, six incorporated villages and three fire districts each of which have separately elected governing boards. The villages and fire districts have independent powers with respect to taxation and debt issuance. In addition, there are portions of ten independent school districts within the Town that also have separate taxing and debt authority.

Governmental operations of the Town are subject to the provisions of the State Constitution and various statutes affecting local governments including Town Law, General Municipal Law and the Local Finance Law. Real property assessment and tax collection procedures are determined by the County Tax Law, a basic feature of which requires that the Town guarantee and enforce the real property taxes levied by the County as well as the school districts situated in the Town. The Real Property Tax Law, in part, also governs certain assessment and taxing procedures for the Town. Under Article 2 of the Town Law, the Town is classified as a first class town and has additionally elected suburban town status provided for in Article 3-A of this statute. The primary effect of each classification is to give greater flexibility to the way in which town government is organized and managed. A suburban town also enjoys certain advantages with respect to special improvement districts, reserve funds and cooperative ventures with the villages located in the Town.

The legislative power of the Town is vested in the Town Board, which consists of four councilpersons, elected at large to serve four-year terms, and the Town Supervisor, who is the presiding member and chief fiscal officer of the Town, elected for a two-year term of office with the right to succeed himself. The current Supervisor, Paul Feiner, began his thirteenth term on January 1, 2016. Councilpersons may serve an unlimited number of terms.

The Town Clerk acts as the custodian of the Town's records as well as the clerk to the Town Board. Duties of this office include: recording and maintaining the minutes of the proceedings of the Town Board, issuing certain licenses and permits, and coordinating elections for Federal, State, County and Town offices. The Town Clerk is elected to a two-year term and may serve an unlimited number of terms.

The Receiver of Taxes and Assessments is elected to serve a four-year term of office; the number of terms are not limited by law. It is the responsibility of the Receiver of Taxes and Assessments to receive and collect all county, town and school taxes, and other assessments levied or assessed in the Town.

The Town Comptroller is appointed by the Town Board, upon recommendation of the Supervisor, and serves at the pleasure of this body. Duties and responsibilities of this position include: maintaining the Town's accounting systems and records, preparing the annual report for filing with the State Comptroller, debt and cash management, and auditing vendor claims for payment.

The Town Assessor is appointed by the Town Board, on the Supervisor's recommendation, to serve a six-year term. It is the Assessor's responsibility to appraise real property in the Town for the purpose of preparing and maintaining the tax assessment rolls in the form prescribed by the Office of Real Property Tax Services ("the ORPTS"). The ORPTS is required to annually determine the assessment of each special franchise in the Town that is subject to assessment. In addition, such board provides an advisory service to assist with the assessment of certain forested lands, public utilities or unusually complex properties. Assessment review procedures include examination of the tentative assessment roll in the Assessor's presence, a public hearing before an independent board of assessment review and, finally, judicial review in State Supreme Court.

Other Entities

Village Governments. Situated wholly within the Town's borders, there are six incorporated villages, the villages of Ardsley, Dobbs Ferry, Elmsford, Hastings-on-Hudson, Irvington, and Tarrytown. Each village is governed by an elected Board of Trustees. In addition, the villages operate pursuant to the State Constitution, Village Law and various other statutes, which allow for local charters and laws enacted under home rule measures. Village residents receive most of their municipal services from their respective village governments. However, residents do receive certain Town services that are paid for by a tax levied upon the entire Town.

School Districts. There are ten independent school districts, seven of which are located entirely within the Town, providing public education to the children of the Town. The districts include the Ardsley School District, the Dobbs Ferry School District, the Edgemont School District, the Elmsford School District, the Greenburgh School District #7, the Hastings-on-Hudson School District, the Irvington School District, the Pocantico Hills School District, the Union Free School District of the Tarrytowns, and the Valhalla School District. Subject to the requirements imposed by the State Board of Regents and the State Commissioner of Education, each of the ten school districts is governed by an elected board of education. Such boards are authorized to tax district property owners to support educational programs and issue debt. Voter approval is required for the issuance of all capital purpose indebtedness. School district budgets are voted on at annual district meetings but, in the event the budget is rejected, the board of education is empowered to adopt a contingency plan covering basic operating expenditures such as teacher salaries, building maintenance and debt service.

Fire Districts. There are three independent fire districts located entirely within the unincorporated area of the Town that operate under the provisions of Article 11 of the Town Law. Each fire district is governed by a five-member board of fire commissioners. Annual budgets are presented at a public hearing but are not subject to voter approval unless proposed expenditures exceed an amount determined in accordance with Town Law. Debt generally must be authorized by a proposition adopted by the voters at a special district election.

Hartsdale Public Parking District. Pursuant to a resolution of the Town Board and an act of the State Legislature, the Hartsdale Public Parking District was created in 1952 to provide parking in one of the unincorporated areas of the Town. The District owns and operates two multi-level parking garages at the Hartsdale Station on the Metro North Harlem Line. In addition, the District has four open parking lots and parking meters located in the Hartsdale business area of the Town. The District is governed by a three-member Board of Commissioners who are appointed by the Town Board. Board Commissioners must reside in the unincorporated portion of the Town. The District does not have the power to tax or issue debt.

Operations are supported solely from users fees and other revenue; taxes are not used to support parking services. The District derives its revenue primarily from parking fees including parking meters. In addition, the District receives rental income paid by telecommunication providers for the rights to create and maintain cellular phone antennae at one of the parking garages.

Effective for the year ended December 31, 2003, the District accounts for and reports its financial transactions using an accrual basis of accounting. The Town treats the District as a component unit for financial reporting purposes and includes the financial statements of the District in its financial statements.

The Town issues all debt on behalf of the District to finance parking improvements. District bonds are general obligation bonds secured by the taxing powers of the Town. Principal of and interest on the District's bonds are payable in the first instance from revenues of the District.

Greenburgh Housing Authority. The Greenburgh Housing Authority was established by an act of the State Legislature and a resolution of the Town Board and is governed by a board of seven-members who serve five-year terms. Five members are appointed by the Town Board while the Housing Authority tenants elect the two remaining board members. The governing body is essentially autonomous but it is responsible to the State Division of Housing and the U.S. Department of Housing and Urban Development. An executive director is appointed by the Board to manage the day-to-day operations of the Authority. Offices are maintained at 9 Maple Street, White Plains (Greenburgh), New York 10603.

The Authority manages public housing for low and middle-income families residing in the Town. The objective of these programs is to provide safe and decent housing at a reasonable cost. Operating subsidies are provided to the Authority by the Federal and State governments; rent subsidies are available to qualified tenants under the Federal Section 8 Program. Families in the conventional and Section 8 programs pay no more than 30% of their family's income for rent. The maximum allowable income for a family of four in conventional public housing is \$75,050 and for Section 8 it is \$52,650 for a family of four.

There are a total of 246 conventional housing units (in seven developments throughout the Town) under management for which the Authority receives operating assistance. In addition, 303 units participate in the Section-8 Program. Eight new units of affordable senior housing have been constructed and are now occupied and additional units are being upgraded with funding from the State.

Source: The official website of the Greenburgh Housing Authority (<http://greenburghhousing.org/facts-about-us>).

Westchester County. The County historically has been responsible for the funding and administration of social programs such as Medicaid, aid to families with dependent children, and home relief programs. Various health care functions are also the County's responsibility, many of which are provided at the County Medical Center in nearby Valhalla. Residents receive bus transportation services from a County supported transit system and commercial airline service at the County Airport located adjacent to the Connecticut state line. There is also an extensive endowment of recreational facilities managed by the County including a system of public golf courses, Playland Amusement Park on Long Island Sound and the Pound Ridge Reservation, a forest preserve.

The Town is a member of the County Refuse District No. 1 and according to an agreement between the District and the Westchester Industrial Development Agency, participating district members are committed to deliver municipally generated refuse to a solid waste disposal/resource recovery plant located in the City of Peekskill. The plant is operated by Wheelabrator Technologies, Inc. Residential solid waste is collected by the various municipalities (Town and villages) for delivery to a district operated transfer station and the ultimate removal to the recovery plant. Each

member municipality is paying a tipping fee of \$27.73 per ton in 2017 for solid, non-organic refuse, which was an increase from \$27.45 in 2016. The District taxpayers are subject to an ad valorem tax if such fee is not sufficient to meet the District's obligations to the County Industrial Development Agency. For 2018, the tax rate for the District was increased by 4.7% to \$0.28 for each \$1,000 of assessed valuation.

Services

The Town provides its citizens with an extensive list of government services. Residents of the unincorporated portion of the Town benefit from all Town services; village residents receive some Town services but are primarily served by their respective village governments. The Town provides the following traditional municipal services: police protection through a force of approximately 116 sworn officers (plus an additional 46 civilian positions); a local justice court that handles motor vehicles, minor criminal and small civil cases; refuse collection; parks and recreation, which includes various parks and preserves, the Theodore D. Young Community Center as well as other facilities and sites located throughout the Town; highway, street lighting, traffic and zoning and planning administration.

Library services to residents of the unincorporated areas of the Town are provided by the Greenburgh Public Library.

Services to senior citizens include a partially federally funded nutrition program and various special social programs to which free transportation is often provided.

Residents of the unincorporated portion of the Town receive water services from the Town's consolidated water district that obtains its water supply from New York City's Delaware River Aqueduct. Sewer collection and treatment services for this area of the Town are provided by special sewer districts operated by the Town and County. Public parking is available in the Hartsdale section of the Town (a business district and commuting center) and is operated and maintained by the Hartsdale Public Parking District (see herein above). Fire protection within the six incorporated villages is provided by volunteer fire companies. There are seven fire protection districts serving certain unincorporated areas of the Town; fire services to these districts are provided through contractual arrangements with various villages in the Town. In addition, three independent fire districts provide fire protection to additional unincorporated areas of the Town.

Pursuant to State Law, the County, not the Town, is responsible for funding and providing various social and health programs such as Medicaid, families with dependent children, home relief and mental health programs. Public primary and secondary education within the Town is provided by ten separate and independent school districts, each of which may levy taxes and issue debt.

Under Town Law and the County Tax Act, the Town is responsible for the collection and enforcement of school taxes. On or before April 1 of each year, the Town must remit 100% of the taxes levied by the respective school districts for their fiscal year commencing July 1 of the prior year. Unpaid school taxes are enforced in the same manner as any delinquent Town tax.

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Employees

As of August 2018, the Town provides services through approximately 443 full-time and 330 part-time employees.

Town employees are represented by three unions. Clerical and certain laborers belong to the Civil Service Employees Association. The Teamsters Local 456 is the bargaining agent for sanitation workers and various public works groups. The Greenburgh Police Benevolent Association is the collective bargaining agent for the police. The following tables summarize the contract status of each unit.

Union Contracts

| <u>Bargaining Unit</u> | <u>Employees Represented</u> | <u>Contract Expiration Date</u> |
|--|-------------------------------------|--|
| Teamsters Local 456 | 80 | December 31, 2018 |
| Police Association of the Town of Greenburgh, Inc. | 108 | December 31, 2018 |
| Civil Service Employees Assoc. | 199 | December 31, 2018 |

Source: Town Officials

Employee Benefits

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

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

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

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

The New York State Retirement System allows municipalities to make employer contribution payments in December of each year, at a discount, or the following February, as required. The Town generally opts to make its pension payments in December in order to take advantage of the discount and this payment was made in December for the most recent 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. 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 Town does not currently amortize any pension payments.

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 ("ARCs"). The plan allows municipalities to pay the SCO amount in lieu of the ARC amount. The Town 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.

For State Fiscal Year 2016-17, the average contribution rates decreased for the third year in a row. ERS decreased by 2.7% of payroll, from 18.2% to 15.5% and the average contribution rate for PFRS decreased by approximately 4% of payroll from 24.7% to 24.3%. For the State Fiscal Year 2017-18 the contribution rates for ERS and PFRS remain unchanged at the 2016-17 levels. Projections of required contributions will vary by employer depending on factors such as retirement plans, salaries and the distribution of their employees among the six retirement tiers.

ERS and PFRS Contributions. Five years of audited contributions to ERS and PFRS are as follows:

| Fiscal Year Ended December 31: | ERS ⁽¹⁾ | PFRS |
|--------------------------------------|--------------------|-------------|
| 2013 | \$4,868,453 | \$3,716,580 |
| 2014 | 4,542,410 | 3,933,692 |
| 2015 | 4,368,050 | 3,436,304 |
| 2016 | 3,872,135 | 3,658,986 |
| 2017 | 3,705,710 | 3,385,727 |
| 2018 Budget | 3,759,650 | 3,693,063 |

(1) Inclusive of Parking District contributions as follows: 2013 (\$86,741), 2014 (\$68,081), 2015 (\$53,505), 2016 (\$56,191) and 2017 (\$54,360).

In the 2018 adopted budget, the Town appropriated a total of approximately \$6.1 for state retirement payments in the Townwide and Town Outside Village funds.

See "Notes to Financial Statements, Note 3" in the 2017 Audited Financial Statements.

Source: The Audited Financial Statements (2013 through 2017) and the 2018 Adopted Budget of the Town.

Other Postemployment Benefits

GASB 45. The Town provides post-retirement healthcare benefits to various categories of former employees. These costs may be expected to rise substantially in the future. GASB Statement No. 45 (“GASB 45”) of the Governmental Accounting Standards Board (“GASB”) requires governmental entities, such as the Town, to account for the cost of certain non-pension post-employment benefits as it accounts for vested pension benefits.

OPEB refers to “other post-employment benefits,” and refers to benefits other than pension benefits. OPEB consists primarily of health care benefits, and may include other benefits such as disability benefits and life insurance. Before GASB 45, OPEB costs were generally accounted for and managed as current expenses in the year paid and were not reported as a liability on governmental financial statements.

GASB 45 requires municipalities and school districts to account for OPEB liabilities much like they already account for pension liabilities, generally adopting the actuarial methodologies used for pensions, with adjustments for the different characteristics of OPEB and the fact that most municipalities and school districts have not set aside any funds against this liability. Unlike GASB Statement No. 27, which covers accounting for pensions, GASB 45 does not require municipalities or school districts to report a net OPEB obligation at the start.

Under GASB 45, based on actuarial valuation, an annual required contribution (“ARC”) will be determined for each municipality or school district. The ARC is the sum of (a) the normal cost for the year (the present value of future benefits being earned by current employees) plus (b) amortization of the unfunded accrued liability (benefits already earned by current and former employees but not yet provided for), using an amortization period of not more than 30 years. If a municipality or school district contributes an amount less than the ARC, a net OPEB obligation will result, which is required to be recorded as a liability on its financial statements.

GASB 45 does not require that the unfunded liability actually be amortized nor that it be advance funded, only that the municipality or school district account for its unfunded accrued liability and compliance in meeting its ARC. Actuarial Valuation will be required every two years for OPEB plans with more than two hundred members or every three years if there are less than two hundred members. Additional information about GASB 45 and other accounting rules applicable to municipalities and school districts may be obtained from GASB.

The Town is in compliance with the requirements of GASB 45. The Town has determined that its unfunded actuarial accrued liability (“UAAL”) for OPEB as of December 31, 2017 was approximately \$240,341,700 (inclusive of \$10,450,400, which correlates to Enterprise Funds). For the year ended December 31, 2017, the Town’s Annual OPEB cost for Governmental and Enterprise Funds was \$17,983,300. The Town’s UAAL for OPEB could have a material adverse impact upon the Town’s finances and could force the Town to reduce expenses, raise taxes or both. At this time, New York State has not developed guidelines for the creation and use of irrevocable trusts for the funding of OPEB. There is no authority in current State law to establish a trust account or reserve fund for this liability. As a result, the Town has decided to continue funding the expenditure on a pay-as-you-go basis.

See “Notes to Financial Statements, Note 3” on page 57 of the 2017 Audited Financial Statements.

Source: The Audited Financial Statements for the fiscal year ended December 31, 2017.

FINANCIAL FACTORS

Budgetary Procedure

General Information. The head of each administrative unit of the Town is required to file detailed estimates of revenues (other than real property taxes) and expenditures for the next fiscal year with the budget officer on or before October 20th. Estimates for each fire district situated within the Town must also be filed with the budget officer by this date; however, the Town has no authority to change a fire district budget. After reviewing these estimates, the budget officer prepares a tentative budget, which includes his recommendations. A budget message explaining the main features of the budget is also prepared at this time. The tentative budget is filed with the Town Clerk not later than the 30th of October. Subsequently, the Town Clerk presents the tentative budget to the Town Board at a regular

or special hearing, which must be held by November 10th. The Town Board reviews the tentative budget and makes such changes as it deems necessary and that are not inconsistent with the provisions of law. Following this review process, the tentative budget and such modifications, if any, as approved by the Board becomes the preliminary budget. A public hearing, notice of which must be duly published in the Town's official newspaper, on the preliminary budget is required to be held on or before the 10th day of December. At such hearing, any person may express an opinion concerning the preliminary budget; however, there is no requirement or provision that the preliminary budget or any portion thereof be voted on by members of the public. After the public hearing, the Town Board may further change and revise the preliminary budget. The Town Board, by resolution, adopts the preliminary budget as submitted or amended not later than December 20th, at which time the preliminary budget becomes the annual budget of the Town for the ensuing fiscal year. Monitoring the budget during the year is the responsibility of the Town Comptroller. However, modifications to the annual budget, including the transfer of appropriations among departments must be approved by resolution of the Town Board. The Supervisor may make budgetary transfers between major objects of expense within a given department.

Summary of the 2018 Adopted Budget. Appendix B, attached hereto, presents a summary of the adopted budget for the fiscal year ending December 31, 2018. A full copy of the adopted 2018 budget can be obtained by visiting the Town's official website or by request of the Town's Municipal Advisor.

Independent Audits

Audited Financial Statements. The Town retained the firm of PKF O'Connor Davies, LLP, Certified Public Accountants, to audit its financial statements for the fiscal year ending December 31, 2017. Appendix B, attached hereto, presents excerpts from the Town's most recent audited reports covering the last five fiscal years. Appendix C contains a link to the last fiscal year audit. Information presented in Appendix B has been excerpted from the Town's audited financial reports, however, such presentation has not been audited.

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

Comprehensive Annual Financial Reports. The Town's comprehensive annual financial reports ("CAFR") for the years ended December 31, 1987 through 2016, from which certain information has been used in this Official Statement, were awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada ("GFOA"). The Certificate of Achievement is the highest form of recognition for excellence in state and local government financial reporting. In order to be awarded a Certificate of Achievement, a government unit must publish an easily readable and efficiently organized comprehensive annual financial report, whose contents conform to the program standards. Such CAFR must satisfy both accounting principles generally accepted in the United States of America and applicable legal requirements.

Statement of Net Position

The Town's Statement of Net Position, inclusive of governmental and business-type activities, presented in the audited financial statements hereto shows total net position of \$40,211,623 at December 31, 2017. Net position is comprised of: net investment in capital assets, \$35,740,335, restricted assets, \$39,478,035 and unrestricted assets, negative \$35,006,747. The total net position of the Town at December 31, 2016 was \$43,587,843.

