

*In the opinion of Hawkins Delafield & Wood LLP, Bond Counsel to the District, under existing statutes and court decisions and assuming continuing compliance with certain tax covenants described herein, (i) interest on the Series A Bonds and the Notes is excluded from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), and (ii) interest on the Series A Bonds and the Notes is not treated as a preference item in calculating the alternative minimum tax under the Code. In the opinion of Bond Counsel, interest on the Series B Bonds is not excludable from gross income for federal income tax purposes under existing law. In the opinion of Bond Counsel, interest on the Bonds and the Notes is exempt from personal income taxes of New York State and its political subdivisions, including The City of New York. See "TAX MATTERS" herein.*

*The District will NOT designate the Series A Bonds or the Notes as "qualified tax exempt obligations" under Section 265(b)(3) of the Code.*

**COMMACK UNION FREE SCHOOL DISTRICT  
SUFFOLK COUNTY, NEW YORK  
(the "District")**

**\$21,570,000\* SCHOOL DISTRICT SERIAL BONDS – 2021 SERIES A  
(the "Series A Bonds")**

**\$10,730,000\* SCHOOL DISTRICT SERIAL BONDS – 2021 SERIES B (FEDERALLY TAXABLE)  
(the "Series B Bonds" together with the Series A Bonds, the "Bonds")**

**See Bond Maturity Schedule Herein**

The Bonds are general obligations of the Commack Union Free School District (the "District") and will contain a pledge of the faith and credit of the District for the payment of the principal thereof and interest thereon and, unless paid from other sources, the Bonds are payable from ad valorem taxes which may be levied upon all the taxable real property within the District without limitation as to rate or amount.

The Bonds maturing on June 15, 2029 and thereafter are subject to redemption prior to maturity, at the option of the District, as a whole or in part, on any date on or after June 15, 2028. (See "Optional Redemption" under "THE BONDS," herein.)

The Bonds will be issued as registered bonds and will be registered in the name of Cede & Co., as the partnership nominee for The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds. Beneficial owners will not receive certificates representing their interest in the Bonds. Individual purchases may be made in denominations of \$5,000 or integral multiples thereof. A single bond certificate will be issued for each maturity of each series of the Bonds. Principal of and interest on said Bonds will be paid in Federal Funds by the District to Cede & Co., as nominee for DTC, which will in turn remit such principal and interest to its Participants (as herein after defined) for subsequent distribution to the beneficial owners of the Bonds as described herein. Transfer of principal and interest payments to Beneficial Owners (as hereinafter defined) by Participants of DTC will be the responsibility of such Participants and other nominees of Beneficial Owners. The District will not be responsible or liable for payments by DTC to its Participants or by Direct Participants (as hereinafter defined) to Beneficial Owners or for maintaining, supervising or reviewing the records maintained by DTC, its Participants or persons acting through such Participants. (See "DESCRIPTION OF BOOK-ENTRY SYSTEM" and "Certificated Bonds and Notes," herein.)

**\$36,000,000\* TAX ANTICIPATION NOTES FOR 2021-2022 TAXES  
(the "Notes")**

Dated Date: September 23 2021

Maturity Date: June 24, 2022

The Notes are general obligations of the District and will contain a pledge of the faith and credit of the District for the payment of the principal of and interest on the Notes and, unless paid from other sources, the Notes are payable from ad valorem taxes which may be levied upon all the taxable real property within the District, subject to certain statutory limitations. (See "The Tax Levy Limit Law" herein.)

The Notes will not be subject to redemption prior to their maturity.

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

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

If the Notes are issued in book-entry form, such notes will be delivered to DTC, which will act as securities depository for the Notes. Beneficial owners will not receive certificates representing their interest in the Notes. Individual purchases may be made in denominations of \$5,000 or integral multiples thereof. A single note certificate will be issued for those Notes bearing the same rate of interest and CUSIP number in the aggregate principal amount awarded to such purchaser(s) at such interest rate. Principal of and interest on said Notes will be paid in Federal Funds by the District to Cede & Co., as nominee for DTC, which will in turn remit such principal and interest to its participants for subsequent distribution to the beneficial owners of the Notes as described herein. Transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. The District will not be responsible or liable for payments by DTC to its participants or by DTC participants to beneficial owners or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

Proposals for the Bonds and the Notes will be received at 11:00 A.M. (Prevailing Time) on September 1, 2021 at the offices of Munistat Services, Inc., 12 Roosevelt Avenue, Port Jefferson Station, New York 11776.

The Bonds and the Notes are offered subject to the respective final approving opinions of Hawkins Delafield & Wood LLP, New York, New York, Bond Counsel, and certain other conditions. It is expected that delivery of the Bonds and the Notes will be made on or about September 23, 2021 in New York, New York, or as otherwise agreed to by the District and the purchaser.

THIS PRELIMINARY OFFICIAL STATEMENT IS IN A FORM "DEEMED FINAL" BY THE DISTRICT FOR THE PURPOSE OF SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12 (THE "RULE") EXCEPT FOR CERTAIN INFORMATION THAT WILL BE UPDATED FOLLOWING THE DATE THEREOF. FOR A DESCRIPTION OF THE DISTRICT'S AGREEMENT TO PROVIDE CONTINUING DISCLOSURE FOR THE BONDS AND THE NOTES, AS DESCRIBED IN THE RULE, SEE "DISCLOSURE UNDERTAKINGS" HEREIN.

September , 2021

\*Preliminary, subject to change.

This Preliminary Official Statement and the information contained herein are subject to completion or amendment without notice. Under no circumstance shall this Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of these 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.

**COMMACK UNION FREE SCHOOL DISTRICT  
SUFFOLK COUNTY, NEW YORK**

**\$21,570,000\* SCHOOL DISTRICT SERIAL BONDS – 2021 SERIES A**

**BOND MATURITY SCHEDULE**

**Dated: Date of Delivery**

**Principal Due: June 15, 2022-2036, inclusive**  
**Interest Due: June 15, 2022, December 15, 2022 semi-annually thereafter on June 15 and December 15 in each year to maturity**

<u>Amount*</u>	<u>Maturity</u>	<u>Rate</u>	<u>Price or Yield</u>	<u>CUSIP #</u>
\$ 1,070,000	2022			
1,300,000	2023			
1,300,000	2024			
1,400,000	2025			
1,500,000	2026			
1,500,000	2027			
1,500,000	2028			
1,500,000	2029*			
1,500,000	2030*			
1,500,000	2031*			
1,500,000	2032*			
1,500,000	2033*			
1,500,000	2034*			
1,500,000	2035*			
1,500,000	2036*			

\*Subject to redemption prior to maturity. See “*Optional Redemption*” herein.

**\$10,730,000\* SCHOOL DISTRICT SERIAL BONDS – 2021 SERIES B (FEDERALLY TAXABLE)**

**BOND MATURITY SCHEDULE**

**Dated: Date of Delivery**

**Principal Due: June 15, 2023-2036, inclusive**  
**Interest Due: June 15, 2022, December 15, 2022 semi-annually thereafter on June 15 and December 15 in each year to maturity**

<u>Amount*</u>	<u>Maturity</u>	<u>Rate</u>	<u>Price or Yield</u>	<u>CUSIP #</u>
\$ 650,000	2023			
665,000	2024			
680,000	2025			
700,000	2026			
720,000	2027			
735,000	2028			
755,000	2029**			
770,000	2030**			
790,000	2031**			
810,000	2032**			
830,000	2033**			
855,000	2034**			
875,000	2035**			
895,000	2036**			

\*Preliminary, subject to change.

\*\*Subject to redemption prior to maturity. See “*Optional Redemption*” herein.



**COMMACK UNION FREE SCHOOL DISTRICT  
SUFFOLK COUNTY, NEW YORK**

Hubbs Administration Center  
480 Clay Pitts Road  
East Northport, New York 11731  
Telephone: 631/912-2005  
Fax: 631/912-2006

**BOARD OF EDUCATION**

Steven Hartman, President  
Justine Varughese, Vice President

William Hender  
Susan Hermer  
Gus Hueber

-----

Dr. Donald A. James, Superintendent of Schools  
Laura A. Newman, Associate Superintendent for Business and Operations  
Brian Grodotzke, District Treasurer  
Debbie Virga, District Clerk

School District Attorney

Lamb & Barnosky, LLP  
Melville, New York

\* \* \*

**BOND COUNSEL**

Hawkins Delafield & Wood LLP  
New York, New York

\* \* \*

**MUNICIPAL ADVISOR**



Municipal Finance Advisory Service

12 Roosevelt Avenue  
Port Jefferson Station, N.Y. 11776  
(631) 331-8888

E-mail: [info@munistat.com](mailto:info@munistat.com)  
Website: <http://www.munistat.com>

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

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## OFFICIAL STATEMENT

### COMMACK UNION FREE SCHOOL DISTRICT SUFFOLK COUNTY, NEW YORK

#### **\$21,570,000\* SCHOOL DISTRICT SERIAL BONDS – 2021 SERIES A**

#### **\$10,730,000\* SCHOOL DISTRICT SERIAL BONDS – 2021 SERIES B (FEDERALLY TAXABLE)**

#### **\$36,000,000\* TAX ANTICIPATION NOTES FOR 2021-2022 TAXES**

This Official Statement and the appendices hereto present certain information relating to the Commack Union Free School District, in the County of Suffolk, in the State of New York (the “District,” “County” and “State,” respectively) in connection with the sale of \$21,570,000\* School District Serial Bonds – 2021 Series A (the “Series A Bonds”), \$10,730,000\* School District Serial Bonds – 2021 Series B (Federally Taxable) (the “Series B Bonds” together with the “Series A Bonds”, collectively referred to herein as the “Bonds” and \$36,000,000\* Tax Anticipation Notes for 2021-2022 Taxes (the “Notes”) of the District.

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

This Official Statement should be read with the understanding that the ongoing COVID-19 global pandemic has created prevailing economic conditions (at the global, national, State and local levels) that are highly uncertain, generally negative, and rapidly changing, and these conditions are expected to continue for an indefinite period of time. Accordingly, the District’s overall economic situation and outlook (and all of the specific District-related information contained herein) should be carefully reviewed, evaluated and understood in the full light of this unprecedented world-wide event, the effects of which are extremely difficult to predict and quantify. (See “*RISK FACTOR*” herein.)

## THE BONDS

### Description of the Bonds

The Series A Bonds will be dated date of delivery, and will mature in the principal amounts on June 15 in each of the years 2022 to 2036, inclusive, as set forth on the inside cover page hereof. Interest on the Series A Bonds will be June 15, 2022, December 15, 2022 semi-annually thereafter on June 15 and December 15 in each year to maturity.

The Series B Bonds will be dated date of delivery, and will mature in the principal amounts on June 15 in each of the years 2023 to 2036, inclusive, as set forth on the inside cover page hereof. Interest on the Series B Bonds will be payable June 15, 2022, December 15, 2022 semi-annually thereafter on June 15 and December 15 in each year to maturity.

The Bonds issued in book-entry form will be issued as registered bonds, and, when issued, will be registered in the name of Cede & Co., as the partnership nominee for DTC, which will act as securities depository for the Bonds. Beneficial owners will not receive certificates representing their interest in the Bonds. Individual purchases may be made in denominations of \$5,000 or integral multiples thereof. A single bond certificate will be issued for each maturity of each series of the Bonds. Principal of and interest on said Bonds will be paid in Federal Funds by the District to Cede & Co., as nominee for DTC, which will in turn remit such principal and interest to its Participants (as herein after defined) for subsequent distribution to the beneficial owners of the Bonds as described herein. Transfer of principal and interest payments to Beneficial Owners (as hereinafter defined) by Participants of DTC will be the responsibility of such Participants and other nominees of Beneficial Owners. The District will not be responsible or liable for payments by DTC to its Participants or by Direct Participants (as hereinafter defined) to Beneficial Owners or for maintaining, supervising or reviewing the records maintained by DTC, its Participants or persons acting through such Participants. (See “*Description of Book-Entry System*,” herein).

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\*Preliminary, subject to change.

The Record Date of the Bonds will be the last day of the calendar month immediately preceding each interest payment date.

The District's contact information is as follows: Laura A. Newman, Associate Superintendent for Business and Operations Commack Union Free School District, Hubbs Administration Center, 480 Clay Pitts Road, East Northport, New York, 11731 telephone number (631) 912-2005 and email: lnewman@commack.k12.ny.us.

### **Optional Redemption**

The Bonds maturing on or before June 15, 2028 will not be subject to redemption prior to maturity. The Bonds maturing on June 15, 2029 and thereafter, will be subject to redemption, at the option of the District, prior to maturity, 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 June 15, 2028, at the redemption price equal to the principal amount of the Bonds to be redeemed plus accrued interest to the date of redemption.

If less than all of any of the Bonds of any maturity are to be redeemed prior to maturity, the particular Bonds of such maturity to be redeemed shall be selected by the District by lot in any customary manner of selection as determined by the District. Notice of such call for redemption shall be given by mailing such notice to the registered owner at least thirty (30) days prior to the date set for such redemption. 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.

### **Authorization for and Purpose of Bonds**

The Bonds are being issued in accordance with the Constitution and statutes of the State of New York including the Education Law and the Local Finance Law and the bond resolution duly adopted by the Board of Education of the District on January 9, 2020 authorizing the issuance of \$67,523,998 bonds to finance the cost the construction of alterations and improvements to District buildings and sites following the approval of a proposition by a majority of the qualified voters of the District voting thereon at the Special District Meeting held on December 3, 2019 . The Bonds will finance \$32,300,000 of such authorization.

For further information regarding bond authorizations of the District for capital purposes and other matters relating thereto see "INDEBTEDNESS OF THE DISTRICT", herein.

## **THE NOTES**

### **Description of the Notes**

The Notes will be dated and will mature, without option of prior redemption, as reflected on the cover page hereof.

The District will act as Paying Agent for any Notes issued in book-entry form and the purchaser(s) will serve as paying agent for the Notes registered in the name of the purchaser(s). Paying agent fees, if any, will be paid by the purchaser(s). The District's contact information is as follows: Laura A. Newman, Associate Superintendent for Business and Operations Commack Union Free School District, Hubbs Administration Center, 480 Clay Pitts Road, East Northport, New York, 11731 telephone number (631) 912-2005 and email: lnewman@commack.k12.ny.us.

### **Optional Redemption**

The Notes will not be subject to redemption prior to their maturity.

### **Authorization for and Purpose of Notes**

The Notes are issued pursuant to the Constitution and laws of the State, including Sections 24.00 and 39.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of New York, and a tax anticipation note resolution adopted by the Board of Education of the District to finance cash flow requirements in anticipation of the collection of 2021-2022 real property taxes levied for school purposes on all taxable real property in the District. The proceeds of the Notes may be used only for the purposes for which such taxes have been or are to be levied, as specified in the 2021-2022 annual budget of the District, unless all of said purposes have been paid and satisfied, in which case the proceeds of the notes may be used for any lawful school purpose. The proceeds of the Notes will not be used for the redemption or renewal of any outstanding tax anticipation or revenue anticipation notes.

Pursuant to Section 24.00(e) of the Local Finance Law, generally, whenever the amount of the Notes and any additional tax anticipation notes issued by the District in anticipation of the receipt of 2021-2022 real property taxes equals the amount of such taxes remaining uncollected, the District is required to set aside in a special bank account all of such uncollected taxes as thereafter collected, and to use the amounts so set aside only for the purpose of paying such Notes. Interest on the Notes will be provided from budget appropriations.

## DESCRIPTION OF BOOK-ENTRY SYSTEM

DTC will act as securities depository for the Bonds and for any Notes issued in book-entry form. The Bonds and such Notes will be issued as fully-registered securities, 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 maturity of each series of the Bonds and deposited with DTC. One fully-registered note certificate will be issued for each Note bearing the same rate of interest and CUSIP number and will be deposited with DTC.

DTC, the world's largest depository, is 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 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"). Effective August 9, 2011, Standard & Poor's assigns a rating of "AA+" to DTC. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at [www.dtcc.com](http://www.dtcc.com) and [www.dtc.org](http://www.dtc.org).

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

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

Beneficial Owners of the Bonds and the Notes may wish to take certain steps to augment the transmission to them or notices of significant events with respect to the Bonds and the Notes, such as redemptions, tenders, defaults, and proposed amendments to the Bond documents. For example, Beneficial Owners of the Bonds and the Notes may wish to ascertain that the nominee holding the Bonds and the Notes for their benefit has agreed to obtain and transmit notices to the Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of notices be provided directly to them.

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

Principal and interest payments on the Bonds and the Notes will be made to Cede & Co. or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the District on the 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 District, 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 District, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

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

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

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

Source: The Depository Trust Company, New York, New York.

THE DISTRICT WILL NOT HAVE ANY RESPONSIBILITY OR OBLIGATIONS TO PARTICIPANTS, TO INDIRECT PARTICIPANTS OR ANY BENEFICIAL OWNER WITH RESPECT TO (I) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC, ANY PARTICIPANTS, OR ANY INDIRECT PARTICIPANT; (II) THE PAYMENT BY DTC OR ANY PARTICIPANT OR INDIRECT PARTICIPANT OR ANY AMOUNT WITH RESPECT TO THE PRINCIPAL OF OR INTEREST ON THE BONDS AND THE NOTES; (III) ANY NOTICE WHICH IS PERMITTED OR REQUIRED TO BE GIVEN TO HOLDERS; OR (IV) THE SELECTION OF THE BENEFICIAL OWNERS TO RECEIVE PAYMENT IN THE EVENT OF ANY PARTIAL REDEMPTION OF THE BONDS AND THE NOTES; OR (V) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC AS HOLDER.

THE DISTRICT CANNOT AND DOES NOT GIVE ANY ASSURANCES THAT DTC WILL DISTRIBUTE TO DIRECT PARTICIPANTS OR THAT DIRECT PARTICIPANTS OR INDIRECT PARTICIPANTS WILL DISTRIBUTE TO THE BENEFICIAL OWNERS OF THE BONDS AND THE NOTES (I) PAYMENTS OF THE PRINCIPAL OF OR INTEREST ON THE BONDS AND THE NOTES; (II) CONFIRMATION OF THEIR OWNERSHIP INTEREST IN THE BONDS AND THE NOTES; OR (III) REDEMPTION OR OTHER NOTICES SENT TO DTC OR CEDE & CO. AS NOMINEE, AS REGISTERED OWNER OF THE BONDS AND THE NOTES, OR THAT THEY WILL DO SO ON A TIMELY BASIS, OR THAT DTC, DIRECT PARTICIPANTS OR INDIRECT PARTICIPANTS WILL SO SERVE AND ACT IN THE MANNER DESCRIBED IN THE OFFICIAL STATEMENT.

### **Certificated Bonds and the Notes**

DTC may discontinue providing its services with respect to the Bonds and the Notes at any time by giving notice to the District and discharging its responsibilities with respect thereto under applicable law, or the District may terminate its participation in the system of book-entry-only transfers through DTC at any time. In the event that such book-entry-only system is discontinued, and a replacement book-entry securities depository is not appointed, the Bonds and the Notes will be issued in registered form in denominations of \$5,000, or integral multiples thereof. Principal of and interest on the Bonds and the Notes when due will be payable at the principal corporate trust office of a bank or trust company to be named by the District as the fiscal agent; certificated Bonds and the Notes may be transferred or exchanged at no cost to the owner of such bonds and notes at any time prior to maturity at the corporate trust office of the fiscal agent for bonds and notes of the same or any other authorized denomination or denominations in the same aggregate principal amount upon the terms set forth in the certificate of the President of the Board authorizing the sale of the Bonds and the Notes and fixing the details thereof and in accordance with the Local Finance Law.

## **Security and Source of Payment**

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

The Bonds will be general obligations of the District and will contain a pledge of the faith and credit of the District for the payment of the principal of and interest thereon. For the payment of such principal and interest, the District has power and statutory authorization to levy ad valorem taxes on all real property in the District subject to taxation without limitation as to rate or amount.

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

Under the Constitution of the State, the District is required to pledge its faith and credit for the payment of the principal of and interest on the Bonds and Notes, and the State is specifically precluded from restricting the power of the District to levy taxes on real estate for the payment of interest on or principal of indebtedness theretofore contracted. However, the Tax Levy Limit Law, imposes a limitation on the power of local governments and school districts, including the District, to increase their annual tax levy, with the amount of such year to year increase limited by the formulas set forth in the Tax Levy Limit Law. The Tax Levy Limit Law also provides the procedural method to overcome that limitation. In addition, the Tax Levy Limit Law expressly provides an exclusion from the annual tax levy limitation for any taxes levied to pay the local share of debt service on bonds or notes issued to finance voter approved capital expenditures, or the refinancing or refunding of such bonds or notes. As the Bonds are being issued to finance voter-approved capital expenditures, the Bonds qualify for such exception to the Tax Levy Limit Law. (See "*The Tax Levy Limit Law*," herein.) The exclusion does NOT apply to taxes to pay debt service on tax anticipation notes, such as the Notes, revenue anticipation notes, budget notes and deficiency notes; and any obligations issued to finance deficits and certain judgments, including tax certiorari refund payments. (See "*The Tax Levy Limit Law*," herein.)

## **REMEDIES UPON DEFAULT**

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

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

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

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

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

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

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

## **SECTION 99-B OF THE STATE FINANCE LAW APPLICABLE TO SCHOOL DISTRICTS**

Section 99-b of the State Finance Law (the "SFL") provides for a covenant between the State and the purchasers and the holders and owners from time to time of the bonds and notes issued by school districts in the State for school purposes that it will not repeal, revoke or rescind the provisions of Section 99-b of the SFL, or amend or modify the same so as to limit, impair or impede the rights and remedies granted thereby.

Said section provides that in the event a holder or owner of any bond or note issued by a school district for school purposes shall file with the State Comptroller, a verified statement describing such bond or note and alleging default in the payment thereof or the interest thereon or both, it shall be the duty of the State Comptroller to immediately investigate the circumstances of the alleged default and prepare and file in his office a certificate setting forth his determinations with respect thereto and to serve a copy thereof by registered mail upon the chief fiscal officer of the school district which issued the bond or note. Such investigation by the State Comptroller shall set forth a description of all such bonds and notes of the school district found to be in default and the amount of principal and interest thereon past due.

Upon the filing of such a certificate in the office of the State Comptroller, he shall thereafter deduct and withhold from the next succeeding allotment, apportionment or payment of such State aid or assistance due to such school district such amount thereof as may be required to pay (a) the school district's contribution to the State Teachers' Retirement System, and (b) the principal of and interest on such bonds and notes of such school district then in default. In the event such State aid or assistance initially so withheld shall be insufficient to pay said amounts in full, the State Comptroller shall similarly deduct and withhold from each succeeding allotment, apportionment or payment of such State aid or assistance due such school district such amount or amounts thereof as may be required to cure such default. Allotments, apportionments and payments of such State aid so deducted or withheld by the State Comptroller for the payment of principal and interest on the bonds and notes shall be forwarded promptly to the paying agent or agents for the bonds and notes in default of such school district for the sole purpose of the payment of defaulted principal of and interest on such bonds or notes. If any such successive allotments, apportionments or payment of such State aid so deducted or withheld shall be less than the amount of all principal and interest on the bonds and notes in default with respect to which the same was so deducted or withheld, then the State Comptroller shall promptly forward to each paying agent an amount in the proportion that the amount of such bonds and notes in default payable to such paying agent bears to the total amount of the principal and interest then in default on such bonds and notes of such school district. The State Comptroller shall promptly notify the chief fiscal officer of such school district of any payment or payments made to any paying agent or agents of defaulted bonds or notes pursuant to said section of the SFL.

### **NO PAST DUE DEBT**

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

### **BANKRUPTCY**

The Federal Bankruptcy Code (Chapter IX) allows public bodies, such as municipalities, recourse to the protection of a Federal Court for the purpose of adjusting outstanding indebtedness. Title 6-A of the Local Finance Law specifically authorizes any municipality in the State or its emergency control board to file a petition under any provision of Federal bankruptcy law for the composition or adjustment of municipal indebtedness. While this Local Finance Law provision does not apply to school districts, there can be no assurance that it will not become applicable in the future. As such, the undertakings of the District should be considered with reference, specifically, to Chapter IX, and, in general, to other bankruptcy laws affecting creditors' rights and municipalities. Bankruptcy proceedings by the District if authorized by the State in the future could have adverse effects on bondholders and/or noteholders including (a) delay in the enforcement of their remedies, (b) subordination of their claims to those supplying goods and services to the District after the initiation of bankruptcy proceedings and to the administrative expenses of bankruptcy proceedings and (c) imposition without their consent of a reorganization plan reducing or delaying payment of the Bonds and the Notes.

The above references to said Chapter IX are not to be construed as an indication that the State will consent in the future to the right of the District to file a petition with any United States district court or court of bankruptcy under any provision of the laws of the United States, now or hereafter in effect for the composition or adjustment of municipal indebtedness or that the District is currently considering or expects to resort to the provisions of Chapter IX if authorized to do so in the future.

### **THE DISTRICT**

#### **Description**

The District is situated in the towns of Huntington and Smithtown, Suffolk County, New York, and is approximately 40 miles from New York City. It has an area of approximately 14.6 square miles. It is largely residential in character, but there are shopping and commercial centers located within the District and in the outlying area. School, hospital, banking, recreation, water, gas and electric facilities are available to the residents of the District. Police protection is furnished by the Suffolk County Police Department and fire protection is furnished by the Commack Fire Department, Dix Hills Fire Department, and East Northport Fire Department.

The District is largely suburban in character due to its proximity to New York City. The District includes the unincorporated area of Commack, and parts of the unincorporated areas of East Northport, Dix Hills and Smithtown.

The District is located one mile from the Long Island Rail Road. Major highways serving the area are the Long Island Expressway (I-495), Jericho Turnpike (NY25), Northern State Parkway and Sagtikos State Parkway.

Water, electric, gas, telephone, fire and police protection are provided to residents of the District by the following:

- Greenlawn Water District
- Suffolk County Water Authority
- Keyspan Energy Corp.
- Verizon
- Various Fire Districts
- Suffolk County Police Department

**District Organization**

The District is an independent entity governed by an elected board of education comprised of five members. District operations are subject to the provisions of the Education Law affecting school districts; other statutes applicable to the District include the General Municipal Law, the Local Finance Law and the Real Property Tax Law.

Members of the Board of Education are elected on a staggered term basis by qualified voters at the annual election of the District held on the third Tuesday in May. The term of office for each board member is 3 years and the number of terms that may be served is unrestricted. A president is selected by the board from its members and also serves as the chief fiscal officer of the District. The Board of Education is vested with various powers and duties as set forth in the Education Law. Among these are the adoption of annual budgets (subject to voter approval), the levy of real property taxes for the support of education, the appointment of such employees as may be necessary, and other such duties reasonably required to fulfill the responsibilities provided by law.

The Board of Education appoints the Superintendent of Schools, who serves pursuant to an employment agreement with the Board. Such Superintendent is the chief executive officer of the District and the education system. It is the responsibility of the Superintendent to enforce all provisions of law and all rules and regulations relating to the management of the schools and other educational, social and recreational activities under the direction of the Board of Education. Also, certain of the financial functions of the District are the responsibility of the Superintendent of Schools and Associate Superintendent for Business and Operations.

**Enrollment History**

The following table presents the past school enrollment for the District.

<u>School Year</u>	<u>School Enrollment</u>
2016-17	6,253
2017-18	6,142
2018-19	5,981
2019-20	5,876
2020-21	5,714

Source: District Officials.

**Projected Future Enrollment**

The following table presents the projected future school enrollment for the District.

<u>School Year</u>	<u>School Enrollment</u>
2021-22	5,531
2022-23	5,379
2023-24	5,255

Source: District Officials.

## District Facilities

The District operates fourteen schools and offices; statistics relating to each are shown below.

<u>Name of School</u>	<u>Grades</u>	<u>Date of Construction</u>	<u>Date of Last Addition</u>	<u>Capacity</u>
Indian Hollow School	Primary	1963	2002	690
North Ridge School	Primary	1962	2002	780
Rolling Hills School	Primary	1967	-	690
Wood Park School	Primary	1961	2002	780
Sawmill Intermediate School	Intermediate	1972	2002	1,000
Burr Intermediate School	Intermediate	1972	2002	1,000
Commack High School	High School	1962	2002	2,100
Commack Middle School	Middle School	1968	2002	2,000
Grace L. Hubbs Administration	Administration	1964	2002	510
<u>Leased Schools:</u>				
Long Acres	Elementary	1963	-	780
Smiths Lane	Elementary	1962	-	670
Sagtikos	Elementary	1967	-	510
Cedar Road	Elementary	1961	-	700
Old Farms	Elementary	1961	-	510

## Employees

The collective bargaining agents, if any, which represent employees and the dates of expirations of the various collective bargaining agreements are as follows:

<u>Name of Union</u>	<u>Expiration Date of Contract</u>	<u>Approx. No. of Members</u>
Commack Teachers Association	06/30/2023	677
Commack Schools Secretarial Association	06/30/2023	63
Commack Administrative & Supervisory Association	06/30/2023	24
Commack Teachers Aides Association	06/30/2022	189
Local 237, IBT, Long Island Division	06/30/2023	82

Source: District Officials

## ECONOMIC AND DEMOGRAPHIC INFORMATION

### Population Trends

The following table sets forth population statistics for the District, the Towns of Huntington and Smithtown and Suffolk County.

<u>Year</u>	<u>District<sup>a</sup></u>	<u>Town of Huntington</u>	<u>Town of Smithtown</u>	<u>Suffolk County</u>
2006	38,030	201,708	120,881	1,507,211
2007	38,045	201,894	121,208	1,511,732
2008	38,052	201,773	121,233	1,513,435
2009	38,148	202,197	121,817	1,518,475
2010	38,148	203,264	117,801	1,493,350
2019	38,642	200,495	116,034	1,476,601

a. Estimated.

### Income Data

Income Data is not available for the District as such. The smallest area for which such statistics are available, and which includes the towns of Smithtown and Huntington. The data set forth below with respect to the County and State are included for information only. It should not be inferred from the inclusion of such data in this Statement that the County or State are necessarily representative of the District, or vice versa.

	<u>Per Capita Money Income</u>			
	<u>1990</u>	<u>2000</u>	<u>2010</u>	<u>2019<sup>a</sup></u>
Town of Smithtown	\$21,465	\$31,401	\$43,022	\$57,191
Town of Huntington	24,810	36,390	45,590	65,192
Suffolk County	18,481	26,577	35,411	48,381
State of New York	16,501	23,389	30,791	41,857

	<u>Median Household Income</u>			
	<u>1990</u>	<u>2000</u>	<u>2010</u>	<u>2019<sup>a</sup></u>
Town of Smithtown	\$60,068	\$80,421	\$104,076	\$122,039
Town of Huntington	60,530	82,528	101,495	135,689
Suffolk County	49,128	65,288	84,235	106,228
New York State	32,965	43,393	55,217	72,108

Source: United States Bureau of the Census

a. Based on American Community Survey 1-Year Estimate (2019)

### Major Employers in the District

<u>Company</u>	<u>Product or Type</u>	<u>Employment Code</u>
Commack UFSD	School System	A
ABC Sunray Co.	Oil Burners	D
Tempo Instruments & Controls Corp.	Solid State Controls	D
Thermal Profiles, Inc.	Molded Plastic Products	D

<u>Employment Code</u>	<u>Number of Employees</u>
A	More than 1,000
B	500 to 1,000
C	250 to 499
D	100 to 249

### Unemployment Rate Statistics

Unemployment statistics are not available for the District as such. The smallest areas for which such statistics are available are the towns of Smithtown and Huntington, the County of Suffolk and the State. The information set forth below is included for information purposes only. It should not be implied from the inclusion of such data in this Official Statement that the District is necessarily representative of these areas vice versa.

<u>Annual Averages:</u>	<u>Town of Smithtown</u>	<u>Town of Huntington</u>	<u>Suffolk County</u>	<u>New York State</u>
2016	3.6%	3.7%	4.3%	4.9%
2017	3.8	4.0	4.4	4.6
2018	3.3	3.4	3.9	4.1
2019	3.3	3.3	3.7	4.0
2020	7.6	7.9	8.5	10.0
2021 (6 Months)	4.9	5.4	5.7	8.3

Source: Department of Labor, State of New York

## INDEBTEDNESS OF THE DISTRICT

### Constitutional and Statutory Requirements

The New York State Constitution and Local Finance Law limit the power of the District (and other municipalities and school districts of the State) to issue obligations and to contract indebtedness. Such constitutional and statutory limitations include the following, in summary form, and are generally applicable to the District and the Bonds and the Notes:

**Purpose and Pledge.** The District shall not give or loan any money or property to or in aid of any individual, or private corporation or private undertaking or give or loan its credit to or in aid of any of the foregoing or any public corporation.

The District may contract indebtedness only for a District 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 (such as the Notes) or to be paid in one of the two fiscal years immediately succeeding the fiscal year in which such indebtedness was contracted, indebtedness shall be paid in annual installments commencing no later than two years after the date such indebtedness shall have been contracted and ending no later than the period of probable usefulness of the object or purpose determined by statute or, in the alternative, the weighted average period of probable usefulness of the several objects or purpose for which such indebtedness is to be contracted; no installment may be more than fifty per centum in excess of the smallest prior installment, unless the District has authorized the issuance of indebtedness having substantially level or declining annual debt service. The District is required to provide an annual appropriation for the payment of interest due during the year on its indebtedness and for the amounts required in such year for amortization and redemption of its serial bonds, bond anticipation notes and capital notes.

**General.** The District is further subject to constitutional limitation by the general constitutionally imposed duty on the State Legislature to restrict the power of taxation and contracting indebtedness to prevent abuses in the exercise of such power; however, the State Legislature is prohibited by a specific constitutional provision from restricting the power of the District to levy taxes on real estate for the payment of interest on or principal of indebtedness theretofore contracted. There is no constitutional limitation on the amount that may be raised by the District by tax on real estate in any fiscal year to pay principal of and interest on all indebtedness. However, the Tax Levy Limit Law imposes a statutory limitation on the power of the District to increase its annual tax levy. (See "*The Tax Levy Limit Law*" herein).

### **Statutory Procedure**

In general, the State Legislature has, by the enactment of the Local Finance Law, authorized the powers and procedure for the District 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 Education Law.

The District is generally required by such laws to submit propositions for the expenditure of money for capital purposes to the qualified electors of the District. Upon approval thereby, the Board of Education may adopt a bond resolution authorizing the issuance of bonds and notes in anticipation of the bonds and the notes. With respect to certain school building construction projects, the District is not permitted to spend in excess of \$100,000 until the plans and specifications for such project have been approved by the Commissioner of Education of the State.

The Local Finance Law also provides a twenty-day statute of limitations after publication of a bond resolution, together with a statutory form of notice which, in effect, estops legal challenges to the validity of obligations authorized by such bond resolution except for alleged constitutional violations. It is a procedure that is recommended by Bond Counsel but it is not an absolute legal requirement.

The Board of Education, as the finance board of the District, has the power to enact tax anticipation note resolutions. Such resolutions may authorize the issuance of tax anticipation notes in an aggregate principle amount necessary to fund anticipated cash flow deficits but in no event exceeding the amount of real property taxes levied or to be levied by the District, less any tax anticipation notes previously issued and less the amount of such taxes previously received by the District.

The Board of Education, as the finance board of the District, also has the power to authorize the sale and issuance of bonds and notes, including the Bonds and the Notes. However, such finance board may delegate the power to sell the Bonds and the Notes to the President of the Board of Education, the chief fiscal officer of the District, pursuant to the Local Finance Law.

**Debt Limit.** Pursuant to the Local Finance Law, the District has the power to contract indebtedness for any school district purpose authorized by the Legislature of the State of New York provided the aggregate principal amount thereof shall not exceed ten per centum of the full valuation of the taxable real estate of the District and subject to certain enumerated deductions such as State aid for building purposes. The constitutional and statutory method for determining full valuation is by taking the assessed valuation of taxable real estate for the last completed assessment roll and applying thereto the ratio (equalization rate) which such assessed valuation bears to the full valuation; such ratio is determined by the State Board of Real Property Services. The Legislature also is required to prescribe the manner by which such ratio shall be determined by such authority.

The following table sets forth the computation of the debt limit of the District and its debt contracting margin:

**Computation of Debt Limit and Calculation of Total Net Indebtedness**  
(As of August 18, 2021)

<u>In Town of:</u>	<u>Assessed Valuation</u>	State Equalization <u>Rate</u>	<u>Full Valuation</u>
Huntington (2020-2021)	\$19,627,851	0.74%	\$2,652,412,297
Smithtown (2020-2021)	<u>47,436,283</u>	1.15%	<u>4,124,894,174</u>
Total			\$6,777,306,471
Debt Limit - 10% of Full Valuation			\$677,730,647
Inclusions:			
Outstanding Bonds			\$30,750,000
Bond Anticipation Notes			<u>0</u>
Total Indebtedness			<u>30,750,000</u>
Exclusions (Estimated Building Aid) <sup>c</sup>			<u>19,587,750</u>
Total Net Indebtedness Before Issuing the Bonds			<u>11,162,250</u>
The Bonds			32,300,000
Less: BANs Being Redeemed by the Bonds			<u>0</u>
Net Effect of the Bonds			<u>32,300,000</u>
Total Net Indebtedness After Issuing the Bonds			<u>43,462,250</u>
Net Debt Contracting Margin			<u><u>\$634,268,397</u></u>
Per Cent of Debt Contracting Margin Exhausted			6.41%

- a. The latest completed assessment roll for which a State Equalization Rate has been established.
- b. Tax Anticipation Notes, Energy Performance Lease and Revenue Anticipation Notes are not included in computation of the debt contracting margin of the District.
- c. Represents estimate of moneys receivable by the District from the State as an apportionment for debt service for school building purposes, based on the most recent information received by the District from the State Department of Education. The amount shown is not necessarily the amount the District will ultimately receive. The District has not applied for a building aid exclusion certificate from the Commissioner of Education and therefore may not exclude such amount from its total indebtedness on the Debt Statement form required to be filed with the Office of the State Comptroller when bonds are to be issued.

**Details of Short-Term Indebtedness Outstanding**

As of the date of this Official Statement, the District has no short-term debt outstanding.

**Trend of Outstanding Indebtedness**  
As at June 30:

	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Bonds	\$49,455,000	\$43,545,000	\$37,430,000	\$31,565,000	\$24,645,000
BANs	-	-	-	-	-
Other	-	-	-	-	-
<b>Totals:</b>	<u>\$49,455,000</u>	<u>\$43,545,000</u>	<u>\$37,430,000</u>	<u>\$31,565,000</u>	<u>\$24,645,000</u>

Source: Audited Financial Statements.

**Debt Service Requirements - Outstanding Bonds**

Fiscal Year	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
<u>Ending June 30:</u>			
2022	\$6,220,000	\$ 906,525	\$ 7,126,525
2023	6,475,000	647,100	7,122,100
2024	5,220,000	407,450	5,627,450
2025	4,240,000	212,300	4,452,300
2026	605,000	109,375	714,375
2027	610,000	79,000	689,000
2028	635,000	47,875	682,875
2029	640,000	16,000	656,000
<b>Totals:</b>	<u>\$24,645,000</u>	<u>\$2,425,625</u>	<u>\$27,070,625</u>

Source: Audited Financial Statements.

**Debt Service Requirements – 2012 Energy Performance Contract<sup>a</sup>**

Fiscal Year	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
<u>Ending June 30:</u>			
2022	\$ 1,231,852	\$ 167,700	\$ 1,399,552
2023	1,255,368	144,184	1,399,552
2024	1,279,333	120,218	1,399,551
2025	1,303,756	95,796	1,399,552
2026	1,328,645	70,907	1,399,552
2027	1,354,009	45,543	1,399,552
2028	1,379,888	19,694	1,399,582
<b>Totals:</b>	<u>\$ 9,132,851</u>	<u>\$ 664,042</u>	<u>\$ 9,796,893</u>

a. The above schedule reflects the refinancing of the 2012 Energy Performance Contract that was completed or closed on August 15, 2020.

Source: Audited Financial Statements.

### Debt Service Requirements – 2015 Energy Performance Contract

Fiscal Year Ending June 30:	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2022	\$ 168,179	\$ 46,215	\$ 214,394
2023	174,339	40,055	214,394
2024	180,725	33,669	214,394
2025	187,345	27,049	214,394
2026	194,207	20,187	214,394
2027	201,321	13,073	214,394
2028	208,695	5,699	214,394
Totals:	<u>\$1,314,811</u>	<u>\$185,947</u>	<u>\$1,500,758</u>

Source: Audited Financial Statements.

### Debt Service Requirements – 2019 Taxable Energy Performance Contract

Fiscal Year Ending June 30:	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2022	\$ 58,802	\$ 27,309	\$ 86,111
2023	60,519	25,592	86,111
2024	62,287	23,824	86,111
2025	64,106	22,005	86,111
2026	65,978	20,133	86,111
2027	67,906	18,205	86,111
2028	69,889	16,222	86,111
2029	71,931	14,180	86,111
2030	74,033	12,078	86,111
2031	76,195	9,916	86,111
2032	78,420	7,691	86,111
2033	80,712	5,399	86,111
2034	83,068	3,043	86,111
2035	42,440	615	43,055
Totals:	<u>\$956,286</u>	<u>\$206,212</u>	<u>\$1,162,498</u>

Source: Audited Financial Statements.

**Debt Service Requirements – 2019 Tax-Exempt Energy Performance Contract**

Fiscal Year Ending June 30:	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2022	\$824,209	\$290,233	\$1,114,442
2023	843,192	271,250	1,114,442
2024	862,611	251,831	1,114,442
2025	882,478	231,964	1,114,442
2026	902,803	211,639	1,114,442
2027	923,595	190,847	1,114,442
2028	944,867	169,575	1,114,442
2029	966,628	147,814	1,114,442
2030	988,890	125,552	1,114,442
2031	1,011,665	102,777	1,114,442
2032	1,034,966	79,476	1,114,442
2033	1,058,802	55,640	1,114,442
2034	1,083,188	31,254	1,114,442
2035	550,913	6,308	557,221
Totals:	<u>\$12,878,807</u>	<u>\$2,166,160</u>	<u>\$15,044,967</u>

**Debt Service Requirements – 2021 Tax-Exempt Energy Performance Contract**

Fiscal Year Ending June 30:	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2023	\$256,834	\$96,876	\$353,710
2024	290,937	62,773	353,710
2025	295,259	58,451	353,710
2026	299,645	54,065	353,710
2027	304,096	49,614	353,710
2028	308,613	45,097	353,710
2029	313,198	40,513	353,710
2030	317,850	35,860	353,710
2031	322,572	31,139	353,710
2032	327,363	26,347	353,710
2033	332,226	21,484	353,710
2034	337,161	16,549	353,710
2035	342,170	11,540	353,710
2036	347,253	6,457	353,710
2037	175,556	1,299	176,855
	<u>\$4,570,733</u>	<u>\$558,065</u>	<u>\$5,128,798</u>

## Revenue and Tax Anticipation Notes

The District has generally found it necessary to borrow from time to time in anticipation of taxes and revenues, which borrowing is necessitated by the schedule of real property tax and State aid revenue payments. The following is a history of such tax and revenue anticipation note borrowings for the five most recent fiscal years:

Fiscal Year Ending June 30:	<u>Amount</u>	<u>Type</u>	<u>Issue</u>	<u>Maturity</u>
2017	\$26,000,000	TAN	10/06/16	06/27/17
2018	\$28,500,000	TAN	10/10/17	06/27/18
2019	\$32,000,000	TAN	09/20/18	06/26/19
2020	\$36,000,000	TAN	10/03/19	06/25/20
2021	\$36,000,000	TAN	10/27/20	06/25/21

### Authorized and Unissued Debt

The District has authorized and unissued debt in the amount of \$67,523,998 outstanding. See “*Capital Project Plans*” herein. The Bonds will finance \$32,300,000 of such authorized but unissued amount.

### Capital Project Plans

On December 3, 2019, the District voters approved a bond proposition in the amount of \$67,523,998 for the construction of alterations and improvements to District buildings and sites. The Bonds will finance \$32,300,000 of such authorized but unissued amount.

### Calculation of Estimated Overlapping and Underlying Indebtedness

<u>Overlapping Units</u>	<u>Date of Report</u>	<u>Percentage Applicable (%)</u>	<u>Applicable Total Indebtedness</u>	<u>Applicable Net Indebtedness</u>
County of Suffolk	06/07/21	2.85	\$58,016,717	\$35,821,572
Town of Huntington	07/01/21	6.79	7,232,368	5,152,645
Town of Smithtown	04/19/21	20.29	8,618,111	7,427,633
Fire Districts (Est.)	12/31/19	Var.	<u>1,125,000</u>	<u>1,125,000</u>
Totals			<u>\$74,992,196</u>	<u>\$49,526,850</u>

Sources: Annual Reports of the respective units for the most recently completed fiscal year on file with the Office of the State Comptroller or more recently published Official Statements.

### Debt Ratios (As of August 18, 2021)

	<u>Amount</u>	<u>Per Capita<sup>a</sup></u>	<u>Percentage of Full Value (%)<sup>b</sup></u>
Total Direct Debt	\$ 30,750,000	\$796	0.454
Net Direct Debt	11,162,250	\$289	0.165
Total Direct & Applicable Total Overlapping Debt	105,742,196	\$2,736	1.560
Net Direct & Applicable Net Overlapping Debt	60,689,100	\$1,571	0.895

a. The current population of the District is 38,642.

b. The 2020-2021 full valuation of taxable property is \$6,777,306,471.

## FINANCES OF THE DISTRICT

### Impact of COVID-19

The District has incurred certain expenses associated with the COVID-19 pandemic, including but not limited to, costs related to cleaning supplies and equipment, desk shields and personal protection equipment the aggregate cost of which total approximately \$5.5 million. The District has paid such costs from budgetary appropriations and/or available funds. The District does not believe that the increased costs described above or any potential reductions in State aid will have a material adverse impact on the finances of the District. (See also “*State Aid*” herein.)

In December of 2020, the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act was enacted as the second act of federal relief in response to COVID-19. The CRRSA Act provides approximately \$4.3 billion to support schools in the State, with the funds available to be spent through September 2023. This is in addition to the \$1.2 billion in Federal Coronavirus Aid, Relief and Economic Security (CARES) Act funding, which can be spent through September 2022. The CRRSA Act provides the State with \$4.0 billion through the Elementary and Secondary School Emergency Relief (ESSER) Fund and \$323 million through the Governor’s Emergency Education Relief (GEER) Fund. Districts may generally use these funds for broad purposes, including general operating and pandemic-related costs such as purchasing personal protective equipment. Additionally, the State has been allocated approximately \$9.0 billion under the American Rescue Plan (ARP) Act’s Elementary and Secondary School Emergency Relief Fund (ESSER).

The District has received \$621,206 in CARES Act funding, and is expected to receive a total of \$7,027,689 through CRRSA and ARP funding. (See also “*State Aid*” herein.)

### Independent Audit

The financial affairs of the District are subject to periodic compliance review by the Office of the State Comptroller to ascertain whether the District has complied with the requirements of various state and federal statutes. The financial statements of the District are audited each year by an independent public accountant. The last such audit covers the fiscal year ended June 30, 2020. A copy of such report is included herein as Appendix C.

### Investment Policy

Pursuant to State law, including Sections 10 and 11 of the GML, the District is generally permitted to deposit moneys in banks or trust companies located and authorized to do business in the State. All such deposits, including special time deposit accounts and certificates of deposit, in excess of the amount insured under the Federal Deposit Insurance Act, are required to be secured in accordance with the provisions of and subject to the limitations of Section 10 of the GML.

The District may also temporarily invest moneys in: (1) obligations of the United States of America; (2) 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; (3) obligations of the State of New York; (4) with the approval of the New York State Comptroller, in tax anticipation notes or revenue anticipation notes issued by any municipality, school district, or district corporation, other than those notes issued by the District, itself; (5) certificates of participation issued in connection with installment purchase agreements entered into by political subdivisions of the State pursuant to Section 109-b(10) of the GML; (6) obligations of a New York public benefit corporation which are made lawful investments for municipalities pursuant to the enabling statute of such public benefit corporation; or (7) in the case of moneys held in certain reserve funds established by the District pursuant to law, in obligations of the District.

All of the foregoing investments are required to be payable or redeemable at the option of the owner within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event, at the option of the owner, within two years of the date of purchase. Unless registered or inscribed in the name of the District, such instruments and investments must be purchased through, delivered to and held in custody of a bank or trust company in the State pursuant to a written custodial agreement as provided by Section 10 of the GML.

The Board of Education of the District has adopted an investment policy and such policy conforms with applicable laws of the State governing the deposit and investment of public moneys. All deposits and investments of the District are made in accordance with such policy.

## **Fund Structure and Accounts**

The General Fund is the general operating fund for the District and is used to account for substantially all revenues and expenditures of the District. The District also maintains a special aid fund, school lunch fund and special purpose fund. In addition, a capital projects fund is used to record capital facility projects, while an agency fund accounts for assets received by the District in a fiduciary capacity.

### **Basis of Accounting**

The district-wide and fiduciary fund financial statements are reported on the accrual basis of accounting using the economic resources measurement focus. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash transaction takes place. Nonexchange transaction, in which the District gives or receives value without directly receiving or giving equal value in exchange, include real property taxes, grants and donations. On an accrual basis, revenue from real property taxes is recognized in the fiscal year for which the taxes are levied. Revenue from grants and donations is recognized in the fiscal year in which all eligibility requirements have been satisfied and the related expenditures are incurred.

The fund statements are reported on the modified accrual basis of accounting using the current financial resources measurement focus. Revenues are recognized when measurable and available. The District considers all revenue reported in the governmental funds to be available if the revenues are collected within 180 days after the end of the fiscal year, except for real property taxes, which are considered to be available if they are collected within 60 days after the end of the fiscal year.

Expenditures are recorded when the related fund liability is incurred, except for principal and interest on general long-term debt, claims and judgments, and compensated absences, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and acquisitions under capital leases are reported as other financing sources.

### **Budget Process**

The District's fiscal year begins on July 1 and ends on June 30. Starting in the fall or winter of each year, the District's financial plan and enrollment projection are reviewed and updated and the first draft of the next year's proposed budget is developed by the central office staff. During the winter and early spring, the budget is developed and refined in conjunction with the school building principals and department supervisors. The District's budget is subject to the provisions of the Tax Levy Limit Law, which imposes a limitation on the amount of real property taxes that a school district may levy, and by law is submitted to voter referendum on the third Tuesday of May each year. (See "*The Levy Limit Law*" herein).

On May 18, 2021, a majority of the voters of the District approved the District's budget for the 2021-2022 fiscal year. Summaries of the District's Adopted Budgets for the fiscal years 2020-2021 and 2021-2022 may be found in Appendix A, herein.

### **Revenues**

The District receives most of its revenue from a real property tax on all non-exempt real property situated within the District and State aid. A summary of such revenues for the five most recently completed fiscal years may be found in Appendix A.

#### ***Real Property Taxes***

See "*Tax Information*" herein.

#### ***State Aid***

The District receives appropriations from the State of State aid for operating, building and other purposes at various times throughout its fiscal year, pursuant to formulas and payment schedules set forth by statute. While the State has a constitutional duty to maintain and support a system of free common schools that provides a "sound basic education" to children of the State, there can be no assurance that the State appropriation for State aid to school districts will be continued in future years, either pursuant to existing formulas or in any form whatsoever. State aid appropriated and apportioned to the school districts can be paid only if the State has such monies available for such payment.

The following table sets forth the percentage of the District’s General Fund revenue comprised of State aid for each of the fiscal years 2016 through 2020, and the amounts budgeted for 2021 and 2022.

<u>Fiscal Year</u> <u>Ending June 30:</u>	<u>General Fund</u> <u>Total Revenue</u>	<u>State Aid</u>	<u>State Aid To</u> <u>Revenues (%)</u>
2016	\$183,006,721	\$37,608,710	20.55
2017	178,665,559	39,633,711	22.18
2018	181,106,613	39,788,677	21.97
2019	186,804,530	39,709,719	21.26
2020	188,457,881	40,147,594	21.30
2021 (Budgeted)	199,759,525	40,836,309	20.44
2022 (Budgeted)	205,126,576	42,001,181	20.48

Source: Audited Financial Statements of the District and Adopted Budgets of the District.

a. Budgeted revenues include the application of reserves and fund balance.

In addition to the amount of State Aid budgeted annually by the District, the State makes payments of STAR aid representing tax savings provided by school districts to their taxpayers under the STAR Program (See “*STAR – School Tax Exemption*” herein).

The amount of State aid to school districts is dependent in part upon the financial condition of the State. Due the outbreak of COVID-19 the State has declared a state of emergency and the Governor has taken steps designed to mitigate the spread and impacts of COVID-19, including closing schools and non-essential businesses for an extended period. The outbreak of COVID-19 and the dramatic steps taken by the State to address it may continue to negatively impact the State’s economy and financial condition. The full impact of COVID-19 upon the State is not expected to be known for some time. The use of federal stimulus funds by the State has allowed the State to avoid taking gap-closing measures; however, the State may be required to implement gap closing measures in the future in response to the impact that the COVID-19 pandemic has had on the State’s finances. Such actions may include, but would not be limited to: reductions in State agency operations and/or delays or reductions in payments to local governments or other recipients of State aid including school districts in the State.

The State’s 2020-21 Enacted Budget authorized the State’s Budget Director to make periodic adjustments to State aid in the event that actual State revenues came in below 99% of estimates or if actual disbursements exceeded 101% of estimates. Pursuant to that provision, in October 2020, the State announced that, in the absence of Federal funding to offset such lost revenue, the State had begun to take steps to reduce spending, including but not limited to, temporarily holding back 20% of most aid payments to local governments and school districts. In December 2020, a second federal stimulus bill was enacted and provided additional funding for schools in the State. As of February 1, 2021, the State Education Department (“SED”) advised school districts that the State Division of the Budget would, at some point, provide approval for SED to make the payments to school districts for State aid and other Pre-K-12 grant programs that had been subject to the above-referenced 20% withholding. Such approval was received and the State released all of the withheld funds on or about June 30, 2021.

The State’s 2021-22 Enacted Budget provides \$29.5 billion in State funding to school districts for the 2021-22 school year the highest level of State aid ever. This represents an increase of \$3.0 billion or 11.3 percent compared to the 2020-21 school year, and includes a \$1.4 billion or 7.6 percent Foundation Aid increase. Approximately 75 percent of this increase is targeted to high-need school districts. The State’s 2021-22 Enacted Budget also programs \$13 billion of federal Elementary and Secondary School Emergency Relief Fund and the Governor’s Emergency Education Relief Fund to public schools. This funding available for use over multiple years, is designed to assist schools to reopen for in-person instruction, address learning loss, and respond to students’ academic, social, and emotional needs due to the disruptions of the COVID-19 pandemic. The State’s 2021-22 Enacted Budget allocates \$629 million of these funds to school districts as targeted grants to support efforts to address learning loss through activities such as summer enrichment and comprehensive after-school programs. In addition, the State’s 2021-22 Enacted Budget uses \$105 million of federal funds to expand access to full-day prekindergarten programs for four-year-old children in school districts statewide in the 2021-22 school year.

The amount of State aid to school districts can vary from year to year and is dependent in part upon the financial condition of the State. During the 2011 to 2019 fiscal years of the State, State aid to school districts was paid in a timely manner; however, during the State's 2010 and 2020 fiscal years, State budgetary restrictions resulted in delayed payments of State aid to school districts in the State. In addition, the availability of State aid and the timeliness of payment of State aid to school districts could be affected by a delay in adoption of the State budget, which is due at the start of the State's fiscal year of April 1. The State's budget has been adopted by April 1 or shortly thereafter for over ten (10) years. The State's 2021-22 Enacted Budget was adopted on April 7, 2021. No assurance can be given that the State will not experience delays in the adoption of the budget in future fiscal years. Significant delays in the adoption of the State budget could result in delayed payment of State aid to school districts in the State which could adversely affect the financial condition of school districts in the State.

As described above, the State's 2020-21 Enacted Budget included, and the State's 2021-22 Enacted Budget includes, significant amounts of federal funding. The State receives a substantial amount of federal aid for health care, education, transportation and other governmental purposes, as well as federal funding to respond to, and recover from, the COVID-19 pandemic, severe weather events and other disasters. Many of the policies that drive this federal aid may be subject to change under the federal administration and Congress. Current federal aid projections, and the assumptions on which they rely, are subject to revision. Reductions in federal funding levels could have a materially adverse impact on the State budget. (See also "*Impacts of COVID-19*" herein.)

There can be no assurance that the State's financial position will not change materially and adversely from current projections. If this were to occur, the State would be required to take additional gap-closing actions. Such actions may include, but are not limited to: reductions in State agency operations; delays or reductions in payments to local governments or other recipients of State aid including school districts in the State. Reductions in the payment of State aid could adversely affect the financial condition of school districts in the State.

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

### **Recent Events Affecting State Aid to New York School Districts**

Following a State budgetary crisis in 2009, State aid to school districts in the State decreased for a number of years with increases established in more recent years. However, as discussed below the COVID-19 pandemic has affected and is expected to continue to affect State aid to school district.

*School district fiscal year (2014-2015):* The State Legislature adopted the State budget on March 31, 2014. The State's 2014-2015 Budget included a \$1.1 billion or 5.3% increase in State aid to school districts for the 2014-2015 school year. High-need school districts received 70% of the State aid increase. The State's 2014-2015 Budget restored \$602 million of Gap Elimination Adjustment reductions that had been imposed on school districts from 2010-2011 to 2012-2013. The State's 2014-2015 Budget invested \$1.5 billion over five years to support the phase-in of a Statewide universal full-day pre-kindergarten program.

*School district fiscal year (2015-2016):* The State Legislature adopted the State budget on March 31, 2015. Said budget included an increase of \$1.4 billion in State aid for school districts that was tied to changes in the teacher evaluation and tenure process.

*School district fiscal year (2016-2017):* The State's 2016-2017 Budget included a school aid increase of \$991 million over 2015-2016, \$863 million of which consisted of traditional operating aid. In addition to full-funding of expense based aids (\$408 million), the State's 2016-2017 Budget included a \$266 million increase in Foundation Aid and an \$189 million restoration to the Gap Elimination Adjustment (the "GEA"). The majority of the remaining increase (\$100 million) related to Community Schools Aid, a newly adopted aid category, to support school districts that wish to create community schools. Such funds may only be used for certain purposes such as providing health, mental health and nutritional services to students and their families.

*School district fiscal year (2017-2018):* The State's 2017-2018 Budget provided for school aid of approximately \$25.8 billion, an increase of \$1.1 billion in school aid spending from the 2016-2017 school year. The majority of the increases were targeted to high need school districts. Expense-based aids to support school construction, pupil transportation, BOCES and special education were continued in full, as is the State's usual practice. Transportation aid increased by 5.5% and building aid increased by 4.8%. The State's 2017-18 Budget continued to link school aid increases for 2017-18 and 2018-19 to teacher and principal evaluation plans.

*School district fiscal year (2018-2019):* The State's 2018-2019 Budget provided for school aid of approximately \$26.7 billion, an increase of approximately \$1.0 billion in school aid spending from the 2017-2018 school year. The majority of the increases were targeted to high need school districts. Expense-based aids to support school construction, pupil transportation, BOCES and special education were continued in full, as is the State's usual practice. Transportation aid increased by 5.2% and building aid increased by 4.7%. The State 2018-2019 Budget continued to link school aid increases for 2018-2019 and 2019-2020 to teacher and principal evaluation plans.

*School district fiscal year (2019-2020):* The State's 2019-2020 school year, the State's Enacted Budget include a total of \$27.9 billion for School Aid, a year-to-year funding increase of approximately \$1.2 billion. The majority of the increases have been targeted to high need school districts. Expense-based aids to support school construction, pupil transportation, BOCES and special education will continue in full, as is the State's usual practice. Transportation aid will increase by approximately 4.5% and building aid will increase by approximately 3.7%. The State 2019-2020 Enacted Budget continues to link school aid increases for 2019-2020 and 2020-2021 to teacher and principal evaluation plans approved by September 1 of the current year in compliance with Education Law Section 3012-d.

*School district fiscal year (2020-2021):* Due to the anticipated impact of the COVID-19 pandemic on State revenues, State aid in the State's 2020-2021 Enacted Budget was 3.7 percent lower than in the State's 2019-2020 Enacted Budget but was offset in part with increased Federal support. This reduction in State Operating Funds support was offset by approximately \$1.1 billion in funding provided to the State through the Federal CARES Act, including the Elementary and Secondary School Emergency Education Relief Fund and the Governor's Emergency Education Relief Fund. With these Federal funds, State aid in the school district fiscal year 2020-2021 was expected to total \$27.9 billion, an annual increase of approximately \$100 million or 0.4 percent. The State's 2020-2021 Enacted Budget continued prior year funding levels for existing programs, including Foundation Aid, Community Schools and Universal Prekindergarten. The 2020-2021 Enacted Budget also provided over \$200 million in support for competitive grant programs, including \$1 million for development of a new Civics Education curriculum and \$10 million for a Student Mental Health program. Funding for expense-based aids, such as Building Aid, Transportation Aid, and Boards of Cooperative Educational Services (BOCES) Aid was continued under existing aid formulas. Out-year growth in School Aid reflect current projections of the ten-year average growth in State personal income. The State's 2020-2021 Enacted Budget authorized the State's Budget Director to make periodic adjustments to State Aid, in the event that actual State revenues came in below 99% percent of estimates or if actual disbursements exceed 101% of estimates. See "*State Aid*" herein for a discussion of this provision set forth in the State's 2020-2021 Enacted Budget and recent releases by the State regarding the projected revenue shortfalls in such budget.

*School district fiscal year (2021-2022):* For the 2021-2022 school year, the State's Enacted budget provides \$29.5 billion in State funding to school districts for the 2021-2022 school year through School Aid, the highest level of State aid ever, supporting the operational costs of school districts that educate 2.5 million students statewide. This investment represents an increase of 11.3% (\$3.0 billion) compared to the 2020-2021 school year, including a \$1.4 billion (7.6%) Foundation Aid increase. The Enacted budget would allocate \$13 billion of federal Elementary and Secondary School Emergency Relief and Governor's Emergency Education Relief funds to public schools. This funding, available for use over multiple years, will help schools safely reopen for in-person instruction, address learning loss, and respond to students' academic, social, and emotional needs due to the disruptions of the COVID-19 pandemic. The Budget allocates \$629 million of these funds to school districts as targeted grants to support efforts to address learning loss through activities such as summer enrichment and comprehensive after-school programs. In addition, the Budget uses \$105 million of federal funds to expand access to full-day prekindergarten programs for four-year-old children in school districts statewide in the 2021-2022 school year.

The Smart Schools Bond Act was passed as part of the Enacted 2014-2015 State Budget. The Smart Schools Bond Act authorizes the issuance of \$2 billion of general obligation bonds by the State to finance improved educational technology and infrastructure to enhance learning and opportunity for students throughout the State. The District's estimated total allocation was \$5.0 million.

The District cannot predict at this time whether there will be any reductions in and/or delays in the receipt of State aid during the remainder of the current fiscal year. The District believes that it would mitigate the impact of any delays or the reduction in State aid by reducing expenditures, increasing revenues, appropriating other available funds on hand, and/or by any combination of the foregoing. (See also "*Market Factors Affecting Financings of the State and School Districts of the State*").

## **Expenditures**

The major categories of expenditure for the District are General Support, Instruction, Employee Benefits, Pupil Transportation and Debt Service. A summary of the expenditures for the five most recently completed fiscal years may be found in Appendix A.

## **The State Comptroller's Fiscal Stress Monitoring System and OSC 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 has developed a Fiscal Stress Monitoring System ("FSMS") to provide independent, objectively measured and quantifiable information to school districts 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 ST-3 report filed with the State Education Department annually, and each municipality's annual report filed with the Office of the State Comptroller (OSC). 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 OSC designates the District as "No Designation" (Fiscal Score: 10.0%; Environmental Score: 5.0%). More information on the FSMS may be obtained from the Office of the State Comptroller.