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Summary Results of Operations – Year December 31, 2017

Derived from the Town’s audited financial statements, the following chart provides a summary of operations in the General, Town Outside Villages and Highway Funds for the fiscal year ended December 31, 2017. The summary itself has not been audited. A full copy of the Town’s audited financial statements for the fiscal year ended December 31, 2017 has been incorporated as Appendix C of this Official Statement. In addition, Appendix B of this Official Statement includes a five-year summary of audited results, as well as a summary of the 2018 adopted budget.

Summary Results of Operations - 2017

| <u>Fund</u> | <u>Revenue & Other Financing Sources</u> | <u>Expenditures & Other Financing Uses</u> | <u>Difference</u> |
|-----------------------|--|--|-------------------|
| General | \$20,926,328 | \$15,428,512 | +\$5,497,816 |
| Town Outside Villages | 72,207,942 | 72,549,980 | (342,038) |
| Highway | 7,348,751 | 6,095,773 | +1,252,978 |

Details relating to other funds maintained by the Town can be found in the audited financial statements (see “Appendix C,” herein).

Source: The audited financial statements for the fiscal year ended December 31, 2017.

Investment Policy

Pursuant to Section 39 of the State's General Municipal Law, the Town has an investment policy applicable to the investment of all moneys and financial resources of the Town. 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 Town's investment policy guidelines. According to the investment policy of the Town, 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 Town has designated two banks or trust companies located and authorized to conduct business in the State to receive deposits of money. The Town is permitted to invest in special time deposits or certificates of deposit.

In addition to bank deposits, the Town 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 Town include: revenue and tax anticipation notes issued by any municipality, school district or district corporation other than the Town (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 Town, but only with respect to moneys of a reserve fund established pursuant to Section 6 of the General Municipal Law. The Town 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 Town, 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 Town deposits in excess of the applicable insurance coverage provided 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 Town'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 Town must be delivered, in a form suitable for transfer or with an assignment in blank, to the Town or its designated custodial bank. The custodial agreements used by the Town 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 or credit may be issued, in favor of the Town, 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 Town in an amount equal to 100% of the aggregate deposits and the agreed interest thereon.

Financial Operations

The Town Supervisor functions as the Chief Executive and Chief Financial Officer of the Town. Duties of the Supervisor include: the administration of the Town's daily operations, budget preparation and control (See “Financial Factors-Budgetary Procedures” herein), treasury management and debt issuance.

The Town Board is the legislative, appropriating, governing and policy determining body of the Town. The Town Board enacts, by resolution, all legislation including ordinances and local laws. Annual operating budgets for the Town must be approved by the Board. Substantially all budget modifications must be authorized by the Board on the recommendation of the Supervisor. The Supervisor may reallocate appropriations between major objects of expense on an intradepartmental basis. The original issuance of all Town indebtedness is subject to approval by the Town Board.

Summary of Significant Accounting Policies

See “Notes to the Financial Statements - Note 1” in Independent Auditors’ Report for the year ended December 31, 2017.

Financial Management Policies

The Town Board adopted a series of financial management policies for the Town in January of 2014. Financial management policies support the financial goals and guide decision making in specific situations to ensure that decisions contribute to the attainment of the Town's financial goals. Policies have been prepared for the following areas: (a) Operating Position (which includes a fund balance policy), (b) Revenues, (c) Expenditures, (d) Debt Management, (e) Cash Management and Investments, (f) Capital Assets, (g) Budget, (h) Financial Reporting and (i) Purchasing. Copies of the policies have been included as a part of this Official. Additionally, copies will be made available upon request to the Town of to the Town's Municipal Advisor.

Revenues

Property Taxes. The Town 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 and “Real Property Taxes,” herein.) Property taxes accounted for approximately 70.8% of revenue, excluding other financing sources, in the Townwide and Town Outside Villages Funds for the fiscal year ended December 31, 2017.

The following table sets forth the percentage of the Town’s General Fund and Town Outside Villages Fund revenue (excluding other financing sources) comprised of real property taxes for each of the fiscal years 2013 through 2017 and as budgeted for the year ending December 31, 2018.

| Year Ended December 31: | General Fund and Town Outside Villages Revenue ⁽¹⁾ | Real Property Taxes | Real Property Taxes To Revenue (%) |
|------------------------------|---|---------------------|------------------------------------|
| 2013 | \$84,094,030 | \$59,396,609 | 70.6% |
| 2014 | 84,366,030 | 59,637,438 | 70.7 |
| 2015 | 88,125,131 | 61,645,118 | 70.0 |
| 2016 | 91,728,927 | 63,088,435 | 68.8 |
| 2017 | 91,606,538 | 64,835,194 | 70.8 |
| 2018 (Budget) ⁽²⁾ | 92,345,730 | 66,291,533 | 71.8 |

- (1) Excludes Other Financing Sources.
- (2) Excludes the planned use of \$3,197,747 in fund balance.

Source: The Audited Financial Statements (2013 through 2017) and the 2018 adopted budget of the Town. The Summary itself is not audited.

Sales and Use Tax. The Town 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. This additional 1% sales tax became effective on October 15, 1991 and has been extended through May 31, 2020. 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%)

In February of 2004, the State Legislature authorized an increase of ½% to the additional 1991 1% sales tax. The County retains 70% of this additional 2004 1/2% point increase, the municipalities 20% and the school districts 10%. This increase became effective March 1, 2004 and expires on May 31, 2020.

For 2017, the Town recorded (in the Town Outside Villages Fund) sales and use tax revenue of \$6,505,362, which was \$355,362 more than the amount estimated in the 2017 budget. For 2018, the Town budgeted \$6,350,000 for sales tax.

The following table sets forth the percentage of the Town's General Fund and Town Outside Village Fund revenue (excluding other financing sources) comprised of sales tax for each of the fiscal years 2013 through 2017 and as budgeted for 2018.

| Year Ended December 31: | General Fund and Town Outside Village Revenue ^{(1) (2)} | Sales Tax | Sales Tax To Revenues (%) |
|-------------------------------|---|--------------|------------------------------|
| 2013 | \$84,094,030 | \$6,066,899 | 7.2% |
| 2014 | 84,366,030 | 6,262,420 | 7.4 |
| 2015 | 88,125,131 | 6,175,340 | 7.0 |
| 2016 | 91,728,927 | 6,266,308 | 6.8 |
| 2017 | 91,606,538 | 6,505,362 | 7.1 |
| 2018 (Budget) ⁽²⁾ | 92,345,730 | 6,350,000 | 6.9 |

(1) Excludes Other Financing Sources.

(2) Sales Tax is received only in the Town Outside Villages Fund, however for comparative purposes Townwide General Fund revenue was also included in this calculation.

(3) Excludes the planned use of \$3,197,747 in fund balance.

Source: The Audited Financial Statements (2013 through 2017) and the 2018 adopted budget of the Town. The Summary itself is not audited.

State Aid. The Town received total State aid of \$5,364,285 in 2017 compared to \$5,825,298 received in 2016 (Townwide General Fund and Town Outside Villages Fund).

The State is not constitutionally obligated to maintain or continue State aid to the Town and, in fact, has previously reduced aid payments to municipalities and school districts in response to its own fiscal problems. Further state budgetary restrictions which eliminate or substantially reduce state aid could have a material adverse effect upon the Town requiring either a counterbalancing increase in revenues from other sources to the extent available, or a curtailment of expenditures.

Federal Aids and Grants. Federal categorical grants received by the Town for restricted purposes are budgeted in several operating funds. The termination or reduction of these grants could mean a curtailment or elimination of federally assisted programs.

The following table sets forth the percentage of the Town's General Fund and Town Outside Village Fund revenue (excluding other financing sources) comprised of State and federal aid for each of the fiscal years 2013 through 2017, and, as budgeted, for the year ending December 31, 2018.

| Year Ended December 31: | General Fund & Town Outside Village Revenue ⁽¹⁾ | State Aid | Federal Aid | State Aid To Revenue (%) | Federal Aid To Revenue (%) |
|-------------------------------|--|--------------|----------------|-----------------------------|-------------------------------|
| 2013 | \$84,094,030 | \$3,681,773 | \$ 33,963 | 4.4% | 0.1% |
| 2014 | 84,366,030 | 3,800,483 | 63,942 | 4.5 | 0.1 |
| 2015 | 88,125,131 | 4,112,579 | 294,947 | 4.7 | 0.3 |
| 2016 | 91,728,927 | 5,825,298 | 131,502 | 6.4 | 0.1 |
| 2017 | 91,606,538 | 5,364,285 | 3,000 | 4.3 | 0.0 |
| 2018 (Budget) ⁽²⁾ | 92,345,730 | 3,754,966 | 15,904 | 4.1 | 0.0 |

(1) Excludes other financing sources.

(2) Excludes the planned use of \$3,197,747 in fund balance.

Source: The Audited Financial Statements (2013 through 2017) and the 2018 adopted budget of the Town. The Summary itself is not audited.

REAL PROPERTY TAXES

The Town derives its power to levy an ad valorem real property tax from the Constitution of the State, subject to the applicable provisions of Chapter 97 of the Laws of 2011, see “Tax Increase Procedural Limitation Legislation” herein. The Town is responsible for levying taxes for Town and special district operating purposes and for debt service.

Assessed and Full Valuations

The following table shows the assessed valuations, final State equalization rates and full valuations of all taxable property within the Town for the last five years.

| Tax Roll: | 2013 | 2014 | 2015 | 2016 | 2017 |
|--|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| Tax Year: | 2014 | 2015 | 2016 | 2017 | 2018 |
| Taxable Assessed Valuation: | \$ 545,655,171 | \$ 545,863,587 | \$ 543,948,706 | \$19,218,733,747 | \$19,686,881,469 |
| State Equalization Rates: ⁽¹⁾ | 3.51% | 3.33% | 3.09% | 100.00% | 100.00% |
| Full Valuation: | <u>\$15,545,731,368</u> | <u>\$16,392,299,910</u> | <u>\$17,603,517,994</u> | <u>\$19,218,733,747</u> | <u>\$19,686,881,469</u> |

(1) Final rates as established by the ORPTS.

Source: Town Officials.

Assessed Valuation by Category

The following table shows the assessment trends for various categories of property within the Town for the last five years. The Town recently completed a re-evaluation of all property within the its limits. As such, the 2017 and 2018 numbers below reflect an equalization rate of 100.00%.

Greenburgh Land Use (Expressed in Dollars of Total Assessed Valuation)

| Tax Roll: | 2013 | 2014 | 2015 | 2016 | 2017 |
|------------------------------|-----------------------|-----------------------|-----------------------|-------------------------|-------------------------|
| Tax Year: | 2014 | 2015 | 2016 | 2017 | 2018 |
| Vacant Land | \$ 6,851,131 | \$ 5,938,457 | \$ 6,281,306 | \$372,751,600 | \$391,618,200 |
| Residential | 335,993,919 | 335,191,155 | 335,230,643 | 12,216,811,455 | 12,663,775,327 |
| Recreation & Entertainment | 6,148,269 | 6,117,019 | 6,016,350 | 225,619,100 | 220,850,700 |
| Commercial | 168,723,085 | 167,054,067 | 166,242,005 | 5,486,305,603 | 5,514,220,453 |
| Utilities and Public Service | <u>31,649,204</u> | <u>32,033,643</u> | <u>31,282,622</u> | <u>892,210,510</u> | <u>952,031,700</u> |
| Total Taxable ⁽¹⁾ | <u>549,365,608</u> | <u>546,334,341</u> | <u>545,052,926</u> | <u>19,193,698,268</u> | <u>19,742,496,380</u> |
| Wholly Exempt | 130,703,202 | 129,340,082 | 125,344,550 | 3,217,465,800 | 3,273,569,700 |
| Partially Exempt | <u>16,821,600</u> | <u>17,227,383</u> | <u>17,145,576</u> | <u>664,910,442</u> | <u>517,593,620</u> |
| Total Assessment Roll | <u>\$ 696,890,410</u> | <u>\$ 692,901,806</u> | <u>\$ 687,543,052</u> | <u>\$23,076,074,510</u> | <u>\$23,533,659,700</u> |

(1) Taxable assessed values reflect changes made since the execution of the tax warrant and, therefore, may not agree with taxable valuations presented in other sections of the Official Statement.

Source: Town Officials.

Tax Collection Procedures

The assessment and collection of real property taxes is governed by the Westchester County Tax Law as well as by the Real Property Tax Law of the State. Towns and cities in the County are responsible to assess all real property within their boundaries, with the exception of franchised utility companies, and to collect all real property taxes. The Town receives various warrants for the collection of taxes from the County and from the fire districts and school districts within its boundaries. The Town remits the full amount of the county, fire district and school district taxes according to the times prescribed by the Westchester County Tax Law. The Town is required to pay the full amount of each warrant presented by these various entities, whether or not these amounts are actually collected by the Town. The Town also has the responsibility of enforcing delinquent taxes through in-rem foreclosure proceedings.

Town, county, and special district taxes for the period from January 1st to December 31st are due in a single payment on April 1st. Payment may be made without penalty until April 30th, after which the penalty is 2% during May, 5% during June and July, 7% during August and September, 10% during October, November and December and 12% thereafter to the date of the tax lien date (May 1st of succeeding year).

School taxes for the period from July 1st to June 30th are due in two equal installments on September 1st and January 1st. The first half is payable without penalty until September 30th after which the penalty is 2% during October, 5% during November, 7% during December and January, 10% during February and March, and 12% thereafter to the date of the tax lien date. The second installment of taxes is payable, without penalty, until January 31st, after which the penalty is 10% during February and March, and 12% thereafter, to the date of the tax lien date.

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The following table sets forth the tax levies and tax collection record for the last five years.

Tax Levy and Collection Record

| Tax Roll: | 2013 | 2014 | 2015 | 2016 | 2017 |
|---|----------------------|----------------------|----------------------|----------------------|------------------------------------|
| Tax Year: | 2014 | 2015 | 2016 | 2017 | 2018 |
| Town Levy: | | | | | |
| Town Outside ⁽¹⁾ | \$ 56,740,269 | \$ 58,126,160 | \$ 59,266,857 | \$ 60,641,995 | \$ 62,380,727 |
| Town Wide | 3,970,003 | 4,031,225 | 4,144,552 | 4,385,457 | 4,541,195 |
| Improvement Districts | 1,513,973 | 1,433,612 | 1,481,146 | 1,798,565 | 1,759,223 |
| Fire Protection Districts | 2,491,999 | 2,529,829 | 2,279,999 | 2,286,108 | 2,466,322 |
| Independent Fire Districts | 31,100,871 | 32,007,290 | 32,648,214 | 33,342,108 | 34,563,575 |
| Park Districts | 10,460 | 10,460 | 10,460 | 7,630 | 9,646 |
| Tax Increment Financing District | 304,768 | 323,026 | 330,998 | 309,964 | 298,274 |
| County, General and Special District ⁽²⁾ | 74,296,580 | 74,511,232 | 75,920,661 | 79,790,357 | 80,413,020 |
| Water Arrears | 243,348 | 386,893 | 408,471 | 295,197 | 228,426 |
| Lost Exemptions | 257,756 | 660,322 | 536,819 | 910,666 | 259,944 |
| Total Levy | \$170,930,026 | \$174,020,050 | \$177,028,177 | \$183,768,047 | \$186,920,351 |
| Amount of Current Levy Collected | \$169,363,871 | \$172,583,486 | \$175,581,129 | \$179,274,567 | \$179,622,804⁽³⁾ |
| Percentage of Current Levy Collected | 99.08% | 99.17% | 99.18% | 97.55% | 96.10%⁽³⁾ |

- (1) Includes taxes for Town-Wide purposes on property owners residing outside the six villages located in the Town.
- (2) Includes County general, refuse district and sewer district taxes.
- (3) Reflects 2018 collections as of August 2018.

Source: Town Officials.

**School District Taxes
For the Fiscal Years Ended June 30:^{(1) (2)}**

| | 2014 | 2015 | 2016 | 2017 | 2018 ⁽³⁾ |
|---|---------------|---------------|---------------|---------------|---------------------|
| School Tax Levy | \$301,474,782 | \$316,963,710 | \$321,246,684 | \$335,032,029 | \$350,674,927 |
| Amount of Current Tax Levy Collected ⁽²⁾ | 296,987,731 | 312,653,689 | 317,253,748 | 329,201,108 | N/A |
| Percentage of Current Levy Collected | 98.51% | 98.64% | 98.76% | 98.26 | N/A |

- (1) Information based on school fiscal year.
- (2) Collections as of the tax lien date (May 1).
- (3) As of August 2018.

Note School taxes are due in two installments on September 1 and January 1 (See "Tax Collection Procedure and History" above).

Source: Town Officials.

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Tax Rates

The below table shows the Town’s real property tax rates for the years 2013 through 2018.

**Tax Rates per \$1,000 of Assessed Valuation
2013-2018 ⁽¹⁾**

| <u>Years Ended December 31:</u> | <u>Town Wide</u> | <u>Town Outside Villages⁽²⁾</u> |
|-------------------------------------|----------------------|--|
| 2013 ⁽¹⁾ | \$15.26 | \$186.98 |
| 2014 ⁽¹⁾ | 15.61 | 193.95 |
| 2015 ⁽¹⁾ | 15.89 | 198.96 |
| 2016 ⁽¹⁾ | 16.26 | 203.50 |
| 2017 ⁽¹⁾ | 16.70 | 209.84 |
| 2018 ⁽¹⁾⁽³⁾ | 0.49 | 6.28 |

- (1) Tax rates presented for the Town Outside Villages includes both the Town Wide and Town Outside tax rates.
- (2) Tax rates in certain areas of the Town differ due to the impact of exemptions granted to volunteer emergency personnel.
- (3) The Town completed a re-evaluation of all property in 2017.

Source: Town Officials.

Ten of the Largest Taxpayers

2017 Tax Roll (2018 Taxes)

| <u>Name</u> | <u>Industry</u> | <u>Taxable Assessed Valuations</u> | <u>Percentage Total Taxable Assessed Valuations ⁽¹⁾</u> |
|--------------------------|------------------------|--|--|
| Consolidated Edison Co | Utility | \$ 804,999,800 | 4.09% |
| Cali CW Realty Assoc LLC | Office Building | 148,314,500 | 0.75 |
| Avalon Green Ii LLC | Commercial Building | 127,367,800 | 0.65 |
| BA Leasing BSC LLC | Research & Development | 96,598,400 | 0.49 |
| Blue River Valley LLC | Estate | 68,839,700 | 0.35 |
| Loop Road Holdings LLC | Real Estate | 67,028,000 | 0.34 |
| E F Schools Inc. | Educational | 63,001,700 | 0.32 |
| H’Y2 Taxter LLC | Office Building | 57,305,300 | 0.29 |
| Midway Shopping Center | Retail | 55,612,800 | 0.28 |
| Suez Water Westchester | Utility | 52,023,500 | 0.26 |
| Total | | \$1,541,091,500 | 7.83% |

- (1) Total taxable assessed valuation for the 2018 fiscal year is \$19,686,881,469.
- * Taxpayer has one or more tax certiorari claims (See “Litigation,” herein, for a general discussion of such matters).

Source: Town Officials.

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**Overlapping/Underlying Entities Tax Rates
Per \$1,000 of Assessed Valuation
2013-2017**

| | <u>2013</u> | <u>2014</u> | <u>2015</u> | <u>2016</u> | <u>2017</u> |
|---------------------------------|-------------|-------------|-------------|-------------|-------------|
| County, General | \$107.72 | \$105.21 | \$105.83 | \$108.68 | \$3.27 |
| County Refuse District #1 | 10.50 | 9.86 | 9.92 | 9.94 | 0.29 |
| Village of Ardsley | 282.20 | 307.23 | 314.57 | 323.96 | 9.66 |
| Village of Dobbs Ferry | 228.14 | 234.11 | 240.90 | 241.27 | 6.95 |
| Village of Elmsford | 251.13 | 266.08 | 273.22 | 286.70 | 10.15 |
| Village of Hastings-on-Hudson | 244.78 | 244.77 | 245.61 | 246.53 | 6.23 |
| Village of Irvington | 281.97 | 287.58 | 294.77 | 298.96 | 7.82 |
| Village of Tarrytown | 285.78 | 295.77 | 307.51 | 311.59 | 7.86 |
| Ardsley School District | 716.95 | 735.29 | 750.77 | 760.80 | 22.54 |
| Dobbs Ferry School District | 744.82 | 788.02 | 808.29 | 808.98 | 22.86 |
| Edgemont School District | 650.41 | 668.36 | 686.39 | 706.44 | 19.53 |
| Elmsford School District | 574.87 | 578.46 | 599.99 | 612.18 | 19.89 |
| Greenburgh School District #7 | 478.04 | 493.62 | 506.22 | 510.25 | 16.08 |
| Hastings-on-Hudson School Dist. | 775.34 | 783.31 | 793.55 | 791.78 | 20.86 |
| Irvington School District | 645.81 | 665.35 | 690.14 | 698.78 | 19.14 |
| Pocantico Hills School District | 267.14 | 279.17 | 297.21 | 296.38 | 9.24 |
| UFSD of the Tarrytowns | 706.73 | 722.38 | 737.06 | 722.91 | 21.84 |
| Valhalla School District | 571.70 | 585.58 | 621.56 | 623.96 | 19.29 |

Note: County rates are for years ending December 31; Village and School District rates are for fiscal years commencing June 1 and July 1, respectively.

Source: Town Receiver of Taxes and Village Treasurers and the Westchester County Tax Commission.

TOWN INDEBTEDNESS

The total net debt of the Town as of September 16, 2017 is \$56,888,000, all of which is bonded debt (see “Constitutional Debt-Contracting Limitation - Statutory Debt Limit and Net Indebtedness,” herein). Property in the Town is also subject to assessment and taxation because taxpayers of the Town are required to pay a proportionate share of the debt of the County, including various County special districts, six incorporated villages, ten independent schools and three fire districts. See, “Overlapping and Underlying Debt,” herein.

Constitutional Requirements

The New York State Constitution limits the power of the Town (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 Town and its obligations.

Purpose and Pledge. Subject to certain enumerated exceptions, the Town 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 Town may contract indebtedness only for a Town 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 Town determines to issue a particular debt

obligation amortizing on the basis of substantially level or declining annual debt service. The Town 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 bonds and such required annual installments on its notes.

Debt Limit. The Town has the power to contract indebtedness for any Town purpose so long as the principal amount thereof shall not exceed seven percentum of the average full valuation of taxable real estate of the Town, 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 to take the assessed valuation of taxable real estate for the latest completed assessment roll and divide the same by the equalization rate as determined by the State Office of Real Property Tax Services (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 Town to borrow and incur indebtedness subject, of course, to the constitutional provisions set forth above. The power to spend money, however, generally derives from other law, including the Town Law and the General Municipal Law.

There is no constitutional limitation on the amount that may be raised by the Town by tax on real estate in any fiscal year to pay principal of and interest on all indebtedness. However, Chapter 97 of the Laws of 2011 imposes a procedural limitation on the power of the Town to increase its annual tax levy. See "The Tax Levy Limit Law."

Pursuant to the Local Finance Law, the Town 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 Town Board, the finance board of the Town. Certain such resolutions may be subject to permissive referendum, or may be submitted to the Town voters at the discretion of the Town 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. A legal notice of estoppel for the bond resolutions adopted in connection with this issuance was published on September 20, 2018 and the 20-day estoppel period is expected to be completed prior to closing the Bonds.

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 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, in each bond resolution the Town Board has delegated the power to issue and sell bonds and notes to the Supervisor, the chief fiscal officer of the Town.

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

Constitutional Debt-Contracting Limitation

The ORPTS annually establishes State equalization rates for all assessing units in the State, including the Town, 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 Town is not subject to a constitutional real property taxing limitation but has a debt contracting limitation equal to seven percent (7%) of average full valuation (See “Constitutional Requirements, Debt Limit,” and “Tax Levy Limit Law” herein.

The Town 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 Town purposes.

The following table sets forth the Town’s debt-contracting limitation.

Computation of Debt Contracting Limitation As of September 16, 2018

| <u>Assessment Roll Filed</u> | <u>Year Ending December 31:</u> | <u>Taxable Assessed Valuation ⁽¹⁾</u> | <u>State Equalization Rate ⁽²⁾</u> | <u>Full Valuation</u> |
|--|---|--|---|--------------------------------|
| 2013 | 2014 | \$ 545,655,171 | 3.51% | \$ 15,545,731,368 |
| 2014 | 2015 | 545,863,587 | 3.33 | 16,392,299,910 |
| 2015 | 2016 | 543,948,706 | 3.09 | 17,603,517,994 |
| 2016 | 2017 ⁽³⁾ | 19,218,733,747 | 100.00 | 19,218,733,747 |
| 2017 | 2018 ⁽³⁾ | 19,686,881,469 | 100.00 | <u>19,686,881,469</u> |
| Total Five-Year Full Valuation | | | | <u>\$ 88,447,164,488</u> |
| Five-Year Average Full Valuation | | | | <u>\$ 17,689,432,897</u> |
| Debt Contracting Limitation: 7% of Five-Year Average Full Valuation | | | | <u><u>\$ 1,238,260,302</u></u> |

- (1) Town Officials.
- (2) Final rates as established by the ORPTS.
- (3) The Town recently completed a re-evaluation of all property.

Source: Town Officials.

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**Statutory Debt Limit and Net Indebtedness
As of September 16, 2018**

| | Amount of Debt Limit | Percentage |
|---|-------------------------|------------|
| Debt Contracting Limitation: | \$1,238,260,302 | 100.00% |
| Gross Indebtedness: | | |
| Bonds | 78,100,000 | 6.31 |
| Refunded Bonds ⁽¹⁾ | 5,475,000 | 0.44 |
| Bond Anticipation Notes | -0- | 0.00 |
| | 83,575,000 | 6.75 |
| Less Deductions and Exclusions: | | |
| Refunded Bonds ⁽¹⁾ | 5,475,000 | 0.44 |
| Water Debt ⁽²⁾ | 20,442,000 | 1.65 |
| Unexpended Appropriations To Pay Non-Exempt Principal Debt | 770,000 | 0.06 |
| | 26,687,000 | 2.16 |
| Net Indebtedness | 56,888,000 | 4.59 |
| Debt-Contracting Margin ⁽¹⁾ | \$1,181,372,302 | 95.41% |

(1) The Town sold refunding bonds in October of 2017 to refund bonds originally issued in various years. Debt service on the refunded bonds is being paid from an escrow account which is invested in U.S. Government obligations and under the control of an independent trustee bank. The bonds will be called on various dates through June 15, 2019.

(2) Water debt is paid primarily from water assessments and rents, however, the Town is required by the State Constitution to pledge its faith and credit to pay debt service on the water obligations, if water assessments or rents prove to be insufficient for this purpose.

Tax and Revenue Anticipation Notes

The Town is also authorized by law to issue tax anticipation notes and revenue anticipation notes to provide cash to pay operating expenditures. Borrowings for these purposes are restricted by formulas contained in the Local Finance Law and Regulations issued under the U.S. Internal Revenue Code. Such notes may be renewed from time to time but generally not beyond three years in the case of revenue anticipation notes and five years for tax anticipation notes. Budget notes may be issued to finance current operating expenditures for which there is no appropriation or the amount so appropriated is not sufficient. Generally, the amount of budget notes issued may not exceed 5% of the budget and must be redeemed in the next fiscal year.

The Town has not issued tax anticipation, revenue anticipation or budget notes during the last five fiscal years and does not expect to issue such notes during the current fiscal year.

Bond Anticipation Notes

Bond anticipation notes may be sold to provide moneys for capital projects once a bond resolution has been adopted and becomes effective. Generally, bond anticipation notes are issued in anticipation of the sale of bonds at some future date and may be renewed from time to time up to five years from the date of the first note in most instances. Notes may not be renewed after the second year unless there is a principal payment on such notes from a source other than the proceeds of bonds. In no event may bond anticipation notes be renewed after the sale of bonds which the notes were originally issued.

Trend of Capital Debt

The following table sets forth the gross amount of bonds and bond anticipation notes outstanding at the end of each of the last ten completed years. Refunded debt has been excluded.

Debt History

| <u>Years Ended December 31:</u> | <u>Bonded Debt</u> | <u>Bond Anticipation Notes</u> |
|---|--------------------|--|
| 2008 | \$53,205,000 | \$ -0- |
| 2009 | 59,619,103 | -0- |
| 2010 | 60,300,000 | -0- |
| 2011 | 54,820,000 | -0- |
| 2012 | 55,338,048 | -0- |
| 2013 | 63,065,066 | -0- |
| 2014 | 74,601,367 | -0- |
| 2015 | 77,659,920 | -0- |
| 2016 | 78,441,514 | -0- |
| 2017 | 86,918,340 | -0- |

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Overlapping and Underlying Debt

The real property taxpayers of the Town are responsible for a proportionate share of outstanding debt obligations of the County and its special districts, six villages and ten school districts situated in the Town. Such taxpayers' share of this overlapping debt is based upon the amount of the Town's equalized property values taken as a percentage of each separate units' total values. The following table presents the amount of overlapping and underlying debt and the Town's share of this debt as of the various dates indicated; authorized but unissued debt has not been included.

Statement of Direct and Overlapping Indebtedness As of September 16, 2018

| | |
|---------------------------|----------------------|
| Gross Direct Indebtedness | \$ 83,575,000 |
| Exclusions and Deductions | <u>26,687,000</u> |
| Net Direct Indebtedness | <u>\$ 56,888,000</u> |

| Issuing Entity | Date Of Report | Net Overlapping Debt | Percentage Applicable To Town | Amount Applicable To Town |
|------------------------------------|-------------------|----------------------------|-------------------------------------|---------------------------------|
| Westchester County: ⁽¹⁾ | 12-31-17 | \$1,219,936,936 | 10.84% | \$132,241,164 |
| Villages: | 05-31-17 | | | |
| Ardasley | | 8,258,089 | 100.00 | 8,258,089 |
| Dobbs Ferry | | 14,310,000 | 100.00 | 14,310,000 |
| Elmsford | | 7,813,129 | 100.00 | 0 |
| Hastings-on-Hudson | | 10,369,500 | 100.00 | 10,369,500 |
| Irvington | | 13,191,705 | 100.00 | 13,191,705 |
| Tarrytown | | 54,731,246 | 100.00 | 54,731,246 |
| School Districts: ⁽²⁾ | 06-30-17 | | | |
| Ardasley | | 29,074,787 | 100.00 | 29,074,787 |
| Dobbs Ferry | | 16,216,209 | 100.00 | 16,216,209 |
| Edgemont | | 21,398,478 | 100.00 | 21,398,478 |
| Elmsford | | 0 | 100.00 | 0 |
| Greenburgh #7 | | 4,200,000 | 100.00 | 4,200,000 |
| Hastings-On-Hudson | | 9,329,877 | 100.00 | 9,329,877 |
| Irvington | | 36,463,388 | 100.00 | 36,463,388 |
| Pocantico Hills | | 14,698,200 | 42.09 | 6,186,472 |
| Tarrytown | | 70,900,000 | 57.60 | 41,317,908 |
| Valhalla | | 19,740,352 | 20.29 | 4,005,317 |
| Fire Districts: | 12-31-17 | | | |
| Fairview Fire District | | 0 | 100.00 | 0 |
| Greenville Fire District | | 1,695,000 | 100.00 | 1,695,000 |
| Hartsdale Fire District | | 4,300,000 | 100.00 | <u>4,300,000</u> |
| Net Overlapping Debt | | | | <u><u>\$407,199,141</u></u> |

(1) Net of \$8.9 million in water debt.

Source: Information obtained from the Office of the New York State Comptroller, (Local Government and School Accountability) and municipal officials.

Debt Ratios

The following table sets forth certain debt ratios based upon the Town's Statements of Direct and Overlapping and Underlying Debt, as of September 16, 2018. Refunded debt has been excluded.

Debt Ratios **As of September 16, 2018**

| | <u>Amount</u> | <u>Debt Per-Capita ⁽¹⁾</u> | <u>Debt to Estimated Full Value ⁽²⁾</u> | <u>Per-Capita Debt ⁽³⁾ To Per-Capita Income</u> |
|---------------------------------|---------------|---------------------------------------|--|--|
| Net Direct Debt | \$ 56,888,000 | \$ 623 | 0.29% | 1.03% |
| Net Direct and Overlapping Debt | 464,087,141 | 5,084 | 2.36 | 8.44 |

(1) The population of the Town is estimated by the U.S. Census Bureau to be 91,283 for 2016 (interim data).

(2) The full valuation of taxable property within the Town for the tax year 2018 is \$19,686,881,469.

(3) Per capita income for Town residents in 2016 was \$60,224 (US Census Bureau, The American Community Survey-5 Year Estimate).

Authorized but Unissued Debt and Prospective Debt Issuance

Excluding the Bonds, the Town had approximately \$250,000 in authorized but unissued debt for the replacement of a water main. The Town anticipates an internal borrowing for these funds. In addition, the Town is in the process of reassessing certain properties located within its borders. The Town anticipates borrowing only for normal capital purposes, as noted in their 2018 Adopted Capital Budget, in the foreseeable future. A copy of the 2018 Adopted Capital Budget can be obtained by visiting the Town's website (<http://www.greenburghny.com/>), by request of the Town Comptroller, or by request of the Town's Financial Advisor. The 2018 Adopted Capital Budget is considered to be preliminary and thus is subject to change.

Recent Financings

On October 11, 2017, \$18,583,340 Public Improvement (Serial) Bonds, 2017 and \$15,330,000 Public Improvement Refunding (Serial) Bonds 2017 were sold by the Town via competitive bid. The Public Improvement (Serial) Bonds and the Refunding (Serial) Bonds were sold at true interest rates of 2.4447% and 1.9868% respectively.

The Town participated in a pooled refunding by NYS Environmental Facilities Corporation in 2014 with respect to a series of bonds issued in 2004 through the Clean Water State Revolving Fund (CWSRF).

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Debt Service Schedule

The following table shows the debt service requirements to maturity for the outstanding bonds of the Town, excluding the Bonds and refunded debt.

Schedule of Debt Service Requirements

| Fiscal Years Ending December 31: | Principal | Interest ⁽²⁾ | Total | Cumulative % Principal Paid |
|---|---------------------|-------------------------|----------------------|-----------------------------------|
| 2018 ⁽¹⁾ | \$ 9,658,340 | \$ 2,436,939 | \$ 12,095,279 | 11.11% |
| 2019 | 8,750,000 | 2,325,082 | 11,075,082 | 21.18 |
| 2020 | 8,035,000 | 2,022,790 | 10,057,790 | 30.42 |
| 2021 | 7,280,000 | 1,756,478 | 9,036,478 | 38.80 |
| 2022 | 6,950,000 | 1,513,407 | 8,463,407 | 46.79 |
| 2023 | 6,060,000 | 1,302,398 | 7,362,398 | 53.77 |
| 2024 | 6,010,000 | 1,125,130 | 7,135,130 | 60.68 |
| 2025 | 5,345,000 | 970,793 | 6,315,793 | 66.83 |
| 2026 | 4,835,000 | 832,305 | 5,667,305 | 72.39 |
| 2027 | 4,245,000 | 700,365 | 4,945,365 | 77.28 |
| 2028 | 3,945,000 | 575,999 | 4,520,999 | 81.82 |
| 2029 | 3,780,000 | 457,430 | 4,237,430 | 86.17 |
| 2030 | 3,560,000 | 342,694 | 3,902,694 | 90.26 |
| 2031 | 2,240,000 | 253,930 | 2,493,930 | 92.84 |
| 2032 | 1,955,000 | 184,431 | 2,139,431 | 95.09 |
| 2033 | 1,415,000 | 121,854 | 1,536,854 | 96.72 |
| 2034 | 1,115,000 | 79,276 | 1,194,276 | 98.00 |
| 2035 | 660,000 | 51,000 | 711,000 | 98.76 |
| 2036 | 580,000 | 32,400 | 612,400 | 99.42 |
| 2037 | 500,000 | 15,000 | 515,000 | 100.00 |
| Total | \$86,918,340 | \$17,099,701 | \$104,018,041 | |

(1) As of September 16, 2018, the Town has paid \$8,818,340 principal and \$1,508,648 interest on bonds for the year ending December 31, 2018.

(2) Interest payments do not include the effects of the interest subsidy and administrative fees for bonds issued through the State Revolving Fund in 2004. As of September 16, 2018, the Town expects to receive total subsidies, net of administrative fees, of \$344,213 through the year 2034.

ECONOMIC AND DEMOGRAPHIC DATA

The Town is situated along the eastern bank of the Hudson River in the southern portion of the County, an area that continues to rank among the most affluent sections in the United States. Incorporated in 1788, Greenburgh encompasses 30.5 square miles and includes the incorporated Villages of Ardsley, Dobbs Ferry, Elmsford, Hastings-on-Hudson, Irvington, and Tarrytown. The Town is primarily suburban residential in nature but has an extensive commercial base in Elmsford and Hartsdale (an unincorporated area within the Town) sections of the Town. Population, according to 2016 Census data (the American Community Survey – 5 Year Estimate), was 91,283, which represented an increase of approximately 3.3% since the 2010 Census. In addition, for 2016, the average per-capita money income for Town residents, \$60,224, was estimated to be approximately 20.6% and 76.0% higher than for the County and the State, respectively (US Census Bureau, American Community Survey – 5 Year Estimate). Unemployment in the Town has traditionally been below County, State and national rates (see the following tables).

Population

Population Trend

| <u>Year</u> | <u>Town</u> | <u>County</u> | <u>State</u> | <u>United States</u> |
|-------------|-------------|---------------|--------------|----------------------|
| 1960 | 76,213 | 808,891 | 16,782,304 | 179,323,175 |
| 1970 | 85,827 | 894,406 | 18,236,967 | 203,211,926 |
| 1980 | 82,881 | 866,599 | 17,558,072 | 226,548,632 |
| 1990 | 83,816 | 874,866 | 17,990,455 | 248,709,873 |
| 2000 | 86,764 | 923,459 | 18,976,457 | 281,421,906 |
| 2010 | 88,400 | 949,113 | 19,378,102 | 308,745,538 |
| 2016 | 91,283 | 969,229 | 19,697,457 | 318,558,162 |

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

Population of Underlying Areas

| | <u>Census Year</u> | | | | |
|----------------------|--------------------|---------------|---------------|---------------|---------------|
| | <u>1980</u> | <u>1990</u> | <u>2000</u> | <u>2010</u> | <u>2016</u> |
| Villages: | | | | | |
| Ardsley | 4,183 | 4,272 | 4,269 | 4,452 | 4,570 |
| Dobbs Ferry | 10,053 | 9,940 | 10,622 | 10,875 | 11,058 |
| Elmsford | 3,361 | 3,938 | 4,676 | 4,664 | 4,814 |
| Hastings-on-Hudson | 8,573 | 8,000 | 7,648 | 7,849 | 7,959 |
| Irvington | 5,774 | 6,348 | 6,631 | 6,420 | 6,559 |
| Tarrytown | 10,648 | 10,739 | 11,090 | 11,277 | 11,460 |
| Unincorporated Areas | <u>40,289</u> | <u>40,569</u> | <u>41,828</u> | <u>42,863</u> | <u>44,863</u> |
| | <u>82,881</u> | <u>83,806</u> | <u>86,764</u> | <u>88,400</u> | <u>91,283</u> |

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

Income

The following two tables provide comparative income statistics for the Town, County, and State.