In addition, OSC helps local government officials manage government resources efficiently and effectively. The Comptroller oversees the fiscal affairs of local governments statewide, as well as compliance with relevant statutes and observance of good business practices. This fiscal oversight is accomplished, in part, through its audits, which identify opportunities for improving operations and governance. The most recent audit was released on May 8, 2020. The purpose of the audit was to determine whether District Officials properly monitored and safeguard information technology assets. The complete report, along with the District's response, may be found on the OSC's official website.

References to websites and/or website addresses presented herein are for informational purposes only. Unless specified otherwise, such websites and the information or links contained therein are not incorporated into, and are not part of, this Official Statement.

### **Employee Pension System**

New York State Certified employees (teachers and administrators) are members of the New York State Teachers Retirement System ("TRS"). Employer pension payments to the TRS are generally deducted from State aid payments. All non-NYS certified/civil service employees of the District eligible for pension or retirement benefits under the Retirement and Social Security Law of the State of New York are members of the New York State and Local Employee's Retirement System ("ERS"). Both the TRS and ERS are non-contributory with respect to members hired prior to July 1, 1976. Other than as discussed below, all members of the respective systems hired on or after July 1, 1976 with less than 10 year's full-time service contribute 3% of their gross annual salary toward the cost of retirement programs.

On December 10, 2009, the Governor signed in to law a new Tier 5. The law is effective for new ERS and TRS employees hired after January 1, 2010 and before March 31, 2012. ERS employees contribute 3% of their salaries and TRS employees contribute 3.5% of their salaries. There is no provision for these employee contributions to cease after a certain period of service.

On March 16, 2012, Governor Cuomo signed into law Chapter 18 of the Laws of 2012, which legislation provides for a new Tier 6 for employees hired after April 1, 2012. This new pension tier has progressive employee contribution rates between 3% and 6% and such employee contributions continue so long as the employee continues to accumulate pension credits; it increases the retirement age for new employees from 62 to 63 and includes provisions allowing early retirement with penalties. Under Tier 6, the pension multiplier is 1.75% for the first 20 years of service and 2% thereafter; vesting will occur after 10 years; the time period for calculation of final average salary is increased from three years to five years; and the amount of overtime to be used to determine an employee's pension is capped at \$15,000, indexed for inflation, for civilian and non-uniform employees and at 15% of base pay for uniformed employees outside of New York City. It also includes a voluntary, portable, defined contribution plan option for new non-union employees with salaries of \$75,000 or more.

Under current law, the employer pension payments for a given fiscal year are based on the value of the pension fund on the prior April 1 thus enabling the District to more accurately include the cost of the employer pension payment in its budget for the ensuing year. In addition, the District is required to make a minimum contribution of 4.5% of payroll every year, including years in which the investment performance of the fund would make a lower payment possible. The annual employer pension payment is due on February 1 of each year.

Due to poor performance of the investment portfolio of TRS and ERS during the recent financial crisis, the employer contribution rates for required pension payments to the TRS and ERS increased substantially. To help mitigate the impact of such increases, various forms of legislation have been enacted that permitted school districts to amortize a portion of its annual employer pension payments. The District has not amortized any of its employer pension payments pursuant to such legislation and expects to continue to pay all payments in full when due.

The State’s 2019-2020 Enacted Budget, which was signed into law as Chapter 59 of the Laws of 2019, includes a provision that will allow school districts in the State to establish a reserve fund for the purpose of funding the cost of TRS contributions, as a sub-fund of retirement contribution reserve funds presently authorized for amounts payable to the ERS by a school district. School districts will be permitted to pay into such reserve fund during any particular fiscal year, an amount not to exceed two percent of the total compensation or salaries of all district-employed teachers who are members of the TRS paid during the immediately preceding fiscal year; provided that the balance of such fund may not exceed ten percent of the total compensation or salaries of all district-employed teachers who are members of the TRS paid during the immediately preceding fiscal year. The District established a TRS reserve fund in the 2018-2019 fiscal year.

The following chart represents the TRS and ERS required contributions for each of the last five completed fiscal years and the amounts budgeted for the 2022 fiscal year.

Fiscal Year Ending <u>June 30:</u>	<u>TRS</u>	<u>ERS</u>
2017	\$9,474,674	\$2,198,187
2018	7,975,828	2,265,479
2019	8,773,932	2,259,189
2020	7,177,233	2,220,418
2021	7,730,989	2,427,156
2022 (Budgeted)	8,160,162	2,550,000

Source: District Officials.

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

The District provides post-retirement healthcare benefits to various categories of former employees. These costs may be expected to rise substantially in the future. School districts and Boards of Cooperative Education Services, unlike other municipal units of government in the State, have been prohibited from reducing retiree health benefits or increasing health care contributions received or paid by retirees below the level of benefits or contributions afforded to or required from active employees. This protection from unilateral reduction of benefits had been extended annually by the New York State Legislature until recently when legislation was enacted to make permanent these health insurance benefit protections for retirees. Legislative attempts to provide similar protection to retirees of other local units of government in the State have not succeeded as of the date hereof. Nevertheless, many such retirees of all varieties of municipal units in the State do presently receive such benefits.

GASB Statement No. 75 (“GASB 75”) of the Governmental Accounting Standards Board (“GASB”), requires state and local governments to account for and report their costs associated with post-retirement healthcare benefits and other non-pension benefits (“OPEB”). GASB 75 generally requires that employers account for and report the annual cost of the OPEB and the outstanding obligations and commitments related to OPEB in essentially the same manner as they currently do for pensions. Under previous rules, these benefits have generally been administered on a pay-as-you-go basis and have not been reported as a liability on governmental financial statements. Only current payments to existing retirees were recorded as an expense.

GASB 75 requires that state and local governments adopt the actuarial methodologies to determine annual OPEB costs. Annual OPEB cost for most employers will be based on actuarially determined amounts that, if paid on an ongoing basis, generally would provide sufficient resources to pay benefits as they come due.

During the year ended June 30, 2018, the District adopted GASB 75, which supersedes and eliminates GASB 45. Under GASB 75, based on actuarial valuation, an annual required contribution (“ARC”) will be determined for each state or local government. 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 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 75 establishes new standards for recognizing and measuring OPEB liabilities, deferred outflows of resources, deferred inflows of resources, and expense/expenditures to provide more transparent reporting and useful information about the liability and cost of benefits. Municipalities and school districts are required to account for OPEB within the financial statements rather than only noted in the footnotes as previously required by GASB 45. It is measured as of a date no earlier than the end of the employer’s prior fiscal year and no later than the employer’s current fiscal year. The discount rate is based on 20-year, tax exempt general obligation municipal bonds. There is no amortization of prior service cost. Those that have more than 200 participants are required to have a full actuarial valuation annually. Plans with fewer than 200 participants are required to have a full valuation every two years.

The District’s total OPEB liability at June 30, 2020 is as follows:

<u>Changes in the Total OPEB Liability</u>	<u>Fiscal Year Ending June 30, 2020:</u>
Total OPEB Liability at June 30, 2019	<u>\$179,500,889</u>
Charges for the Year:	
Service Cost	7,130,431
Interest	6,461,319
Changes of Benefit Terms	
Differences Between Expected and Actual Experience	34,635,903
Benefit Payments	<u>(4,079,505)</u>
Net Changes	<u>44,148,148</u>
Total OPEB Liability at June 30, 2020	<u><u>\$223,649,037</u></u>

The OSC has recently proposed legislation to provide the State and certain local governments with the authority to establish trusts in which to accumulate assets for OPEB and to establish an OPEB investment fund in the sole custody of the State Comptroller for the investment of OPEB assets of the State and participating eligible local governments. The District cannot predict at this time whether such proposed legislation will be enacted into law. At this time, New York State has not developed guidelines for the creation and use of irrevocable trusts for the funding of OPEB. As a result, the District has decided to continue funding the expenditure on a pay-as-you-go basis.

Should the District be required to fund its unfunded actuarial accrued OPEB liability, it could have a material adverse impact upon the District’s finances and could force the District to reduce services, raise taxes or both.

## TAX INFORMATION

### Real Property Taxes

The District derives its power to levy an ad valorem real property tax from the State Constitution; methods and procedures to levy, collect and enforce this tax are governed by the Real Property Tax Law. Real property assessment rolls used by the District are prepared by the Towns of Huntington and Smithtown. Assessment valuations are determined by the Town assessors and the State Board of Real Property Services which is responsible for certain utility and railroad property. In addition, the State Board of Real Property Services annually establishes State Equalization Rates for all localities in the State, which are determined by statistical sampling of market sales/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 or debt contracting and real property taxing limitations. The District is not subject to constitutional real property taxing limitations; however, see “*The Tax Levy Limit Law*” herein for a discussion of certain statutory limitation that have been imposed.

The following table sets forth the percentage of the District’s General Fund revenue (excluding other financing sources) comprised of real property taxes for each of the fiscal years 2016 through 2020, and the amounts budgeted for 2021 and 2022.

Fiscal Year Ending <u>June 30:</u>	<u>Total Revenue</u>	Real Property <u>Taxes</u>	Real Property Taxes to <u>Revenues (%)</u>
2016	\$183,006,721	\$131,931,340	72.09
2017	178,665,559	132,432,249	74.12
2018	181,106,613	135,067,651	74.58
2019	186,804,530	138,464,368	74.12
2020	188,457,881	142,545,140	75.64
2021 (Budgeted)	199,759,525	145,379,230	72.78
2022 (Budgeted)	205,126,576	146,818,484	71.57

Source: Audited Financial Statements of the District and Adopted Budgets of the District.

a. Budgeted estimates for real property taxes include STAR. Budgeted estimates for total revenues include appropriations of fund balance.

### **Tax Collection Procedure**

Property taxes for the District, together with County, Town and Fire District taxes, are collected by the Town Tax Receivers. Such taxes are due and payable in equal installments on December 1 and May 10, but may be paid without penalty by January 10 and May 31, respectively. Penalties on unpaid taxes are 1% per month from the date such taxes are due and 10% after May 31.

The Town Tax Receivers distribute the collected tax money to the Towns, fire and school districts prior to distributing the balance collected to the County. Uncollected amounts are not segregated by the Receivers and any deficiency in tax collection is the County’s liability. The District thereby is assured of full tax collection.

As a result of the COVID-19 pandemic, in certain counties in New York State during the 2019-2020 fiscal year, the deadline to pay school district property taxes, without interest or penalty, was extended. No assurance can be given that similar extensions with respect to the deadlines to pay school district property taxes, without interest or penalty, may occur in the future. Any such extensions may result in a delay in the receipt of taxes collected and paid to school districts.

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

Chapter 97 of the New York Laws of 2011, as amended, (herein referred to as the “Tax Levy Limit Law” or “Law”) modified previous law by imposing a limit on the amount of real property taxes that a school district may levy.

Prior to the enactment of the Law, there was no statutory limitation on the amount of real property taxes that a school district could levy if its budget had been approved by a simple majority of its voters. In the event the budget had been defeated by the voters, the school district was required to adopt a contingency budget. Under a contingency budget, school budget increases were limited to the lesser of four percent (4%) of the prior year’s budget or one hundred twenty percent (120%) of the consumer price index (“CPI”).

Under the Tax Levy Limit Law, there is now a limitation on the amount of tax levy growth from one fiscal year to the next. Such limitation is the lesser of (i) 2% or (ii) the annual percentage increase in the consumer price index, subject to certain exclusions as mentioned below and as described in the Law. A budget with a tax levy that does not exceed such limit will require approval by at least 50% of the voters. Approval by at least 60% of the voters will be required for a budget with a tax levy in excess of the limit. In the event the voters reject the budget, the tax levy for the school district’s budget for the ensuing fiscal year may not exceed the amount of the tax levy for the prior fiscal year. School districts will be permitted to carry forward a certain portion of their unused tax levy limitation from a prior year.

The Law permits certain significant exclusions to the tax levy limit for school districts. These include taxes to pay the local share of debt service on bonds (such as the Bonds) or notes issued to finance voter approved capital expenditures and the refinancing or refunding of such bonds or notes, certain pension cost increases, and other items enumerated in the Law. However, such exclusion does NOT apply to taxes to pay debt service on tax anticipation notes (such as the Notes), revenue anticipation notes, budget notes and deficiency notes; and any obligations issued to finance deficits and certain judgments, including tax certiorari refund payments.

### **STAR - School Tax Exemption**

The STAR (School Tax Relief) program provides State-funded exemptions from school property taxes to homeowners for their primary residences. Homeowners over 65 years of age with household adjusted gross incomes, less the taxable amount of total distributions from individual retirement accounts and individual retirement annuities (“STAR Adjusted Gross Income”) of \$86,000 or less, increased annually according to a cost of living adjustment, are eligible for a “full value” exemption of the first \$66,800 for the 2018-19 school year (adjusted annually). Other homeowners with household STAR Adjusted Gross income not in excess of \$500,000 are eligible for a \$30,000 “full value” exemption on their primary residence. School districts receive full reimbursement from the State for real property taxes exempted pursuant to the STAR program by the first business day in January of each year.

Part A of Chapter 60 of the Laws of 2016 of the State of New York (“Chapter 60”) gradually converts the STAR program from a real property tax exemption to a personal income tax credit. Chapter 60 prohibits new STAR exemptions from being granted unless at least one of the applicants held title to the property on the taxable status date of the assessment roll that was used to levy school district taxes for the 2015-2016 school year (generally, March 1, 2015), and the property was granted a STAR exemption on that assessment roll. However, a new homeowner may receive a new personal income tax credit in the form of a check. The dollar benefit to eligible taxpayers will not change. A taxpayer who is eligible for the new credit will receive a check from the State equal to the amount by which the STAR exemption would have reduced his or her school tax bill. A homeowner who owned his or her home on the taxable status date for the assessment roll used to levy taxes for the 2015-2016 school year, and who received a STAR exemption on that roll, may continue to receive a STAR exemption on that home as long as he or she still owns and primarily resides in it. No further action is required (unless the homeowner has been receiving Basic STAR and wants to apply for Enhanced STAR, which is permissible).

The State 2017-18 Enacted Budget included changes to Chapter 60. STAR checks are now expected to be mailed out prior to the date that school taxes are payable. The amount of the check will be based on the previous year’s amount adjusted by the levy growth factor used for the property tax cap. Any changes that must be made based on the final STAR credit compared to the estimate used will be factored into the subsequent year’s STAR credit check or taxpayers also may account for those changes in their State income taxes.

The 2019-20 Enacted State Budget makes several changes to the STAR program, which went into effect immediately. The changes are intended to encourage homeowners to switch from the STAR exemption to the STAR credit. The income limit for the exemption has been lowered to \$250,000, compared with a \$500,000 limit for the Credit. The amount of the STAR exemption will remain the same each year, while the amount of the STAR credit can increase up to two percent annually. The State’s 2020-21 Enacted Budget withholds STAR benefits to taxpayers who are delinquent in the payment of their school taxes and maintains the income limit for the exemption to \$250,000, compared with a \$500,000 limit for the credit.

Approximately 12% of the District’s 2020-2021 school tax levy was exempted by the STAR program and the District has received full reimbursement of such exempt taxes from the State. Approximately 12% of the District’s 2021-2022 school tax levy is expected to be exempted by the STAR program and the District expects to receive full reimbursement of such exempt taxes from the State in January 2022. (See “*State Aid*” herein).

### Valuations, Rates and Levies

The anticipated tax levy for the 2021-2022 year is \$146,818,484.

The following table sets forth the District's assessed and full valuations, tax rates and levies for the years 2017-2021.

	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
<b>Assessed Valuation:</b>					
Town of:					
Huntington	\$ 19,925,010	\$ 19,815,011	\$ 19,707,467	\$ 19,664,891	\$ 19,627,851
Smithtown	<u>46,971,357</u>	<u>47,025,331</u>	<u>47,779,919</u>	<u>47,293,935</u>	<u>47,436,283</u>
<b>Total Assessed Valuation</b>	<b>\$ <u>66,896,367</u></b>	<b>\$ <u>66,840,342</u></b>	<b>\$ <u>67,487,386</u></b>	<b>\$ <u>66,958,826</u></b>	<b>\$ <u>67,064,134</u></b>
<b>Equalization Rates:</b>					
Town of:					
Huntington	0.85%	0.84%	0.80%	0.76%	0.74%
Smithtown	1.32%	1.23%	1.23%	1.16%	1.15%
<b>Full Valuation :</b>					
Town of:					
Huntington	\$ 2,344,118,824	\$ 2,358,929,881	\$ 2,463,433,375	\$ 2,587,485,658	\$ 2,652,412,297
Smithtown	<u>3,558,436,136</u>	<u>3,823,197,642</u>	<u>3,884,546,260</u>	<u>4,077,063,362</u>	<u>4,124,894,174</u>
<b>Total Full Valuation</b>	<b>\$ <u>5,902,554,960</u></b>	<b>\$ <u>6,182,127,523</u></b>	<b>\$ <u>6,347,979,635</u></b>	<b>\$ <u>6,664,549,020</u></b>	<b>\$ <u>6,777,306,471</u></b>

### Real Property Taxes

<b>Total Tax Levy</b>	\$ 132,432,249	\$ 135,067,651	\$ 138,464,368	\$ 142,545,140	\$ 145,217,600
<b>Tax Rate per \$1,000 Assessed Valuation</b>					
Town of:					
Huntington	\$ 2,575.39	\$ 2,639.43	\$ 2,725.55	\$ 2,814.59	\$ 2,897.84
Smithtown	\$ 1,690.95	\$ 1,696.31	\$ 1,769.07	\$ 1,838.86	\$ 1,861.63

**Selected Listing of Large Taxable Properties in the District**  
2020-2021 Assessment Roll

<u>Name</u>	<u>Type</u>	<u>Full Valuation</u>
Long Island Power Authority	Utility	\$80,379,580
Arlona LTD Partnership	Shopping Center	37,782,481
Commack Marketing	Shopping Center	35,567,883
Commack Shopping Center Assoc.	Shopping Center	34,160,583
PJ Venture II LLC	Large Retail Outlet	24,671,532
Groton Equities.	Apartments	22,671,532
PJ Venture F.G. LLC	Large Retail Outlet	22,627,737
LG Commack Associates LLC	Commercial	22,222,222
PSEG Long Island	Utility	21,058,680
Target Corporation	Large Retail Outlet	20,437,956
PJ Venture Co. LLC	Large Retail Outlet	18,467,153
Home Box Office	Commercial	17,503,649
PJ Venture H.D. LLC	Large Retail Outlet	12,773,722
Lowe's Home Centers, Inc.	Large Retail Outlet	12,664,233
Commack CHI, LLC	Commercial	10,948,905
	<b>Total<sup>a</sup></b>	<b><u><u>\$393,937,848</u></u></b>

a. Represents 5.81% of the Assessed Valuation of the District for 2020-2021.  
Source: Town Assessment Roll.

**Tax Certiorari Claims**

In common with other school districts, there are a number of tax certiorari proceedings pending involving properties that are subject to the levy of District taxes. The plaintiffs in these matters have asserted that their properties are over-assessed and are seeking assessment reductions. A refund of excess taxes is also generally requested. Historically, certiorari claims have been settled through negotiations, resulting in amounts, at times, substantially less than originally claimed. Many settlements provide for future adjustments with no direct outlay of money. There are no significant claims filed by the larger taxpayers at this time. (See “*Tax Collection Procedure*” herein.)

**LITIGATION**

There is a personal injury claim (*H.R. v. Commack Union Free School District, et. al.*) pending against the District which poses significant liability to the District. The claim is covered by \$26 million in insurance coverage. Counsel appointed by the insurance company has advised the District that the claim should not exceed the District’s insurance coverage.

The *H.R. v. Commack U.F.S.D.* (614483/2016) litigation remains pending. The note of issue was filed on October 8, 2019. Earlier this year, the District and High School filed a motion to vacate the note of issue and compel additional discovery, however that motion was denied by Justice Rebolini. Currently being briefed are two separate motions filed by plaintiff for summary judgment. One against the District, the High School and Defendant Felix Adamkiewicz, and another against Defendant Doyle Baseball, Inc.

Justice Rebolini granted plaintiff’s motion against Commack District/High School and Felix Adamkiewicz on the issue of liability and dismissed the affirmative defense of assumption of the risk, but is keeping open the issue of plaintiff’s comparative negligence. The court denied Doyle Baseball’s motion for summary judgment. There is ample coverage and the carrier AIG is continuing efforts to try to resolve the case prior to trial.

## **Child Victims Act**

There have been two claims filed against the District and a description of each claim is listed below:

A female individual has commenced a lawsuit alleging a sexual assault by a male teacher in the Fall of 1967 and Spring of 1968 when the individual was ten or eleven years old. The filed complaint is rendered timely by the NY CPLR §§ 208 and 214-g which provide a window for civil claims or causes of action to be brought by any person for physical, psychological or other injury or condition suffered by such person as a result of conduct which would constitute a sexual offense as defined in the penal law committed against such person who was less than eighteen years of age.

The lawsuit was commenced on June 26, 2020 and served on the District on July 8, 2020. The District joined issue by filing an answer on July 29, 2020. As pretrial discovery is just commencing and the District has limited information at this time, it is impossible to evaluate the case from a damages perspective. Nothing in the District documents have shed any light on the allegations. The District's counsel anticipates a deposition of the plaintiff which should provide the District with more information as to the claimed emotional and psychological injuries and permit the District to assess her veracity, etc., at which time the District will be in a better position to assess potential damages exposure.

A male individual has filed and served a Summons with Notice alleging claims of negligence, negligent hiring, retention and supervision, negligent infliction of emotional distress, intentional infliction of emotional distress, assault and battery by a male employee in or about 1979. The District has demanded that plaintiff file a complaint. The Summons with Notice is rendered timely by the NY CPLR §§ 208 and 214-g which provide a window for civil claims or causes of action to be brought by any person for physical, psychological or other injury or condition suffered by such person as a result of conduct which would constitute a sexual offense as defined in the penal law committed against such person who was less than eighteen years of age.

The lawsuit was commenced on August 25, 2020 and served on the District on September 11, 2020. The demand for a complaint was served on September 14, 2020. As pretrial discovery has not commenced and the District has limited information at this time, it is impossible to evaluate the case from a damages perspective. Nothing in the District documents have shed any light on the allegations. The District's counsel anticipates a deposition of the plaintiff which should provide the District with more information as to the claimed emotional and psychological injuries and permit the District to assess his veracity, etc., at which time the District will be in a better position to assess potential damages exposure.

## **Other Litigation**

In common with other school districts, the District from time to time receives notices of claim and is party to litigation. In the opinion of the District, after consultation with its attorney, unless otherwise set forth herein and apart from matters provided for by applicable insurance coverage, there are no significant claims or actions pending in which the District has not asserted a substantial and adequate defense, nor which, if determined against the District, would have an adverse material effect on the financial condition of the District.

## **CYBERSECURITY**

The District, like many other public and private entities, relies on technology to conduct its operations. As a recipient and provider of personal, private, or sensitive information, the District faces multiple cyber threats including, but not limited to, hacking, viruses, malware, and other attacks on computers and other sensitive digital networks and systems. To mitigate the risk of business operations impact and/or damage from cyber incidents or cyber-attacks, the District invests in various forms of cybersecurity and operational controls. However, the District can give no assurances that such security and operational control measures will be entirely successful in guarding against cyber threats and attacks. The results of any such attack could impact business operations and/or damage District digital networks and systems, and the costs of remedying any such damage could be substantial. The District carries cyber-liability insurance to mitigate such costs, which covers costs associated with recovering data and securing the network due to a breach.

## RISK FACTORS

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

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

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

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

The District relies in part on State aid to fund its operations. There can be no assurance that the State appropriation for State aid to school districts will be continued in future years, either pursuant to existing formulas or in any form whatsoever. State aid appropriated and apportioned to the District can be paid only if the State has such monies available therefore. 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, the impact to the State's economy and financial condition due to the COVID-19 pandemic and other circumstances, including State fiscal stress. In any event, State aid appropriated and apportioned to the District can be paid only if the State has such monies available therefore. (See "*State Aid*" and "*Events Affecting New York School Districts*" herein). Should the District fail to receive State aid expected from the State in the amounts or at the times expected, occasioned by a delay in the payment of such monies or by a reduction in State aid, the District is authorized by the Local Finance Law to provide operating funds by borrowing on account of the uncollected State aid.

An outbreak of disease or similar public health threat, such as the COVID-19 outbreak, or fear of such an event, could have an adverse impact on the District's financial condition and operating results by potentially delaying the receipt of real property taxes or resulting in a delay or reduction by the State in the payment of State aid. Currently, the COVID-19 outbreak has spread globally, including to the United States, and has been declared a pandemic by the World Health Organization. The outbreak of the disease has affected travel, commerce and financial markets globally and is widely expected to continue to affect economic growth worldwide. The outbreak caused the Federal government to declare a national state of emergency, which was followed by the enactment of a variety of stimulus measures designed to address financial stability and liquidity issues caused by the outbreak. The State also declared a state of emergency and the Governor has taken steps designed to mitigate the spread and impacts of COVID-19, including closing schools and non-essential businesses for an extended period. Efforts to contain the spread of COVID-19 has reduced the spread of the virus in some areas and there have been recent efforts to relax some of the restrictions put in place following the initial outbreak. Nevertheless, the outbreak of COVID-19 and the dramatic steps taken by the Federal government and State to address it are expected to negatively impact federal and local economies, including the economy of the State. The full impact of COVID-19 on the State's operations and financial condition is not expected to be known for some time. Similarly, the degree of the impact to the District's operations and finances as a result of COVID-19 is extremely difficult to predict due to the uncertainties relating to its (i) duration, and (ii) severity, as well as with regard to what actions have been or may continue to be taken by governmental and other health care authorities, including the State, to contain or mitigate its impact. The spread of the outbreak or resurgence could have a material adverse effect on the State and municipalities and school districts located in the State, including the District. The District is monitoring the situation and will take such proactive measures as may be required to maintain its operations and meet its obligations. (See "*State Aid*" and "*Events Affecting New York School Districts*" herein).

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

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

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

## **TAX MATTERS FOR SERIES A BONDS (TAX-EXEMPT) AND NOTES**

### **Opinion of Bond Counsel**

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

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

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

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

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

## **Certain Collateral Federal Tax Consequences**

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

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

### **Original Issue Discount**

“Original issue discount” (“OID”) is the excess of the sum of all amounts payable at the stated maturity of a Series A Bond or Note (excluding certain “qualified stated interest” that is unconditionally payable at least annually at prescribed rates) over the issue price of that maturity. In general, the “issue price” of a maturity (a bond with the same maturity date, interest rate, and credit terms) means the first price at which at least 10 percent of such maturity was sold to the public, i.e., a purchaser who is not, directly or indirectly, a signatory to a written contract to participate in the initial sale of the Series A Bonds or Notes. In general, the issue price for each maturity of Series A Bonds and Notes is expected to be the initial public offering price set forth in this Official Statement. Bond Counsel further is of the opinion that, for any Series A Bonds or Notes having OID (a “Tax-Exempt Discount Bond”), OID that has accrued and is properly allocable to the owners of the Tax-Exempt Discount Bonds under Section 1288 of the Code is excludable from gross income for federal income tax purposes to the same extent as other interest on the Series A Bonds and Notes. In general, under Section 1288 of the Code, OID on a Tax-Exempt Discount Bond accrues under a constant yield method, based on periodic compounding of interest over prescribed accrual periods using a compounding rate determined by reference to the yield on that Tax-Exempt Discount Bond. An owner’s adjusted basis in a Tax-Exempt Discount Bond is increased by accrued OID for purposes of determining gain or loss on sale, exchange, or other disposition of such Tax-Exempt Discount Bond. Accrued OID may be taken into account as an increase in the amount of tax-exempt income received or deemed to have been received for purposes of determining various other tax consequences of owning a Tax-Exempt Discount Bond even though there will not be a corresponding cash payment.

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

### **Bond Premium**

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

## **Information Reporting and Backup Withholding**

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

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

### **Miscellaneous**

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

Prospective purchasers of the Series A Bonds and Notes should consult their own tax advisors regarding the foregoing matters.

## **TAX MATTERS FOR THE SERIES B BONDS (TAXABLE BONDS)**

### **Opinion of Bond Counsel**

In the opinion of Bond Counsel, interest on the Series B Bonds (the "Taxable Bonds") (i) is included in gross income for federal income tax purposes pursuant to the Code and (ii) is exempt, under existing statutes, from personal income taxes imposed by the State of New York or any political subdivision thereof, including The City of New York.

The following discussion is a brief summary of the principal United States federal income tax consequences of the acquisition, ownership and disposition of Taxable Bonds by original purchasers of the Taxable Bonds who are "U.S. Holders," as defined herein. This summary (i) is based on the Code, Treasury Regulations, revenue rulings and court decisions, all as currently in effect and all subject to change at any time, possibly with retroactive effect; (ii) assumes that the Taxable Bonds will be held as "capital assets"; and (iii) does not discuss all of the United States federal income tax consequences that may be relevant to a U.S. Holder in light of its particular circumstances or to U.S. Holders subject to special rules, such as insurance companies, financial institutions, tax-exempt organizations, dealers in securities or foreign currencies, persons holding the Taxable Bonds as a position in a "hedge" or "straddle," U.S. Holders whose functional currency (as defined in Section 985 of the Code) is not the United States dollar, U.S. Holders who acquire Taxable Bonds in the secondary market, or individuals, estates and trusts subject to the tax on unearned income imposed by Section 1411 of the Code.

Certain taxpayers that are required to prepare certified financial statements with certain regulatory or governmental agencies may be required to recognize income, gain and loss with respect to the Taxable Bonds at the time that such income, gain or loss is set forth on such financial statements instead of under the rules described below.

U.S. Holders of Taxable Bonds should consult with their own tax advisors concerning the United States federal income tax and other consequences with respect to the acquisition, ownership and disposition of the Taxable Bonds as well as any tax consequences that may arise under the laws of any state, local or foreign tax jurisdiction.

## Original Issue Discount

In general, if Original Issue Discount (“OID”) on a Taxable Bond is greater than a statutorily defined *de minimis* amount, a U.S. Holder of a Taxable Bond having a maturity of more than one year from its date of issue must include in federal gross income (for each day of the taxable year, or portion of the taxable year, in which such U.S. Holder holds such Taxable Bond) the daily portion of OID, as it accrues (generally on a constant yield method) and regardless of the U.S. Holder’s method of accounting. “OID” is the excess of (i) the “stated redemption price at maturity” over (ii) the “issue price.” For purposes of the foregoing: “issue price” means the first price at which a substantial amount of the Taxable Bond is sold to the public (excluding bond houses, brokers, or similar persons or organizations acting in the capacity of underwriters, placement agents or wholesalers); “stated redemption price at maturity” means the sum of all payments, other than “qualified stated interest,” provided by such Taxable Bond; “qualified stated interest” is stated interest that is unconditionally payable in cash or property (other than debt instruments of the issuer) at least annually at a single fixed rate; and “*de minimis* amount” is an amount equal to 0.25 percent of the Taxable Bond’s stated redemption price at maturity multiplied by the number of complete years to its maturity. A U.S. Holder may irrevocably elect to include in gross income all interest that accrues on a Taxable Bond using the constant-yield method, subject to certain modifications.

## Acquisition Discount on Short-Term Taxable Bonds

Each U.S. Holder of a Taxable Bond with a maturity not longer than one year (a “Short-Term Taxable Bond”) is subject to rules of Sections 1281 through 1283 of the Code, if such U.S. Holder is an accrual method taxpayer, bank, regulated investment company, common trust fund or among certain types of pass-through entities, or if the Short-Term Taxable Bond is held primarily for sale to customers, is identified under Section 1256(e)(2) of the Code as part of a hedging transaction, or is a stripped bond or coupon held by the person responsible for the underlying stripping transaction. In any such instance, interest on, and “acquisition discount” with respect to, the Short-Term Taxable Bond accrue on a ratable (straight-line) basis, subject to an election to accrue such interest and acquisition discount on a constant interest rate basis using daily compounding. “Acquisition discount” means the excess of the stated redemption price of a Short-Term Taxable Bond at maturity over the U.S. Holder’s tax basis therefor.

A U.S. Holder of a Short-Term Taxable Bond not described in the preceding paragraph, including a cash-method taxpayer, must report interest income in accordance with the U.S. Holder’s regular method of tax accounting, unless such U.S. Holder irrevocably elects to accrue acquisition discount currently.

## Bond Premium

In general, if a Taxable Bond is originally issued for an issue price (excluding accrued interest) that reflects a premium over the sum of all amounts payable on the Taxable Bond other than “qualified stated interest” (a “Taxable Premium Bond”), that Taxable Premium Bond will be subject to Section 171 of the Code, relating to bond premium. In general, if the U.S. Holder of a Taxable Premium Bond elects to amortize that premium as “amortizable bond premium” over the remaining term of the Taxable Premium Bond, determined based on constant yield principles (in certain cases involving a Taxable Premium Bond callable prior to its stated maturity date, the amortization period and yield may be required to be determined on the basis of an earlier call date that results in the highest yield on such bond), the amortizable premium is treated as an offset to interest income; the U.S. Holder will make a corresponding adjustment to the U.S. Holder’s basis in the Taxable Premium Bond. Any such election is generally irrevocable and applies to all debt instruments of the U.S. Holder (other than tax-exempt bonds) held at the beginning of the first taxable year to which the election applies and to all such debt instruments thereafter acquired. Under certain circumstances, the U.S. Holder of a Taxable Premium Bond may realize a taxable gain upon disposition of the Taxable Premium Bond even though it is sold or redeemed for an amount less than or equal to the U.S. Holder’s original acquisition cost.

## Disposition and Defeasance

Generally, upon the sale, exchange, redemption, or other disposition (which would include a legal defeasance) of a Taxable Bond, a U.S. Holder generally will recognize taxable gain or loss in an amount equal to the difference between the amount realized (other than amounts attributable to accrued interest not previously includable in income) and such U.S. Holder’s adjusted tax basis in the Taxable Bond.

## **Information Reporting and Backup Withholding**

In general, information reporting requirements will apply to non-corporate U.S. Holders of the Taxable Bonds with respect to payments of principal, payments of interest, and the accrual of OID on a Taxable Bond and the proceeds of the sale of a Taxable Bond before maturity within the United States. Backup withholding may apply to U.S. Holders of Taxable Bonds under Section 3406 of the Code. Any amounts withheld under the backup withholding rules from a payment to a beneficial owner, and which constitutes over-withholding, would be allowed as a refund or a credit against such beneficial owner's United States federal income tax provided the required information is furnished to the Internal Revenue Service.

### **U.S. Holders**

The term "U.S. Holder" means a beneficial owner of a Taxable Bond that is: (i) a citizen or resident of the United States, (ii) a corporation, partnership or other entity created or organized in or under the laws of the United States or of any political subdivision thereof, (iii) an estate the income of which is subject to United States federal income taxation regardless of its source or (iv) a trust whose administration is subject to the primary jurisdiction of a United States court and which has one or more United States fiduciaries who have the authority to control all substantial decisions of the trust.

### **Miscellaneous**

Tax legislation, administrative actions taken by tax authorities, or court decisions, whether at the federal or state level, may adversely affect the tax exempt status of interest on the taxable bonds under state law and could affect the market prices or marketability of the Taxable Bonds.

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

## **LEGAL MATTERS**

Legal matters incident to the authorization, issuance and sale of the Bonds and the Notes will be subject to the respective final approving opinions of Hawkins Delafield & Wood LLP, Bond Counsel, substantially as set forth in Appendix D hereto.

## **DISCLOSURE UNDERTAKINGS**

At the time of the delivery of the Bonds and the Notes, the District will execute an Undertaking to Provide Continuing Disclosure and an Undertaking to Provide Notices of Events, respectively for the Bonds and the Notes. The forms of such undertakings are attached hereto as Appendix E and F.

## **RATINGS**

The Notes are not rated. The District has applied to Moody's Investors Service ("Moody's"), 7 WTC at Greenwich Street, New York, NY, Phone: (212) 553-4055 and Fax: (212) 298-6761 for rating on the Bonds. Such application is pending at this time. This rating will reflect only the view of such rating agency and an explanation of the significance of such rating should be obtained from the respective rating agency. There can be no assurance that such rating will not be revised or withdrawn, if in the judgement of agency circumstances so warrant. Any change or withdrawal of such rating may have an adverse effect on the market price and the availability of a secondary market for the outstanding bonds and notes of the District.

## **MUNICIPAL ADVISOR**

Munistat Services, Inc. (the "Municipal Advisor"), is a Municipal Advisor, registered with the Securities and Exchange Commission and the Municipal Securities Rulemaking Board. The Municipal Advisor serves as independent financial advisor to the District on matters relating to debt management. The Municipal Advisor is a financial advisory and consulting organization and is not engaged in the business of underwriting, marketing, or trading municipal securities or any other negotiated instruments. The municipal Advisor has provided advice as to the plan of financing and the structuring of the Bonds and the Notes and has reviewed and commented on certain legal documents, including this Official Statement. The advice on the plan of financing and the structuring of the Bonds and the Notes was based on materials provided by the District and other sources of information believed to be reliable. The Municipal Advisor has not audited, authenticated, or otherwise verified the information provided by the District or the information set forth in this Official Statement or any other information available to the District with respect to the appropriateness, accuracy, or completeness of disclosure of such information and no guarantee, warranty, or other representation is made by the Municipal Advisor respecting the accuracy and completeness of or any other matter related to such information and this Official Statement.

## ADDITIONAL INFORMATION

Additional information may be obtained from the office of Laura A. Newman, Associate Superintendent for Business and Operations Commack Union Free School District, Hubbs Administration Center, 480 Clay Pitts Road, East Northport, New York, 11731 telephone number (631) 912-2005 and email: [lnewman@commack.k12.ny.us](mailto:lnewman@commack.k12.ny.us) or from Munistat Services, Inc., 12 Roosevelt Avenue, Port Jefferson Station, New York 11776, telephone number (631) 331-8888 and website: [www.munistat.com](http://www.munistat.com).

Statements in the Official Statement, and the documents included by specific reference, that are not historical facts are “forward-looking statements”, within the meaning of Section 27A of the Securities Act of 1933, as amended, and Section 21E of the Securities Exchange Act of 1934, as amended, and as defined in the Private Securities Litigation Reform Act of 1995, which involve a number of risks and uncertainties, and which are based on the District’s management’s beliefs as well as assumptions made by, and information currently available to, the District’s management and staff. Because the statements are based on expectations about future events and economic performance and are not statements of fact, actual results may differ materially from those projected. Important factors that could cause future results to differ include legislative and regulatory changes, changes in the economy, and other factors discussed in this and other documents that the District’s files with the repositories. When used in District’s documents or oral presentation, the words “anticipate”, “believe”, “intend”, “plan”, “foresee”, “likely”, “estimate”, “expect”, “objective”, “projection”, “forecast”, “goal”, “will”, or “should”, or similar words or phrases are intended to identify forward-looking statements.

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

Munistat Services, Inc. may place a copy of this Official Statement on its website at [www.munistat.com](http://www.munistat.com). 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. Munistat Services, Inc. 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 District nor Munistat Services, Inc. assumes any liability or responsibility for errors or omissions on such website. Further, Munistat Services, Inc. and the District 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. Munistat Services, Inc. and the District also assume no liability or responsibility for any errors or omissions or unauthorized editing or for any updates to dated website information.

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

By: s/s STEVEN HARTMAN  
President of the Board of Education  
Commack Union Free School District  
East Northport, New York

September , 2021

**APPENDIX A**

**FINANCIAL INFORMATION**

## Statement of Revenues, Expenditures and Changes in Fund Equity

### General Fund

	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
<b>REVENUES</b>					
Real Property Taxes	\$ 116,606,123	\$ 118,469,964	121,143,911	125,384,628	131,681,971
Other Tax Items	15,953,352	15,164,429	14,993,262	14,152,563	11,990,933
Charges for Services	2,701,413	1,962,430	1,743,730	1,574,169	1,267,427
Use of Money and Property	1,704,184	1,780,122	2,185,780	2,409,889	2,194,565
Sale of Property & Comp. for Loss	160,123	227,089	70,331	270,741	158,570
Miscellaneous	8,226,141	1,281,021	1,013,351	3,169,436	943,658
Interfund Revenue	15,144	18,805			
State Sources	37,608,710	39,633,711	39,788,677	39,709,719	40,147,594
Federal Sources	0	0	167,571	133,385	73,163
Medicaid Reimbursement	31,531	127,988			
<b>Total Revenues</b>	<u>183,006,721</u>	<u>178,665,559</u>	<u>181,106,613</u>	<u>186,804,530</u>	<u>188,457,881</u>
<b>EXPENDITURES</b>					
General Support	17,902,187	18,392,031	19,265,912	19,032,819	19,215,006
Instruction	100,607,373	101,136,524	103,587,672	106,248,268	102,264,755
Pupil Transportation	12,300,057	12,052,429	12,782,092	12,899,409	9,682,911
Employee Benefits	43,416,384	36,862,660	36,830,296	38,705,967	37,067,866
Debt Service	1,673,450	1,814,493	1,850,368	2,099,176	2,003,956
<b>Total Expenditures</b>	<u>175,899,451</u>	<u>170,258,137</u>	<u>174,316,340</u>	<u>178,985,639</u>	<u>170,234,494</u>
Excess (Deficiency) of Revenues over Expenditures	<u>7,107,270</u>	<u>8,407,422</u>	<u>6,790,273</u>	<u>7,818,891</u>	<u>18,223,387</u>
<b>OTHER SOURCES AND USES</b>					
Operating Transfers In	750,000	750,000	750,000	450,000	
Operating Transfers (Out)	<u>(9,007,563)</u>	<u>(9,518,439)</u>	<u>(9,789,195)</u>	<u>(9,917,853)</u>	<u>(9,945,032)</u>
<b>Total Other Sources (Uses)</b>	<u>(8,257,563)</u>	<u>(8,768,439)</u>	<u>(9,039,195)</u>	<u>(9,467,853)</u>	<u>(9,945,032)</u>
Excess (Deficiency) of Revenues and Other Sources Over Expenditures and Other Uses	(1,150,293)	(361,017)	(2,248,922)	(1,648,962)	8,278,355
Fund Equity - Beginning of Year	23,896,711	22,746,418	24,299,645	22,050,723	20,401,761
Prior Period Adjustment		1,914,244 <sup>a</sup>			
<b>Fund Equity - End of Year</b>	<u>\$ 22,746,418</u>	<u>\$ 24,299,645</u>	<u>22,050,723</u>	<u>20,401,761</u>	<u>28,680,116</u>

a. During the 2017 fiscal year year it was determined that receivables due from state and federal, and accounts payable were misstated in prior periods. A net adjustment was made for \$1,914,244 to restate the fund balance in the general fund and the net position in the district-wide financial statements at June 30, 2016.

Source: Audited Annual Financial Reports of the School District (2016-2020)

Note: This schedule NOT audited

Commack UFSD

## Balance Sheet - General Fund

	<u>June 30, 2018</u>	<u>June 30, 2019</u>	<u>June 30, 2020</u>
<b>ASSETS:</b>			
Cash			
Unrestricted	\$ 18,621,329	\$ 20,625,492	\$ 29,796,526
Restricted	9,703,810	7,466,380	7,573,627
Receivable			
Accounts Receivable	3,644,152	1,631,263	1,265,205
State and Federal Aid	3,014,628	3,932,333	3,003,412
Due from Other Governments	1,398,300	1,453,777	1,564,189
Due from Fiduciary Fund	229,012	98,034	103,272
Due from Other Funds	<u>1,145,636</u>	<u>1,134,660</u>	<u>1,935,037</u>
Total Assets	<u>\$ 37,756,867</u>	<u>\$ 36,341,939</u>	<u>\$ 45,241,268</u>
<b>LIABILITIES:</b>			
Payables			
Accounts Payable	\$ 1,389,964	\$ 1,733,243	\$ 2,298,222
Accrued Liabilities	989,200	1,977,393	1,206,171
Due to Other Funds			3,318,948
Due to Teachers' Retirement System	8,283,135	9,075,621	7,467,065
Due to Employees' Retirement System	618,047	616,007	600,952
Compensated Absences			
Collections in Advance	129,797	146,043	
Unearned Revenues			78,644
Unavailable Revenues	<u>4,296,001</u>	<u>2,391,871</u>	<u>1,591,150</u>
Total Liabilities	<u>15,706,144</u>	<u>15,940,178</u>	<u>16,561,152</u>
<b>FUND BALANCES:</b>			
Restricted	9,703,810	7,466,380	7,573,627
Assigned	7,031,195	7,102,967	7,951,933
Unassigned	<u>5,315,718</u>	<u>5,832,414</u>	<u>13,154,556</u>
Total Fund Balances	<u>22,050,723</u>	<u>20,401,761</u>	<u>28,680,116</u>
Total Liabilities, Deferred Inflows of Resources & Fund Balances	<u>\$ 37,756,867</u>	<u>\$ 36,341,939</u>	<u>\$ 45,241,268</u>

Source: Audited Annual Financial Reports of the School District

NOTE: This schedule NOT audited

## Budget Summaries

### General Fund

Fiscal Year Ending June 30:

	<u>2021*</u>	<u>2022**</u>
Revenues:		
Real Property Taxes	\$ 145,379,230	\$ 146,818,484
Charges for Services	1,566,835	1,016,835
Use of Money and Property	2,088,860	2,110,093
Miscellaneous	1,632,486	2,034,363
State Sources	40,836,309	42,001,181
Appropriated Fund Balance	<u>8,255,805</u>	<u>11,145,620</u>
Total Revenues	<u>199,759,525</u>	<u>205,126,576</u>
Expenditures:		
General Support	\$ 21,116,354	\$ 21,342,068
Instruction	110,613,268	112,867,158
Pupil Transportation	13,870,628	15,712,388
Employee Benefits	41,716,993	40,641,434
Debt Service	4,279,357	5,467,003
Interfund Transfers	<u>8,162,925</u>	<u>9,096,525</u>
Total Expenditures	<u>\$ 199,759,525</u>	<u>\$ 205,126,576</u>

\* The 2020-2021 budget was approved by the voters of the District on June 9, 2020.

\*\* The 2021-2022 budget was approved by the voters of the District on May 18, 2021.

**APPENDIX B**

**CASH FLOW SUMMARIES**

**COMMACK UNION FREE SCHOOL DISTRICT**

**CASH FLOW SUMMARY 2020-21 (Actual )**  
(000's Omitted)

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	TOTALS
Balance *	37,370	31,622	26,050	23,256	37,402	18,038	4,903	75,220	68,628	73,178	56,481	56,808	37,370 (a)
<b>Receipts</b>													
Property Taxes	564	0	0	0	0	370	72,350	8,052	1,547	2,573	14,528	41,065	141,049
STAR Payment	0	0	0	0	0	0	10,152	0	0	0	0	0	10,152
State Aid	761	681	4,715	238	1,682	1,682	451	562	17,479	165	922	4,707	34,045
Other Receipts	1,426	949	1,073	1,263	532	1,068	595	1,494	1,089	353	683	500	11,025
TAN Proceeds	0	0	0	36,000	0	0	0	0	0	0	0	0	36,000
<b>Total Receipts</b>	<b>2,751</b>	<b>1,630</b>	<b>5,788</b>	<b>37,501</b>	<b>2,214</b>	<b>3,120</b>	<b>83,548</b>	<b>10,108</b>	<b>20,115</b>	<b>3,091</b>	<b>16,133</b>	<b>46,272</b>	<b>232,271</b>
<b>Disbursements</b>													
Salaries & Benefits	4,018	3,730	7,009	14,866	10,493	9,804	10,926	10,796	9,032	16,648	11,043	23,365	131,730
Operating Expenses	4,132	1,025	1,224	8,140	4,800	6,102	1,956	4,142	6,030	2,791	4,017	3,662	48,021
TAN Principal	0	0	0	0	0	0	0	0	0	0	0	36,000	36,000
TAN Interest	0	0	0	0	0	0	0	0	0	0	0	297	297
EPC Debt Service	0	1,413	0	0	0	0	0	1,413	0	0	0	0	2,826
Debt Service	0	685	0	0	5,936	0	0	0	154	0	397	0	7,172
Library	349	349	349	349	349	349	349	349	349	349	349	350	4,189
<b>Total Disbursements</b>	<b>8,499</b>	<b>7,202</b>	<b>8,582</b>	<b>23,355</b>	<b>21,578</b>	<b>16,255</b>	<b>13,231</b>	<b>16,700</b>	<b>15,565</b>	<b>19,788</b>	<b>15,806</b>	<b>63,674</b>	<b>230,235</b>
<b>Balance</b>	<b>31,622</b>	<b>26,050</b>	<b>23,256</b>	<b>37,402</b>	<b>18,038</b>	<b>4,903</b>	<b>75,220</b>	<b>68,628</b>	<b>73,178</b>	<b>56,481</b>	<b>56,808</b>	<b>39,406</b>	<b>39,406</b>
<b>Note Payment Account</b>													
Opening Balance	0	0	0	0	0	0	0	0	0	0	0	0	0
Receipts	0	0	0	0	0	0	0	0	0	0	0	36,000	36,000
Disbursements	0	0	0	0	0	0	0	0	0	0	0	36,000	36,000
Closing Balance	0	0	0	0	0	0	0	0	0	0	0	0	0

(a) Balance as of June 30, 2020

\* Opening balance includes certain funds reserved predominantly for Workers' Compensation, Unemployment Insurance, Retirement Contributions, and Employee benefit Accrued Liabilities.

**COMMACK UNION FREE SCHOOL DISTRICT**

**CASH FLOW PROJECTION 2021-22**

(000's Omitted)

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	TOTALS
Balance *	39,406	31,964	23,804	15,336	38,033	19,309	2,206	71,653	65,443	70,584	59,481	59,845	39,406 (a)
<b>Receipts</b>													
Property Taxes	511	0	0	0	0	350	73,350	8,050	1,500	2,550	14,500	46,007	146,818
STAR Payment	0	0	0	0	0	0	10,000	0	0	0	0	0	10,000
State Aid	500	700	4,500	300	1,700	1,700	450	600	18,000	200	900	4,800	34,350
Other Receipts	1,400	900	1,050	1,250	500	1,000	500	1,400	1,100	300	600	500	10,500
TAN Proceeds	0	0	0	36,000	0	0	0	0	0	0	0	0	36,000
Total Receipts	2,411	1,600	5,550	37,550	2,200	3,050	84,300	10,050	20,600	3,050	16,000	51,307	237,668
<b>Disbursements</b>													
Salaries & Benefits	4,500	6,000	10,500	10,500	10,500	15,500	10,500	10,500	10,500	10,500	10,500	27,000	137,000
Operating Expenses	5,000	2,000	2,500	4,000	4,000	4,000	4,000	4,000	4,500	3,300	4,500	4,000	45,800
TAN Principal	0	0	0	0	0	0	0	0	0	0	0	36,000	36,000
TAN Interest	0	0	0	0	0	0	0	0	0	0	0	600	600
EPC Debt Service	0	1,407	0	0	0	0	0	1,408	0	0	0	0	2,815
Debt Service	0	0	665	0	6,072	300	0	0	106	0	284	1,700	9,127
Library	353	353	353	353	352	353	353	352	353	353	352	353	4,233
Total Disbursements	9,853	9,760	14,018	14,853	20,924	20,153	14,853	16,260	15,459	14,153	15,636	69,653	235,575
Balance	31,964	23,804	15,336	38,033	19,309	2,206	71,653	65,443	70,584	59,481	59,845	41,499	41,499
<b>Note Payment Account</b>													
Opening Balance	0	0	0	0	0	0	0	0	0	0	0	0	0
Receipts	0	0	0	0	0	0	0	0	0	0	0	36,000	36,000
Disbursements	0	0	0	0	0	0	0	0	0	0	0	36,000	36,000
Closing Balance	0	0	0	0	0	0	0	0	0	0	0	0	0

(a) Balance as of June 30, 2021

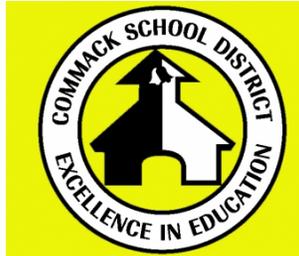
\* Opening balance includes certain funds reserved predominantly for Workers' Compensation, Unemployment Insurance, Retirement Contributions, and Employee benefit Accrued Liabilities.

**COMMACK UNION FREE SCHOOL DISTRICT**

**APPENDIX C**

**AUDITED FINANCIAL STATEMENTS  
FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

NOTE: SUCH FINANCIAL REPORT AND OPINIONS WERE PREPARED AS OF THE DATE THEREOF AND HAVE NOT BEEN REVIEWED AND/OR UPDATED IN CONNECTION WITH THE PREPARATION AND DISSEMINATION OF THIS OFFICIAL STATEMENT. CONSENT OF THE AUDITORS HAS NOT BEEN REQUESTED OR OBTAINED.



**COMMACK UNION FREE SCHOOL DISTRICT  
TOWNS OF HUNTINGTON AND SMITHTOWN, NEW YORK**

**FINANCIAL STATEMENTS AND  
SUPPLEMENTARY INFORMATION  
IN CONNECTION WITH THE UNIFORM GUIDANCE**

**AS OF AND FOR THE YEAR ENDED  
JUNE 30, 2020**

**COMMACK UNION FREE SCHOOL DISTRICT  
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## **INDEPENDENT AUDITOR'S REPORT**

To the Board of Education of the  
Commack Union Free School District  
Towns of Huntington and Smithtown, New York:

### ***Report on the Financial Statements***

We have audited the accompanying financial statements of the governmental activities, each major fund and the fiduciary funds of the Commack Union Free School District (the "District"), as of and for the year ended June 30, 2020, and the related notes to financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditor's Responsibility***

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### ***Opinions***

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund and the fiduciary funds of the Commack Union Free School District as of June 30, 2020, and the respective changes in financial position, thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

# NawrockiSmith

## **Other Matters**

### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and required supplementary information on pages 3-14 and 55-60, respectively, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

### *Other Information*

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's basic financial statements. The other supplementary information, as listed in the table of contents, is presented for purposes of additional analysis and is not a required part of the basic financial statements but is supplementary information requested by the New York State Education Department. The schedule of expenditures of federal awards is presented for purposes of additional analysis as required by Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, and is also not a required part of the basic financial statements.

The other supplementary information requested by the New York State Education Department and the schedule of expenditures of federal awards are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the other supplementary information and the schedule of expenditures of federal awards are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

### **Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated September 24, 2020, on our consideration of the District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the District's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the District's internal control over financial reporting and compliance.

Melville, New York  
September 24, 2020



**COMMACK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2020**

---

The following is a discussion and analysis of the Commack Union Free School District's (the "District") financial performance for the fiscal year ended June 30, 2020. This section is a summary of the District's financial activities based on currently known facts, decisions or conditions. It is also based on both the District-wide and fund based financial statements. The results of the current year are discussed in comparison with the prior year, with an emphasis placed on the current year. This section is only an introduction and should be read in conjunction with the District's financial statements, which immediately follow this section.

**FINANCIAL HIGHLIGHTS**

- The extent of the impact of COVID-19 on the District's operational and financial performance, and cash flow needs will depend on certain developments, including the duration and spread of the outbreak, impact on funding sources, employees and vendors, all of which are uncertain and cannot be predicted as of the date of these financial statements.
- The District's Fund Balance Policy recognizes that the maintenance of fund balance is essential to the preservation of the financial integrity of the school district and is fiscally advantageous for both the District and the taxpayer in that it helps mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures) and assists in ensuring stable tax rates. The policy establishes goals and provides guidance concerning the desired level of year-end fund balance to be maintained by the District. However, due to the extent of the impact of COVID-19, the District will exceed the amount of Unassigned Fund Balance typically allowable by New York State Real Property Tax Law §1318, which restricts unassigned fund balance in the General Fund to no more than 4.00% of the District's Adopted Budget for the ensuing fiscal year. For the year-ended June 30, 2020, the balance to be maintained is \$13,154,556 or 6.59%.
- As of June 30, 2020, the District's fund level financial statements report a combined ending fund balance of \$38,533,319, which is an increase from the prior year of \$9,553,338 primarily due to the increase in real property taxes and proceeds from installment purchase debt, offset by the increase in capital outlay expenses.
- On the District-wide financial statements, the liabilities and deferred inflows of resources of the District exceeded assets and deferred outflows of resources at the close of its most recent fiscal year by \$114,036,704. The District's total net position decreased by \$10,628,535 for the year ended June 30, 2020. The unrestricted portion of net position as of June 30, 2020 was a deficit of \$176,676,072, as a result of the effect of the continued recognition of the District's total other post-employment benefits liability under the provisions of GASB Statement No. 75.
- The District continued to offer all programs, without reducing services.
- The District's residents authorized the proposed 2020-21 budget in the amount of \$199,759,525, in accordance with the New York State Tax Levy Limit.

**OVERVIEW OF THE FINANCIAL STATEMENTS**

This annual report consists of three parts: required supplementary information including management's discussion and analysis (this section), the basic financial statements, and other supplementary information. The basic financial statements include two kinds of financial statements that present different views of the District:

**COMMACK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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- The first two financial statements are *District-wide financial statements* that provide both *short-term* and *long-term* information about the District's *overall* financial status.
- The remaining financial statements are *fund financial statements* that focus on *individual parts* of the District, reporting the operations in *more detail* than the District-wide financial statements.
  - The *governmental fund financial statements* tell how basic services such as regular and special education were financed in the *short term* as well as what remains for future spending.
  - *Fiduciary fund financial statements* provide information about the financial relationships in which the District acts solely as a trustee or agent for the benefit of others.

The financial statements also include notes that explain some of the information in the financial statements and provide more detailed data. The financial statements are followed by a section of required and other supplementary information that further explains and supports the financial statements including a comparison of the District's General Fund budget and actual results for the year.

Table A-1 summarizes the major features of the District's financial statements, including the portion of the District's activities they cover and the types of information they contain. The remainder of this overview section of management's discussion and analysis highlights the structure and contents of each of the financial statements.

<b>Table A-1: Major Features of the District-wide and Fund Financial Statements</b>			
	District-wide Financial Statements	Fund Financial Statements	
		Governmental Funds	Fiduciary Funds
Scope	Entire District (except fiduciary funds)	The activities of the District that are not proprietary or fiduciary, such as special education and building maintenance	Instances in which the District administers resources on behalf of someone else, such as scholarship programs and student activity monies
Required financial statements	<ul style="list-style-type: none"> <li>• Statement of Net Position</li> <li>• Statement of Activities</li> </ul>	<ul style="list-style-type: none"> <li>• Balance Sheet</li> <li>• Statement of Revenues, Expenditures and Changes in Fund Balance</li> </ul>	<ul style="list-style-type: none"> <li>• Statement of Fiduciary Net Position</li> <li>• Statement of Changes in Fiduciary Net Position</li> </ul>
Accounting basis and measurement focus	Accrual accounting and economic resources focus	Modified accrual accounting and current financial focus	Accrual accounting and economic resources focus

**COMMACK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

Type of asset/deferred outflows of resources/liability/deferred inflows of resources information	All assets, deferred outflows of resources, liabilities, and deferred inflows of resources both financial and capital, short-term and long-term	Generally, assets and deferred outflows of resources expected to be used up and liabilities and deferred inflows of resources that come due or available during the year or soon thereafter; no capital assets or long-term liabilities included	All assets, deferred outflows of resources (if any), liabilities, and deferred inflows of resources (if any) both short-term and long-term; funds do not currently contain capital assets, although they can
Type of inflow/outflow information	All revenues and expenses during year, regardless of when cash is received or paid	Revenues for which cash is received during or soon after the end of the year; expenditures when goods or services have been received and the related liability is due and payable	All additions and deductions during the year, regardless of when cash is received or paid

**District-wide Financial Statements**

The District-wide financial statements report information about the District as a whole using accounting methods similar to those used by private-sector companies. The Statement of Net Position includes all of the District's assets, deferred outflows of resources, liabilities and deferred inflows of resources. All of the current year's revenues and expenses are accounted for in the Statement of Activities regardless of when cash is received or paid.

The two District-wide financial statements report the District's *net position* and how it has changed. Net position, the difference between the District's assets, deferred outflows of resources, liabilities and deferred inflows of resources, is one way to measure the District's financial health or *position*.

- Over time, increases or decreases in the District's net position are an indicator of whether its financial position is improving or deteriorating, respectively.
- To assess the District's overall health, you need to consider additional non-financial factors such as changes in the District's property tax base and the condition of school buildings and other facilities.

In the District-wide financial statements, the District's activities are shown as *governmental activities*. Most of the District's basic services are included here, such as regular and special education, transportation and administration. Property taxes and State formula aid finance most of these activities.

**COMMACK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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**Fund Financial Statements**

The fund financial statements provide more detailed information about the District's funds, focusing on its most significant or "major" funds - not the District as a whole. Funds are accounting devices the District uses to keep track of specific sources of funding and spending on particular programs:

- Some funds are required by State law and by bond covenants.
- The District establishes other funds to control and to manage money for particular purposes (such as repaying its long-term debts) or to show that it is properly using certain revenues (such as federal grants).

The District has two kinds of funds:

- **Governmental funds:** Most of the District's basic services are included in governmental funds, which generally focus on (1) how cash and other financial assets that can readily be converted to cash flow in and out and (2) the balances left at year-end that are available for spending. Consequently, the fund financial statements provide a detailed short-term view that helps you determine whether there are more or fewer financial resources that can be spent in the near future to finance the District's programs. Because this information does not encompass the additional long-term focus of the District-wide financial statements, reconciliations of the District-wide and fund financial statements are provided which explain the relationship (or differences) between them.
- **Fiduciary funds:** The District is the trustee or fiduciary, for assets that belong to others, such as the scholarship funds and student activities funds. The District is responsible for ensuring that the assets reported in these funds are used only for their intended purposes and by those to whom the assets belong. The District excludes these activities from the District-wide financial statements because it cannot use these assets to finance its operations.

**FINANCIAL ANALYSIS OF THE DISTRICT AS A WHOLE**

**Net Position**

The District's net position decreased by 10.3% from the year before to a net deficit position balance of \$114,036,704 as detailed in Tables A-2 and A-3.

The restricted net position balance of \$16,862,973 represents assets that are restricted by external sources, imposed by laws through constitutional provisions or enabling legislation.

As of June 30, 2020, the District has an unrestricted net deficit of \$176,676,072. This deficit is driven by the District's recognition of the total other post-employment benefit ("OPEB") liability of \$223,649,037 as required by GASB Statement No. 75.

**COMMACK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

**Table A-2:** Condensed Statements of Net Position - Governmental Activities

	<u>6/30/20</u>	<u>6/30/19</u>	<u>\$ Change</u>	<u>% Change</u>
Current and other assets	\$ 66,201,625	\$ 55,496,070	\$ 10,705,555	19.3
Capital assets, net	<u>104,026,323</u>	<u>91,718,014</u>	<u>12,308,309</u>	13.4
Total assets	<u>170,227,948</u>	<u>147,214,084</u>	<u>23,013,864</u>	15.6
Deferred outflows of resources	<u>81,998,316</u>	<u>54,071,454</u>	<u>27,926,862</u>	51.6
Current liabilities	23,031,915	24,359,655	(1,327,740)	(5.5)
Long-term liabilities	<u>299,988,134</u>	<u>237,490,644</u>	<u>62,497,490</u>	26.3
Total liabilities	<u>323,020,049</u>	<u>261,850,299</u>	<u>61,169,750</u>	23.4
Deferred inflows of resources	<u>43,242,919</u>	<u>42,843,408</u>	<u>399,511</u>	0.9
Net position:				
Net investment in capital assets	45,776,395	40,656,682	5,119,713	12.6
Restricted	16,862,973	15,411,057	1,451,916	9.4
Unrestricted (deficit)	<u>(176,676,072)</u>	<u>(159,475,908)</u>	<u>(17,200,164)</u>	(10.8)
Total net position (deficit)	<u>\$ (114,036,704)</u>	<u>\$ (103,408,169)</u>	<u>\$ (10,628,535)</u>	(10.3)

As of June 30, 2020, the District had positive working capital of \$16,454,021 as compared to \$7,758,223 as of June 30, 2019. The increase is primarily due to an increase in cash from the reduction in expenditures caused by COVID-19.