Per Capita Income

| | <u>2016</u> |
|--------------------|-------------|
| Town | \$60,224 |
| County | 49,938 |
| State | 34,212 |
| Villages: | |
| Ardsley | 66,263 |
| Dobbs Ferry | 55,789 |
| Elmsford | 34,747 |
| Hastings-on-Hudson | 63,403 |
| Irvington | 81,337 |
| Tarrytown | 57,493 |

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

Median Income of Families – 2016

| | Median Income | Income Groups - % of Families | | | | |
|--------|------------------|-------------------------------|---------------------|---------------------|---------------------|----------------------|
| | | Under \$25,000 | \$25,000 -49,999 | \$50,000 -74,999 | \$75,000 -99,999 | \$100,000 Or More |
| Town | \$142,500 | 4.2% | 8.0% | 10.7% | 9.3% | 67.9% |
| County | 110,543 | 9.4 | 13.5 | 12.0 | 10.4 | 54.8 |
| State | 74,036 | 15.5 | 18.6 | 16.5 | 13.2 | 36.3 |

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

Employment

Occupation - Employed Civilian Workers Age 16 and Over (%)

| Occupation Type: | 2016 | | |
|--|-------|--------|-------|
| | Town | County | State |
| Management, Business, Science, and Arts | 58.5% | 46.6% | 39.7% |
| Service | 14.9 | 18.7 | 20.2 |
| Sales and Office | 18.9 | 21.9 | 23.5 |
| Natural Resources, Construction, and Maintenance | 3.8 | 6.8 | 7.2 |
| Production, Transportation, and Material Moving | 3.8 | 6.1 | 9.4 |

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

Average Employed Civilian Labor Force

| | 2000 | 2010 | 2017 | % Change | |
|--------|-----------|-----------|-----------|-----------|-----------|
| | | | | 2000-2010 | 2010-2017 |
| Town | 46,200 | 44,300 | 47,000 | (4.1)% | 6.1% |
| County | 445,400 | 443,500 | 462,100 | (0.4) | 4.2 |
| State | 8,718,700 | 8,769,700 | 9,249,200 | 0.6 | 5.5 |

Source: New York State Department of Labor.

Average Unemployment Rates

| Year | Town | County | State | United States |
|---------------------|------|--------|-------|------------------|
| 2013 | 5.6% | 6.2% | 7.7% | 7.4% |
| 2014 | 4.5 | 5.1 | 6.3 | 6.2 |
| 2015 | 4.0 | 4.5 | 5.3 | 5.3 |
| 2016 | 3.8 | 4.2 | 4.8 | 4.9 |
| 2017 | 4.0 | 4.6 | 4.7 | 4.4 |
| 2018 ⁽¹⁾ | | | | |
| Jan | 4.1 | 4.9 | 5.1 | 4.5 |
| Feb | 4.5 | 5.2 | 5.1 | 4.4 |
| Mar | 4.1 | 4.7 | 4.8 | 4.1 |
| Apr | 3.7 | 4.2 | 4.3 | 3.7 |
| May | 3.5 | 3.8 | 3.7 | 3.6 |
| Jun | 3.7 | 4.1 | 4.2 | 4.2 |
| Jul | 3.6 | 4.1 | 4.2 | 4.1 |

(1) Monthly Rates.
Source: New York State Labor Department.

Major Private Sector Employers in the County

| Name of Business | Nature of The Business |
|--------------------------------|-----------------------------------|
| IBM Corp. | Computer hardware and software |
| PepsiCo Inc. | Soft drinks and snack foods |
| Consolidated Edison Inc. | Utility Services |
| MasterCard | Credit card services |
| ITT Corp. | Water and fluid management |
| Westchester Medical Center | Hospital and health care services |
| Regeneron Pharmaceuticals Inc. | Pharmaceuticals |
| New York Medical College | Medical college and research |
| Pace University | Private co-educational university |
| White Plains Hospital | Hospital and health care services |
| St. John's Riverside Hospital | Hospital and health care services |

Source: The 2016 Comprehensive Annual Financial Report of Westchester County. Info was compiled by the Westchester Business Journal as of April 2017.

Educational, Cultural and Medical Institutions

Education. Mercy College, a four-year and predominantly liberal arts college, has its main campus in the Village of Dobbs Ferry. Fordham University has a satellite campus located in the Village of Tarrytown. In addition, there are numerous colleges, universities and vocational schools located throughout the County. The County maintains a publicly supported two-year institution with an open enrollment policy for high school graduates meeting certain residency requirements.

Cultural. The Library houses some 180,647 items, of which 139,850 are printed books, magazines and newspapers, 40,797 are audio-book, music and DVD recordings. There are 58 on-line computers that provide free access to the catalogue, Internet and subscription databases. The Library provides free WiFi connections for 75 simultaneous users. In 2009 the Greenburgh Library circulated 581,739 items, the third highest among the 38 public libraries in Westchester County. As a member of the Westchester Library System Greenburgh Library cardholders have access to the resources of the other 37 libraries in the county. Each of the Town's six villages provides library service to their residents (Elmsford contracts with Ardsley for these services).

The Library houses some 172,000 items, magazines and newspapers, 32,271 video and DVD recordings, 137,465 book and music recordings and a local history collection. The Library is WiFi ready. There are 48 on-line computers that provide free access to the catalogue, internet and subscription database. The Greenburgh Public Library is the fifth largest member of the Westchester Library System, which enables its members to utilize the services and collections of the other 37 member libraries. Each of the Town's six villages provide library services to their residents (Elmsford contracts with Ardsley for these services).

Medical. Hospital services are provided by Dobbs Ferry Hospital, located in the Town, as well as by nearby Phelps Memorial (in Sleepy Hollow), White Plains Hospital and the County Medical Center at Valhalla. In addition, Westchester County administers a variety of programs to help those in need of medical and dental services. Residents of the Town may avail themselves of the services offered locally by the County Department of Health and the Greenburgh Neighborhood Health Center.

Financial Institutions

There are eleven commercial banks and three savings institutions within the Town. Commercial banks include branches of: Bank of America, Citibank, HSBC Bank USA, Hudson Valley Bank, JPMorgan Chase, Key Bank, Mahopac National Bank, M&T Bank, Provident Bank, Trustco Bank and Wachovia Bank. The savings banks are Astoria Federal Savings & Loan Association, Community Mutual Savings Bank and Sunnyside Federal Savings & Loan Association.

Transportation

The Town is served by a network consisting of all major forms of transportation. Several primary State and U.S. highways including the State Thruway (I-87), Cross Westchester Expressway (I-287), U.S. Route 9, the Sprain Brook Parkway (which links with the Taconic State Parkway and Bronx River Parkway) and the Sawmill River Parkway run through the Town. The Metropolitan Transportation Authority provides passenger rail service; freight service is provided by Conrail. Air transportation is available at the County Airport, as well as the three major New York metropolitan airports (Kennedy, LaGuardia and Newark), which lie to the south of the Town and may be reached in about one hour.

Communications

The Town is served by the New York metropolitan newspapers, radio and television stations. In addition, the Town has various local newspapers including The Journal News and two local radio stations, WFAS-AM and FM. Cablevision of Westchester and Verizon provide cable television and internet service for residents of the Town.

Utilities

The residents of the Town receive electric and natural gas services from the Consolidated Edison Company. Under an agreement with the Power Authority of the State of New York, this agency supplies electricity to meet the operational needs of Town government. Verizon is the primary provider of local telephone service in the Town.

The Town is a part of the County Refuse District No. 1 which operates a mass-burn resource recovery facility located in the City of Peekskill in the northwest corner of the County. Properties located in the County Refuse District are subject to annual assessments to pay service charges for processing solid waste as well as operating and capital expenses of such district.

The Town operates a water system to service residents outside the various villages. The system is comprised of 160 miles of water mains and its source of water is the Delaware Aqueduct, which passes through the Town. Water is purchased from New York City which maintains the aqueduct and its reservoirs.

The Town also owns and operates its own sewer collection system, which is comprised of 148 miles of sewer mains. The main trunk lines empty into a County sewage treatment plant in Yonkers. In addition, part of the Town is provided sewer service by five special improvement districts established and maintained by the County.

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Construction Activity

The following two tables provide certain information about construction and demolition activity in the unincorporated area of the Town.

Residential, Industrial and Commercial Building Permit Activity 2005 - 2016

| Year | New Construction | | Additions Alterations And Repairs | | Totals | | Demolition Permits |
|-------|-------------------|---------------|---|---------------|-------------------|-----------------|-----------------------|
| | No. of Permits | \$ Value | No. of Permits | \$ Value | No. of Permits | \$ Value | |
| 2005 | 35 | \$ 4,668,958 | 376 | \$38,461,052 | 411 | \$ 43,130,010 | 15 |
| 2006 | 35 | 70,525,179 | 446 | 47,293,304 | 481 | 117,818,483 | 30 |
| 2007 | 46 | 11,119,698 | 493 | 50,871,090 | 539 | 61,990,788 | 18 |
| 2008 | 67 | 10,328,480 | 478 | 90,916,576 | 545 | 101,245,056 | 40 |
| 2009 | 23 | 6,469,073 | 496 | 41,280,593 | 519 | 47,749,666 | 0 |
| 2010 | 29 | 20,258,871 | 634 | 104,400,624 | 663 | 124,659,495 | 0 |
| 2011 | 34 | 61,258,533 | 723 | 64,321,670 | 757 | 125,580,203 | 21 |
| 2012 | 19 | 7,841,567 | 675 | 86,315,915 | 694 | 94,157,482 | 24 |
| 2013 | 28 | 12,626,479 | 750 | 66,440,303 | 778 | 79,066,782 | 25 |
| 2014 | 38 | 26,325,859 | 775 | 63,652,451 | 813 | 89,978,310 | 25 |
| 2015 | 32 | 52,406,393 | 758 | 56,574,291 | 789 | 111,980,684 | 28 |
| 2016 | 32 | 76,114,836 | 674 | 62,653,087 | 706 | 138,767,923 | 21 |
| Total | 418 | \$359,943,926 | 7,278 | \$773,180,956 | 7,695 | \$1,136,124,884 | 247 |

Development Activities

The development activities in the unincorporated area of the Town, in keeping with its suburban residential character have been devoted primarily to the construction of shopping facilities, new office space and condominiums. The following table lists the significant development projects undertaken since 1998 including those currently under construction or in the planning stages.

Principal Development Activities

| Project | Size and Type | Year Complete | Status | Notes |
|--|--|------------------|--------------------------|-------|
| <i>Office/Mixed Use:</i> | | | | |
| Madison Square Garden | 120,000 sq. ft. It Sports Facility | 2001 | Approved | Built |
| Coca Cola Bottling | 107,000 sq. ft. Plant Expansion | 2003 | Approved | Built |
| Losco Development | 18,000 Sq ft - Office building | 2006 | Approved | Built |
| 59 Nepperhan Ave. (Eastern Excavation) | 9,705 Sq. ft. Office Building | 2007 | Approved | Built |
| Greenville Shopping Center | 7,000 sq. ft. Office Expansion | 2007 | Approved | Built |
| 77 Tarry, LLC | 6,000 Sq. ft. Office Building Addition | 2008 | Approved | Built |
| Commerce Bank – Central Ave. | 4,100 Sq. ft. Bank Building | 2008 | Application abandoned | |
| Biomed Realty Trust | 320,000 sq. ft Biotech, medical and | 2009 | Approved | Built |
| Westcon | 50,000 sq. ft.: Warehouse | | Approved | Built |
| Greenburgh Health Center | 34,000 Sq ft -Medical building | 2013 | Approved | Built |

| | | | | |
|---|--|------|-----------------------|-----------------|
| 600 White Plains Road | 224,000 Sq. ft. Office Building | | Under Construction | |
| TD Bank – Saw Mill River Road | 3,000 Sq. Ft. Bank Building | 2012 | Approved | Built |
| Ardsley Park/OSI | 180,000 sq. ft.-Laboratory | | Under Construction | |
| BMR- Landmark at Eastview 777 Old Saw Mill River Road | 128,564 sq. ft. Office Building | 2014 | Approved | Not built |
| Retail: | | | | |
| 155 N. Central Ave. (Montage) | Site Plan – 6,200 sq. ft. retail building | 2003 | Approved | Built |
| Trader Joe/Best Buy | Expansion | 2004 | Approved | Built |
| Venetian Delight (Special Permit) | Expansion – 46 seat restaurant | 2004 | Approved | Built |
| Westchester BMW | Building/Site Renovations | 2004 | Approved | Built |
| Alcaria (Special Permit) | Site Plan – 115 seat restaurant | 2004 | Approved | Built |
| Quiznos Sub (Special Permit) | 1,950 sq. ft., 42 seat restaurant | 2005 | Approved | Built |
| Midway Shopping Center | New façade | 2005 | Approved | Built |
| Greenburgh Shopping Ctr. (Dunkin Donuts) | Retail | 2005 | Approved | Built |
| Pizza Hut (Special Permit) | 3,929 sq. ft., 86 seat restaurant | 2006 | Approved | Built |
| Pro-Fit Workout 19 (Special Permit) | 10,520 sq. ft. health spa | 2006 | Approved | Built |
| Cassano's Pizza | 970 Sq. ft., 13 seat restaurant | 2007 | Approved | Built |
| Panera Bread - Special Permit | 4,676 sq. ft - 120 seats | 2007 | Approved | Built |
| Bettino Associates | Garage | 2008 | Approved | Built |
| Starbucks Central Ave | 1,700 sq. ft. 20 Seat Coffee Shop | 2008 | approved | Built as PeaPod |
| 267 Warehouse Lane | 9,000 sq. ft. retail building | 2008 | approved | Built |
| 206 Hartsdale Avenue - Masala Kraft Cafe | 760 sq. ft. restaurant | 2008 | approved | Built |
| Candlelight Inn | 2,944 sq. ft. building | 2010 | approved | Built |
| Bread Factory | 3,500 sq. ft. restaurant- 80 seats | 2010 | approved | Built |
| Shop Rite – 1000 Central Ave | 65,000 Sq. ft. Food Store | 2010 | approved | Built |
| Sam' Club | 4,500 sq. ft. expansion | 2011 | Approved | Built |
| Captain Lawrence brewery | 18,250 sq. ft. | 2011 | Approved | Built |
| 213-215 East Hartsdale Avenue | 2,100 sq. ft. restaurant | 2011 | approved | Built |
| 269 Central Park Avenue South (Dunkin Donuts) | 1,318 sq. ft. restaurant | 2011 | approved | Built |
| 251 Central Avenue (Snap Fitness) | 3,200 sq. ft. personal fitness center | 2011 | approved | Built |
| BMW – Westchester Mini | 38,771 Sq. ft. Building | 2013 | approved | Built |
| Ray Catena Auto | 8,150 sq. ft. building | | Approved | Built |
| Motor City | 554 Sq. ft. Retail Addition | 2004 | Application abandoned | |
| Best Rent Properties | 9,000 Sq. ft. Retail Building | | approved | Built |
| Walgreens - 870 Central Park Avenue | 8,840 sq. ft building | 2010 | approved | Built |
| 95 Central Ave. | 5,025 sq. ft. – 130 seats | | approved | Built |
| White Hickory - – 600 Tarrytown Road | 58,735 sq. ft. retail, commercial, office and administrative space, | 2012 | approved | Built |
| (H-Mart) | 38,000 Sq. ft. food store | 2011 | approved | Built |
| Eastview Holdings | 500,000 sq. ft. retail development | | approved | Built |
| 444 Saw Mill River Road | 7,827 sq. ft. expansion | | approved | Built |
| White Hickory II – 600 Tarrytown RoadRoad | 7,500 sq. ft. retail/restaurant space and 75,000 sq. ft. supermarket | 2012 | approved | Built |
| 1075 Central Park Avenue South (New York Eye and Ear) | 12,000 SQ Ft Ambulatory care | | Application abandoned | |
| Scarsdale Golf Club | 7,000 sq. ft. expansion | 2011 | approved | Built |
| 420 Saw Mill River Road Ardsley - Biomed - | 5,000 sq. ft. expansion | 2012 | approved | Built |
| 381 Knollwood Road Convenience Store | 1,600 sq. ft expansion | | approved | Built |
| 1000 Central Park Ave South- Gasoline Service Station | 1,600 sq. ft Gasoline Service station convenience store | 2014 | Approved | Built |
| DAS Performance Automotive | Enclosure for two existing off-street parking spaces | 2013 | Approved | Built |

| | | | | |
|--------------------------------------|--|------|--------------------|-----------|
| Midway Shopping Center (Smashburger) | Conversion from 3,200 sq ft retail to restaurant | 2013 | Approved | Built |
| Planet Fitness | 24,740 sq. ft. Health club | 2012 | Approved | Built |
| Coca-Cola Refreshments | 4,500 sq. ft. expansion | 2012 | Approved | Built |
| <i>Hotel:</i> | | | | |
| Ameri Suites | 130 Hotel Rooms | 2004 | N/A | |
| Spring Hill Suites | 145 Hotel Rooms | 2004 | Approved | Built |
| Sheraton Hotel | 150 Hotel Rooms | 2008 | Approved | Built |
| <i>Residential:</i> | | | | |
| Landers Farm | 5 Lot Subdivision | 2001 | Approved | Built |
| Landers Manor | 9 Unit Subdivision | 2001 | Approved | Built |
| Worthington Station | 13 Lots | 2001 | Approved | Built |
| Worthington Ridge | 20 Lots | 2001 | Approved | Built |
| Chelsea Park | 60 Lots – Single Family | 2001 | Approved | Built |
| Westchester Meadows | 120 Units - Senior Housing | 2001 | Approved | Built |
| 347 Plaza Associates | 40 Units Rental | 2001 | Approved | Built |
| Pinewood | 4 Lot Subdivision | 2001 | Approved | Built |
| Ardsley Green | 36 Lot Subdivision | 2001 | Approved | Built |
| Winding Ridge | 120 Units -Single Family | 2002 | Approved | Built |
| Rosler Subdivision | 2 Lot Subdivision | 2002 | Approved | Built |
| American Dream Home | 1 Lot Re-Subdivision | 2002 | Approved | Built |
| Crowley Resubdivision | 2 Lots | 2002 | Approved | Built |
| Taylor Resubdivison | 1 Lots | 2002 | Approved | Built |
| Sebo | 2 Lot Subdivision | 2003 | Approved | Built |
| Glenville Woods/Wildwood | 86 Units Townhouses | 2004 | Approved | Built |
| Solomon Funny Subdivision | 1 Lot | 2004 | Approved | Built |
| Silverstein/Subdivision/Castlewalk | 3 Lots | 2004 | Approved | Built |
| Busing | 2 lot subdivision | 2004 | N/A | |
| Racer Development | 1 lot subdivision | 2004 | Approved | Built |
| Iheagwara | 1 lot subdivision | 2004 | N/A | |
| Seal-Djibo | 1 Lot Re-Subdivision | 2005 | Approved | Built |
| Omega Estates | 2 Lot Subdivision | 2005 | N/A | |
| Labriola Subdivision | 2 Lots | 2006 | Approved | Built |
| 30 Robin Hill Road Subdivision | 2 Lots | 2008 | Approved | Built |
| Preserve at Greenburgh | 17 Unit Townhouses | 2008 | Approved | Built |
| Miele & Cicarelli | 2 Lots | 2009 | Approved | Built |
| Nob Hill/Avalon Green | 444 Units -Multi Family | | Approved | Built |
| Kathwood Road Subdivision | 6 Lot Subdivision | | Approved | Built |
| Winding Farms Estates | 8 Lot Subdivision | | Approved | Built |
| Clarion Estates | 6 Lots | | Approved | Built |
| 857 Knollwood Road | 2 Lots | | Approved | Built |
| Kittay | 2 Lot Subdivision | | Approved | Built |
| Gel Sprain | 28 Lot Subdivision | | Under Construction | |
| Hartwell | 1 lot subdivision | | Approved | Built |
| Forchetti Subdivision | 3 Lots | | Approved | Not Built |
| Osborne | 1 lot subdivision | | Approved | Built |
| Scazzurro | 1 lot subdivision | | Approved | Built |
| Maffei | 2 lot subdivision | | Approved | Built |