As of June 30, 2020, the District had an investment in capital assets of \$45,776,395 as compared to \$40,656,682 as of June 30, 2019. The increase is due to the current year outlay for ongoing capital projects exceeding depreciation charges and asset disposals.

Long-term liabilities increased \$62,497,490 primarily due to the net change in the total OPEB liability and the increases in energy performance contracts and the proportionate share of the net pension liability.

**Changes in Net Position**

The District's fiscal year 2020 revenues totaled \$192,936,224 (See Table A-3). Property and other taxes and State sources accounted for most of the District's (95.1%) (See Table A-4). The remainder came from charges for services, operating grants, capital grants, sale of property and compensation for loss, miscellaneous sources and use of money and property.

Revenues increased 1.1% or \$2,095,316, primarily as a direct result of an increase in real property taxes of \$6,297,343 (based on changes in assessed valuation of real property), offset by decreases in most other categories of revenue.

The District's fiscal year 2020 expenses totaled \$203,564,759 (See Table A-3). These expenses (93.3%) are predominantly related to instruction and general support (See Table A-6).

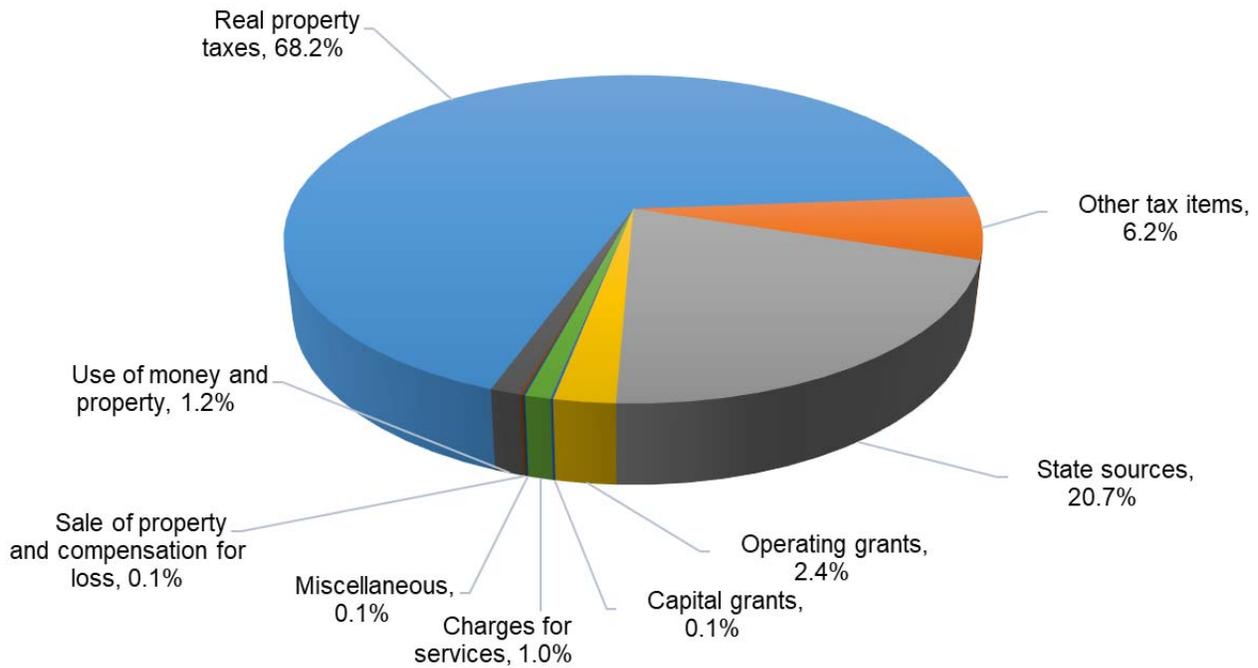
**COMMACK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

**Table A-3: Changes in Net Position from Operating Results - Governmental Activities Only**

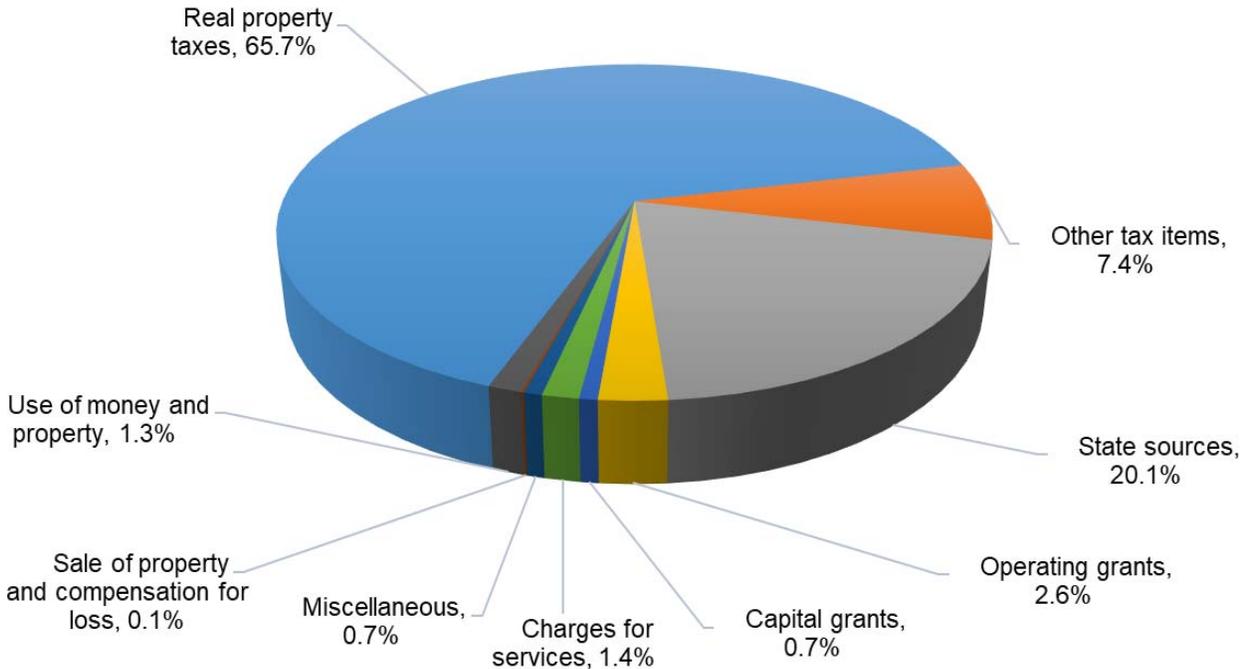
	<u>6/30/20</u>	<u>6/30/19</u>	<u>\$ Change</u>	<u>% Change</u>
<b>Revenues</b>				
Program revenues:				
Charges for services	\$ 2,007,591	\$ 2,713,800	\$ (706,209)	(26.0)
Operating grants	4,575,606	4,870,663	(295,057)	(6.1)
Capital grants	116,232	1,329,432	(1,213,200)	(91.3)
General revenues:				
Real property taxes	131,681,971	125,384,628	6,297,343	5.0
Other tax items	11,990,933	14,152,563	(2,161,630)	(15.3)
Use of money and property	2,227,538	2,465,645	(238,107)	(9.7)
Sale of property and compensation for loss	158,570	270,741	(112,171)	(41.4)
State sources	40,031,362	38,380,303	1,651,059	4.3
Miscellaneous	146,421	1,273,133	(1,126,712)	(88.5)
Total revenues	<u>192,936,224</u>	<u>190,840,908</u>	<u>2,095,316</u>	1.1
<b>Expenses</b>				
General support	26,403,557	24,019,336	2,384,221	9.9
Instruction	163,475,415	153,442,317	10,033,098	6.5
Pupil transportation	9,774,582	13,423,472	(3,648,890)	(27.2)
Debt service - interest	2,095,785	2,156,783	(60,998)	(2.8)
School lunch program	1,815,420	1,520,858	294,562	19.4
Total expenses	<u>203,564,759</u>	<u>194,562,766</u>	<u>9,001,993</u>	4.6
Decrease in net position	(10,628,535)	(3,721,858)	(6,906,677)	(185.6)
Net position (deficit), beginning of year	<u>(103,408,169)</u>	<u>(99,686,311)</u>	<u>(3,721,858)</u>	(3.7)
Net position (deficit), end of year	<u>\$ (114,036,704)</u>	<u>\$ (103,408,169)</u>	<u>\$ (10,628,535)</u>	(10.3)

**COMMACK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

**Table A-4: Sources of Revenues for Fiscal Year 2020**

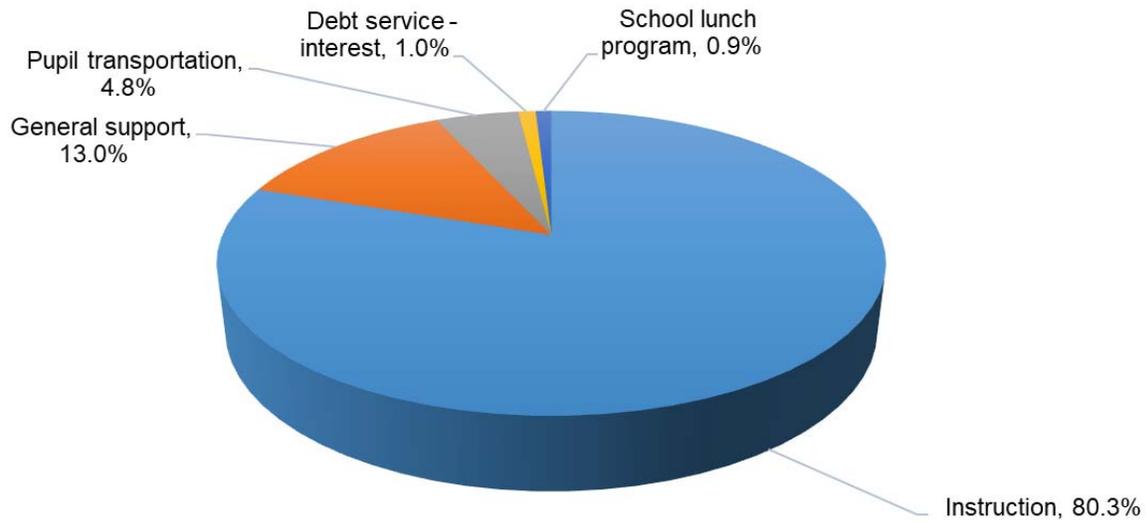


**Table A-5: Sources of Revenues for Fiscal Year 2019**

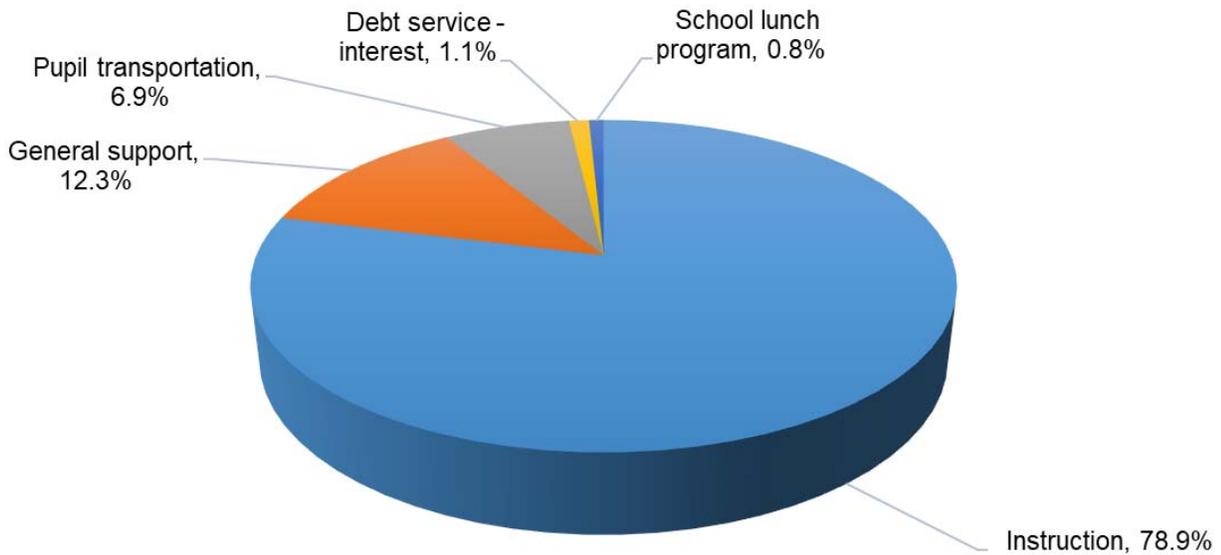


**COMMACK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

**Table A-6:** Expenses for Fiscal Year 2020



**Table A-7:** Expenses for Fiscal Year 2019



**COMMACK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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**Governmental Activities**

Revenues for the District's governmental activities totaled \$192,936,224 while total expenses equaled \$203,564,759. The overall sound financial condition of the District, as a whole, can be credited to:

- Continued leadership of the District's Board and administration;
- Favorable debt costs due to a high Moody's Investors Service rating;
- Reserves to stabilize the impact of cost increases; and
- Strategic use of services from the Western Suffolk BOCES and increased cooperative bidding.

The major changes in revenues and expenses are as follows:

Revenues:

- Real property taxes increased by \$6,297,343. This increase was within the tax cap, reflects a modest tax increase to residents and allows for a continued strong educational program.
- Other tax items include the reimbursements received under the School Tax Reimbursement Program ("STAR"). The STAR program provides tax relief to homeowners through State reimbursement to the District. Payments in lieu of taxes ("PILOTS") are also included within this category. The revenues from the STAR program and PILOTS decreased by \$2,161,630.
- Unrestricted State sources (aid) increased by \$1,651,059, or 4.3%.

Expenses:

- General support and instruction related expenses increased by \$12,417,319, primarily due to increases related to other post-employment benefits and pensions.

**FINANCIAL ANALYSIS OF THE DISTRICT'S FUNDS**

Variances between years for the governmental fund financial statements are not the same as variances between years for the District-wide financial statements. The District's governmental funds are presented on the current financial resources measurement focus and the modified accrual basis of accounting. Based on this presentation, governmental funds do not include long-term liabilities for the funds' projects and capital assets purchased by the funds. Governmental funds will include the proceeds received from the issuance of debt, the current payments for capital assets, and the current payments for debt.

As of June 30, 2020, the District's combined governmental funds reported a total fund balance of \$38,533,319 which is an increase of \$9,553,338 from the prior year. This increase is due primarily to the increase in real property taxes and proceeds from installment purchase debt, offset by the increase in capital outlay expenses.

**COMMACK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

Fund balances for the District's governmental funds for the past two years were distributed as follows:

<b>Table A-8: Fund Balances - Governmental Funds</b>				
	<u>6/30/20</u>	<u>6/30/19</u>	<u>\$ Change</u>	<u>% Change</u>
<b>General Fund</b>				
Restricted:				
Retirement Contributions	\$ 633,533	\$ 628,329	\$ 5,204	0.8
Workers' Compensation	1,876,954	1,847,669	29,285	1.6
Unemployment Insurance	334,218	329,004	5,214	1.6
Employee Benefit Accrued Liability	4,513,577	4,449,394	64,183	1.4
Insurance	197,339	194,260	3,079	1.6
Repairs	18,006	17,725	281	1.6
Assigned:				
Appropriated for subsequent year's expenditures	7,505,805	6,805,805	700,000	10.3
Encumbrances	446,128	297,162	148,966	50.1
Unassigned	<u>13,154,556</u>	<u>5,832,413</u>	<u>7,322,143</u>	125.5
Total General Fund	<u>28,680,116</u>	<u>20,401,761</u>	<u>8,278,355</u>	40.6
<b>School Lunch Fund</b>				
Nonspendable:				
Inventory	3,395	8,463	(5,068)	(59.9)
Assigned:				
Food Service Program	<u>560,462</u>	<u>625,080</u>	<u>(64,618)</u>	(10.3)
Total School Lunch Fund	<u>563,857</u>	<u>633,543</u>	<u>(69,686)</u>	(11.0)
<b>Debt Service Fund</b>				
Restricted:				
Debt service	<u>1,018,375</u>	<u>986,719</u>	<u>31,656</u>	3.2
Total Debt Service Fund	<u>1,018,375</u>	<u>986,719</u>	<u>31,656</u>	3.2
<b>Capital Projects Fund</b>				
Restricted:				
District improvements	<u>8,270,971</u>	<u>6,957,958</u>	<u>1,313,013</u>	18.9
Total Capital Projects Fund	<u>8,270,971</u>	<u>6,957,958</u>	<u>1,313,013</u>	18.9
Total fund balance	<u>\$ 38,533,319</u>	<u>\$ 28,979,981</u>	<u>\$ 9,553,338</u>	33.0

**General Fund**

The General Fund reported an increase in fund balance of \$8,278,355 for fiscal 2020, as compared to a decrease of \$1,648,962 for fiscal 2019. Revenues increased \$1,653,351 mainly as a result of an increase in the budgeted property tax levy. Expenditures decreased \$8,751,145 primarily due to decreased instructional, pupil transportation and employee benefit expenditures, all of which were budgeted for and actual results were below budget. Other financing related to transfers to the Debt Service Fund and the Capital Projects Fund remained consistent when compared with the prior year. As a result of revenues being greater than expenditures, the District reported an increase in the change in fund balance. Compared to projected performance, the District performed better than expected.

**COMMACK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

**General Fund Budgetary Highlights**

The District's General Fund original budget for the year ended June 30, 2020 was \$197,062,213. This amount was increased by encumbrances carried forward from the prior year in the amount of \$297,162 and budget revisions of \$29,219 which resulted in a final budget of \$197,388,594. The majority of the actual funding was property taxes, STAR revenue and PILOTS of \$143,672,904.

At June 30, 2020, the District's unassigned fund balance was \$13,154,556 which exceeded the allowable 4% of the subsequent year's original budget (\$199,759,525) as promulgated by New York State (see page 61). The following is a reconciliation of the General Fund's unassigned fund balance for the year ended June 30, 2020:

Unassigned fund balance, beginning of year	\$ 5,832,413
Add:	
Prior-year encumbrances	297,162
Prior-year appropriated fund balance	6,805,805
Less:	
Current-year encumbrances	(446,128)
Current-year appropriated fund balance	(7,505,805)
Interest allocated to Retirement Contribution Reserve	(5,204)
Interest allocated to Workers' Compensation Reserve	(29,285)
Interest allocated to Unemployment Insurance Reserve	(5,214)
Interest allocated to Employee Benefit Accrued Liability Reserve	(64,183)
Interest allocated to Insurance Reserve	(3,079)
Interest allocated to Repairs Reserve	(281)
Net change in fund balance	8,278,355
Unassigned fund balance, end of year	\$ 13,154,556

**CAPITAL ASSETS AND DEBT ADMINISTRATION**

**Capital Assets**

By the end of 2020, the District had invested \$104,026,323 net of depreciation, in a broad range of capital assets, including school buildings, maintenance facilities, athletic facilities, computer and audio-visual equipment, and administrative offices.

	<u>6/30/20</u>	<u>6/30/19</u>	<u>\$ Change</u>	<u>% Change</u>
Land	\$ 3,260,677	\$ 3,260,677	\$ -	-
Construction-in-progress	15,205,544	2,796,851	12,408,693	443.7
Buildings and building improvements	81,961,318	82,323,971	(362,653)	(0.4)
Furniture and equipment	1,253,070	1,060,950	192,120	18.1
Vehicles	323,331	286,059	37,272	13.0
Site improvements	2,022,383	1,989,506	32,877	1.7
<b>Totals</b>	<b>\$ 104,026,323</b>	<b>\$ 91,718,014</b>	<b>\$ 12,308,309</b>	<b>13.4</b>

**COMMACK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

**Long-Term Liabilities**

At year-end, the District had \$74,280,018 in general obligation bonds and other long-term liabilities.

**Table A-10:** Outstanding Long-Term Liabilities

	<u>6/30/20</u>	<u>6/30/19</u>	<u>\$ Change</u>	<u>% Change</u>
General obligation bonds, net	\$ 32,688,193	\$ 39,087,668	\$ (6,399,475)	(16.4)
Installment purchase debt payable	26,353,460	13,142,133	13,211,327	100.5
Workers' Compensation claims payable	750,394	999,317	(248,923)	(24.9)
Compensated absences	<u>14,487,971</u>	<u>11,418,433</u>	<u>3,069,538</u>	26.9
Totals	<u>\$ 74,280,018</u>	<u>\$ 64,647,551</u>	<u>\$ 9,632,467</u>	14.9

**FACTORS BEARING ON THE DISTRICT'S FUTURE**

At the time these financial statements were prepared and audited, the District was aware of the following existing circumstances that could significantly affect its financial status in the future:

- In March 2020, the World Health Organization declared the outbreak of a novel coronavirus ("COVID-19") as a pandemic. The extent of the impact of COVID-19 on the District's operational and financial performance, and cash flow needs will depend on certain developments, including the duration and spread of the outbreak, impact on funding sources, employees and vendors, all of which are uncertain and cannot be predicted as of the date of these financial statements.
- New York State imposed a maximum tax levy increase of the lesser of 2% or the CPI for the fiscal year 2019-2020 budget, subject to certain exclusions. Based on the value of obligatory contractual increases and continued increases in the State's unfunded mandates, it is expected that reductions may be necessary. If the downward economic trend continues, and State mandates and legal requirements continue to escalate, there will be an inevitable negative impact on District programs.
- The General Fund budget for the 2020-2021 school year was approved by the voters in the amount of \$199,759,525. This is an increase of 1.37% over the previous year's budget.
- The 2020-2021 budget is impacted by certain trends affecting school districts. These include increases in health insurance costs, workers' compensation judgments, and potential unemployment insurance claims, which are beyond the District's control.
- The New York State Division of Budget has announced that 20% of most local aid payments will be withheld beginning in August 2020, and these withholdings may be converted to permanent reductions depending on the size and timing of new federal aid.

**CONTACTING THE DISTRICT'S FINANCIAL MANAGEMENT**

This financial report is designed to provide citizens, taxpayers, customers, investors and creditors with a general overview of the finances of the District and to demonstrate its accountability for the money it receives. If you have any questions about this report or need additional financial information, contact:

Commack Union Free School District  
Laura Newman  
Associate Superintendent for Business & Operations  
480 Clay Pitts Road  
East Northport, New York 11731  
631-912-2000

**COMMACK UNION FREE SCHOOL DISTRICT**  
**STATEMENT OF NET POSITION**  
**JUNE 30, 2020**

<b>ASSETS</b>	
Unrestricted cash	\$ 30,207,700
Receivables:	
State and federal aid	6,323,281
Due from other governments	1,578,073
Due from fiduciary funds	103,261
Other	1,270,226
Inventories	3,395
Restricted cash	13,795,633
Proportionate share of net pension asset	12,920,056
Capital assets:	
Non-depreciable	18,466,221
Depreciable, net of accumulated depreciation of \$94,494,040	85,560,102
Total assets	<u>170,227,948</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>	
Deferred charges on bond refunding	791,725
Deferred outflows from pensions	50,617,253
Deferred outflows from OPEB	30,589,338
Total deferred outflows of resources	<u>81,998,316</u>
<b>LIABILITIES</b>	
Accounts payable	2,806,324
Accrued liabilities	1,218,001
Accrued interest payable	591,054
Due to teachers' retirement system	7,467,065
Due to employees' retirement system	600,952
Unearned revenue	195,220
Long-term liabilities, due within one year:	
Bonds payable, net	6,537,698
Energy performance contract payable	2,065,601
Workers' Compensation claims payable	550,000
Compensated absences	1,000,000
Long-term liabilities, due after one year:	
Bonds payable, net	26,150,495
Energy performance contract payable	24,287,859
Workers' Compensation claims payable	200,394
Compensated absences	13,487,971
Proportionate share of net pension liability	12,212,378
Other postemployment benefits obligation	223,649,037
Total liabilities	<u>323,020,049</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>	
Deferred inflows from pensions	18,005,139
Deferred inflows from OPEB	25,237,780
Total deferred inflows of resources	<u>43,242,919</u>
<b>NET POSITION</b>	
Net investment in capital assets	45,776,395
Restricted:	
Retirement contributions	633,533
Insurance	197,339
Workers' Compensation	1,876,954
Unemployment insurance	334,218
Employee Benefit Accrued Liability	4,513,577
Repairs	18,006
Debt Service	1,018,375
District improvements	8,270,971
Unrestricted (deficit)	<u>(176,676,072)</u>
Total net position (deficit)	<u>\$ (114,036,704)</u>

The accompanying notes to financial statements are an integral part of this statement.

**COMMACK UNION FREE SCHOOL DISTRICT  
STATEMENT OF ACTIVITIES  
FOR THE YEAR ENDED JUNE 30, 2020**

	<u>Expenses</u>	<u>Program Revenues</u>			<u>Net (Expense) Revenue and Changes in Net Position</u>
		<u>Charges for Services</u>	<u>Operating Grants</u>	<u>Capital Grants</u>	
Functions and programs:					
General support	\$ 26,403,557	\$ 147,520	\$ 418,069	\$ -	\$ (25,837,968)
Instruction	163,475,415	1,118,139	3,168,787	116,232	(159,072,257)
Pupil transportation	9,774,582	1,768	5,009	-	(9,767,805)
Debt service - interest	2,095,785	-	-	-	(2,095,785)
School lunch program	1,815,420	740,164	983,741	-	(91,515)
Total functions and programs	<u>\$ 203,564,759</u>	<u>\$ 2,007,591</u>	<u>\$ 4,575,606</u>	<u>\$ 116,232</u>	<u>(196,865,330)</u>
General revenues:					
Real property taxes					131,681,971
Other tax items					11,990,933
Use of money and property					2,227,538
Sale of property and compensation for loss					158,570
State sources					40,031,362
Miscellaneous					146,421
Total general revenues					<u>186,236,795</u>
Change in net position					(10,628,535)
Total net position, beginning of year					<u>(103,408,169)</u>
Total net position, end of year					<u>\$ (114,036,704)</u>

The accompanying notes to financial statements are an  
integral part of this statement.

**COMMACK UNION FREE SCHOOL DISTRICT  
BALANCE SHEET - GOVERNMENTAL FUNDS  
JUNE 30, 2020**

	Major Funds					Total Governmental Funds
	Special Revenue Funds					
	General	Special Aid	School Lunch	Debt Service	Capital Projects	
<b>ASSETS</b>						
Unrestricted cash	\$ 29,796,526	\$ -	\$ 411,174	\$ -	\$ -	\$ 30,207,700
Receivables:						
State and federal aid	3,003,412	2,072,331	378,000	-	869,538	6,323,281
Due from other governments	1,564,189	13,884	-	-	-	1,578,073
Due from other funds	1,935,037	-	18,948	279,985	3,050,000	5,283,970
Due from fiduciary funds	103,272	-	-	-	-	103,272
Other	1,265,205	-	5,021	-	-	1,270,226
Inventories	-	-	3,395	-	-	3,395
Restricted cash	7,573,627	47,989	-	738,390	5,435,627	13,795,633
Total assets	<u>\$ 45,241,268</u>	<u>\$ 2,134,204</u>	<u>\$ 816,538</u>	<u>\$ 1,018,375</u>	<u>\$ 9,355,165</u>	<u>\$ 58,565,550</u>
<b>LIABILITIES</b>						
Payables:						
Accounts payable	\$ 2,298,222	\$ 187,202	\$ 136,229	\$ -	\$ 184,671	\$ 2,806,324
Accrued liabilities	1,206,171	11,830	-	-	-	1,218,001
Due to other funds	3,318,948	1,935,037	-	-	29,985	5,283,970
Due to fiduciary funds	-	-	11	-	-	11
Due to teachers' retirement system	7,467,065	-	-	-	-	7,467,065
Due to employees' retirement system	600,952	-	-	-	-	600,952
Unearned revenues	78,644	135	116,441	-	-	195,220
Total liabilities	<u>14,970,002</u>	<u>2,134,204</u>	<u>252,681</u>	<u>-</u>	<u>214,656</u>	<u>17,571,543</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>						
Unavailable revenues	1,591,150	-	-	-	869,538	2,460,688
Total deferred inflows of resources	<u>1,591,150</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>869,538</u>	<u>2,460,688</u>
<b>FUND BALANCE</b>						
Nonspendable	-	-	3,395	-	-	3,395
Restricted	7,573,627	-	-	1,018,375	8,270,971	16,862,973
Assigned	7,951,933	-	560,462	-	-	8,512,395
Unassigned	13,154,556	-	-	-	-	13,154,556
Total fund balance	<u>28,680,116</u>	<u>-</u>	<u>563,857</u>	<u>1,018,375</u>	<u>8,270,971</u>	<u>38,533,319</u>
Total liabilities, deferred inflows of resources and fund balance	<u>\$ 45,241,268</u>	<u>\$ 2,134,204</u>	<u>\$ 816,538</u>	<u>\$ 1,018,375</u>	<u>\$ 9,355,165</u>	<u>\$ 58,565,550</u>

The accompanying notes to financial statements are an  
integral part of this statement.

**COMMACK UNION FREE SCHOOL DISTRICT  
RECONCILIATION OF GOVERNMENTAL FUNDS BALANCE SHEET  
TO THE STATEMENT OF NET POSITION  
JUNE 30, 2020**

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Total Fund Balance - Governmental Funds \$ 38,533,319

Amounts reported for governmental activities in the Statement of Net Position are different due to the following:

Capital assets less accumulated depreciation are included in the Statement of Net Position:

Capital assets:

Non-depreciable	\$ 18,466,221	
Depreciable	180,054,142	
Accumulated depreciation	<u>(94,494,040)</u>	104,026,323

Deferred charges on advance refunding of bonds are not reported on the Balance Sheet, but are reflected on the Statement of Net Position and amortized over the life of the related bonds.

791,725

Proportionate share of long-term asset and liability, and deferred outflows and inflows of resources associated with participation in the State retirement systems or OPEB are not current financial resources or obligations and are not reported in the governmental funds:

Deferred outflows of resources - pension related	50,617,253	
Deferred outflows of resources - OPEB related	30,589,338	
Proportionate share of net pension asset	12,920,056	
Proportionate share of net pension liability	(12,212,378)	
Deferred inflows of resources - pension related	(18,005,139)	
Deferred inflows of resources - OPEB related	<u>(25,237,780)</u>	38,671,350

Long-term liabilities applicable to the District's governmental activities are not due and payable in the current period and accordingly are not reported in the fund financial statements. However, these liabilities are included in the Statement of Net Position:

Bonds payable, net	(32,688,193)	
Installment purchase debt payable	(26,353,460)	
Workers' Compensation claims payable	(750,394)	
Total OPEB liability	(223,649,037)	
Compensated absences payable	<u>(14,487,971)</u>	(297,929,055)

Revenue that was not accrued on the fund financial statements because it does not meet the availability criteria under the modified accrual basis of accounting is included in the Statement of Net Position.

2,460,688

Interest payable applicable to the District's activities are not due and payable in the current period and accordingly are not reported in the fund financial statements. However, these liabilities are included in the Statement of Net Position.

(591,054)

Net Position - Governmental Activities

\$ (114,036,704)

The accompanying notes to financial statements are an integral part of this statement.