| | | | | |
|---|--|------|----------------------------------|-----------|
| Old Sprain Road Subdivision | 11 Lots | | Approved | Built |
| RMC – Carriage Hills | 14 Lot Subdivision | | Approved | Not Built |
| HSA-UWC Taxter Road Subdivision | 4 Lot Subdivision | | Approved | Built |
| Merritt Subdivision | 2 Lots | | Approved | Built |
| Chauncey Subdivision | 8 Lots | | Approved | Built |
| Bowen Townhouse - 88 North Road | 3 town homes 1 lot | | Approved | Built |
| The Esplanade - 250 Central Park Avenue | 51 unit multi family | | Under Construction | |
| Westhab | 28 unit multi family | 2013 | Approved | Built |
| 76 Rosemont Blvd | 6 multifamily units | 2011 | Approved | Built |
| RMC Subdivision | 2 Lots | | Approved | Built |
| Glusker | 2 Lot Subdivision | | N/A | |
| DeNardo Subdivision | 6 Lot Subdivision | | Approved | Built |
| Seropian Subdivision | 4 Lot Subdivision | | Withdrawn | |
| Danfor Realty | 4 Lot Subdivision | | Application abandoned | |
| William Willis | 1 Lots | | N/A | |
| Atkinson Subdivision | 2 Lots | | N/A | |
| 25 Old Army Road (Perko) Subdivision | 3 Lots | | Approved | Built |
| 225 Sprain Road (Ki-Yol) | 2 Lots | | Approved | Built |
| 240 Old Army Road | 2 Lots | 2011 | Approved | Built |
| 20 Terrace Street (Quintero) | | | Preliminary subdivision approval | |
| Westchester View Lane (Mascetta) | 3 Lots | | Approved | Built |
| Greystone-on-Hudson | 8 lot | | Under Construction | |
| Soiefer Subdivision- Moorland Avenue | 4 lots combined into one buildible lot | 2014 | Approved | Built |
| Brightview Assisted Living Residence- 191 Old White Plains Road | 90 unit - Assisted Living Facility | 2013 | Approved | Built |
| 44 Sea Cliff Ave Corp | 2 to 1 lot subdivision | 2013 | Approved | Built |
| 13-18 Scholle Subdivision | 1 Lot | 2013 | Approved | Built |
| Makan Subdivision | 1 Lot | 2013 | Approved | Built |
| Sguerra Subdivision | 1 Lot | 2014 | Approved | Built |
| Levy Subdivision | 3 Lots | 2013 | Approved | Built |
| Avalon III | 68 Units | 2014 | Under Construction | |
| <i>Government Facilities:</i> | | | | |
| Yosemite Park | Park Renovation | 2000 | approved | Built |
| Anthony F. Veteran Park | Multi Purpose Recreation Ctr. Bldg. | 2000 | approved | Built |
| D.P.W. Complex | Highway/Sanitation Garage | 2002 | approved | Built |
| Village Of Tarrytown: Addition to Senior Center | 1,900 sq. ft. | 2007 | N/A | |
| Gaisman Estate | 113 Acre Park Purchase | | N/A | |
| Greenburgh Library | 46,000 sq. ft. Renovation/Expansion | 2008 | approved | Built |
| Village Of Tarrytown: Village Hall | 21,500 sq. ft. | 2008 | approved | Built |
| Village Of Tarrytown: Consolidated Firehouse | 5,200 sq. ft. | 2008 | N/A | |
| Village Of Tarrytown: Washington Engine Firehouse | 4,700 sq. ft. | 2008 | N/A | |
| Hartsdale Fire Station #2 | 8,000 Sq. ft. Expansion | 2008 | N/A | |
| <i>Other:</i> | | | | |
| Solomon Schecter | 600 Student School | 2001 | Approved | Built |
| Shiloh Chapel | 5,000 sq. ft. | 2002 | Approved | Built |

| | | | | |
|--|-----------------------------------|------|----------|-----------|
| 125 Clearbrook Ave. Site Plan | 33,000 sq. ft. warehouse | 2002 | Approved | Built |
| Yukon Realty – 410 Saw Mill River Road | Site Plan | 2003 | Approved | Built |
| Hartsdale Veterinary Hospital | Veterinary Hospital | 2003 | Approved | Built |
| NYSC Health Club | Health Club | 2003 | Approved | Built |
| Woodlands Community Temple | Site Plan | 2004 | Approved | Built |
| Church of the Nazarene | 6,000 Sq. Ft. Church | 2006 | Approved | Built |
| Jeraci Foods Warehouse | 20,000 Sq. Ft. expansion | 2006 | Approved | Built |
| Hackley School Renovations | 33,000 Sq. ft. School | 2008 | Approved | Built |
| Union Baptist Church | 22,000 Sq. ft. Sanctuary | 2008 | Approved | Built |
| Solomon Schechter II | 12,000 sq. ft. addition | 2011 | approved | Built |
| Hackley School Subdivision | 2 Lots | | Approved | Built |
| Hebrew Home Hospital | Expansion | | Approved | Built |
| Fortress Bible | Church & 175 Student School | | Approved | Not built |
| Sprint Spectrum Wetlands Permit | Storage Box | | Approved | Built |
| NY School for Deaf | Classroom Expansion 5,000 sq. ft. | 2013 | Approved | Not built |
| St. Andrew's Golf Club | New Clubhouse 4,000 sq. ft. | 2013 | Approved | Built |

Source: Town Officials

Housing Data

Housing Stock – (2000 – 2016)

| | Number of Units | | | % Change | |
|--------|-----------------|-----------|-----------|----------|---------|
| | 2000 | 2010 | 2016 | 2000-10 | 2010-16 |
| Town | 34,084 | 35,452 | 35,197 | 4.0% | (0.7)% |
| County | 349,445 | 370,821 | 369,925 | 6.1 | (0.2) |
| State | 7,679,307 | 8,108,103 | 8,191,568 | 5.6 | 1.0 |

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

Median Housing Values and Rents **2016**

| | % Constructed 2010-2016 | Median Value(\$) | Median Rents(\$) | Occupancy Status (%) | | |
|--------|-------------------------|----------------------|-----------------------|----------------------|-----------------|--------|
| | | Owner Occupied Units | Renter Occupied Units | Owner Occupied | Renter Occupied | Vacant |
| Town | 1.1% | \$539,600 | \$1,680 | 68.2% | 25.8% | 6.0% |
| County | 0.8 | 507,300 | 1,394 | 56.8 | 35.6 | 7.6 |
| State | 1.3 | 286,300 | 1,159 | 47.5 | 41.2 | 11.3 |

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

END OF APPENDIX A

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APPENDIX B

UNAUDITED SUMMARY OF FINANCIAL STATEMENTS AND BUDGETS

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**TOWN OF GREENBURGH
GENERAL FUND
BALANCE SHEET
UNAUDITED PRESENTATION**

AS OF DECEMBER 31:

| | 2013 | 2014 | 2015 | 2016 | 2017 |
|--|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| ASSETS | | | | | |
| Cash and Equivalents | \$ 69,708,420 | \$ 99,895,935 | \$ 110,399,044 | \$ 121,913,312 | \$ 169,095,590 |
| Investments | 0 | 0 | 0 | | |
| Taxes Receivable, (Net) | 140,515,681 | 116,733,908 | 115,639,553 | 117,107,370 | 100,280,978 |
| Other Receivables: | | | | | |
| Accounts | 1,085,605 | 1,247,564 | 1,805,745 | 601,919 | 816,105 |
| State and Federal Aid | 3,895 | 3,246 | 38,026 | 1,840 | 0 |
| Due From Other Governments | 974,427 | 729,154 | 354,083 | 569,753 | 344,329 |
| Due From Other Funds | 311,157 | 886,612 | 0 | 0 | 0 |
| Advances To Other Funds | 0 | 0 | 0 | 0 | 0 |
| Prepaid Expenses | 162,777 | 294,868 | 222,602 | 612,020 | 209,696 |
| Total Assets | \$ 212,761,962 | \$ 219,791,287 | \$ 228,459,053 | \$ 240,806,214 | \$ 270,746,698 |
| LIABILITIES AND FUND BALANCE | | | | | |
| Liabilities: | | | | | |
| Accounts Payable | \$ 2,847,199 | \$ 4,875,188 | \$ 5,014,705 | \$ 3,244,504 | \$ 3,552,588 |
| Due To Other Governments (a) | 147,155,102 | 150,345,205 | 155,166,462 | 154,439,271 | 161,087,363 |
| Due To Other Funds (b) | 45,510,917 | 48,038,883 | 52,259,811 | 58,776,366 | 62,137,856 |
| Overpayments | 1,419,115 | 1,171,929 | 1,066,494 | 1,209,538 | 1,286,401 |
| Deferred Revenues | 0 | 0 | 0 | 0 | 0 |
| Unearned Revenues | 404,906 | 412,942 | 353,965 | 297,642 | 175,334 |
| Total Liabilities | 197,337,239 | 204,844,147 | 213,861,437 | 217,967,321 | 228,239,542 |
| Deferred Inflows of Resources: | | | | | |
| Deferred Tax Revenues | 965,783 | 1,391,204 | 1,035,316 | 1,142,733 | 15,313,180 |
| Total Liabilities and Deferred Inflows of Resources | 198,303,022 | 206,235,351 | 214,896,753 | 219,110,054 | 243,552,722 |
| Fund Balance: | | | | | |
| Nonspendable | 10,890,668 | 3,631,381 | 1,847,048 | 3,885,486 | 3,855,928 |
| Restricted | 419,000 | 441,000 | 429,000 | 629,161 | 675,754 |
| Committed | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 |
| Assigned | 1,127,017 | 1,295,595 | 1,108,223 | 456,143 | 2,297,020 |
| Unassigned | 1,822,255 | 7,987,960 | 9,978,029 | 16,525,370 | 20,165,274 |
| Total Fund Balance | 14,458,940 | 13,555,936 | 13,562,300 | 21,696,160 | 27,193,976 |
| Total Liabilities and Fund Balance | \$ 212,761,962 | \$ 219,791,287 | \$ 228,459,053 | \$ 240,806,214 | \$ 270,746,698 |

The financial data presented on this page has been excerpted from the audited financial statements of the Town. Such presentation, however, has not been audited. Complete copies of the Town's audited financial statements are available upon request to the Town.

**TOWN OF GREENBURGH
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
UNAUDITED PRESENTATION**

YEARS ENDED DECEMBER 31:

| | 2013 | 2014 | 2015 | 2016 | 2017 |
|--|----------------------|----------------------|----------------------|----------------------|----------------------|
| REVENUES: | | | | | |
| Real Property Taxes | \$ 9,488,788 | \$ 7,670,080 | \$ 8,564,737 | \$ 8,839,944 | \$ 9,061,402 |
| Other Tax Items | 3,127,528 | 2,683,567 | 3,291,170 | 3,249,008 | 2,584,672 |
| Departmental Income | 131,216 | 136,809 | 135,866 | 149,297 | 112,683 |
| Use Of Money And Property | 206,777 | 186,619 | 183,033 | 189,871 | 241,314 |
| Fines and Forfeitures | 1,718,058 | 1,738,736 | 1,839,276 | 2,041,879 | 1,784,200 |
| Interfund Revenues | 84,560 | 84,560 | 84,560 | 84,560 | 84,560 |
| State Aid | 3,107,001 | 3,267,589 | 3,650,243 | 5,386,773 | 4,906,645 |
| Federal Aid | 7,439 | 0 | 277,273 | 0 | 0 |
| Miscellaneous | 527,719 | 310,103 | 279,654 | 379,821 | 684,595 |
| Total Revenues | 18,399,086 | 16,078,063 | 18,305,812 | 20,321,153 | 19,460,071 |
| EXPENDITURES: | | | | | |
| Current: | | | | | 5,392,534 |
| General Government Support | 10,852,474 | 10,968,887 | 9,714,112 | 3,303,349 | 6,502,275 |
| Public Safety | 993,656 | 1,055,559 | 974,006 | 1,121,965 | 1,142,883 |
| Health | 951,319 | 1,025,601 | 1,330,018 | 1,054,485 | 1,186,742 |
| Transportation | 0 | 0 | 0 | 0 | 0 |
| Economic Assistance And Opportunity | 600 | 600 | 600 | 600 | 0 |
| Culture And Recreation | 278,583 | 277,955 | 322,503 | 310,660 | 321,995 |
| Employee Benefits | 3,443,907 | 3,423,461 | 3,459,516 | 3,505,348 | 3,680,478 |
| Total Expenditures | 16,520,539 | 16,752,063 | 15,800,755 | 9,296,407 | 12,834,373 |
| Excess (Deficiency) Of Revenues Over Expenditures | 1,878,547 | (674,000) | 2,505,057 | 11,024,746 | 6,625,698 |
| OTHER FINANCING SOURCES (USES): | | | | | |
| Bonds Issued | 0 | 0 | 0 | 0 | 0 |
| Transfers - In | 145,000 | 2,111,176 | 161,757 | 20,470 | 1,466,257 |
| Transfers - Out (a) | (2,122,628) | (2,340,180) | (2,660,450) | (2,911,356) | (2,594,139) |
| Total Other Financing Sources (Uses) | (1,977,628) | (229,004) | (2,498,693) | (2,890,886) | (1,127,882) |
| Net Change In Fund Balance | (99,081) | (903,004) | 6,364 | 8,133,860 | 5,497,816 |
| Fund Balance - Beginning of Year | 14,558,021 | 14,458,940 | 13,555,936 | 13,562,300 | 21,696,160 |
| Fund Balance - End of Year | \$ 14,458,940 | \$ 13,555,936 | \$ 13,562,300 | \$ 21,696,160 | \$ 27,193,976 |

(a) Includes Transfers to Debt Service Fund.

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**TOWN OF GREENBURGH
TOWN OUTSIDE VILLAGES
BALANCE SHEET
UNAUDITED PRESENTATION**

AS OF DECEMBER 31:

| ASSETS | <u>2013</u> | <u>2014</u> | <u>2015</u> | <u>2016</u> | <u>2017</u> |
|--|----------------------|----------------------|----------------------|----------------------|----------------------|
| Cash and Equivalents | \$ 1,629 | \$ 2,900 | \$ 2,400 | \$ 2,922 | \$ 1,662 |
| Other Receivables: | | | | | |
| Accounts | 410,505 | 419,579 | 406,314 | 487,121 | 518,113 |
| State and Federal Aid | 33,161 | 55,147 | 19,504 | 32,348 | 2,610 |
| Due From Other Governments | 2,150,568 | 2,222,572 | 2,209,273 | 2,268,441 | 2,271,425 |
| Due From Component Units | 4,815,000 | 4,530,000 | 4,137,626 | 3,815,000 | 3,495,000 |
| Due From Other Funds (a) | 19,129,413 | 20,751,469 | 20,968,427 | 19,899,377 | 19,796,052 |
| Prepaid Expenses | 1,011,314 | 857,571 | 997,095 | 825,439 | 1,168,786 |
| Total Assets | \$ 27,551,590 | \$ 28,839,238 | \$ 28,740,639 | \$ 27,330,648 | \$ 27,253,648 |
| LIABILITIES AND FUND BALANCES | | | | | |
| Liabilities: | | | | | |
| Accounts Payable | \$ 654,548 | \$ 730,716 | \$ 997,096 | \$ 582,536 | \$ 1,168,624 |
| Due To Other Funds | 160,090 | 0 | 0 | 0 | 0 |
| Deferred Revenues | 0 | 0 | 0 | 0 | 0 |
| Unearned Revenues | 4,853,202 | 4,577,062 | 4,137,500 | 3,823,250 | 3,502,200 |
| Total Liabilities | 5,667,840 | 5,307,778 | 5,134,596 | 4,405,786 | 4,670,824 |
| Fund Balances: | | | | | |
| Nonspendable | 1,011,314 | 857,571 | 997,095 | 825,439 | 1,168,786 |
| Restricted | 1,384,000 | 1,462,000 | 1,490,000 | 2,475,548 | 2,534,825 |
| Committed | 4,163,720 | 4,147,019 | 4,128,751 | 4,150,850 | 4,197,732 |
| Assigned | 15,324,716 | 17,064,870 | 16,990,197 | 15,473,025 | 14,681,481 |
| Total Fund Balances | 21,883,750 | 23,531,460 | 23,606,043 | 22,924,862 | 22,582,824 |
| Total Liabilities and Fund Balances | \$ 27,551,590 | \$ 28,839,238 | \$ 28,740,639 | \$ 27,330,648 | \$ 27,253,648 |

(a) Includes cash pooled in General Fund.

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**TOWN OF GREENBURGH
TOWN OUTSIDE VILLAGES
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
UNAUDITED PRESENTATION**

YEARS ENDED DECEMBER 31:

| | 2013 | 2014 | 2015 | 2016 | 2017 |
|---|----------------------|----------------------|----------------------|----------------------|----------------------|
| REVENUES: | | | | | |
| Real Property Taxes | \$ 49,907,821 | \$ 51,967,358 | \$ 53,080,381 | \$ 54,248,491 | \$ 55,773,792 |
| Other Tax Items | 639,227 | 694,827 | 764,234 | 477,429 | 506,442 |
| Non-Property Taxes | 7,101,358 | 7,361,271 | 7,318,373 | 7,471,577 | 8,736,676 |
| Departmental Income | 3,715,775 | 3,793,725 | 4,232,800 | 4,282,995 | 3,790,065 |
| Use Of Money And Property | 345,299 | 260,556 | 283,082 | 302,812 | 320,665 |
| Licenses And Permits | 2,442,409 | 2,764,881 | 2,942,799 | 3,285,563 | 1,881,750 |
| Sale Of Property And Compensation For Loss | 110,534 | 121,548 | 172,259 | 105,280 | 17,764 |
| Interfund Revenues | 153,416 | 139,269 | 86,879 | 64,388 | 89,971 |
| State Aid | 574,772 | 532,894 | 462,336 | 438,525 | 457,640 |
| Federal Aid | 26,524 | 63,942 | 17,674 | 131,502 | 28,249 |
| Miscellaneous | 677,809 | 587,696 | 458,502 | 599,212 | 543,453 |
| Total Revenues | 65,694,944 | 68,287,967 | 69,819,319 | 71,407,774 | 72,146,467 |
| EXPENDITURES: | | | | | |
| Current: | | | | | |
| General Government Support | 3,227,994 | 2,346,146 | 2,961,258 | 2,644,117 | 3,449,433 |
| Public Safety | 17,891,494 | 18,976,842 | 18,942,996 | 20,233,849 | 19,995,771 |
| Health | 20,103 | 19,937 | 19,937 | 19,937 | 19,937 |
| Transportation | 897,242 | 999,751 | 941,507 | 726,859 | 754,769 |
| Culture And Recreation | 7,673,253 | 7,774,564 | 7,788,186 | 7,943,983 | 7,939,207 |
| Home And Community Services | 5,316,281 | 5,406,207 | 5,282,387 | 5,279,753 | 5,351,619 |
| Employee Benefits | 14,083,261 | 14,464,901 | 14,240,613 | 14,889,817 | 15,429,047 |
| Total Expenditures | 49,109,628 | 49,988,348 | 50,176,884 | 51,738,315 | 52,939,783 |
| Excess of Revenues Over Expenditures | 16,585,316 | 18,299,619 | 19,642,435 | 19,669,459 | 19,206,684 |
| OTHER FINANCING SOURCES (USES): | | | | | |
| Bonds Issued | 0 | 5,500,000 | 0 | 0 | 0 |
| Issuance Premium | 0 | 196,784 | 0 | 0 | 0 |
| Insurance Recoveries | 29,570 | 1,397 | 18,009 | 59,784 | 5,773 |
| Transfers - In | 506,592 | 751,502 | 833,609 | 314,623 | 55,702 |
| Transfers - Out (a) | (16,055,041) | (23,101,592) | (20,419,470) | (20,725,047) | (19,610,197) |
| Total Other Financing Sources (Uses) | (15,518,879) | (16,651,909) | (19,567,852) | (20,350,640) | (19,548,722) |
| Net Change In Fund Balance | 1,066,437 | 1,647,710 | 74,583 | (681,181) | (342,038) |
| Fund Balances - Beginning of Year | 20,817,313 | 21,883,750 | 23,531,460 | 23,606,043 | 22,924,862 |
| Fund Balances - End of Year | \$ 21,883,750 | \$ 23,531,460 | \$ 23,606,043 | \$ 22,924,862 | \$ 22,582,824 |

(a) Includes Transfer to the Debt Service Fund and taxes raised for highway and library purposes.

The financial data presented on this page has been excerpted from the audited financial statements of the Town. Such presentation, however, has not been audited. Complete copies of the Town's audited financial statements are available upon request to the Town.

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**TOWN OF GREENBURGH
2018 OPERATING BUDGET**

| | General Fund Townwide | Special Revenue Town Outside Villages | Highway Fund | Consolidated Water District Fund | Inter- Governmental Service Fund | Library Fund | Rumbrook Pump Station |
|---|--------------------------|---|------------------|--|---|------------------|--------------------------|
| ESTIMATED REVENUES: | | | | | | | |
| Real Property Taxes | 9,327,382 | 57,594,151 | - | - | - | - | - |
| Other Tax Items | 2,241,945 | 453,787 | - | - | - | - | - |
| Non-Property Tax Items | - | 8,535,500 | - | - | - | - | - |
| Departmental Income | 133,869 | 3,767,400 | - | 16,092,038 | - | 38,000 | - |
| Intergovernmental Charges | - | - | 24,844 | 709,420 | - | - | 100,000 |
| Use Of Money And Property | 198,070 | 315,350 | 10,071 | 57,628 | - | 2,150 | - |
| Licenses And Permits | - | 3,721,746 | - | - | - | - | - |
| Fines And Forfeitures | 1,306,000 | - | - | - | - | - | - |
| Sale Of Property & Compensation For Los: | - | 76,100 | 3,433 | 61,405 | - | - | - |
| Miscellaneous | 207,100 | 531,900 | 727 | 1,000 | - | 16,000 | - |
| Interfund Revenues | 84,560 | 80,000 | 68,607 | 52,000 | 30,689 | 3,816,037 | 1,272,491 |
| State Aid | 3,064,066 | 690,900 | - | - | - | 12,000 | - |
| Federal Aid | - | 15,904 | - | - | - | - | - |
| Total Estimated Revenues | 16,562,992 | 75,782,738 | 107,682 | 16,973,491 | 30,689 | 3,884,187 | 1,372,491 |
| APPROPRIATIONS: | | | | | | | |
| General Government Support | 9,848,211 | 5,884,228 | 200,000 | 735,588 | 5,197,387 | - | 40,490 |
| Public Safety | 2,609,676 | 20,811,164 | - | - | 292,268 | - | - |
| Health | - | 19,937 | - | - | - | - | - |
| Transportation | - | 738,512 | 5,622,039 | - | - | - | - |
| Economic Assistance And Opportunity | 432,417 | - | - | - | - | - | - |
| Culture And Recreation | 352,655 | 8,418,663 | - | - | - | 3,884,187 | - |
| Home And Community Services | - | 5,960,330 | - | 10,317,814 | - | - | 1,265,094 |
| Employee Benefits | 3,674,002 | 15,742,919 | 1,513,735 | 3,891,661 | 3,574,310 | - | 66,907 |
| Debt Service | 1,658,777 | 7,910,357 | - | - | - | - | - |
| Total Appropriations | 18,575,738 | 65,486,110 | 7,335,774 | 14,945,063 | 9,063,965 | 3,884,187 | 1,372,491 |
| Excess (Deficiency) Of Estimated Revenues Over Appropriations | (2,012,746) | 10,296,628 | (7,228,092) | 2,028,428 | (9,033,276) | - | - |
| OTHER FINANCING SOURCES (USES): | | | | | | | |
| Operating Transfers - In | - | - | 7,228,092 | - | 9,178,704 | - | - |
| Operating Transfers - Out | (225,000) | (11,256,629) | - | (3,114,347) | - | - | - |
| Total Other Financing Sources (Uses) | (225,000) | (11,256,629) | 7,228,092 | (3,114,347) | 9,178,704 | - | - |
| Excess (Deficiency) of Estimated Revenues and Other Financing Sources Sources Over Appropriations and Other Financing Uses | (2,237,746) | (960,001) | - | (1,085,919) | 145,428 | - | - |
| Appropriation of Fund Balance: | 2,237,746 | 960,001 | - | 1,085,919 | (145,428) | - | - |

Source: The 2018 Adopted Budget

TOWN OF GREENBURGH
2018 OPERATING BUDGET

| Special Assessments Fund | Special Districts Fund | Consolidated Sewer Districts | Risk Retention Fund | Nutrition Fund | Debt Service Fund | Tax Increment Financing District | Total 2018 Budget |
|--------------------------|------------------------|------------------------------|---------------------|----------------|-------------------|----------------------------------|--------------------|
| 28,229 | 2,475,967 | 1,730,847 | - | - | - | 310,000 | 71,466,576 |
| - | 34,995 | - | - | - | - | - | 2,730,727 |
| - | - | - | - | - | - | - | 8,535,500 |
| - | - | - | - | 147,500 | - | - | 20,178,807 |
| - | - | 1,500 | - | - | - | - | 835,764 |
| - | - | 4,200 | 16,436 | - | 215 | 6,150 | 610,270 |
| - | - | - | - | - | - | - | 3,721,746 |
| - | - | - | - | - | - | - | 1,306,000 |
| - | - | 7,500 | - | - | - | - | 148,438 |
| - | - | - | - | 1,000 | - | - | 757,727 |
| - | - | - | 447,500 | - | 10,648,550 | - | 16,500,434 |
| - | - | - | - | 127,888 | - | - | 3,894,854 |
| - | - | - | - | 104,321 | - | - | 120,225 |
| 28,229 | 2,510,962 | 1,744,047 | 463,936 | 380,709 | 10,648,765 | 316,150 | 130,807,068 |
| - | - | 140,372 | 450,000 | 361,174 | - | 240,040 | 23,097,490 |
| - | 2,501,317 | - | - | - | - | - | 26,214,425 |
| - | - | - | - | 273,079 | - | - | 293,016 |
| - | - | - | - | - | - | - | 6,360,551 |
| - | - | - | - | - | - | - | 432,417 |
| - | 9,646 | - | - | - | - | - | 12,665,151 |
| - | - | 904,496 | - | - | - | - | 18,447,734 |
| - | - | 155,707 | 2,757,111 | 178,275 | - | - | 31,554,627 |
| 4,963 | - | - | - | - | 10,648,549 | - | 20,222,646 |
| 4,963 | 2,510,963 | 1,200,575 | 3,207,111 | 812,528 | 10,648,549 | 240,040 | 139,288,057 |
| 23,266 | (1) | 543,472 | (2,743,175) | (431,819) | 216 | 76,110 | (8,480,989) |
| - | - | - | - | 431,818 | - | - | 16,838,614 |
| (26,038) | - | (551,645) | - | - | - | - | (15,173,659) |
| (26,038) | - | (551,645) | - | 431,818 | - | - | 1,664,955 |
| (2,772) | (1) | (8,173) | (2,743,175) | (1) | 216 | 76,110 | (6,816,034) |
| 2,772 | 1 | 8,173 | 2,743,175 | 1 | (216) | (76,110) | 6,816,034 |

Source: The 2018 Adopted Budget

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APPENDIX C

**LINK TO
INDEPENDENT AUDITORS' REPORT
FOR THE FISCAL YEAR ENDED
DECEMBER 31, 2017**

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/ER1297871.pdf>

The audited financial statements referenced above are hereby incorporated into the attached Official Statement.

*** Such Financial Statements and opinion are intended to be representative only as of the date thereof. PKF O'Connor Davies, LLP has not been requested by the District to further review and/or update such Financial Statements or opinion in connection with the preparation and dissemination of this Official Statement.**

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APPENDIX D

FINANCIAL MANAGEMENT POLICIES

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Town of Greenburgh, New York

Comprehensive Financial Policy Document

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TOWN OF GREENBURGH

Financial Goals and Policies

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TOWN of GREENBURGH OFFICE OF THE COMPTROLLER

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January 22, 2014

To the Honorable Supervisor and Town Board of the Town of Greenburgh, New York:

Submitted herewith is the reviewed and revised Comprehensive Financial Policy Document, which incorporates all of the financial management policies, adopted by the Town Board from their inception through the present date.

As in the past, these policies have been reviewed on a regular basis, and where necessary, updated to reflect changes in law or generally accepted accounting principles. These policies may also be updated to enhance our understanding and implementation of sound financial practices, in response to changes and events that may affect our financial health.

We believe that the financial policies contained in this document represent the best practices of governmental financial management. Adhering to these policies will help to ensure that we maximize our revenues, minimize our expenditures, preserve the safety of our public funds, and maintain a strong position in the financial community.

Your adoption of this Comprehensive Financial Policy Document confirms our commitment to financial excellence, full disclosure, and responsible financial management.

Sincerely,

Bart Talamini

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1. Introduction

The Town of Greenburgh (hereinafter referred to as the “Town”) has an important responsibility to its citizens to carefully account for public funds, to manage municipal finances wisely and to plan the adequate funding of services desired by the public, including the provision and maintenance of public facilities.

The Financial Goals and Policies are intended to establish guidelines for the continued financial strength and stability of the Town. While some of the performance goals are specific and will limit certain types of financial activity, the goal statements are not intended to restrict the Town Board’s ability and responsibility to respond to emergencies or service delivery requirements above or beyond the limitations established by the Financial Goals and Policies. The financial goals and policy statements set forth herein were initially adopted as the Town’s “Financial Goals and Policies,” as a whole, by the Town Board on December 17, 2007.

2. Financial Goals

Financial goals are broad financial positions the Town seeks to attain. The financial goals are:

- (a) to deliver quality services efficiently and on a cost-effective basis providing full value for each tax dollar.
- (b) to maintain an adequate financial base to sustain a sufficient level of municipal services, thereby preserving the quality of life in the Town.
- (c) to have the ability to withstand local and regional economic shocks, to adjust to changes in the service requirements of the Town, and to respond to changes in Federal, State, and County priorities and funding as they affect the Town’s residents.
- (d) to maintain a good credit rating in the financial community to assure the Town’s taxpayers their Town government is well managed and financially sound.

3. Financial Policies

Financial policies support the financial goals and guide decision making in specific situations to ensure a decision will contribute to the attainment of the financial goals. Financial policies have been prepared for: Operating Position and Fund Balance Policies, Revenues, Expenditures, Debt Management, Cash Management and Investment, Capital Assets, Budget, Financial Reporting, Purchasing and Credit Card Issuance and Use.

4. Operating Position and Fund Balance Policy

Operating position refers to the Town's ability to balance its budget on a current basis, maintain reserves for emergencies, and maintain sufficient cash to pay its bills on a timely basis. Our operating position policy requires that:

- (a) The Town will pay all current operating expenditures with current operating revenues.
- (b) Budgetary procedures that fund current expenditures at the expense of future needs shall be avoided.
- (c) Establish a contingency appropriation in the operating budgets of the General Fund and the TOV fund, up to 4% of the respective fund's total appropriations (excluding the contingency appropriation) to:
 - 1. Provide for non-recurring unforeseen expenditures of an emergency nature;
 - 2. Provide orderly budgetary adjustments when revenues do not meet projections;
 - 3. Provide the local match for public or private grants that may become available;
 - 4. Provide for settlement of pending labor contract negotiations;
 - 5. Provide for expected payment of accrued vacation and sickness liabilities; and to meet unexpected small increases in service delivery costs.
- (d) Encumbrances represent commitments related to unperformed contracts for goods or services, and will be recorded when incurred. Encumbrances outstanding at year-end will be reported in accordance with GASB 54 reporting requirements.
- (e) The Town will maintain an unassigned fund balance, of the General Fund, at a level no less than 1.0% or greater than 1.5% of the total tax warrants submitted to the General Fund for billing and collection during that fiscal year.
- (f) General Fund unassigned fund balance may be used for capital, emergency, or unusual and non-recurring expenditures.
- (g) The Town will maintain the assigned fund balance, of the Town Outside Villages (TOV) Fund, at a level no less than 8% or greater than 16% of the following fiscal year's total appropriations for the TOV Fund. Should the fund balance fall below the 8% floor due to emergencies or service delivery requirements, above or beyond the limitations established by the this section, the Town Board will develop a plan to re-establish at least an 8% floor within a period of no more than five years. Such reserves shall be set aside for unknown and unpredictable events, such as the result of a natural disaster, and shall not be used for predictable expenses, such as back pay or accrued vacation or sickness liabilities.
- (h) Commit and assign all fund balances by resolution of the Town Board.

- (i) Use fund balances for one-time capital or emergency expenditures only if
 1. They are surplus balances remaining after all reserve and fund allocations are made,
 2. Or, the Town has made a rational analysis, with justifying evidence, that it has an adequate level of short and long term resources.
- (j) The Town will prepare a cash-flow analysis of all funds on a regular basis. Disbursements, collections and investments will be managed to provide sufficient cash for daily financial needs.
- (k) Prepare quarterly reports summarizing budget versus actual operating revenues and operating expenditures, as well as major balance sheet items, to the extent practical.

5. Revenue Policy

The Town shall:

- (a) strive to maintain a diversified and stable revenue base as protection from short-term fluctuations in any one revenue source.
- (b) project revenue for the General Fund and all operating funds each year for at least the next five years. Each existing and potential revenue source shall be re-examined each year. Revenue estimates shall be conservative and developed in an objective and reasonable manner.
- (c) strive to reduce reliance on the property tax by:
 - (i) maintaining and diversifying the Town tax base;
 - (ii) seeking to develop additional revenue sources; and
 - (iii) establishing and evaluating, annually, all user charges and fees for use of Town services, facilities and equipment at a level related to the cost of providing the services.
- (d) strive to maintain the annual rate of property tax collections at 99 percent.
- (e) transfer to a Capital Projects or Open Space Fund, proceeds from the sale or rental of Town surplus properties, when not otherwise earmarked or legally designated to another fund.
- (f) with respect to recreational programs, establish a cash recovery policy that balances recreational needs of the community and the need to recover costs.
- (g) establish, when feasible, Water, Sewer and Sanitation as Enterprise Funds (i.e., funds established by a regulation or law that requires costs to be recovered), so that the funds shall generate revenue sufficient to support the full direct and indirect costs of these entities.

6. Expenditures Policy

The Town shall:

- (a) pay for all current operating and maintenance expenses from current revenues.
- (b) integrate objective and quantitative performance and productivity measures into the budget where possible, using modern measurement techniques.
- (c) determine the cost of all externally mandated services (e.g., services performed for developers by the Town Engineer or Building Inspector), including overhead, and seek complete reimbursement of such services through fees.
- (d) except for funding the Unfunded Actuarial Accrued Liability, for which a policy will be developed, provide full funding for all employee benefits in the annual operating budget.
- (e) maintain a budgetary control system which will enable it to adhere to the adopted budget.
- (f) prepare and maintain a system of periodic fiscal reports comparing actual revenues and expenditures to budgeted amounts.
- (g) provide for the adequate maintenance of capital assets and equipment in the annual budget.
- (h) maintain a payment review and approval process to ensure accuracy with special emphasis on large payments.
- (i) encourage the delivery of services, in whole or in part, by other public and private organizations whenever and wherever greater efficiency and effectiveness can be expected.
- (j) utilize technology and productivity advances that will help reduce or avoid increasing personnel costs.
- (k) maintain an effective risk management program to minimize losses and reduce insurance costs.
- (l) seek arrangements to share services with other municipalities/jurisdictions where cost reductions can be achieved and where the quality of service will not be jeopardized.
- (m) use revenues collected for the Water Fund, Library Fund, and any other special revenue only for expenditures by these funds, and not for transferring to any other funds.