**COMMACK UNION FREE SCHOOL DISTRICT**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - GOVERNMENTAL FUNDS**  
**FOR THE YEAR ENDED JUNE 30, 2020**

	Major Funds					Total Governmental Funds
	Special Revenue Funds					
	General	Special Aid	School Lunch	Debt Service	Capital Projects	
<b>REVENUES</b>						
Real property taxes	\$ 131,681,971	\$ -	\$ -	\$ -	\$ -	\$ 131,681,971
Other tax items	11,990,933	-	-	-	-	11,990,933
Charges for services	1,267,427	-	-	-	-	1,267,427
Use of money and property	2,194,565	-	1,317	31,656	-	2,227,538
Sale of property and compensation for loss	158,570	-	-	-	-	158,570
State sources	40,147,594	1,571,989	34,128	-	116,232	41,869,943
Federal sources	73,163	1,703,942	949,613	-	-	2,726,718
Sales	-	-	740,164	-	-	740,164
Miscellaneous	943,658	242,771	-	-	49,263	1,235,692
Total revenues	<u>188,457,881</u>	<u>3,518,702</u>	<u>1,725,222</u>	<u>31,656</u>	<u>165,495</u>	<u>193,898,956</u>
<b>EXPENDITURES</b>						
Current -						
General support	19,215,006	-	-	-	-	19,215,006
Instruction	102,264,755	3,220,681	-	-	-	105,485,436
Pupil transportation	9,682,911	-	-	-	-	9,682,911
Employee benefits	37,067,866	765,266	-	-	-	37,833,132
Cost of sales	-	-	1,815,420	-	-	1,815,420
Capital outlay	-	-	-	-	15,643,027	15,643,027
Debt service -						
Principal	1,329,218	-	-	5,865,000	-	7,194,218
Interest	674,738	-	-	1,342,275	-	2,017,013
Total expenditures	<u>170,234,494</u>	<u>3,985,947</u>	<u>1,815,420</u>	<u>7,207,275</u>	<u>15,643,027</u>	<u>198,886,163</u>
Excess (deficiency) of revenues over (under) expenditures	<u>18,223,387</u>	<u>(467,245)</u>	<u>(90,198)</u>	<u>(7,175,619)</u>	<u>(15,477,532)</u>	<u>(4,987,207)</u>
<b>OTHER FINANCING SOURCES (USES)</b>						
Proceeds from installment purchase debt	-	-	-	-	14,540,545	14,540,545
Transfers in	-	467,245	20,512	7,207,275	2,250,000	9,945,032
Transfers out	(9,945,032)	-	-	-	-	(9,945,032)
Total other financing sources (uses)	<u>(9,945,032)</u>	<u>467,245</u>	<u>20,512</u>	<u>7,207,275</u>	<u>16,790,545</u>	<u>14,540,545</u>
Change in fund balance	8,278,355	-	(69,686)	31,656	1,313,013	9,553,338
Fund balance, beginning of year	20,401,761	-	633,543	986,719	6,957,958	28,979,981
Fund balance, end of year	<u>\$ 28,680,116</u>	<u>\$ -</u>	<u>\$ 563,857</u>	<u>\$ 1,018,375</u>	<u>\$ 8,270,971</u>	<u>\$ 38,533,319</u>

The accompanying notes to financial statements are an integral part of this statement.

**COMMACK UNION FREE SCHOOL DISTRICT  
RECONCILIATION OF GOVERNMENTAL FUNDS STATEMENT OF REVENUES, EXPENDITURES  
AND CHANGES IN FUND BALANCE TO THE STATEMENT OF ACTIVITIES  
FOR THE YEAR ENDED JUNE 30, 2020**

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Net Change in Fund Balance - Governmental Funds		\$ 9,553,338
<p>Governmental funds report capital outlays as expenditures. However, in the Statement of Activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. The amount by which capital outlay exceeds depreciation in the current period is:</p>		
Capital outlay, net	\$ 16,105,290	
Depreciation expense	<u>(3,796,981)</u>	12,308,309
<p>Revenues in the Statement of Activities that do not provide current financial resources are not reported as revenues in the governmental funds.</p>		
		(962,732)
<p>Amortization of bond premiums and deferred charges on bond refundings do not affect the governmental funds, but are recorded in the Statement of Activities.</p>		
Amortization of bond premiums	534,475	
Amortization of deferred charges	<u>(376,745)</u>	157,730
<p>The issuance of long-term debt provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction has any effect on net position.</p>		
Repayment of bond principal	5,865,000	
Issuance of installment purchase debt	(14,540,545)	
Repayment of installment purchase debt payable	<u>1,329,218</u>	(7,346,327)
<p>Some expenses reported in the Statement of Activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds:</p>		
Total OPEB liability	(44,148,148)	
Workers' Compensation claims payable	248,923	
Compensated absences payable	(3,069,538)	
Accrued interest costs	<u>(236,502)</u>	(47,205,265)
<p>Changes in the amount of total OPEB liability, deferred inflows of resources and deferred outflows of resources reported in the Statement of Activities do not provide for or require the use of current financial resources and therefore are not reported as revenues or expenditures in the governmental funds.</p>		
		34,027,876
<p>Changes in the proportionate share of the collective pension expense of the State retirement plans reported in the Statement of Activities do not provide for or require the use of current financial resources and therefore are not reported as revenues or expenditures in the governmental funds.</p>		
Proportionate share of net pension asset	3,819,414	
Deferred outflows of resources from pensions	(1,135,668)	
Proportionate share of net pension liability	(8,857,098)	
Deferred inflows of resources from pensions	<u>(4,988,112)</u>	(11,161,464)
Change in Net Position - Governmental Activities		<u>\$ (10,628,535)</u>

The accompanying notes to financial statements are an integral part of this statement.

**COMMACK UNION FREE SCHOOL DISTRICT**  
**STATEMENT OF FIDUCIARY NET POSITION - FIDUCIARY FUNDS**  
**JUNE 30, 2020**

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	<b>Scholarship Trusts</b>	<b>Agency Funds</b>
<b>ASSETS</b>		
Cash:		
Unrestricted	\$ -	\$ 495,078
Restricted	13,273	350,085
Due from governmental funds	-	11
Other receivables	-	18,495
	<u>\$ 13,273</u>	<u>\$ 863,669</u>
<b>LIABILITIES</b>		
Due to governmental funds	\$ -	\$ 103,272
Extraclassroom activity balances	-	350,085
Other liabilities	-	410,312
	<u>-</u>	<u>\$ 863,669</u>
<b>NET POSITION</b>		
Restricted:		
Scholarships	<u>13,273</u>	
Total net position	<u>13,273</u>	
Total liabilities and net position	<u>\$ 13,273</u>	

The accompanying notes to financial statements are an  
integral part of this statement.

**COMMACK UNION FREE SCHOOL DISTRICT  
STATEMENT OF CHANGES IN FIDUCIARY NET POSITION - FIDUCIARY FUNDS  
FOR THE YEAR ENDED JUNE 30, 2020**

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	<b>Scholarship Trusts</b>
<b>ADDITIONS</b>	
Investment earnings:	
Contributions	\$ 7,207
Interest	25
Total additions	7,232
<b>DEDUCTIONS</b>	
Scholarships and awards	3,957
Total deductions	3,957
Change in net position	3,275
Net position, beginning of year	9,998
Net position, end of year	\$ 13,273

The accompanying notes to financial statements are an  
integral part of this statement.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020**

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**1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The financial statements of the Commack Union Free School District (the "District") have been prepared in conformity with generally accepted accounting principles ("GAAP") as applied to government units. Those principles are prescribed by the Governmental Accounting Standards Board ("GASB"), which is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. Significant accounting principles and policies used by the District are described below:

A. Reporting entity

The District is governed by the laws of New York State. The District is an independent entity governed by an elected Board of Education consisting of five members. The President of the Board serves as the chief fiscal officer and the Superintendent is the chief executive officer. The Board is responsible for, and controls all activities related to public school education within the District. Board members have authority to make decisions, power to appoint management and primary accountability for all fiscal matters.

The reporting entity of the District is based upon criteria set forth by GASB. The financial reporting entity consists of the primary government, organizations for which the primary government is financially accountable and other organizations for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete.

The accompanying financial statements present the activities of the District. The District is not a component unit of another reporting entity. The decision to include a potential component unit in the District's reporting entity is based on several criteria including legal standing, fiscal dependency, and financial accountability. Based on such criteria the District has determined there are no component units to be included within their reporting entity.

B. Extraclassroom Activity Funds

The Extraclassroom Activity Funds of the District represent funds of the students of the District. The Board of Education exercises general oversight of these funds. The Extraclassroom Activity Funds are independent of the District with respect to its financial transactions and the designation of student management. Separate audited financial statements (cash basis) of the Extraclassroom Activity Funds can be found elsewhere in this report. The District accounts for assets held as an agent for various student organizations in an agency fund.

C. Joint venture

The District is a component district in the Western Suffolk Board of Cooperative Educational Services ("BOCES"). A BOCES is a voluntary, cooperative association of school districts in a geographic area that shares planning, services and programs that provide educational and support activities. There is no authority or process by which a school district can terminate its status as a BOCES component.

BOCES are organized under §1950 of the New York State Education Law. A BOCES Board is considered a corporate body. Members of a BOCES Board are nominated and

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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elected by their component member boards in accordance with provisions of §1950 of the New York State Education Law. All BOCES property is held by the BOCES Board as a corporation (§1950(6)). In addition, BOCES Boards also are considered municipal corporations to permit them to contract with other municipalities on a cooperative basis under §119-n(a) of the New York State General Municipal Law.

A BOCES' budget is comprised of separate budgets for administrative, program and capital costs. Each component district's share of administrative and capital cost is determined by resident public school district enrollment, as defined in the New York State Education Law, §1950(4)(b)(7). In addition, component districts pay tuition or a service fee for programs in which its students participate.

During the year, the District was billed \$7,765,551 for BOCES administrative and program costs.

The District's share of BOCES aid amounted to \$1,904,720.

Financial statements for the BOCES are available from the BOCES administrative office.

D. Basis of presentation

1. District-wide financial statements

The Statement of Net Position and the Statement of Activities present financial information about the District's governmental activities. These financial statements include the financial activities of the overall government in its entirety, except those that are fiduciary.

Eliminations have been made to minimize the double counting of internal transactions. Governmental activities generally are financed through taxes, State aid (sources), intergovernmental revenues, and other exchange and nonexchange transactions. Operating grants include operating-specific and discretionary (either operating or capital) grants, while the capital grants column reflects capital-specific grants.

The Statement of Net Position presents the financial position of the District at fiscal year-end. The Statement of Activities presents a comparison between program expenses and revenues for each function of the District's governmental activities. Direct expenses are those that are specifically associated with and are clearly identifiable to a particular function. Indirect expenses, principally employee benefits, are allocated to functional areas in proportion to the payroll expended for those areas. Program revenues include charges paid by the recipients of goods or services offered by the programs, and grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

2. Fund financial statements

The fund financial statements provide information about the District's funds, including fiduciary funds. Separate financial statements for each fund category

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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(governmental and fiduciary) are presented. The emphasis of fund financial statements is on major governmental funds, each displayed in a separate column.

The District reports the following major governmental funds:

General Fund: This is the District's primary operating fund. It accounts for all financial transactions that are not required to be accounted for in another fund.

Special Revenue Funds: These funds account for the proceeds of specific revenue sources (other than major capital projects) that are legally restricted to expenditures for specified purposes. Special revenue funds include the following:

Special Aid Fund: Used to account for proceeds received from State and federal grants that are restricted for educational programs.

School Lunch Fund: Used to account for child nutrition activities whose funds are restricted as to use.

Capital Projects Funds: These funds are used to account for the financial resources used for acquisition, construction, or major repair of District facilities.

Debt Service Fund: This fund accounts for the accumulation of resources and the payment of principal and interest on long-term general obligation debt of governmental activities. When a capital asset is sold and all or a portion of the bonds used to finance the capital asset are outstanding, this fund must be used to account for the proceeds from the sale of capital assets up to the balance of related bonds outstanding.

The District reports the following fiduciary funds:

Fiduciary Funds: Fiduciary activities are those in which the District acts as trustee or agent for resources that belong to others. These activities are not included in the District-wide financial statements, because their resources do not belong to the District, and are not available to be used.

There are two classes of fiduciary funds:

Private purpose trust funds: These funds are used to account for trust arrangements in which principal and income benefit annual third-party awards and scholarships for students. Established criteria govern the use of the funds and members of the District or representatives of the donors may serve on committees to determine who benefits.

Agency funds: These funds are strictly custodial in nature and do not involve the measurement of results of operations. Assets are held by the District as agent for various student groups or Extraclassroom Activity Funds and for payroll or employee withholding.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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E. Measurement focus and basis of accounting

Accounting and financial reporting treatment is determined by the applicable measurement focus and basis of accounting. Measurement focus indicates the type of resources being measured such as current financial resources or economic resources. The basis of accounting indicates the timing of transactions or events for recognition in the financial statements.

The District-wide and fiduciary fund financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash transaction takes place. Nonexchange transactions, in which the District gives or receives value without directly receiving or giving equal value in exchange, include property taxes, State aid, grants and donations. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenue from grants and donations is recognized in the fiscal year in which all eligibility requirements have been satisfied.

The fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. The District considers all revenues reported in the governmental funds to be available if the revenues are collected within 90 days after the end of the fiscal year, except for real property taxes, which are considered to be available if they are collected within 60 days after the end of the fiscal year.

Expenditures are recorded when the related fund liability is incurred, except for principal and interest on general long-term debt, claims and judgments and compensated absences which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and acquisitions under capital leases are reported as other financing sources.

F. Property taxes

Real property taxes for the Towns of Smithtown and Huntington residents are levied annually by the Board of Education no later than October 15<sup>th</sup>, and become a lien on December 1<sup>st</sup>. Taxes are collected by the Towns of Smithtown and Huntington and remitted to the District from December to June.

Uncollected real property taxes are subsequently enforced by Suffolk County in June.

G. Restricted resources

When an expense is incurred for purposes for which both restricted and unrestricted net position are available, the District's policy concerning which to apply first varies with the intended use, and with associated legal requirements, many of which are described elsewhere in these Notes.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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H. Interfund transactions

The operations of the District include transactions between funds. These transactions may be temporary in nature, such as with interfund borrowings. The District typically loans resources between funds for the purpose of providing cash flow. These interfund receivables and payables are expected to be repaid within one year. Permanent transfers of funds include the transfer of expenditures and revenues to provide financing or other services.

Advances to/from other funds represent loans to other funds which are not expected to be repaid within the subsequent year. The advances are offset by nonspendable fund balance in the fund financial statements, which indicates that the funds are not "available" for appropriation and are not expendable available financial resources.

In the District-wide financial statements, the amounts reported on the Statement of Net Position for interfund receivables and payables represent amounts due between different fund types (governmental activities and fiduciary funds). Eliminations have been made for all interfund receivables and payables between the funds, with the exception of those due from or to the fiduciary funds.

The governmental funds report all interfund transactions as originally recorded. Interfund receivables and payables may be netted on the accompanying governmental funds Balance Sheet when it is the District's practice to settle these amounts at a net balance based upon the right of legal offset.

Refer to Note 11 for a detailed disclosure by individual fund for interfund receivables, payables, expenditures and revenues activity.

I. Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amount of assets, deferred outflows of resources, liabilities, and deferred inflows of resources, and disclosure of contingent assets and liabilities at the date of the financial statements and the reported revenues and expenses during the reporting period. Actual results could differ from those estimates. Estimates and assumptions are made in a variety of areas, including computation of encumbrances, compensated absences, potential contingent liabilities, useful lives of long-lived assets, the proportionate share of net pension assets and liabilities, and the total OPEB liability.

J. Cash and cash equivalents

The District's cash and cash equivalents consist of cash on hand, demand deposits, and short-term investments with original maturities of three months or less from date of acquisition.

New York State law governs the District's investment policies. Resources must be deposited in Federal Deposit Insurance Corporation ("FDIC") insured commercial banks or trust companies located within the State. Permissible investments include obligations of the United States Treasury, United States Agencies, repurchase agreements and obligations of New York State or its localities.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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Collateral is required for demand and time deposits and certificates of deposit not covered by FDIC insurance. Obligations that may be pledged as collateral are obligations of the United States and its agencies; obligations of the State and its municipalities and school districts and obligations issued by other than New York State rated in one of the three highest rating categories by at least one nationally recognized statistical rating organizations (if permitted by the District's policy).

K. Accounts receivable

Accounts receivable are shown gross, with uncollectible amounts recognized under the direct write-off method. No allowance for uncollectible accounts has been provided since it is believed that such allowance would not be material.

L. Inventories and prepaid items

Inventories of food in the School Lunch Fund are recorded at cost on a first-in, first-out basis, or in the case of surplus food, at stated value which approximates market. Purchases of inventorable items in other funds are recorded as expenditures at the time of purchase, and are considered immaterial in amount.

Prepaid items represent payments made by the District for which benefits extend beyond year-end. These payments to vendors reflect costs applicable to future accounting periods and may be recorded as prepaid items in both the District-wide and fund financial statements. These items are reported as assets on the Statement of Net Position or Balance Sheet using the consumption method. A current asset for the prepaid amounts is recorded at the time of purchase and an expense/expenditure is reported in the year the goods or services are consumed.

A portion of the fund balance in the amount of these non-liquid assets (inventories and prepaid items) has been identified as not available for other subsequent expenditures.

M. Other assets/restricted assets

Certain proceeds from serial bonds and bond anticipation notes, as well as resources set aside for their repayment are classified as restricted assets in the District-wide financial statements as their use is limited by applicable bond covenants.

In the District-wide financial statements, bond discounts and premiums, and any prepaid bond issuance costs are deferred and amortized over the life of the debt issue. Bond issuance costs are recognized as an expense in the period incurred.

N. Capital assets

Capital assets are reported at actual cost for acquisitions subsequent to June 30, 1975. For assets acquired prior to June 30, 1975, estimated historical costs, based on appraisals conducted by independent third-party professionals were used. Donated assets are reported at estimated fair market value at the time received.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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Land and construction-in-progress are not depreciated. Capitalization thresholds (the dollar value above which asset acquisitions are added to the capital asset accounts), depreciation methods, and estimated useful lives of capital assets reported in the District-wide financial statements are as follows:

	<u>Capitalization Threshold</u>	<u>Depreciation Method</u>	<u>Estimated Useful Life</u>
Buildings and building improvements	\$ 5,000	Straight-line	20-40 years
Site improvements	\$ 5,000	Straight-line	5-30 years
Furniture and equipment	\$ 5,000	Straight-line	5-20 years

O. Deferred outflows of resources

In addition to assets, the Statement of Net Position or Balance Sheet will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period and so will not be recognized as an outflow of resources (expense/expenditure) until then. The government has four items that qualify for reporting in this category. First is the deferred charge on refunding reported in the Statement of Net Position. A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt. The second item is related to pensions reported in the Statement of Net Position. This represents the effect of the net change in the District's proportion of the collective net pension asset or liability and difference during the measurement period between the District's contributions and its proportion share of total contributions to the pension systems not included in pension expense. The third item is the District contributions to the pension systems (NYSTRS and NYSERS Systems) and OPEB subsequent to the measurement date. The fourth item relates to OPEB reporting in the Statement of Net Position. This represents the effect of the net change in the actual and expected experience.

P. Deferred inflows of resources

In addition to liabilities, the Statement of Net Position or Balance Sheet will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position or fund balance that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The District has two items that qualify for reporting in this category. The first item is related to pensions reported in the Statement of Net Position. This represents the effect of the net change in the District's proportion of the collective net pension asset or liability (NYSTRS and NYSERS System) and difference during the measurement periods between the District's contributions and its proportion share of total contributions to the pension systems not included in pension expense. The second item is related to OPEB reported in the Statement of Net Position. This represents the effect of the net changes of assumptions or other inputs.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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Q. Unearned revenue

The District reports unearned revenues on its Statement of Net Position and its Balance Sheet. On the Statement of Net Position, unearned revenue arises when resources are received by the District before it has legal claim to them, as when grant monies are received prior to incurrence of qualifying expenditures. In subsequent periods, when the District has legal claim to resources, the liability for unearned revenue is removed and revenue is recognized.

R. Vested employee benefits - compensated absences

Compensated absences consist of unpaid accumulated annual sick leave, vacation and sabbatical time.

Sick leave eligibility and accumulation is specified in negotiated labor contracts, and in individual employment contracts. Upon retirement, resignation or death, employees may contractually receive a payment based on unused accumulated sick leave.

District employees are granted vacation in varying amounts, based primarily on length of service and service position. Some earned benefits may be forfeited if not taken within varying time periods.

Consistent with GASB Pronouncements, the liability has been calculated using the vesting/termination method and an accrual for that liability is included in the financial statements. The compensated absences liability is calculated based on the pay rates in effect at year-end.

In the fund financial statements only, the amount of matured liabilities is accrued within the General Fund based upon expendable and available financial resources. These amounts are expensed on a pay-as-you go basis.

S. Other benefits

Eligible District employees participate in the New York State and Local Employees' Retirement System and the New York State Teachers' Retirement System.

In addition to providing pension benefits, the District provides post-employment health insurance coverage and survivor benefits to retired employees and their survivors in accordance with the provisions of various employment contracts in effect at the time of retirement. Substantially all of the District's employees may become eligible for these benefits if they reach normal retirement age while working for the District. Health care benefits are provided through plans whose premiums are based on the benefits paid during the year. The cost of providing post-retirement benefits is shared between the District and the retired employee. The District recognizes the cost of providing health insurance by recording its share of insurance premiums as an expenditure (see Note 12 for more information).

T. Short-term debt

The District may issue Revenue Anticipation Notes ("RAN") and Tax Anticipation Notes ("TAN"), in anticipation of the receipt of revenues. These notes are recorded as a liability of the fund that will actually receive the proceeds from the issuance of the notes. The RAN's and TAN's represent a liability that will be extinguished by the use of expendable, available resources of the fund.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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The District may issue budget notes up to an amount not to exceed 5% of the amount of the annual budget during any fiscal year for expenditures for which there is an insufficient or no provision made in the annual budget. The budget note must be repaid no later than the close of the second fiscal year succeeding the year in which the note was issued.

The District may issue Bond Anticipation Notes ("BAN"), in anticipation of proceeds from the subsequent sale of bonds. These notes are recorded as current liabilities of the funds that will actually receive the proceeds from the issuance of bonds. State law requires that BAN's issued for capital purposes to be converted to long-term financing within seven years after the original issue date.

The District may issue deficiency notes up to an amount not to exceed 5% of the amount of that same year's annual budget in any fund or funds arising from revenues being less than the amount estimated in the budget for that fiscal year. The deficiency notes may mature no later than the close of the fiscal year following the fiscal year in which they were issued. However, they may mature no later than the close of the second fiscal year after the fiscal year in which they were issued, if the notes were authorized and issued after the adoption of the budget for the fiscal year following the year in which they were issued.

As of June 30, 2020, the District does not have any outstanding RAN's, TAN's, BAN's or deficiency notes.

U. Accrued liabilities and long-term obligations

Payables, accrued liabilities and long-term obligations are reported in the District-wide financial statements. In the governmental funds, payables and accrued liabilities are paid in a timely manner and in full from current financial resources. Claims and judgments, other postemployment benefits payable and compensated absences that will be paid from governmental funds, are reported as a liability in the fund financial statements only to the extent they are due for payment in the current year. Bonds and other long-term obligations that will be paid from governmental funds are recognized as a liability in the fund financial statements when due.

Long-term obligations represent the District's future obligations or future economic outflows. The liabilities are reported as due in one year or due within more than one year in the Statement of Net Position.

V. Equity classifications

District-wide financial statements

In the District-wide financial statements there are three classes of net position:

1. Net investment in capital assets: Consists of capital assets (cost less accumulated depreciation) reduced by outstanding balances of related debt obligations from the acquisition, constructions or improvements of those assets.
2. Restricted net position: Reports net position when constraints placed on the assets or deferred outflows of resources are either externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments; or imposed by law through constitutional provisions or enabling legislation.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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3. Unrestricted net position: Reports the balance of net position that does not meet the definition of the above two classifications and is deemed to be available for general use by the District.

Fund financial statements

In the fund financial statements there are five classifications of fund balance:

1. Nonspendable - Includes amounts that cannot be spent because they are either not in spendable form or legally or contractually required to be maintained intact. Nonspendable fund balance includes the inventory recorded in the School Lunch Fund of \$3,395.
2. Restricted - Includes amounts with constraints placed on the use of resources either externally imposed by creditors, grantors, contributors, or laws or regulations of other governments; or imposed by law through constitutional provisions or enabling legislation. The District has established the following restricted fund balances:

Workers' Compensation

According to General Municipal Law §6-j, must be used to pay for compensation benefits and other expenses authorized by Article 2 of the Workers' Compensation Law, and for payment of expenses of administering this self-insurance program. The reserve may be established by Board action, and is funded by budgetary appropriations and such other funds as may be legally appropriated. Within sixty days after the end of any fiscal year, excess amounts may either be transferred to another reserve or the excess applied to the appropriations of the next succeeding fiscal year's budget.

Unemployment Insurance

According to General Municipal Law §6-m, must be used to pay the cost of reimbursement to the State Unemployment Insurance Fund for payments made to claimants where the employer has elected to use the benefit reimbursement method. The reserve may be established by Board action and is funded by budgetary appropriations and such other funds as may be legally appropriated. Within sixty days after the end of any fiscal year, excess amounts may either be transferred to another reserve or the excess applied to the appropriations of the next succeeding fiscal year's budget. If the District elects to convert to the tax (contribution) basis, excess resources in the fund over the sum sufficient to pay pending claims may be transferred to any other reserve fund.

Retirement Contributions

According to General Municipal Law §6-r, must be used for financing retirement contributions. The reserve must be accounted for separate and apart from all other funds and a detailed report of the operation and condition of the fund must be provided to the Board.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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Insurance

According to General Municipal Law §6-n, must be used to pay liability, casualty and other types of losses, except losses incurred for which the following types of insurance may be purchased: life, accident, health, annuities, fidelity and surety, credit, title residual value and mortgage guarantee. In addition, this reserve may not be used for any purpose for which a special reserve may be established pursuant to law (for example, for unemployment compensation insurance). The reserve may be established by Board action, and funded by budgetary appropriations, or such other funds as may be legally appropriated. There is no limit on the amount that may be accumulated in the Insurance Reserve; however, the annual contribution to this reserve may not exceed the greater of \$33,000 or 5% of the budget. Settled or compromised claims up to \$25,000 may be paid from the reserve without judicial approval.

Employee Benefit Accrued Liability

According to General Municipal Law §6-p, must be used for the payment of accrued employee benefit due an employee upon termination of the employee's service. This reserve may be established by a majority vote of the Board, and is funded by budgetary appropriations and such other reserves and funds that may be legally appropriated.

Repairs

According to General Municipal Law 6-d, must be used to pay the cost of repairs to capital improvements or equipment, which repairs are of a type not recurring annually. The Board of Education without voter approval may establish a repair reserve fund by a majority vote of its members. Voter approval is required to fund this reserve (Opinion of the New York State Comptroller 81-401). Expenditures from this reserve may be made only after a public hearing has been held, except in emergency situations. If no hearing is held, the amount expended must be repaid to the reserve fund over the next two subsequent fiscal years.

Debt Service

According to General Municipal Law §6-l, the Mandatory Reserve for Debt Service must be established for the purpose of retiring the outstanding obligations upon the sale of District property or capital improvement that was financed by obligations that remain outstanding at the time of sale. The funding of the reserve is from the proceeds of the sale of school district property or capital improvement.

Unspent Bond Proceeds

Unspent long-term bond proceeds are recorded as restricted fund balance because they are subject to external constraints contained in the debt agreement. These restricted funds are accounted for in the capital projects fund.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

3. Committed - Includes amounts that can only be used for the specific purposes pursuant to constraints imposed by formal action of the District's highest level of decision making authority, i.e., the Board of Education. The District has no committed fund balances as of June 30, 2020.
  
4. Assigned - Includes amounts that are constrained by the District's intent to be used for specific purposes, but are neither restricted nor committed. The purpose of the constraint must be narrower than the purpose of the General Fund, and in funds other than the General Fund, assigned fund balance represents the residual amount of fund balance. Assigned fund balance also includes an amount appropriated to partially fund the subsequent year's budget, as well as encumbrances not classified as restricted at the end of the fiscal year.
  
5. Unassigned - Includes all other General Fund fund balance that does not meet the definition of the above four classifications and is deemed to be available for general use by the District and could report a surplus or deficit. In funds other than the General Fund, the unassigned classification is used to report a deficit fund balance resulting from overspending for specific purposes for which amounts have been restricted or assigned.

Fund balances for all governmental funds as of June 30, 2020 were distributed as follows:

	General	School Lunch	Debt Service	Capital Projects	Total Governmental Funds
<b>Nonspendable:</b>					
Inventory	\$ -	\$ 3,395	\$ -	\$ -	\$ 3,395
Total nonspendable	-	3,395	-	-	3,395
<b>Restricted:</b>					
Retirement contributions	633,533	-	-	-	633,533
Workers' Compensation	1,876,954	-	-	-	1,876,954
Unemployment insurance	334,218	-	-	-	334,218
Employee Benefit Accrued Liability	4,513,577	-	-	-	4,513,577
Insurance	197,339	-	-	-	197,339
Repairs	18,006	-	-	-	18,006
Debt service	-	-	1,018,375	-	1,018,375
District improvements	-	-	-	8,270,971	8,270,971
Total restricted	7,573,627	-	1,018,375	8,270,971	16,862,973
<b>Assigned:</b>					
Appropriated for subsequent year's expenditures	7,505,805	-	-	-	7,505,805
Encumbrances	446,128	-	-	-	446,128
Food service program	-	560,462	-	-	560,462
Total assigned	7,951,933	560,462	-	-	8,512,395
Unassigned	13,154,556	-	-	-	13,154,556
Total	<u>\$ 28,680,116</u>	<u>\$ 563,857</u>	<u>\$ 1,018,375</u>	<u>\$ 8,270,971</u>	<u>\$ 38,533,319</u>

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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NYS Real Property Tax Law §1318 limits the amount of unexpended surplus funds a school district can retain to no more than 4% of the school district's budget for the General Fund for the ensuing fiscal year. Nonspendable and restricted fund balance of the General Fund are excluded from the 4% limitation. Amounts appropriated for the subsequent year, encumbrances and amounts reserved for insurance recoveries are also excluded from the 4% limitation.

Order of use of fund balance

The District's policy is to apply expenditures against nonspendable fund balance, restricted fund balance, committed fund balance, assigned fund balance and unassigned fund balance at the end of the fiscal year. For all funds, nonspendable fund balances are determined first and then restricted fund balances for specific purposes are determined. Any remaining fund balance amounts for funds other than the General Fund are classified as assigned fund balance. In the General Fund, committed fund balance is determined next and then assigned. The remaining amounts are reported as unassigned. Assignments of fund balance cannot cause a negative unassigned fund balance.

**2. EXPLANATION OF CERTAIN DIFFERENCES BETWEEN FUND FINANCIAL STATEMENTS AND DISTRICT-WIDE FINANCIAL STATEMENTS**

Due to the differences in the measurement focus and basis of accounting used in the fund financial statements and the District-wide financial statements, certain financial transactions are treated differently. The basic financial statements contain a full reconciliation of these items. The differences result primarily from the economic focus of the District-wide financial statements, compared with the current financial resources focus of the governmental funds.

A. Total fund balances of governmental funds vs. net position of governmental activities

Total fund balances of the District's governmental funds differ from "net position" of governmental activities reported in the Statement of Net Position. This difference primarily results from the long-term economic focus of the Statement of Net Position versus the solely current financial resources focus of the governmental funds Balance Sheet, as applied to the reporting of capital assets and long-term liabilities, including pensions.

B. Statement of Revenues, Expenditures and Changes in Fund Balance vs. Statement of Activities

Differences between the funds Statement of Revenues, Expenditures and Changes in Fund Balance and the Statement of Activities fall into one of five broad categories. The categories are shown below:

1. Long-term revenue/expense differences

Long-term revenue differences arise because governmental funds report revenues only when they are considered "available", whereas the Statement of Activities reports revenues when earned. Differences in long-term expenses arise because governmental funds report on a modified accrual basis, whereas the accrual basis of accounting is used on the Statement of Activities.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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2. Capital related differences

Capital related differences include the difference between proceeds from the sale of capital assets reported on fund financial statements and the gain or loss on the sale of assets as reported on the Statement of Activities, and the difference between recording an expenditure for the purchase of capital items in the fund financial statements and depreciation expense on those items as recorded in the Statement of Activities.

3. Long-term debt transaction differences

Long-term debt transaction differences occur because both interest and principal payments are recorded as expenditures in the fund financial statements, whereas interest payments are recorded in the Statement of Activities as incurred, and principal payments are recorded as a reduction of liabilities in the Statement of Net Position.

4. Pension differences

Pension differences occur as a result of changes in the District's proportion of the collective net pension asset/liability and differences between the District's contributions and its proportionate share of the total contributions to the pension systems.