Expenditures are a rough measure of a local government's service output. While many expenditures can be easily controlled, emergencies, unfunded mandates, and unanticipated service demands may strain our ability to maintain a balanced budget. To ensure the proper control of expenditures and provide for a quick and effective response to adverse financial situations, the Town of Greenburgh has adopted the following expenditure policy statements:

- (a) Expenditures and purchase commitments will be made in a form and process that is legal, appropriate, funded, authorized and sufficiently documented.
- (b) Expenditures and purchase commitments will be recorded in an accurate and timely fashion.
- (c) The review and approval process for all claims made against the Town shall be as follows:

- (d) Departments must issue purchase orders as required under our purchasing policy. Departments are encouraged to issue purchase orders whenever practical, even if they are not required.
- (e) Properly completed claims must be prepared and submitted to the purchasing department by the department responsible for originating the claim. A “properly completed claim” must include, but is not limited to, the vendor’s name and address, date of claim, explanation, and accounts to be charged, department authorization, signature and sufficient documentation. “Sufficient documentation” means that a person unfamiliar with the transaction could understand what was ordered, when, by whom, from what vendor, at what price, when the goods or services were delivered, who accepted delivery, and who authorized payment. Typical documentation includes copies of purchase orders, invoices and/or statements, Board resolutions awarding bids or state contracts, records of quotes received, receiving slips, correspondence and other communications.
- (f) The comptroller’s department will issue checks promptly for all claims properly completed and submitted.
- (g) The balances in appropriation accounts will be monitored regularly to ensure that the total of expenditures and purchase commitments in any account do not exceed the authorized budget for that account.
- (h) Requests for competitive bids, proposals, formal and informal quotes, and other methods of seeking and encouraging vendor competition will be obtained as required by law or otherwise established by the Town Comptroller.
- (i) Arrangements will be encouraged with other governments, private individuals, and firms, to contract out or cooperatively deliver services, in a manner that reduces cost and/or improves efficiency and effectiveness while maintaining service quality.
- (j) The full direct and indirect costs will be calculated for any service provided for a fee or charge, or where there is a potential for the reimbursement of such costs.
- (k) We will maintain an effective risk management program that provides adequate coverage, minimizes losses, and reduces costs.
- (l) All appropriations shall lapse at the close of the fiscal year to the extent that they shall not have been expended or encumbered.

7. Debt Management Policy

Debt is an effective way to finance capital improvements or to even out short-term revenue flows. Properly managed debt preserves our credit rating, provides flexibility in current and future operating budgets, and provides us with long-term assets that maintain or improve our quality of life. To provide for the appropriate issuance and responsible use of debt, the Town of Greenburgh has adopted the following debt management policy statements:

The Town shall:

- (a) not use short-term borrowing to finance operating needs except in the case of extreme financial emergency. Short-term borrowings include budget, tax, and revenue anticipation notes. If used, all short-term debt shall be fully paid in the current or immediately following fiscal year and not rolled over. If short-term debt is used in two or more consecutive fiscal years, reserves for the next budget shall

- be increased by the amount of short-term borrowing.
- (b) use long-term debt for only those capital improvements that cannot be readily financed from current revenues.
 - (c) ensure the final maturity date for any long-term debt will not exceed the expected life of the capital improvement so financed. Balloon payments and similar deferrals of debt repayment shall be avoided.
 - (d) ensure that the net (non-self-supporting) general obligation Town-wide debt of the Town shall not exceed 5% of the total equalized market value of taxable property.
 - (e) use special assessments, revenue bonds, and/or any other available self-liquidating debt instruments instead of general obligation bonds whenever possible and appropriate.
 - (f) The annual operating budgets of all funds will be maintained so as to ensure the full and timely repayment of debt principal and interest due that year.
 - (g) As required under New York State Local Finance Law § 104, our total amount of outstanding debt will not exceed 7% of our 5-year average full valuation.
 - (h) Debt limits established by law and policy will be calculated at least once each year, and whenever otherwise requested or appropriate.
 - (i) Good communications will be maintained with bond rating agencies, bond counsel, banks, financial advisors and others involved in debt issuance and management. The Town Comptroller or his respective designees shall be the Town's representatives in official matters involving Town debt, and shall determine who should participate in communications with rating agencies concerning Town debt. The Town Comptroller shall coordinate and participate in communications between other Town officials and the Town's bond counsel, financial advisors, and financial institutions concerning Town debt.

Our comprehensive annual financial reports and official statements will reflect our commitment to full and open disclosure concerning our debt

8. Cash Management and Investment Policy

The Town's cash management and investment policies shall be guided by four fundamental principles in the following order of priority:

1. Legality-To conform with all applicable federal, state and other legal requirements.
2. Safety-To adequately safeguard principal.
3. Liquidity-To provide sufficient liquidity to meet all operating requirements.
4. Yield-To obtain a reasonable rate of return.

The Town shall also:

- (a) deposit its moneys only in banks or trust companies located and authorized to do business in New York State; and authorized as official Town depositories by the Town Board.
- (b) invest its moneys only in those investment vehicles authorized by State statutes.
- (c) obtain the maximum possible return on all cash investments, subject to the safety of the investments.
- (d) collateralize all deposits and investments at greater than 100% of the market value of such deposits and investments.
- (e) prepare a cash flow analysis of all funds on a regular basis. Disbursements, collections, deposits and investments will be managed to ensure maximum cash availability.
- (f) pool cash from its various funds to obtain the maximum possible return on its investments. Interest will be credited to the source of the invested moneys.

Delegation of Authority -The governing board's responsibility for administration of the cash management and investment program is delegated to the Town Comptroller who shall establish written procedures for the operation of the investment program consistent with these cash management and investment guidelines. The Comptroller shall be responsible for establishing and maintaining internal controls to provide reasonable assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

Prudence - All participants in the cash management and investment process shall act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the cash management and investment process shall refrain from personal business activity that could conflict or appear to conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

Diversification - It is the policy of the Town to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

Internal Controls - It is the policy of the Town for all money collected by any officer or employee of the Town to transfer those funds to the Town Comptroller as soon as is practicable, but in any event within one business day of receipt, or within the time period specified by law, whichever is shorter. The Town Comptroller is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and that deposits and investments are managed prudently and in compliance with applicable laws and regulations.

Designation of Depositories - The banks and trust companies authorized for the deposit of moneys, including certificates of deposit, up to the maximum amounts shown, are:

| <u>Depository Name</u> | <u>Maximum Amount</u> |
|------------------------|-----------------------|
| JP Morgan Chase | 125,000,000 |
| TD Bank | 125,000,000 |
| Webster Bank | 125,000,000 |

Banks and trust companies holding Town deposits must meet or exceed the following rating requirements of at least one of the nationally recognized statistical rating organizations (“NRSRO”) listed below for long-term debt (debt having a term of one year or more):

| <u>NRSRO</u> | <u>Long-Term Debt Rating</u> |
|----------------------------|------------------------------|
| Moody's Investors Services | A |
| Standard & Poor's | A |
| Fitch | A |

The Town Board shall review and approve this list at least annually.

Permitted Investments - As authorized by General Municipal Law, §11, the Town Board of the Town of Greenburgh authorizes the Comptroller to invest moneys not required for immediate expenditure for terms not to exceed projected cash flow needs in the following types of investments:

1. Special time deposit accounts in a bank or trust company authorized to do business in New York State;
2. Certificates of deposit issued by a bank or trust company authorized to do business in New York State;
3. Obligations of the United States of America;

4. Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
5. Obligations of the State of New York;
6. Repurchase agreements of obligations listed under (3) and (4) above, subject to the following restrictions:
 - (a) All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
 - (b) Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
 - (c) No substitution of securities will be allowed.
 - (d) The custodian shall be a party other than the trading partner.

All investment obligations shall be payable, saleable or redeemable at the option of the Town within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided.

Collateralizing of Deposits and Investments - In accordance with the provisions of General Municipal Law, §10, all deposits of the Town of Greenburgh, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate market value as provided by GML §10, equal to the aggregate amount of deposits from the categories designated below in the **Schedule of Eligible Securities**.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the Town for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the Town for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, in any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

Schedule of Eligible Securities - Obligations issued, or fully insured or guaranteed as to the

payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.

Safekeeping and Collateralization - Eligible securities used for collateralizing deposits shall be held by the depository or a third party bank or trust company subject to security and custodial agreements.

The security agreements shall provide that eligible securities are being pledged to secure the Town's deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events that will enable the Town to exercise its right against the pledged securities. In the event that the securities are not registered or inscribed in the name of the Town, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Greenburgh or its custodial bank.

Custodial agreements shall provide that securities held by the bank or trust company, or agent of and custodian for, the Town, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Town a perfected interest in the securities.

Authorized Financial Institutions and Dealers - Financial institutions and dealers approved for the purchase and sale of investments are as follows:

- BNY Mellon
- JPMorgan Chase Bank
- Webster Bank,
- TD Bank

All financial institutions with which the Town conducts business must meet or exceed the following rating requirements of at least one of the nationally recognized statistical rating organizations (“NRSRO”) listed below for long-term debt (debt having a term of one year or more):

| <u>NRSRO</u> | <u>Long-Term Debt Rating</u> |
|----------------------------|------------------------------|
| Moody's Investors Services | A |
| Standard & Poor's | A |
| Fitch | A |

Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Town Comptroller is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated by the Town Board at least annually

Purchase of Investments - The Town of Greenburgh will encourage the purchase of certificates of deposit through a competitive or negotiated process involving telephone solicitation of at least four bids for each transaction.

The Comptroller is authorized to contract for the purchase of securities:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller's Opinion No. 88-46, and the specific program has been authorized by the governing board.

All purchased investments, obligations, unless registered or inscribed in the name of the Town, shall be purchased through, delivered to and held in the custody of a bank or trust company.

Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Greenburgh by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

9. Capital Asset Policy

Most of the Town's wealth is invested in its physical assets or capital plant - streets, buildings, utility networks, and equipment. These assets shall be properly maintained and replaced over time to adequately provide public services. The Town shall:

- (a) prepare a three (3) year capital improvements program each year.
- (b) base all capital improvements and the quality of such improvements on the Town's long-term needs in order to balance initial costs with future maintenance and replacement cost.
- (c) coordinate the development of the capital improvements program with the annual operating budget in order to avoid excessive fluctuations in the total tax levy.

- (d) identify the funding source for each capital improvement prior to deciding to proceed with the project. Intergovernmental (e.g., federal, state and county funding) and private sources shall be sought out and used as available to assist in financing capital improvements.
- (e) project all equipment replacement and maintenance needs each year for at least the next three (3) years. A maintenance and replacement schedule based on this projection will be developed and followed.

This policy is to establish the principles related to the accounting treatment of our capital assets.

Capital assets include land, improvements to land, buildings, building improvements, vehicles, machinery, equipment, works of art and historical treasures, infrastructure, construction in progress and all other tangible and intangible assets that are used in operations and have initial useful lives extending beyond a single reporting period. Infrastructure assets are long-lived capital assets that normally are stationary in nature and can be preserved for a significantly greater number of years than most capital assets. Examples of infrastructure assets include roads, bridges, tunnels, drainage systems, water and sewer systems, dams and lighting systems.

Land and land improvements are inexhaustible capital assets and will not be depreciated. Construction in progress will not be depreciated. All other capital assets will be depreciated over their estimated useful lives, as established by the Town Comptroller, using the straight-line method of depreciation. In no event shall the useful life of an asset be less than the period of probable usefulness established for debt purposes as found in Section 11 of the New York State Local Finance Law.

A capitalization threshold is the cost established by the Town Comptroller that must be met or exceeded if an asset is to be recorded and depreciated as a capital asset. The capitalization threshold is based on the cost of a single asset. Assets that do not meet the capitalization threshold will be recorded as expenditures or expenses. For purposes of property control (insurance, security, etc.), the Town Comptroller and/or department heads may develop and maintain the appropriate record keeping system(s) to account for assets which do not meet the capitalization threshold.

Capital assets that meet the minimum capitalization threshold will be recorded at historical cost. The cost of a capital asset includes capitalized interest and ancillary charges necessary to place the asset into its intended location and condition for use. Ancillary charges include costs that are directly attributable to asset acquisition, such as freight and transportation charges, site preparation costs, and professional fees. Donated capital assets will be recorded at their estimated fair value at the time of acquisition, including any ancillary charges. Estimated historical cost may be used in those cases where the actual historical cost is not readily available. Estimated historical cost will be calculated using the current replacement cost of a similar asset and deflating this cost to the acquisition year (or estimated acquisition year) using a price-level index approved by the Town Comptroller.

Capital assets associated with the operation of enterprise funds will be recorded in those funds. Capital assets associated with general government operations, with the exception of infrastructure assets, will be recorded in the appropriate internal service fund(s). Infrastructure assets will not be recorded in a governmental fund, but the Town Comptroller will establish and

maintain the record keeping system necessary to allow for the accounting, auditing, and reporting of such assets, including depreciation.

10. Budget Policy

Sound financial practice and the desire to maintain a strong credit rating dictate that our budgets be balanced, constantly monitored, and responsive to changes in service demands. With these concepts in mind, the Town of Greenburgh has adopted the following budget policy statements:

A budget is a plan of financial operation embodying an estimate of proposed revenues and expenditures for a given period.

The Town's fiscal year shall be January 1 through December 31 and its budget calendar shall be as provided for in §106 of Town Law as summarized below.

Budgets shall be adopted on a basis consistent with management and planning practices and generally accepted accounting principles. Annual appropriated budgets shall be adopted for the general, special revenue, enterprise and debt service funds. Project-length financial plans shall be adopted for all capital projects.

Annual operating budgets will be adopted on a balanced basis, where operating revenues (estimated revenues) are used to fund operating expenditures/expenses (appropriations). Operating revenues include taxes, charges for services, interest earnings, license and permit fees, fines and forfeitures, regularly recurring governmental aid, debt proceeds and transfers in from other funds for operating (non-capital) purposes. Operating expenditures include salaries and wages, employee benefits, non-capital equipment and improvements, depreciation (proprietary funds only), materials, supplies, contractual costs, and transfers out to other funds for operating (non-capital) purposes. Fund balance should not be considered a source of funds for operating expenditures.

Nothing in this policy shall prohibit the use of operating revenues for capital expenditures.

The Town will adopt an annual budget for the General Fund that includes a contingency that will not exceed four (4%) percent of the total General Fund appropriations of that budget. This contingency will be used to provide for expenditures that exceed or revenues that do not meet budget estimates, and/or for new or increased program requirements required by law or desired and approved by Town Board resolution.

Unassigned fund balance may be appropriated as part of the adopted budget to fund capital, emergency, or unusual and non-recurring expenditures/expenses. Unassigned fund balance should not be used to fund operating expenditures in the adopted budget.

One-time revenues that are not required by law or agreement to be expended for a particular purpose will only be used to fund capital or emergency expenditures in the adopted budget. One-time revenues include, but are not limited to, proceeds from the sale of property and other major assets, governmental aid that is not regularly received and is unlikely to recur on a regular basis, major gifts or donations, and major insurance recoveries.

Encumbrances represent commitments related to unperformed contracts for goods or services. Encumbrance accounting - under which purchase orders, contracts and other commitments for the expenditure of resources are recorded to reserve that portion of the applicable appropriation -is utilized in the governmental funds. Encumbrances outstanding at year end are reported as assignments of fund balances and do not constitute expenditures or liabilities because the commitments will be honored during the subsequent year.

GASB 54 classifications of fund balance will be estimated in the adopted budget for amounts of fund equity legally restricted or otherwise not available for appropriation.

GASB 54 is effective for Financial Statements for periods beginning after June 15, 2010.

GASB 54 divides Fund Balance reporting in to the five following classifications:

Nonspendable, Restricted, Committed, Assigned, and Unassigned. The definition of each of these classifications is as follows:

1. **Nonspendable**-Consists of assets that are inherently non-spendable in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, and long-term portions of loans receivable, financial assets held for resale and principal of endowments.
2. **Restricted**-Consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation, such as the reserve for employee benefit accrued liability.
3. **Committed**-Consists of amounts that are subject to a purpose constraint imposed by a formal action of the government's highest level of decision-making authority before the end of the fiscal year, and that require the same level of formal action to remove the constraint, such as the designation for tax certioraris or debt stabilization.
4. **Assigned**-Consists of amounts that are subject to a purpose constraint that represents an intended use, such as a reserve for encumbrances, established by the government's highest level of decision-making authority, or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the General Fund, and in the funds other than the General Fund, assigned fund balance represents the residual amount of fund balance.
5. **Unassigned**-Represents the residual classification of the government's General Fund, and could report a surplus or deficit. In funds other than the General Fund, the unassigned classification

should be used only to report a deficit balance resulting from overspending for specific purposes for which amounts had been restricted, confirmed, or assigned.

On or before April 1 of each year, the Town Supervisor shall submit to the Town Board, a capital program that lists the proposed capital improvements with appropriate supporting cost information.

On or before October 30 of each year, the Town Supervisor shall submit a Tentative Budget for the following fiscal year to the Town Board. The proposed budget shall be prepared in a manner to maximize its understanding by citizens and elected officials.

After considering the Tentative Budget, but not later than December 10, the Town Board shall hold a public hearing on the proposed budget.

After the public hearing, the Town Board may amend the proposed budget by adding, increasing, decreasing or deleting programs and amounts, except expenditures required by law, or for debt service or for an estimated cash deficit.

The Town Board shall adopt the proposed budget and determine the tax rate for the ensuing year on or before December 20.

The Town Board has established legal control of the budget at the function level of expenditures. Transfers between appropriation accounts, at the function level, require approval by the Board. Any modification to appropriations resulting from an increase in revenue estimates or supplemental reserve appropriations also requires a majority vote by the Board.

No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the available balance thereof.

All appropriations shall lapse at the close of the fiscal year to the extent that they shall not have been expended or encumbered.

Summary of Critical Operating Budget Date Table:

The Town must complete the following tasks on or before the indicated deadlines:

- October 1 Town Supervisor shall notify, in writing, the department heads of the necessity for, and form of estimates of revenues and expenses, for the ensuing fiscal year.
- October 20 Department heads shall submit budget estimates to the Town Supervisor.
- October 30 Town Supervisor shall file the Tentative Budget with the Town Clerk.
- November 10 Town Clerk shall present the Tentative Budget to the Town Board for review, consideration and, if necessary, revision.

- December 5 Notice of public hearing on the budget must be published at least five days prior to the required public hearing.
- December 10 A public hearing on the budget must be held
- December 15 Public hearing on the budget must be closed.
- December 20 Annual Budget must be adopted and entered, in full, in the minutes of the Town Board

11. Financial Reporting

The Town shall adhere to a policy of full and open public disclosure of all financial activity.

Copies of financial documents shall be made available to all interested parties.

Detailed budgetary information (e.g., specific sources of revenues and objects of expenditures) shall be available to the elected officials.

The Town’s accounting system shall maintain records on a basis consistent with generally accepted governmental accounting standards. The Town Comptroller shall prepare the Annual Financial Report in conformity with generally accepted accounting standards and financial reporting practices.

The Town Comptroller shall prepare regular periodic and annual financial reports presenting a summary of financial activity by major types of funds and programs.

The Town shall employ an independent public accounting firm to perform an annual audit of all funds and programs, and shall make the annual audited financial statements available to the Town Board, general public, bond and financial consultants and interested citizens. The Town shall have the annual audit conducted in compliance with the single audit concept as set forth by the Federal Office of Management and Budget. The audit shall be completed and the annual audited financial statements shall be completed and submitted to the Town Board within 180 days of the close of the Town’s fiscal year.

12. Purchasing Policy

A. Procurement Policy

1. The Director of Purchasing and such assistants shall be appointed by the Town Council, and subject to the provisions of the Civil Service Laws of the State of New York. The Director of Purchasing shall be responsible for developing and administering the purchasing program of the Town of Greenburgh.

Except as otherwise provided herein, the acquisition of services, equipment and supplies is centralized in the Purchasing Department, functioning under the supervision of the Director of Purchasing, and through whose office all purchasing transactions are conducted. Any purchase made otherwise, the Town of Greenburgh shall not be liable therefore and the person

purchasing the same does so for his individual account and not that of the Town of Greenburgh.