5. OPEB differences

OPEB differences occur as a result of changes in the District's total OPEB liability and differences between the District's contributions and OPEB expense.

**3. STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY**

Budgets

The District administration prepares a proposed budget for approval by the Board of Education for the following governmental funds for which legal (appropriated) budgets are adopted:

The voters of the District approved the proposed appropriation budget for the General Fund.

Appropriations are adopted at the program line item level. Appropriations established by the adoption of the budget constitute a limitation on expenditures (and encumbrances) that may be incurred. Appropriations lapse at the end of the fiscal year unless expended or encumbered. Encumbrances will lapse if not expended in the subsequent year. Appropriations authorized for the current year are increased by the planned use of specific reserves, and budget amendments are approved by the Board of Education as a result of selected new revenue sources not included in the original budget (when permitted by law). These supplemental appropriations may occur subject to legal restrictions, if the Board approves them because of a need that exists which was not determined at the time the budget was adopted.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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The following supplemental appropriations occurred during the year:

Gifts and donations	\$	16,032
Insurance recoveries		13,187
		\$ 29,219

Budgets are adopted annually on a basis consistent with GAAP. Appropriations authorized for the year are increased by the amount of encumbrances carried forward from the prior year. The General Fund is the only fund with a legally approved budget for the year ended June 30, 2020.

Budgets are established and used for the individual Capital Projects Fund expenditures as approved by a special referendum of the District's voters. The maximum project amount authorized is based primarily upon the cost of the project, plus any requirements for external borrowings, not annual appropriations. These budgets do not lapse and are carried over to subsequent fiscal years until the completion of the projects.

Encumbrances

Encumbrance accounting is used for budget control and monitoring purposes and is reported as a part of the governmental funds. Under this method, purchase orders, contracts and other commitments for the expenditure of monies are recorded to reserve applicable appropriations. Outstanding encumbrances as of year-end are presented as restrictions or assignments of fund balance and do not represent expenditures or liabilities. These commitments will be honored in the subsequent period. Related expenditures are recognized at that time, as the liability is incurred or the commitment is paid.

**4. CASH AND CASH EQUIVALENTS - CUSTODIAL CREDIT, CONCENTRATION OF CREDIT, AND INTEREST RATE RISKS**

The District's aggregate bank balances, including balances not covered by depository insurance at year-end, are collateralized as follows:

Collateralized with securities held by the pledging financial institution, or its trust department or agent, but not in the District's name	\$ 44,565,116
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Restricted cash represents cash and cash equivalents where use is limited by legal requirements. These assets represent amounts required by statute to be reserved for various purposes. Restricted cash as of year-end includes \$13,795,633 within the governmental funds and \$363,358 in the fiduciary funds.

Investment and deposit policy

The District follows an investment and deposit policy, the overall objective of which is to adequately safeguard the principal amount of funds invested or deposited; conformance with federal, State and other legal requirements; and provide sufficient liquidity of invested funds in order to meet obligations as they become due. Oversight of investment activity is the responsibility of the Business Official of the District.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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Interest rate risk

Interest rate risk is the risk that the fair value of investments will be affected by changing interest rates. The District's investment policy does not limit investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates.

Credit risk

The District's policy is to minimize the risk of loss due to failure of an issuer or other counterparty to an investment to fulfill its obligations. The District's investment and deposit policy authorizes the reporting entity to purchase the following types of investments:

- Interest bearing demand accounts
- Certificates of deposit
- Obligations of the United States Treasury and United States agencies
- Obligations of New York State and its localities

Custodial credit risk

Custodial credit risk is the risk that in the event of a failure of a depository financial institution, the reporting entity may not recover its deposits. In accordance with the District's investment and deposit policy, all deposits of the District including interest bearing demand accounts and certificates of deposit, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act (FDIC) shall be secured by a pledge of securities with an aggregate value equal to 100% of the aggregate amount of deposits. The District restricts the securities to the following eligible items:

- Obligations issued, fully insured or guaranteed as to the payment of principal and interest, by the United States Treasury and United States agencies
- Obligations issued or fully insured or guaranteed by New York State and its localities
- Obligations issued by other than New York State in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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**5. RECEIVABLES**

A. State and federal aid

State and federal aid receivables at June 30, 2020 consisted of the following:

General Fund:

General aid	\$ 1,088,057
BOCES aid	1,915,355

Special Aid Fund:

State and federal grants	2,072,331
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School Lunch Fund:

School lunch reimbursement	378,000
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Capital Projects Fund:

State and federal grants	869,538
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\$ 6,323,281

B. Due from other governments

Due from other governments at June 30, 2020 consisted of the following:

General Fund:

Other school districts and towns	\$ 1,375,495
Foster tuition	188,563
Department of Labor	131

Special Aid Fund:

Other school districts	13,884
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\$ 1,578,073

C. Other receivables

Other receivables at June 30, 2020 consisted of the following:

General Fund:

Various	\$ 1,265,205
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School Lunch Fund:

Various	5,021
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\$ 1,270,226

District management has deemed the amounts to be fully collectible.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

**6. CAPITAL ASSETS**

Capital asset balances and activity for the year ended June 30, 2020 were as follows:

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Reductions/ Reclassifications</u>	<u>Ending Balance</u>
Governmental activities:				
Capital assets not depreciated:				
Land	\$ 3,260,677	\$ -	\$ -	\$ 3,260,677
Construction-in-progress	2,796,851	13,547,422	(1,138,729)	15,205,544
Total nondepreciable assets	<u>6,057,528</u>	<u>13,547,422</u>	<u>(1,138,729)</u>	<u>18,466,221</u>
Capital assets that are depreciated:				
Buildings and building improvements	165,063,172	3,040,482	-	168,103,654
Furniture and equipment	3,867,827	318,786	(31,485)	4,155,128
Vehicles	996,107	128,589	-	1,124,696
Site improvements	6,461,925	208,739	-	6,670,664
Total depreciable assets	<u>176,389,031</u>	<u>3,696,596</u>	<u>(31,485)</u>	<u>180,054,142</u>
Less accumulated depreciation:				
Buildings and building improvements	82,739,201	3,403,135	-	86,142,336
Furniture and equipment	2,806,877	126,667	(31,486)	2,902,058
Vehicles	710,048	91,317	-	801,365
Site improvements	4,472,419	175,862	-	4,648,281
Total accumulated depreciation	<u>90,728,545</u>	<u>3,796,981</u>	<u>(31,486)</u>	<u>94,494,040</u>
Total capital assets, net	<u>\$ 91,718,014</u>	<u>\$ 13,447,037</u>	<u>\$ (1,138,728)</u>	<u>\$ 104,026,323</u>

Depreciation expense was charged to governmental functions as follows:

General support	\$ 441,943
Instruction	3,349,744
Pupil transportation	<u>5,294</u>
	<u>\$ 3,796,981</u>

**7. SHORT-TERM DEBT**

Transactions in short-term debt for the year are summarized below:

	<u>Beginning Balance</u>	<u>Issued</u>	<u>Redeemed</u>	<u>Ending Balance</u>
TAN matured on 6/26/19 at 3.00%	\$ -	\$ 36,000,000	\$ 36,000,000	\$ -

Interest on short-term debt for the year was \$377,100.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

**8. LONG-TERM LIABILITIES**

Long-term liability balances and activity for the year are summarized below:

	Beginning Balance	Additions	Reductions	Ending Balance	Amounts Due Within One Year
Governmental activities:					
Bonds payable	\$ 37,430,000	\$ -	\$ 5,865,000	\$ 31,565,000	\$ 6,105,000
Bond premium	1,657,668	-	534,475	1,123,193	432,698
Bonds payable, net	39,087,668	-	6,399,475	32,688,193	6,537,698
Energy performance contract debt payable	13,142,133	14,540,545	1,329,218	26,353,460	2,065,601
Workers' Compensation claims payable	999,317	310,815	559,738	750,394	550,000
Compensated absences	11,418,433	4,656,711	1,587,173	14,487,971	1,000,000
Total long-term liabilities	<u>\$ 64,647,551</u>	<u>\$ 19,508,071</u>	<u>\$ 9,875,604</u>	<u>\$ 74,280,018</u>	<u>\$ 10,153,299</u>

Additions and deletions to compensated absences are shown net since it is impracticable to determine these amounts separately. The General Fund is typically used to liquidate the liabilities above.

The following is a summary of the maturity of long-term indebtedness:

Description of Issue	Issue Date	Final Maturity	Interest Rate	Outstanding at 6/30/2020
Serial bonds - advanced refunding	2013	2025	2.00 - 4.00%	\$ 25,290,000
Serial bonds	2013	2029	1.00 - 4.00%	6,275,000
				<u>\$ 31,565,000</u>
Energy performance contract	8/15/2012	2/15/2028	2.14%	\$ 10,335,870
Energy performance contract	1/21/2015	2/21/2028	3.63%	1,477,045
Energy performance contract	8/26/2019	8/15/2034	2.90%	1,000,000
Energy performance contract	8/26/2019	8/15/2034	2.29%	13,540,545
				<u>\$ 26,353,460</u>

During fiscal year end 2020, the District entered into contractual agreements of \$14,540,545 to install energy saving equipment and/or to upgrade existing facilities to enhance performance. The terms of the contract provide for repayment over fifteen years, with semi-annual installments aggregating \$1,200,553 per annum. Payments include interest at 2.29% to 2.90%. The contract further provides that the savings in energy costs resulting from this modernization will equal or exceed the lease payment terms. The balance due at June 30, 2020 was \$14,540,545.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

The following is a summary of the maturing debt service requirements:

	Serial Bonds		Energy Performance Contracts		Total
	Principal	Interest	Principal	Interest	
<u>June 30,</u>					
2021	\$ 6,105,000	\$ 1,109,625	\$ 2,065,601	\$ 761,808	\$ 10,042,034
2022	6,350,000	867,275	2,274,844	552,565	10,044,684
2023	6,590,000	615,225	2,327,998	499,410	10,032,633
2024	5,330,000	383,263	2,382,430	444,978	8,540,671
2025	4,340,000	195,113	2,438,172	389,237	7,362,522
2026-2030	2,850,000	228,250	9,764,047	1,119,286	13,961,583
2031-2035	-	-	5,100,368	302,119	5,402,487
	<u>\$ 31,565,000</u>	<u>\$ 3,398,751</u>	<u>\$ 26,353,460</u>	<u>\$ 4,069,403</u>	<u>\$ 65,386,614</u>

Interest on long-term debt for the year was comprised of:

Interest paid	\$ 1,639,913
Less interest accrued in the prior year	(354,552)
Plus amortization of deferred charges	376,745
Less amortization of bond premium	(534,475)
Plus interest accrued in the current year	<u>591,054</u>
Total interest expense	<u>\$ 1,718,685</u>

In the District-wide financial statements, the District is amortizing deferred charges on the advance refunding and a refunding bond premium relating to bond issuance as a component of interest expense on a weighted average basis as follows:

Fiscal Year Ending June 30,	Deferred Premium	Deferred Charge	Net Decrease in Interest Expense
2021	\$ 432,698	\$ (305,003)	\$ 127,695
2022	326,272	(229,985)	96,287
2023	215,199	(151,691)	63,508
2024	114,140	(80,457)	33,683
2025	<u>34,884</u>	<u>(24,589)</u>	<u>10,295</u>
Total	<u>\$ 1,123,193</u>	<u>\$ (791,725)</u>	<u>\$ 331,468</u>

**9. PENSION PLANS**

General information

The District participates in the New York State Teachers' Retirement System ("NYSTRS") and the New York State and Local Employees' Retirement System ("NYSERS"). These are cost-sharing, multiple employer public employee retirement systems. The Systems offer 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.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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Provisions and administration

A 10-member Board of Trustees of the New York State Teachers' Retirement Board administers NYSTRS. NYSTRS provides benefits to plan members and beneficiaries as authorized by the Education Law and the New York State Retirement and Social Security Law ("NYSRSSL"). Membership is mandatory and automatic for all full-time teachers, teaching assistants, guidance counselors and administrators employed in New York Public Schools and BOCES who elected to participate in NYSTRS. Once a public employer elects to participate in the System, the election is irrevocable. The New York State Constitution provides that pension membership is a contractual relationship and plan benefits cannot be diminished or impaired. Benefits can be changed for future members only by enactment of a State statute. NYSTRS issues a publicly available financial report that contains financial statements and required supplementary information. The report may be obtained by writing to NYSTRS, 10 Corporate Woods Drive, Albany, New York 12211-2395 or by referring to the NYSTRS Comprehensive Annual Financial report, which can be found on the System's website at [www.nystrs.org](http://www.nystrs.org).

NYSERS provides retirement benefits as well as death and disability benefits. The net position of the System is held in the New York State Common Retirement Fund (the "Fund"), which was established to hold all net assets and record changes in plan net position allocated to the System. The Comptroller of the State of New York serves as the trustee of the Fund and is the administrative head of the System. NYSRSSL governs obligations of employers and employees to contribute, and benefits to employees. Once a public employer elects to participate in the System, the election is irrevocable. The New York State Constitution provides that pension membership is a contractual relationship and plan benefits cannot be diminished or impaired. Benefits can be changed for future members only by enactment of a State statute. The District also participates in the Public Employees' Group Life Insurance Plan ("GLIP"), which provides death benefits in the form of life insurance. The System is included in the State's financial report as a pension trust fund. NYSERS issues a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained by writing to NYSERS, Office of the State Comptroller, 110 State Street, Albany, New York 12244 or by referring to the ERS Comprehensive Annual Report, which can be found at [www.osc.state.ny.us/retire/publications/index.php](http://www.osc.state.ny.us/retire/publications/index.php).

Funding policies

The Systems are noncontributory except for employees who joined after July 27, 1976, who contribute 3 percent of their salary for the first ten years of membership, and employees who joined on or after January 1, 2010 who generally contribute 3.0% to 3.5% of their salary for their entire length of service. In addition, employee contribution rates under NYSERS tier VI vary based on a sliding salary scale. For NYSTRS, contribution rates are established annually by the New York State Teachers' Retirement Board pursuant to Article 11 of the Education Law. For NYSERS, the Comptroller annually certifies the actuarially determined rates expressly used in computing the employers' contributions for the NYSERS' fiscal year ended March 31.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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The District share of the required contributions, based on covered payroll for the current year and two preceding years were equal to 100% of the contributions required, and were as follows:

<u>Year</u>	<u>NYSERS</u>	<u>NYSTRS</u>
2020	\$ 2,251,189	\$ 8,815,507
2019	2,277,195	8,033,921
2018	2,270,955	8,028,531

Pension assets, liabilities, pension expense, deferred outflows of resources and deferred inflows of resources related to pensions

At June 30, 2020, the District reported the following asset/(liability) for its proportionate share of the net pension asset /(liability) for each of the Systems. The net pension asset/(liability) was measured as of June 30, 2019 for NYSTRS and March 31, 2020 for NYSERS. The total pension asset/(liability) used to calculate the net pension asset/(liability) was determined by an actuarial valuation. The District's proportion of the net pension asset/(liability) was based on a projection of the District's long-term share of contributions to the Systems relative to the projected contributions of all participating members, actuarially determined. This information was provided by the NYSTRS and NYSERS Systems in reports provided to the District:

	<u>NYSERS</u>	<u>NYSTRS</u>
Measurement date	March 31, 2020	June 30, 2019
Net pension asset/(liability)	\$ (12,212,378)	\$ 12,920,056
District's portion of the Plan's total net pension asset/(liability)	0.04612%	0.49731%

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

For the year ended June 30, 2020, the District recognized pension expense of \$4,464,152 for NYSERS and \$16,150,321 for NYSTRS. At June 30, 2020, the District reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources - NYSERS	Deferred Outflows of Resources - NYSTRS	Deferred Inflows of Resources - NYSERS	Deferred Inflows of Resources - NYSTRS
Difference between expected experience and actual experience	\$ 718,748	\$ 8,755,592	\$ -	\$ 960,761
Changes of assumptions	245,899	24,407,713	212,330	5,951,291
Net difference between projected and actual earnings on pension plan investments	6,260,658	-	-	10,361,218
Changes in proportion and differences between the District's contributions and proportionate share of contributions	781,247	1,379,379	174,474	345,065
Employer contributions subsequent to the measurement date	600,952	7,467,065	-	-
Total	<u>\$ 8,607,504</u>	<u>\$ 42,009,749</u>	<u>\$ 386,804</u>	<u>\$ 17,618,335</u>

District contributions subsequent to the measurement date will be recognized as a reduction of the net pension asset/(liability) in the year ended June 30, 2020. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

	NYSERS	NYSTRS
<u>For the year ended:</u>		
2021	\$ 1,399,022	\$ 6,017,664
2022	1,935,500	543,342
2023	2,391,130	5,996,478
2024	1,894,096	4,096,264
2025	-	618,622
Thereafter	-	(348,021)

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

Actuarial assumptions

The total pension asset/(liability) as of the measurement date was determined by using an actuarial valuation as noted in the table below, with update procedures used to roll forward the total pension asset/(liability) to the measurement date. The actuarial valuations used the following actuarial assumptions:

	<u>NYSERS</u>	<u>NYSTRS</u>
Measurement date	March 31, 2020	June 30, 2019
Actuarial valuation date	April 1, 2019	June 30, 2018
Interest rate	6.80%	7.10%
Salary scale	4.20%	*Rates of increase differ based on service
Decrement tables	April 1, 2010 to March 31, 2015 System's Experience	July 1, 2009 to June 30, 2014 System's Experience
Inflation rate	2.50%	2.20%

\*The salary scale used for NYSTRS changes based upon levels of service as defined below:

<u>Service</u>	<u>Rate</u>
5	4.72%
15	3.46%
25	2.37%
35	1.90%

For NYSTRS, annuitant mortality rates are based on July 1, 2009 - June 30, 2014 System's experience with adjustments for mortality improvements based on the Society of Actuaries' Scale MP-2018. For NYSERS, annuitant mortality rates are based on April 1, 2010 - March 31, 2015 System's experience with adjustments for mortality improvements based on the Society of Actuaries' Scale MP-2018.

For NYSTRS, the actuarial assumptions used in the June 30, 2018 valuation are based on the results of an actuarial experience study for the period July 1, 2009 - June 30, 2014. For NYSERS, the actuarial assumptions used in the April 1, 2019 valuation are based on the results of an actuarial experience study for the period April 1, 2010 - March 31, 2015.

The long-term rate of return on pension plan investments was determined using a building block method in which best estimate ranges of expected future real rates of return (expected returns net of investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long term expected rate of return by weighting the expected future real rates of return by each the target asset allocation percentage and by adding expected inflation. Best estimates of the arithmetic real rates of return for each major asset class included in the target asset allocation are summarized below:

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

	NYSERS		NYSTRS	
	Target allocation	Long-term rate	Target allocation	Long-term rate
Measurement date	March 31, 2020	March 31, 2020	June 30, 2019	June 30, 2019
Asset type				
Absolute return strategies	2.00%	3.25%	-	-
Bonds and mortgages	17.00%	0.75%	-	-
Cash	1.00%	0.00%	-	-
Domestic equity	36.00%	4.05%	33.00%	6.30%
Domestic fixed income	-	-	16.00%	1.30%
Global equities	-	-	4.00%	7.20%
Global fixed income	-	-	2.00%	0.90%
High-yield fixed income	-	-	1.00%	3.60%
Inflation-indexed bonds	4.00%	0.50%	-	-
International equity	14.00%	6.15%	16.00%	7.80%
Opportunistic portfolio	3.00%	4.65%	-	-
Private debt	-	-	1.00%	6.50%
Private equity	10.00%	6.75%	8.00%	9.90%
Real assets	3.00%	5.95%	-	-
Real estate debt	-	-	7.00%	2.90%
Real estate equities	10.00%	4.95%	11.00%	4.60%
Short-term	-	-	1.00%	0.30%
	<u>100.00%</u>		<u>100.00%</u>	

Discount rate

The discount rate used to calculate the total pension asset/(liability) was 6.80% for NYSERS and 7.10% for NYSTRS. The projection of cash flows used to determine the discount rate assumes that contributions from plan members will be made at the current contribution rates and that contributions from employers will be made at statutorily required rates, actuarially. Based upon the assumptions, the Systems' fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension asset/(liability).

Sensitivity of the proportionate share of the net pension asset (liability) to the discount rate assumption

The following presents the District's proportionate share of the net pension asset/(liability) calculated using the discount rate of 6.80% for NYSERS and 7.10% for NYSTRS, as well as what the District's proportionate share of the net pension asset/(liability) would be if it were calculated using a discount rate that is 1 percentage point lower (5.80% for NYSERS and 6.10% for NYSTRS) or 1 percentage point higher (7.80% for NYSERS and 8.10% for NYSTRS) than the current rate:

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

<u>NYSERS</u>	<u>1% Decrease (5.80%)</u>	<u>Current assumption (6.80%)</u>	<u>1% Increase (7.80%)</u>
Employer's proportionate share of the net pension asset/(liability)	\$ (22,413,161)	\$ (12,212,378)	\$ (2,817,413)
		<u>Current assumption (7.10%)</u>	<u>1% Increase (8.10%)</u>
<u>NYSTRS</u>	<u>1% Decrease (6.10%)</u>	<u>Current assumption (7.10%)</u>	<u>1% Increase (8.10%)</u>
Employer's proportionate share of the net pension asset/(liability)	\$ (58,319,782)	\$ 12,920,056	\$ 72,682,240

Pension plan fiduciary net position

The components of the current-year net pension asset/(liability) of the employers as of the respective valuation dates, were as follows:

	(Dollars in Thousands)		
	<u>NYSERS</u>	<u>NYSTRS</u>	<u>Total</u>
Measurement date	March 31, 2020	June 30, 2019	
Employers' total pension liability	\$ 194,596,261	\$ 119,879,474	\$ 314,475,735
Plan net position	<u>168,115,682</u>	<u>122,477,481</u>	<u>290,593,163</u>
Employers' net pension asset/(liability)	<u>\$ (26,480,579)</u>	<u>\$ 2,598,007</u>	<u>\$ (23,882,572)</u>
Ratio of plan net position to the employers' total pension asset/(liability)	86.39%	102.17%	92.41%

Payables to the pension plan

For NYSTRS, employer and employee contributions for the fiscal year ended June 30, 2020 are paid to the system in September, October and November 2020 through a State aid intercept. Accrued retirement contributions as of June 30, 2020 represent employee and employer contributions for the fiscal year ended June 30, 2020 based on paid NYSTRS wages multiplied by the employer's contribution rate, by tier and employee contributions for the fiscal year as reported to the NYSTRS System. Accrued employer retirement contributions as of June 30, 2020 amounted to \$7,467,065.

For NYSERS, employer contributions are paid annually based on the System's fiscal year which ends on March 31<sup>st</sup>. Accrued retirement contributions as of June 30, 2020 represent the projected employer contribution for the period of April 1, 2020 through June 30, 2020 based on paid NYSERS covered wages multiplied by the employer's contribution rate, by tier. Accrued employer retirement contributions as of June 30, 2020 amounted to \$600,952. Employee contributions are remitted monthly.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

**10. PENSION PLANS - OTHERS**

A. Tax Sheltered Annuities

The District has adopted a 403(b) plan covering all eligible employees. Employees may defer up to 100% of their compensation subject to Internal Revenue Code elective deferral limitations. The District may also make non-elective contributions of certain compensated absence payments based on collectively bargained agreements. Contributions made by the District and the employees for the year ended June 30, 2020 totaled \$573,178 and \$4,655,641, respectively.

B. Deferred Compensation Plan

The District has established a deferred compensation plan in accordance with Internal Revenue Code §457 for all employees. The District makes no contributions into this Plan. The amount deferred by eligible employees for the year ended June 30, 2020 totaled \$539,604.

**11. INTERFUND TRANSACTIONS - GOVERNMENTAL FUNDS**

	Interfund			
	<u>Receivable</u>	<u>Payable</u>	<u>Revenues</u>	<u>Expenditures</u>
General Fund	\$ 2,038,309	\$ 3,318,948	\$ -	\$ 9,945,032
Special Aid Fund	-	1,935,037	467,245	-
School Lunch Fund	18,948	11	20,512	-
Debt Service Fund	279,985	-	7,207,275	-
Capital Projects Fund	3,050,000	29,985	2,250,000	-
Fiduciary Funds	11	103,272	-	-
Totals	<u>\$ 5,387,253</u>	<u>\$ 5,387,253</u>	<u>\$ 9,945,032</u>	<u>\$ 9,945,032</u>

Interfund receivables and payables, other than between governmental activities and fiduciary funds, are eliminated on the Statement of Net Position.

The District typically loans resources between funds for the purpose of mitigating the effects of transient cash flow issues.

**12. OTHER POSTEMPLOYMENT BENEFITS (“OPEB”)**

A. General information about the OPEB plan

Plan description

The District’s defined benefit OPEB plan, provides OPEB for all permanent full-time employees of the District. The plan is a single employer defined benefit OPEB plan administered by the District. Article 11 of the State Compiled Statutes grants the authority to establish and amend the benefit terms and financing requirements to the District Board of Education. No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement 75.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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Benefits provided

The District provides healthcare and life insurance benefits for retirees and their dependents. The benefit terms are dependent on which contract each employee falls under. The specifics of each contract are on file at the District offices and are available upon request.

Employees covered by benefit terms

As of July 1, 2018, the date of the most recent actuarial valuation, the following employees were covered by the benefit terms:

Inactive plan members or beneficiaries currently receiving benefits	730
Active plan members	<u>886</u>
Total plan members	<u><u>1,616</u></u>

B. Total OPEB liability

The District's total OPEB liability of \$223,649,037 was measured as of June 30, 2020, and was determined by an actuarial valuation as of July 1, 2018.

Actuarial assumptions and other inputs

The total OPEB liability in the July 1, 2018 actuarial valuation was determined using the following actuarial assumptions and other inputs, with update procedures used to roll forward the total OPEB liability to the measurement date, applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.60%
Salary increases	2.60% average, including inflation
Discount rate	2.21%
Healthcare cost trend rates	6.1% scaling down to 4.1% over 57 years
Retirees' share of benefit-related costs	0% to 8% of projected health insurance premiums for retirees

The discount rate was based on the Bond Buyer General Obligation 20-Bond Municipal Index.

Mortality rates were based on the RP-2014 Adjusted to 2006 Total Dataset Mortality Table projected to the valuation date with Scale MP-2018.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

C. Changes in the total OPEB liability

Balance as of June 30, 2019	\$ 179,500,889
<u>Changes for the year -</u>	
Service cost	7,130,431
Interest	6,461,319
Differences between expected and actual experience	34,635,903
Benefit payments	<u>(4,079,505)</u>
Net changes	<u>44,148,148</u>
Balance as of June 30, 2020	<u>\$ 223,649,037</u>

Sensitivity of the total OPEB liability to changes in the discount rate

The following presents the total OPEB liability of the District, as well as what the District's total OPEB liability would be if it were calculated using a discount rate that is one percentage point lower (1.21%) or one percentage point higher (3.21%) than the current discount rate:

	<u>1% Decrease (1.21%)</u>	<u>Current assumption (2.21%)</u>	<u>1% Increase (3.21%)</u>
Total OPEB liability as of June 30, 2020	\$ 265,925,042	\$ 223,649,037	\$ 190,085,678

Sensitivity of the total OPEB liability to changes in healthcare cost trend rates

The following presents the total OPEB liability of the District, as well as what the District's total OPEB liability would be if it were calculated using healthcare cost trend rates that are one percentage point lower (5.10%) or one percentage point higher (7.10%) than the current discount rate:

	<u>1% Decrease (5.10% decreasing to 3.10%)</u>	<u>Current assumption (6.10% decreasing to 4.10%)</u>	<u>1% Increase (7.10% decreasing to 5.10%)</u>
Total OPEB liability as of June 30, 2020	\$ 189,505,475	\$ 223,649,037	\$ 269,049,903

D. OPEB expense, deferred outflows of resources and deferred inflows of resources related to OPEB

For the year ended June 30, 2020, the District recognized OPEB expense of \$14,199,778. At June 30, 2020, the District reported deferred outflows of resources related to OPEB differences between expected and actual experience of \$973,131 and deferred inflows of resources related to OPEB from differences between expected and actual experience of \$26,649. The District reported deferred outflows of resources related to OPEB from changes in assumptions of \$29,616,207 and deferred inflows of resources related to OPEB from changes in assumptions of \$25,211,131.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

Amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

<u>For the year ended:</u>	
2021	\$ 608,028
2022	608,028
2023	608,028
2024	608,028
2025	608,028
Thereafter	2,311,418

**13. RISK MANAGEMENT**

The District is exposed to various risks of loss related to torts, theft, damage, injuries, errors and omissions, natural disasters and other risks. These risks are covered by a combination of self-insurance reserves and commercial insurance purchased from independent third parties. Settled claims from these risks have not exceeded commercial insurance coverage for the past two years.

The District participates in New York Schools Insurance Reciprocal (“NYSIR”), a non-risk-retained public entity risk pool for its District property and liability insurance coverage. The pool is operated for the benefit of individual governmental units located within the pool’s geographic area, and is considered a self-sustaining risk pool that will provide coverage for its members. The pool obtains independent coverage for insured events in excess of certain defined limits, and the District has essentially transferred all related risk to the pool.

The District has established a self-insured plan for risks associated with Workers’ Compensation claims. Liabilities of the plan are reported when it is probable that a loss has occurred and the amount of the loss can be reasonably estimated. General Fund liabilities only include amounts for reported claims and do not include claims which were incurred on or before year end but not reported (“IBNR”).

Claims activity is summarized below:

	Beginning Balance	Current Year Claims and Changes in Estimates	Claim Payments	Balance at End of Year
Fiscal years ended June 30:				
2020	\$ 999,317	\$ 310,815	\$ 559,738	\$ 750,394
2019	1,015,147	680,057	695,887	999,317
2018	781,500	980,079	746,432	1,015,147

The District has not purchased any annuity contracts.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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**14. CONTINGENCIES AND COMMITMENTS**

Government grants

The District has received grants, which are subject to audit by agencies of the State and federal governments. Such audits may result in disallowances and a request for a return of funds. Based on prior years' experience, the District's administration believes disallowances, if any, would be immaterial.

Property tax cap

In June 2011, the New York State Legislature enacted Chapter 97, Laws of 2011 Real Property Tax Levy Cap and Mandate Relief Provisions. For fiscal years through at least June 15, 2020, growth in the property tax levy (the total amount to be raised through property taxes charged on a municipality's taxable assessed value of property) will be capped at 2 percent, plus the inflation factor (but not less than 0 percent), whichever is less, with some exceptions. The New York State Comptroller set the allowable levy growth factor for local governments for fiscal years beginning July 1, 2019 at 1.02% (before exemptions). School districts can exceed the tax levy limit by a 60% vote of the governing body, subject to voter approval.

Litigation

The District is involved in lawsuits arising from the normal conduct of business. Some of these lawsuits seek damages which may be in excess of the District's insurance coverage. However, it is not possible to determine the District's potential exposure, if any, at this time. It is the opinion of the District's attorneys that this will not exceed insurance coverage.

COVID-19

In March 2020, the World Health Organization declared the outbreak of a novel coronavirus ("COVID-19") as a pandemic. The extent of the impact of COVID-19 on the District's operational and financial performance, and cash flow needs will depend on certain developments, including the duration and spread of the outbreak, impact on funding sources, employees and vendors, all of which are uncertain and cannot be predicted as of the date of these financial statements.