When the Director of Purchasing is unavailable (vacation, sickness or conference) the Senior Office Assistant shall be authorized to sign Purchase Orders.

2. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year.

It shall be the Town's procurement policy to require competitive bidding for purchase contracts equal to or greater than \$20,000 and public works contracts equal to or greater than \$35,000. The following items shall not be subject to competitive bidding pursuant to Section 103 of the General Municipal Law: emergency purchases, goods purchased from agencies for the blind or severely handicapped, goods purchased from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

3. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contracts equal to or greater than \$20,000 and public works contracts equal to or greater than \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law, goods purchased from correctional institutions pursuant to Section 186 of the Correction Law, purchases under State contracts pursuant to Section 104 of the General Municipal Law, purchases under county contracts pursuant to Section 103(3) of the General Municipal Law, or purchases pursuant to subdivision 6 of this policy.
4. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

**Estimated Amount of
Purchase Contract**

Method

\$500 - \$2,499

minimum of 3 verbal quotations

\$2,500 - \$19,999

minimum 3 written/fax quotations or
written request for proposals

\$20,000 and over

competitive bidding

**Estimated Amount
of Public Works Contract**

Method

\$500 - \$2,499

minimum of 3 verbal quotations

\$2,500 - \$34,999

minimum 3 written/fax quotations or
written request for proposals

\$35,000 and over

competitive bidding

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

5. Documentation is required of each action taken in connection with each procurement.
6. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not a responsible vendor.
7. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances, it may not be in the best interest of the Town of Greenburgh to solicit quotations or document the basis for not accepting the lowest bid:
 - A. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. In determining whether a service fits into this category, the Town Board shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements, (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services, and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney, services of a physician, technical services of an engineer or architect engaged to prepare plans, maps and estimates, securing insurance coverage and/or services of an insurance broker, services of a certified public accountant, investment management services, management of municipally owned property, and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software. Signature by the Department

Head and Comptroller shall be sufficient for proprietary contracts, such as maintenance for software and office equipment. Such contracts/agreements shall be initiated by Purchase Order. All other contracts and agreements consistent with this Procurement Policy and under a dollar limit of \$20,000 may be signed by the Town Supervisor without express Town of Greenburgh Board authorization if such expenditure is (i) consistent with this Procurement Policy and (ii) in the Town's final approved budget. Contracts and/or agreements with the State or County for services or cooperative programs may be executed by the Supervisor or Comptroller on behalf of the Town without Town Board authorization if consistent with the Town's final approved budget. Resolution by the Town Board shall be required for any other contract.

- B. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- C. Purchase of surplus and second-hand goods from any source. If alternate proposals are required, the Town of Greenburgh is precluded from purchasing surplus and second hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
- D. Goods or services under a \$100 aggregate. The time and documentation required to purchase through this policy may be more costly than the items themselves and would therefore not be in the best interest of the taxpayers. In addition, it is not likely that such minimize contracts would be awarded based on favoritism.:

8. This policy shall be reviewed annually.

B. Purchasing Procedures

- 1. All purchase requisitions should be sent to the "Purchasing Department" via inter-office mail.
All requisitions will be reviewed for price and adherence to New York State regulations with regard to possible bidding requirements.
- 2. Advance notification of a change will be given back to a department in the event a more competitive price can be obtained by the Purchasing Department from a vendor other than the vendor listed on the requisition.

REMINDER: The mere quotation or submission of a price by a vendor **Does Not** imply the placement of an order by yourself or the Town. Until your department and the vendor receives the actual purchase order, there is no order. If this procedure is not followed, it is at the vendor's risk, as the Town will not honor invoices that are not covered by a valid (previously issued) purchase order.

3. All purchases of **\$250.00 & up will require** a purchase order. The Town has the capability to issue, at least, a purchase order number immediately. Upon presentation of a completed requisition at Purchasing, a P.O. number will be issued. This should cover the "**emergency**" situations. The Purchasing Department is staffed from 8:30 A.M. to 5:00 P.M. daily.
4. **All** "claim vouchers" for purchases of goods or services equal to or greater than \$25.00 and all "claim for payment" forms are to be first sent to Purchasing with supporting documentation for payment, so that receipt of merchandise, prices, etc. can be entered in the computer files. For your information, The Town's system makes available to you, on request, purchasing data and history on items within particular P.O.s and budget lines.
5. As a general guideline, obtain prices for office supply items online, since these are up to date, the required information is item number, description and page number for **New** items not previously purchased by your department.
6. You **Must** use the **Exact** "item code" as listed on your previous P.O's for **any item** you are **re-ordering**. This can be obtained from the yellow copies of your **Purchase Orders**, **Not** your requisition copies.

"Item Code" must be listed **exactly** as printed by the computer, including punctuation or spaces in the code.

Any office supply item being **re-ordered** using the above method will eliminate the need for catalogue page numbers. It also eliminates the need for extensive descriptions of **Any** item being re-ordered if the "Item Code" is correctly listed.

7. All requisitions for the following items must be on separate forms:
 - a) Copier paper
 - b) Computer paper
 - c) Office furniture
 - d) Office equipment
 - e) "Custom" stamps

NOTE: ALL ORDERS FOR THE FOLLOWING WILL REQUIRE PURCHASE ORDERS REGARDLESS OF THE DOLLAR AMOUNT:

- a) Any and all "Office Supply" orders
- b) Any and all orders for "Grainger" merchandise

8. With regard to receipt of merchandise and payment of invoices/claims:

All "Claims for Payment" and Claim Vouchers **must** be accompanied by an original invoice and/or packing slip that is to be **signed and dated** "received" by the employee actually receiving and checking in the goods and/or services.

Department Head signatures are required on the claim in the usual manner.

C. Purchasing Hints & Terms

1. When purchasing, pricing and specifying items, it is very important to obtain manufacturer, manufacturer part/item, number and a full description of desired item(s).
2. Always reveal to a vendor the quantity you are pricing --
Ask at what points prices "break". You may find that price "breaks" are significant enough on an item used continuously to affect a savings at the next level with little or no increased cost (this is especially true on a printing order).
3. Try to obtain a "F.O.B. Destination" price or "delivered" price --

Often an item or items may be significantly cheaper with an "out-of-town" vendor, but shipping/freight charges, when added, will actually exceed other "bids".

Ask for "estimated" freight charges if vendor cannot supply a "F.O.B. Destination" quote.

4. Try to group similar or like items on one purchase requisition to reduce shipping costs. This usually results in better price quotes.

13. Credit Card Issuance and Use Policy

§ 1. Purpose.

The purpose of this Policy is to adopt procedures by which the Town of Greenburgh may obtain a credit card in the name of the Town of Greenburgh (the "Town Credit Card") and regulate its use.

§ 2. Credit Cards.

The Town Board may enter into a contract with any banking institution authorized to issue a credit card in the State of New York, in order to obtain a Town Credit Card, which may be used to make Authorized Purchases of goods or services pursuant to section 6 below.

§ 3. Compliance with Town Law.

Any agreement entered into by the Town for issuance and use of a Town Credit Card shall comply with the certification requirements of Town Law §118.

§ 4. Compliance with Town of Greenburgh Policies.

All purchases made pursuant to this Policy shall comply with the Procurement Policies adopted by the Town Board. Purchases must be made in accordance with the Town purchase order policies and any other applicable policies adopted by the Town.

§ 5. Authorized users.

Only users authorized by the Town Board shall be permitted to use the Town Credit Card and shall have signing authority. The Director of Purchasing and such assistants are the only users currently authorized by the Town to use the Town credit card and have signing authority.

§ 6. Authorized purchases.

The Town Credit Card shall be used only for purchases where there is no other reasonable or convenient form of payment due to (1) timing of purchase, (2) vendor location, (3) policies of the vendor or (4) where the Town makes regular, periodic payments as a subscriber for services.

§ 7. Number of credit card accounts.

At any given time, the Town may only maintain one (1) general purpose commercial credit card account.

APPENDIX E

FORM OF LEGAL OPINION

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**APPENDIX E
FORM OF OPINION**

FORM OF OPINION

October 18, 2018

Town of Greenburgh,
County of Westchester
State of New York

Re: Town of Greenburgh, Westchester County, New York
\$18,065,636 Public Improvement (Serial) Bonds, 2018

Ladies and Gentlemen:

We have been requested to render our opinion as to the validity of an issue of \$18,065,636 Public Improvement (Serial) Bonds, 2018 (the "Obligation"), of the Town of Greenburgh, Westchester County, New York (the "Obligor"), dated October 18, 2018.

We have examined:

- (1) the Constitution and statutes of the State of New York;
- (2) the Internal Revenue Code of 1986 (the "Code"), including particularly Sections 103 and 141 through 150 thereof, and the applicable regulations of the United States Treasury Department promulgated thereunder;
- (3) a tax certificate (the "Tax Certificate") executed on behalf of the Obligor which includes, among other things, covenants, relating to compliance with the Code, with the owners of the Obligation that the Obligor will, among other things, (i) take all actions on its part necessary to cause interest on the Obligation not to be includable in the gross income of the owners thereof for federal income tax purposes, including, without limitation, restricting, to the extent necessary, the yield on investments made with the proceeds of the Obligation and investment earnings thereon, making required payments to the federal government, if any, and maintaining books and records in a specified manner, where appropriate, and (ii) refrain from taking any action which would cause interest on the Obligation to be includable in the gross income of the owners thereof for federal income tax purposes, including, without limitation, refraining from spending the proceeds of the Obligation and investment earnings thereon on certain specified purposes; and
- (4) a certificate executed on behalf of the Obligor which includes, among other things, a statement that compliance with such covenants is not prohibited by, or violative of, any provision of local or special law, regulation or resolution applicable to the Obligor.

We also have examined a certified copy of proceedings of the finance board of the Obligor and other proofs authorizing and relating to the issuance of the Obligation, including the form of the Obligation. In rendering the opinions expressed herein we have assumed (i) the accuracy and truthfulness of all public records, documents and proceedings, including factual information, expectations and statements contained therein, examined by us which have been executed or certified by public officials acting within the scope of their official capacities, and have not verified the accuracy or truthfulness thereof, and (ii) compliance by the Obligor with the covenants contained in the Tax Certificate. We also have assumed the genuineness of the signatures appearing upon such public records, documents and proceedings and the certifications thereof.

In our opinion:

- (a) The Obligation has been authorized and issued in accordance with the Constitution and statutes of the State of New York and constitutes a valid and legally binding general obligation of the Obligor, all the taxable real property within which is subject to the levy of ad valorem taxes to pay the Obligation and interest thereon, without limitation as to rate or amount; except as to certain statutory limitations which may result from the application of

Chapter 97 of the Laws of 2011 of the State of New York, as amended, provided, however, that the enforceability (but not the validity) of the Obligation: (i) may be limited by any applicable bankruptcy, insolvency or other law now existing or hereafter enacted by said state or the federal government affecting the enforcement of creditors' rights; and (ii) may be subject to the exercise of judicial discretion.

(b) The Obligor has the power to comply with its covenants with respect to compliance with the Code as such covenants relate to the Obligation; provided, however, that the enforceability (but not the validity) of such covenants may be limited by any applicable bankruptcy, insolvency or other law now existing or hereafter enacted by said state or the federal government affecting the enforcement of creditors' rights.

(c) Under existing law, interest on the Obligation (1) will be excludable from the gross income, as defined in section 61 of the Code, of the owners thereof for federal income tax purposes, pursuant to section 103 of the Code and existing regulations, published rulings, and court decisions, assuming continuing compliance after the date hereof by the Obligor with the provisions of the Tax Certificate, and (2) will not be included in computing the federal alternative minimum taxable income of the owners thereof who are individuals. We call to your attention that, for taxable years that began on or before December 31, 2017, interest on the Obligation owned by certain corporations will be included in such corporations' adjusted current earnings for purposes of computing the alternative minimum tax on such corporations. The alternative minimum tax on corporations has been repealed for taxable years beginning on or after January 1, 2018.

. Under existing law, interest on the Obligation is exempt from personal income taxes imposed by the State of New York or any political subdivision thereof (including The City of New York).

We express no opinion with respect to any other federal, state or local tax consequences under present law or any proposed legislation resulting from the receipt or accrual of interest on, or the acquisition or disposition of, the Obligation. Ownership of tax-exempt obligations such as the Obligation may result in collateral federal tax consequences to, among others, financial institutions, life insurance companies, property and casualty insurance companies, certain foreign corporations doing business in the United States, S corporations with subchapter C earnings and profits, owners of an interest in a financial asset securitization investment trust, individual recipients of Social Security or Railroad Retirement Benefits, individuals otherwise qualifying for the earned income tax credit and taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry, or who have paid or incurred certain expenses allocable to, tax-exempt obligations.

Our opinions are based on existing law, which is subject to change. Such opinions are further based on our knowledge of facts as of the date hereof. We assume no duty to update or supplement our opinions to reflect any facts or circumstances that may hereafter come to our attention or to reflect any changes in any law that may hereafter occur or become effective. Moreover, our opinions are not a guarantee of result and are not binding on the Internal Revenue Service; rather, such opinions represent our legal judgment based upon our review of existing law that we deem relevant to such opinions and in reliance upon the representations and covenants referenced above.

The scope of our engagement in relation to the issuance of the Obligation has extended solely to the examination of the facts and law incident to rendering the opinion expressed herein. Such opinion is 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 Obligor, together with other legally available sources of revenue, if any, will be sufficient to enable the Obligor to pay the principal of or interest on the Obligation as the same respectively become due and payable. Reference should be made to the Official Statement prepared by the Obligor in relation to the Obligation for factual information which, in the judgment of the Obligor, could materially affect the ability of the Obligor to pay such principal and interest. While we have participated in the preparation of such Official Statement, we have not verified the accuracy, completeness or fairness of the factual information contained therein and, accordingly, we express no opinion as to whether the Obligor, in connection with the sale of the Obligation, 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.

Very truly yours,

APPENDIX F

FORM OF ANNUAL AND CONTINUING DISCLOSURE

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EXHIBIT F

FORM OF ANNUAL AND CONTINUING DISCLOSURE UNDERTAKING

A. Definitions. As used in this Undertaking, the following terms have the meanings ascribed to such terms below:

“*Bonds*” means the Issuer’s \$18,065,636 Public Improvement (Serial) Bonds, 2018.

“*Issuer*” means the Town of Greenburgh, Westchester County, New York.

“*MSRB*” means the Municipal Securities Rulemaking Board.

“*Rule*” means SEC Rule 15c2-12, as amended from time to time.

“*SEC*” means the United States Securities and Exchange Commission.

“*Undertaking*” means this Annual and Continuing Disclosure Undertaking.

B. Annual Reports. The Issuer shall provide annually to the MSRB, (1) within six months after the end of each fiscal year ending after the date hereof, financial information and operating data with respect to the Issuer of the general type contained in or cross referenced in the Issuer’s final Official Statement, dated October 4, 2018 in **Appendix A**, under the headings “**THE TOWN**”, “**FINANCIAL FACTORS**”, “**REAL PROPERTY TAXES**”, and “**TOWN INDEBTEDNESS**”, and in **Appendix B and C**, and (2) if not provided as part such financial information and operating data, financial statements of the Issuer, when and if available. Any financial statements so to be provided shall be prepared in accordance with the accounting principles as the Issuer may be required to employ from time to time pursuant to state law or regulation, and shall be audited, if the Issuer commissions an audit of such statements and the audit is completed within the period during which they must be provided.

If the Issuer changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the Issuer otherwise would be required to provide financial information and operating data pursuant to this Undertaking.

The financial information and operating data to be provided pursuant to this Undertaking may be set forth in full in one or more documents or may be included by specific reference to any document available to the public on the MSRB’s Internet Web site or filed with the SEC.

C. Event Notices. The Issuer shall provide notice of any of the following events with respect to the Bonds to the MSRB in a timely manner and not more than 10 business days after occurrence of the event:

- (1) *Principal and interest payment delinquencies;*
- (2) *Non-payment related defaults, if material;*
- (3) *Unscheduled draws on debt service reserves reflecting financial difficulties;*
- (4) *Unscheduled draws on credit enhancements reflecting financial difficulties;*
- (5) *Substitution of credit or liquidity providers, or their failure to perform;*

- (6) *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 or determinations with respect to the tax-exempt status of the Bonds, or other material events affecting the tax status of the Bonds;*
- (7) *Modifications to rights of holders of the Bonds, if material;*
- (8) *Bond calls, if material, and tender offers;*
- (9) *Defeasances;*
- (10) *Release, substitution, or sale of property securing repayment of the Bonds, if material;*
- (11) *Rating changes;*
- (12) *Bankruptcy, insolvency, receivership, or similar event of the Issuer, which shall occur as described below;*
- (13) *The consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of its assets, other than in the ordinary course of business, the entry into of 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*
- (14) *Appointment of a successor or additional trustee or the change of name of a trustee, if material.*
- (15) *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, any of which affect security holders, if material;*
- (16) *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.*

For these purposes, any event described in the immediately preceding paragraph (12) 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 United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Issuer, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer.

The Issuer shall notify the MSRB, in a timely manner, of any failure by the Issuer to provide financial information or operating data in accordance with this Undertaking by the time required by this Undertaking.

D. *Filings with the MSRB.* All financial information, operating data, financial statements, notices, and other documents provided to the MSRB in accordance with this Undertaking shall be provided in an electronic format prescribed by the MSRB and shall be accompanied by identifying information as prescribed by the MSRB.

E. *Limitations, Disclaimers, and Amendments.* The Issuer shall be obligated to observe and perform the covenants specified in this Undertaking for so long as, but only for so long as, the Issuer remain an “obligated person” with respect to the Bonds within the meaning of the Rule.

The provisions of this Undertaking are for the sole benefit of the holders and beneficial owners of the Bonds, and nothing in this Undertaking, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Issuer undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Undertaking and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Issuer’s financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Undertaking or otherwise, except as expressly provided herein. The Issuer does not make any

representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE ISSUER BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE ISSUER, WHETHER NEGLIGENT OR WITH OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS UNDERTAKING, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR *MANDAMUS* OR SPECIFIC PERFORMANCE.

No default by the Issuer in observing or performing its obligations under this Undertaking shall constitute a breach of or default on the Bonds.

Nothing in this Undertaking is intended or shall act to disclaim, waive, or otherwise limit the duties of the Issuer under federal and state securities laws.

The provisions of this Undertaking may be amended by the Issuer from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Issuer, but only if (1) the provisions of this Undertaking, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (2) either (a) the holders of the Bonds consent to such amendment or (b) a person that is unaffiliated with the Issuer (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the holders and beneficial owners of the Bonds. The Issuer may also repeal or amend the provisions of this Undertaking if the SEC amends or repeals the applicable provisions of the Rule or any court of final jurisdiction enters judgment that such provisions of the Rule are invalid, and the Issuer also may amend the provisions of this Undertaking in its discretion in any other manner or circumstance, but in either case only if and to the extent that the provisions of this sentence would not have prevented an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds, giving effect to (a) such provisions as so amended and (b) any amendments or interpretations of the Rule. If the Issuer so amends the provisions of this Undertaking, the Issuer shall include with any amended financial information or operating data next provided in accordance with this Undertaking an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of October, 2018.

Paul J. Feiner
Supervisor and Chief Fiscal Officer

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