**15. TAX ABATEMENTS**

The Suffolk County Industrial Development Agency enters into various property tax abatement programs for the purpose of economic development. The District's property tax revenue was reduced by approximately \$1,100,000. The District received payment in lieu of taxes (PILOT) payments totaling \$1,127,434.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

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**16. FUTURE CHANGES IN ACCOUNTING STANDARDS**

The District will evaluate the impact each of these upcoming pronouncements may have on its financial statements and will implement them as applicable and when material. The following is a list of GASB pronouncements issued but not yet effective:

<u>GASB Statement No.</u>	<u>GASB Accounting Standard</u>	<u>Effective Fiscal Year</u>
Statement No. 84	Fiduciary Activities	June 30, 2021
Statement No. 87	Leases	June 30, 2022
Statement No. 89	Accounting For Interest Cost Incurred Before The End Of A Construction Period	June 30, 2022
Statement No. 90	Majority Equity Interests - An Amendment of GASB Statements No. 14 and No. 61	June 30, 2022
Statement No. 91	Conduit Debt Obligations	June 30, 2023

**17. SUBSEQUENT EVENTS**

The District has evaluated subsequent events occurring after the Statement of Net Position through the date of September 24, 2020 which is the date the financial statements were available to be issued, noting the following matter requiring further consideration:

- Subsequent to the fiscal year end, the District entered into contractual agreement to refund a serial bond, which will alter the maturing debt service requirements for the District's bonds (page 42). The refunding will provide savings to the taxpayer and the District.
- Subsequent to the fiscal year end, the District entered into contractual agreement to refinance an energy performance contract, which will alter the maturing debt service requirements for the District's installment purchase debt (page 42). The refinancing will provide savings to the taxpayer and the District.

**COMMACK UNION FREE SCHOOL DISTRICT  
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
BUDGET AND ACTUAL - GENERAL FUND  
FOR THE YEAR ENDED JUNE 30, 2020**

	<u>Adopted Budget</u>	<u>Final Budget</u>	<u>Actual</u>	<u>Year-end Encumbrances</u>	<u>Variance</u>
<b>REVENUES</b>					
Local sources:					
Real property taxes	\$ 142,545,140	\$ 131,681,641	\$ 131,681,971		\$ 330
Other tax items	1,105,620	11,969,119	11,990,933		21,814
Charges for services	1,588,300	1,588,300	1,267,427		(320,873)
Use of money and property	1,990,687	1,990,687	2,194,565		203,878
Sale of property and compensation for loss	70,000	83,187	158,570		75,383
Miscellaneous	875,387	891,419	943,658		52,239
Total local sources	148,175,134	148,204,353	148,237,124		32,771
State sources	40,531,275	40,531,275	40,147,594		(383,681)
Federal sources	100,000	100,000	73,163		(26,837)
Total revenues	188,806,409	188,835,628	188,457,881		(377,747)
<b>OTHER FINANCING SOURCES</b>					
Interfund revenues	1,050,000	1,050,000	-		(1,050,000)
Total revenues and other financing sources	189,856,409	189,885,628	188,457,881		(1,427,747)
<b>EXPENDITURES</b>					
General support:					
Board of Education	199,209	207,054	147,989	\$ -	59,065
Central administration	491,134	499,954	482,418	-	17,536
Finance	2,113,377	2,126,408	1,916,164	46,250	163,994
Staff	728,488	740,279	730,359	-	9,920
Central services	15,988,370	15,987,603	14,064,145	187,811	1,735,647
Special items	1,993,441	1,993,439	1,873,931	-	119,508
Total general support	21,514,019	21,554,737	19,215,006	234,061	2,105,670
Instruction:					
Instruction, administration and improvement	8,509,993	8,509,993	7,980,202	4,418	525,373
Teaching - regular school	56,417,522	56,616,287	55,581,983	71,747	962,557
Programs for children with handicapping conditions	31,860,506	31,668,119	26,814,063	116,432	4,737,624
Occupational education	928,800	928,800	685,340	-	243,460
Teaching - special school	388,185	388,185	264,613	-	123,572
Instructional media	2,682,845	2,693,425	2,529,324	3,265	160,836
Pupil services	9,290,278	9,286,809	8,409,230	16,205	861,374
Total instruction	110,078,129	110,091,618	102,264,755	212,067	7,614,796
Pupil transportation	13,665,305	13,665,305	9,682,911	-	3,982,394
Employee benefits	39,666,990	39,641,490	37,067,866	-	2,573,624
Debt service:					
Principal	1,329,219	1,329,219	1,329,218	-	1
Interest	950,138	950,138	674,738	-	275,400
Total expenditures	187,203,800	187,232,507	170,234,494	446,128	16,551,885
<b>OTHER FINANCING USES</b>					
Interfund transfers	10,155,575	10,156,087	9,945,032	-	211,055
Total expenditures and other financing uses	197,359,375	197,388,594	180,179,526	\$ 446,128	16,762,940
Net change in fund balance	<u>\$ (7,502,966)</u>	<u>\$ (7,502,966)</u>	8,278,355		<u>\$ 15,335,193</u>
Fund balance, beginning of year			20,401,761		
Fund balance, end of year			<u>\$ 28,680,116</u>		

**Note to Required Supplementary Information**

**Budget Basis of Accounting**

Budgets are adopted on the modified accrual basis of accounting consistent with accounting principles generally accepted in the United States of America.

**COMMACK UNION FREE SCHOOL DISTRICT  
SCHEDULE OF CHANGES IN THE DISTRICT'S TOTAL OPEB LIABILITY AND RELATED RATIOS  
LAST THREE FISCAL YEARS**

Measurement date	June 30, 2020	June 30, 2019	June 30, 2018
<b>Total OPEB Liability</b>			
Service cost	\$ 7,130,431	\$ 8,926,090	\$ 8,503,539
Interest	6,461,319	6,244,943	5,912,155
Change of demographic gains or losses	-	1,326,997	-
Differences between expected and actual experience in the measurement of the total OPEB liability	34,635,903	(34,378,815)	(40,926)
Benefit payments	<u>(4,079,505)</u>	<u>(3,686,753)</u>	<u>(3,721,767)</u>
Net change in total OPEB liability	44,148,148	(21,567,538)	10,653,001
Total OPEB liability - beginning of year	<u>179,500,889</u>	<u>201,068,427</u>	<u>190,415,426</u>
Total OPEB liability - end of year	<u><u>\$ 223,649,037</u></u>	<u><u>\$ 179,500,889</u></u>	<u><u>\$ 201,068,427</u></u>
Covered payroll	\$ 90,673,940	\$ 90,673,940	\$ 104,691,209
Total OPEB liability as a percentage of covered payroll	246.65%	197.96%	192.06%

**Note to Required Supplementary Information**

Ten years of historical information was not available upon implementation of GASB Statement No. 75. An additional year of historical information will be added each year subsequent to the year of implementation until ten years of historical data is available.

The District has no assets accumulated in a trust that meet the criteria in paragraph 4 of GASB Statement No. 75 to pay OPEB benefits, as New York State currently does not allow school districts to establish this type of trust. The District currently contributes enough money to the plan to satisfy current obligations on a pay-as-you-go basis.

**COMMACK UNION FREE SCHOOL DISTRICT  
SCHEDULE OF DISTRICT'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY - NYSERS  
LAST SIX FISCAL YEARS  
(Dollar amounts in thousands)**

	<b>(B)</b> <b>2020</b>	<b>2019</b>	<b>2018</b>	<b>2017</b>	<b>(A)</b> <b>2016</b>	<b>2015</b>
District's proportionate share of the net pension liability	0.04612%	0.04736%	0.04991%	0.05125%	0.50900%	0.04869%
District's proportionate share of the net pension liability	\$ (12,212)	\$ (3,355)	\$ (1,611)	\$ (4,815)	\$ (8,177)	\$ (1,645)
District's covered payroll	\$ 15,919	\$ 15,533	\$ 15,200	\$ 14,578	\$ 14,706	\$ 14,051
District's proportionate share of the net pension liability as a percentage of covered payroll	76.72%	21.60%	10.60%	33.03%	55.60%	11.71%
Plan fiduciary net position as a percentage of the total pension liability	86.39%	96.27%	98.24%	94.70%	90.68%	97.95%

The amounts presented for each fiscal year were determined (bi-annually) as of March 31.

**(A)** The discount rate used to calculate the total pension liability was decreased from 7.5% to 7.0% effective with the March 31, 2016 measurement date.

**(B)** The discount rate used to calculate the total pension liability was decreased from 7.0% to 6.8% effective with the March 31, 2020 measurement date.

**Note to Required Supplementary Information**

Ten years of historical information was not available upon implementation of GASB Statement No. 68. An additional year of historical information will be added each year subsequent to the year of implementation until ten years of historical data is available.

**COMMACK UNION FREE SCHOOL DISTRICT  
SCHEDULE OF DISTRICT'S PROPORTIONATE SHARE OF THE NET PENSION ASSET/(LIABILITY) - NYSTRS  
LAST SIX FISCAL YEARS  
(Dollar amounts in thousands)**

	<b>(C) 2020</b>	<b>2019</b>	<b>(B) 2018</b>	<b>(A) 2017</b>	<b>2016</b>	<b>2015</b>
District's proportionate share of the net pension asset (liability)	0.49731%	0.50328%	0.51331%	0.52556%	0.51957%	0.51166%
District's proportionate share of the net pension asset (liability)	\$ 12,920	\$ 9,101	\$ 3,902	\$ (5,629)	\$ 53,967	\$ 56,995
District's covered payroll	\$ 83,660	\$ 81,924	\$ 81,342	\$ 81,614	\$ 78,055	\$ 75,515
District's proportionate share of the net pension asset (liability) as a percentage of covered payroll	15.44%	11.11%	4.80%	6.90%	69.14%	75.48%
Plan fiduciary net position as a percentage of the total pension asset (liability)	102.17%	101.53%	100.66%	99.01%	110.46%	111.48%

The amounts presented for each fiscal year were determined (bi-annually) as of June 30.

**(A)** The discount rate used to calculate the total pension liability was decreased from 8.0% to 7.5% effective with the June 30, 2016 measurement date

**(B)** The discount rate used to calculate the total pension asset was decreased from 7.5% to 7.25% effective with the June 30, 2017 measurement date

**(C)** The discount rate used to calculate the total pension asset was decreased from 7.25% to 7.10% effective with the June 30, 2019 measurement date

**Note to Required Supplementary Information**

Ten years of historical information was not available upon implementation of GASB Statement No. 68. An additional year of historical information will be added each year subsequent to the year of implementation until ten years of historical data is available.

**COMMACK UNION FREE SCHOOL DISTRICT  
SCHEDULE OF DISTRICT PENSION CONTRIBUTIONS - NYSERS  
LAST TEN FISCAL YEARS  
(Dollar amounts in thousands)**

	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
Contractually required contribution	\$ 2,251	\$ 2,277	\$ 2,271	\$ 2,239	\$ 2,552	\$ 2,695	\$ 2,695	\$ 2,491	\$ 1,554	\$ 1,239
Contributions in relation to the contractually required contribution	<u>2,251</u>	<u>2,277</u>	<u>2,271</u>	<u>2,239</u>	<u>2,552</u>	<u>2,695</u>	<u>2,695</u>	<u>2,491</u>	<u>1,554</u>	<u>1,239</u>
Contribution deficiency (excess)	<u>\$ -</u>									
District's covered payroll	\$ 16,536	\$ 15,531	\$ 15,200	\$ 14,460	\$ 14,985	\$ 14,524	\$ 13,740	\$ 14,196	\$ 14,419	\$ 14,889
Contributions as a percentage of covered payroll	13.61%	14.66%	14.94%	15.48%	17.03%	18.56%	19.61%	17.55%	10.78%	8.32%

**COMMACK UNION FREE SCHOOL DISTRICT  
SCHEDULE OF DISTRICT PENSION CONTRIBUTIONS - NYSTRS  
LAST TEN FISCAL YEARS  
(Dollar amounts in thousands)**

	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
Contractually required contribution	\$ 8,816	\$ 8,034	\$ 8,029	\$ 9,533	\$ 10,754	\$ 13,859	\$ 12,334	\$ 8,648	\$ 8,009	\$ 6,053
Contributions in relation to the contractually required contribution	<u>8,816</u>	<u>8,034</u>	<u>8,029</u>	<u>9,533</u>	<u>10,754</u>	<u>13,859</u>	<u>12,334</u>	<u>8,648</u>	<u>8,009</u>	<u>6,053</u>
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>				
District's covered payroll	\$ 81,862	\$ 75,649	\$ 81,924	\$ 81,342	\$ 81,101	\$ 79,059	\$ 75,902	\$ 72,837	\$ 72,029	\$ 70,496
Contributions as a percentage of covered payroll	10.77%	10.62%	9.80%	11.72%	13.26%	17.53%	16.25%	11.87%	11.12%	8.59%

**COMMACK UNION FREE SCHOOL DISTRICT  
SCHEDULE OF CHANGE FROM ADOPTED BUDGET TO FINAL BUDGET  
AND THE REAL PROPERTY TAX LIMIT - GENERAL FUND  
FOR THE YEAR ENDED JUNE 30, 2020**

---

**Change from adopted budget to final budget:**

Original budget	\$ 197,062,213	
Add: Prior year's encumbrances	<u>297,162</u>	
Adopted budget		\$ 197,359,375
Budget revisions relating to:		
Gifts and donations		16,032
Insurance recoveries		<u>13,187</u>
Final budget		<u><u>\$ 197,388,594</u></u>

**§1318 of real property tax law limit calculation:**

2020-2021 voter-approved budget		<u><u>\$ 199,759,525</u></u>
Maximum allowed (4% of 2020-2021 budget)		<u><u>\$ 7,990,381</u></u>
General Fund fund balance subject to §1318 of real property tax law:		
Unrestricted fund balance:		
Assigned fund balance	\$ 7,951,933	
Unassigned fund balance	<u>13,154,556</u>	\$ 21,106,489
Less:		
Appropriated fund balance	7,505,805	
Encumbrances	<u>446,128</u>	<u>7,951,933</u>
General Fund fund balance subject to §1318 of real property tax law		<u><u>\$ 13,154,556</u></u>
Actual percentage		<u><u>6.59%</u></u>



OTHER  
SUPPLEMENTARY  
INFORMATION

COMMACK UNION FREE SCHOOL DISTRICT  
NET INVESTMENT IN CAPITAL ASSETS  
JUNE 30, 2020

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Capital assets, net			\$ 104,026,323
Add:			
Deferred charges for advance refunding			791,725
Deduct:			
Short-term portion of bonds payable	\$	6,537,698	
Long-term portion of bonds payable		26,150,495	
Short-term portion of energy performance contract payable		2,065,601	
Long-term portion of energy performance contract payable		<u>24,287,859</u>	<u>59,041,653</u>
Net investment in capital assets			<u>\$ 45,776,395</u>

**COMMACK UNION FREE SCHOOL DISTRICT  
EXTRACLASROOM ACTIVITY FUNDS  
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**INDEPENDENT AUDITOR'S REPORT**  
**ON EXTRACLASSROOM ACTIVITY FUNDS FINANCIAL STATEMENT**

To the Board of Education of the  
Commack Union Free School District  
Towns of Huntington and Smithtown, New York:

We have audited the accompanying statement of cash receipts and disbursements of the various Extraclassroom Activity Funds of the Commack Union Free School District (the "District") for the year ended June 30, 2020, and the related note to financial statement, which collectively comprise the financial statements of the District's Extraclassroom Activity Funds.

***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of this financial statement in accordance with the cash basis of accounting described in Note 1; this includes determining that the cash basis of accounting is an acceptable basis for the preparation of the financial statement in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

***Auditor's Responsibility***

Our responsibility is to express an opinion on this financial statement based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the statement of cash receipts and disbursements is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

# NawrockiSmith

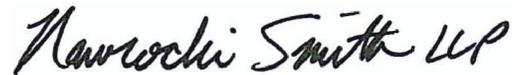
## ***Opinion***

In our opinion, the statement of cash receipts and disbursements referred to above presents fairly, in all material respects, the cash receipts and disbursements of the Extraclassroom Activity Funds of the Commack Union Free School District for the year ended June 30, 2020 in accordance with the basis of accounting described in Note 1.

## ***Basis of Accounting***

We draw attention to Note 1 of this financial statement, which describes the basis of accounting. The financial statement is prepared on the cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Melville, New York  
September 24, 2020

A handwritten signature in black ink that reads "Nawrocki Smith LLP". The signature is written in a cursive, flowing style.

**COMMACK UNION FREE SCHOOL DISTRICT  
EXTRACLASROOM ACTIVITY FUNDS  
STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020**

	<b>Cash Balances July 1, 2019</b>	<b>Receipts</b>	<b>Disbursements</b>	<b>Cash Balances June 30, 2020</b>
High School:				
Art Club	\$ 1,337.73	\$ 1,879.00	\$ 1,707.84	\$ 1,508.89
ASL	4,738.92	1,020.00	298.18	5,460.74
Astronomy Club	186.87	400.00	239.68	347.19
Best of Buds	1,176.96	-	729.96	447.00
Bible Club	613.94	187.00	232.24	568.70
Boys Leader Corp.	4,858.92	200.00	500.00	4,558.92
Brainstormers	184.47	350.00	175.00	359.47
Business	396.52	536.00	364.51	568.01
Cause of PAWS	1,268.86	-	-	1,268.86
Chess Club	708.83	-	-	708.83
Class of 2019	8,654.00	220.00	8,874.00	-
Class of 2020	24,432.23	-	2,385.95	22,046.28
Class of 2021	2,813.55	1,320.00	1,404.50	2,729.05
Class of 2022	685.25	841.02	1,387.23	139.04
Class of 2023	1,000.00	608.00	1,111.40	496.60
Class of 2024	-	1,500.00	-	1,500.00
Computer Club	1,641.80	524.00	598.26	1,567.54
Environmental Awareness	3,268.76	140.00	650.77	2,757.99
Etchings	2,403.47	203.75	112.35	2,494.87
Fashion Club	4,726.71	-	4,726.71	-
FASTA	2,581.81	988.00	733.43	2,836.38
FBLA	-	10,990.50	9,761.00	1,229.50
Field Trips	54.00	10,011.24	10,065.24	-
French H.S.	395.76	1,572.00	1,644.81	322.95
Future Educators	319.22	75.00	146.47	247.75
Future Eng.	3,936.30	-	37.45	3,898.85
Future Health Professionals	493.09	-	-	493.09
Gay/Straight Alliance	938.57	-	-	938.57
Girl's Leader Corp	4,507.88	-	500.00	4,007.88
Glamour Girls	210.42	245.00	106.21	349.21
Grandfriends	1,615.00	-	-	1,615.00
Greenhouse Club	430.33	-	37.45	392.88
Habitat for Humanity	1,173.37	-	282.36	891.01
Hebrew Culture Club	503.10	-	-	503.10
History	14,621.17	3,676.00	1,449.79	16,847.38
Human Rights Club	262.15	-	-	262.15
ICS	4,187.07	244.00	142.31	4,288.76
International Thespian Soc.	9,638.13	2,393.00	5,407.98	6,623.15
Italian	802.00	926.40	179.76	1,548.64
Latin	675.82	813.50	928.22	561.10
LIT	2,940.08	1,260.00	500.00	3,700.08
Literary Club	144.65	-	-	144.65
Masque and Wig	16,599.72	7,676.16	11,120.68	13,155.20
Math H.S.	3,373.79	1,104.00	972.12	3,505.67
Mock Trial	126.11	425.75	276.64	275.22
Model UN	4,204.91	-	4,204.91	-
Multimedia Club	160.00	-	-	160.00
NAHS	2,228.75	1,120.08	975.00	2,373.83
National H.S.	3,288.55	1,448.00	4,055.76	680.79
Pathways	363.44	-	220.17	143.27
Pay it Forward	794.56	251.00	228.35	817.21
Peer Leadership	956.32	207.00	97.37	1,065.95
Photography/Camera Club	1,496.38	-	-	1,496.38
Plan 9 Peer Leadership Adv.	449.25	-	-	449.25
Political Activism	818.12	136.00	89.88	864.24
Radio Club	6,428.29	-	-	6,428.29
SADD	403.41	-	134.82	268.59
School Store	735.95	934.00	1,263.64	406.31
Science H.S.	3,492.89	1,430.32	230.16	4,693.05
Science Olympiad	485.34	538.00	409.48	613.86
Spanish H.S.	939.76	1,894.10	387.60	2,446.26
Special Friends	-	554.85	89.88	464.97
Student Council	163,004.41	13,876.85	24,724.73	152,156.53
Tech H.S.	1,982.09	705.00	661.62	2,025.47
Tri-M	1,722.98	1,325.00	912.86	2,135.12
Yearbook	10,084.38	12,713.58	14,447.93	8,350.03
	<u>\$ 339,667.11</u>	<u>\$ 89,463.10</u>	<u>\$ 122,924.66</u>	<u>\$ 306,205.55</u>

The accompanying note is an integral part of this financial statement.

**COMMACK UNION FREE SCHOOL DISTRICT  
EXTRACLASROOM ACTIVITY FUNDS  
STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS  
FOR THE YEAR ENDED JUNE 30, 2020 (CONTINUED)**

	<b>Cash Balances July 1, 2019</b>	<b>Receipts</b>	<b>Disbursements</b>	<b>Cash Balances June 30, 2020</b>
Middle School:				
Art Club	\$ 42.08	\$ -	\$ -	\$ 42.08
Best Buddies	39.71	-	-	39.71
Digital Media Club	169.63	-	-	169.63
Fashion Club	200.00	-	-	200.00
Flip It	233.51	-	-	233.51
International Cooking Club	340.42	-	117.65	222.77
Leaders Club	13,358.48	8,575.44	11,632.10	10,301.82
National Jr. Honor Society	10,678.66	7,735.54	5,432.87	12,981.33
Natures Exploration and Earth Protection	239.10	-	-	239.10
Pride Club	31.40	-	-	31.40
Rocket Club	722.49	-	386.72	335.77
Scarpsters	224.95	-	-	224.95
School Store	646.02	-	18.52	627.50
Science Olympiad	557.89	560.00	733.84	384.05
Student Council	7,791.42	51,476.64	49,442.00	9,826.06
Tri-M Society	1,550.35	1,125.34	1,559.64	1,116.05
Woodworking Club	83.97	-	17.67	66.30
Yearbook	7,050.93	2,691.78	2,904.96	6,837.75
	<u>\$ 43,961.01</u>	<u>\$ 72,164.74</u>	<u>\$ 72,245.97</u>	<u>\$ 43,879.78</u>

The accompanying note is an integral  
part of this financial statement.

**COMMACK UNION FREE SCHOOL DISTRICT  
EXTRACLASSROOM ACTIVITY FUNDS  
NOTE TO THE FINANCIAL STATEMENT  
FOR THE YEAR ENDED JUNE 30, 2020**

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**1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The transactions of the Extraclassroom Activity Funds are considered part of the reporting entity of the Commack Union Free School District (the "District").

The accounts of the Extraclassroom Activity Funds of the District are maintained on a cash basis, and the Statement of Cash Receipts and Disbursements reflects only cash received and disbursed. Therefore, receivables and payables, inventories, long-lived assets, and accrued income and expenses, which would be recognized under accounting principles generally accepted in the United States of America, and which may be material in amount, are not recognized in the accompanying financial statement.

**COMMACK UNION FREE SCHOOL DISTRICT  
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
FOR THE YEAR ENDED JUNE 30, 2020**

Federal Grantor/ Pass - Through Grantor/ Cluster Title/Program Title	Federal CFDA Number	Pass-Through Entity Identifying Number	Total Federal Expenditures
<b><u>U.S. Department of Education</u></b>			
<u>Passed Through Programs From:</u>			
New York State Department of Education			
Special Education Cluster:			
IDEA, Part B, Section 611, Special Education Grants to States	84.027A	0032-20-0461	\$ 1,285,008
IDEA, Part B, Section 619, Special Education Preschool Grants	84.173A	0033-20-0461	<u>65,630</u>
Total Special Education Cluster			1,350,638
Title I, Part A Cluster:			
ESEA, Title I, Part A, Grants to Local Educational Agencies	84.010A	0021-20-1680	198,074
ESEA, Title I, Part A, Grants to Local Educational Agencies	84.010A	0021-19-1680	<u>2,088</u>
Total Title I, Part A Cluster			200,162
ESEA, Title II, Part A, Improving Teacher Quality State Grants	84.367A	0147-20-1680	23,276
ESEA, Title II, Part A, Improving Teacher Quality State Grants	84.367A	0147-19-1680	105,881
ESEA, Title III, Part A, Language Enhancement and Academic Achievement Act	84.365A	0293-20-1680	2,792
ESEA, Title III, Part A, Language Enhancement and Academic Achievement Act	84.365A	0293-19-1680	5,693
ESEA, Title III, Part B, Language Instruction for Immigrant Students	84.365B	0149-19-3100	8,051
ESEA, Title IV, Part A, Student Support and Academic Enrichment Program	84.424A	0204-20-3100	<u>7,449</u>
<b>Total U.S. Department of Education</b>			<u>1,703,942</u>
<b><u>U.S. Department of Agriculture</u></b>			
<u>Passed Through Program From:</u>			
New York State Office of General Services			
Child Nutrition Cluster:			
National School Lunch Program	10.555	N/A	<u>949,613</u>
Total Child Nutrition Cluster			<u>949,613</u>
<b>Total U.S. Department of Agriculture</b>			<u>949,613</u>
<b>TOTAL FEDERAL EXPENDITURES</b>			<u><u>\$ 2,653,555</u></u>

The accompanying notes should be read  
in conjunction with this schedule.

**COMMACK UNION FREE SCHOOL DISTRICT  
NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS**

---

**1. BASIS OF PRESENTATION**

The accompanying schedule of expenditures of federal awards (the "Schedule") includes the federal award activity of the Commack Union Free School District (the "District") under programs of the federal government for the year ended June 30, 2020. The information in this Schedule is presented in accordance with the requirements of Title 2 *U.S. Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* ("Uniform Guidance"). Because the Schedule presents only a selected portion of the operations of the District, it is not intended to and does not present the financial position, changes in net position or fund balance of the District.

**2. BASIS OF ACCOUNTING**

Expenditures reported on the Schedule are reported on the modified accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement. The amounts reported as federal expenditures were obtained from the federal financial reports for the applicable program and periods. The amounts reported in these reports are prepared from records maintained for each program, which are reconciled with the District's financial reporting system. Negative amounts (if any) shown on the Schedule represent adjustments or credits made in the normal course of business to amounts reported as expenditures in prior years.

Matching costs (the District's share of certain program costs) are not included in the reported expenditures.

Non-monetary assistance is reported in the schedule at the fair market value of commodities received, which is provided by New York State.

**3. INDIRECT COSTS**

The Commack Union Free School District has elected not to use the 10% de minimis indirect cost rate allowed under the Uniform Guidance.

**4. SUBRECIPIENTS**

No amounts were provided to subrecipients.

**5. OTHER DISCLOSURES**

No insurance is carried specifically to cover equipment purchased with federal funds. Any equipment purchased with federal funds has only a nominal value, and is covered by the District's casualty insurance policies.

There were no loans or loan guarantees outstanding at year end.

**6. MAJOR PROGRAM DETERMINATION**

The District was deemed to be a "low-risk auditee", therefore, major programs were determined based on 20% of total federal award expenditures.



**NawrockiSmith**

CERTIFIED PUBLIC ACCOUNTANTS

**INDEPENDENT AUDITOR'S REPORT**  
**ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE**  
**AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS**  
**PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

To the Board of Education of the  
Commack Union Free School District  
Towns of Huntington and Smithtown, New York:

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund and fiduciary funds of the Commack Union Free School District (the "District"), as of and for the year ended June 30, 2020, and the related notes to the financial statements, which collectively comprise the District's basic financial statements, and have issued our report thereon dated September 24, 2020.

***Internal Control Over Financial Reporting***

In planning and performing our audit of the financial statements, we considered the District's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified. Reference is made to the Schedule of Findings and Recommendations accompanying this report for additional observations on internal control.

# NawrockiSmith

## ***Compliance and Other Matters***

As part of obtaining reasonable assurance about whether the District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance that is required to be reported under *Government Auditing Standards* and is described in the accompanying schedule of findings and questioned costs as item 20-01.

## ***District's Response to Finding***

The District's response to the finding identified in our audit is described in the accompanying schedule of findings and questioned costs. The District's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

## ***Purpose of this Report***

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the District's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the District's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Melville, New York  
September 24, 2020





**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE  
FOR EACH MAJOR PROGRAM AND ON INTERNAL CONTROL  
OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE**

To the Board of Education of the  
Commack Union Free School District  
Towns of Huntington and Smithtown, New York:

***Report on Compliance for Each Major Federal Program***

We have audited the Commack Union Free School District's (the "District") compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on the District's major federal programs for the year ended June 30, 2020. The District's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

***Management's Responsibility***

Management is responsible for compliance with the requirements of federal statutes, regulations, and the terms and conditions of its federal awards applicable to its federal programs.

***Auditor's Responsibility***

Our responsibility is to express an opinion on compliance for the District's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the District's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for its major federal programs. However, our audit does not provide a legal determination of the District's compliance.

***Opinion on Each Major Federal Program***

In our opinion, the District complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each major federal program for the year ended June 30, 2020.

# NawrockiSmith

## ***Report on Internal Control Over Compliance***

Management of the District is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the District's internal control over compliance with the types of requirements that could have a direct and material effect on its major federal programs to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the District's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Melville, New York  
September 24, 2020



**COMMACK UNION FREE SCHOOL DISTRICT  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
FOR THE YEAR ENDED JUNE 30, 2020**

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**1. Summary Of Auditor's Results:**

1. The auditor's report expresses an unmodified opinion on the financial statements.
2. No significant deficiencies or material weaknesses were reported during the audit of the financial statements.
3. An instance of noncompliance was disclosed during the audit of the financial statements.
4. No significant deficiencies or material weaknesses were reported during the audit of the major federal award programs.
5. The auditor's report on compliance for the major federal award programs expresses an unmodified opinion.
6. No audit findings relative to the major federal award programs that are required to be reported in accordance with section 2 CFR 200.516 (a) of the Uniform Guidance, were disclosed during the audit.
7. The programs tested as a major program included:

<u>CFDA Number</u>	<u>Name of Federal Program</u>
	<i>U.S. Department of Education -</i>
84.027A	IDEA Part B Section 611 Special Education Grants to States
84.173A	IDEA Part B Section 619 Special Education Preschool Grants

8. The threshold for distinguishing Type A and B programs was \$750,000.
9. Auditee was determined to be a low-risk auditee.

**2. Findings - Financial Statement Audit**

20-01 The District's unassigned fund balance in the General Fund exceeded the limitation as promulgated by New York State statute.

Condition: The District did not comply with the limitations on unassigned fund balance.

Criteria: New York State law limits the unassigned fund balance of the General Fund to 4% of the following year's expenditure budget.

Effect: The District did not comply with the New York State accounting requirements as of June 30, 2020.

Cause: Current year expenditures were significantly under budget due to the COVID-19 pandemic and the resulting school closure of the last quarter of the fiscal year. This resulted in a significant surplus at year-end and given the need for additional staff and significant purchases in order to successfully open school in September, unapplied fund balance was in excess of 4%.

Recommendation: The District should monitor fund balance in the upcoming year, as conditions related to COVID-19 present, to comply with New York State requirements.

Response: The District is in agreement with this finding. Given the unprecedented conditions due to COVID-19 and the new ability of New York State to cut funding mid-year, the District will be forced to utilize unassigned fund balance to maintain and preserve education programs and services. The District has procedures in effect to comply with such accounting requirements. This one-time excess will be fully expended in fiscal year 2020-2021 due to additional, unbudgeted pandemic costs coupled with NYS withholding of State Aid by 20%. Should unassigned fund balance be over the limitation as promulgated by New York State statute next year, reserves will be funded to the extent possible to comply with this requirement.

**3. Findings And Questioned Costs - Major Federal Award Program Audit**

None reported.

**COMMACK UNION FREE SCHOOL DISTRICT  
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS  
FOR THE YEAR ENDED JUNE 30, 2020**

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**Findings - Financial Statement Audit**

None reported.

**Findings And Questioned Costs - Major Federal Award Programs Audit**

None reported.

**COMMACK UNION FREE SCHOOL DISTRICT  
SCHEDULE OF FINDINGS AND RECOMMENDATIONS  
FOR THE YEAR ENDED JUNE 30, 2020**

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**CURRENT YEAR FINDINGS AND RECOMMENDATIONS:**

We noted no other areas of improvement as a result of our audit procedures for the current year.

**APPENDIX D**

**FORMS OF BOND COUNSEL OPINIONS**

Hawkins Delafield & Wood LLP  
7 World Trade Center, 250 Greenwich Street  
New York, New York 10007

September 23, 2021

The Board of Education of  
Commack Union Free School District, in the  
County of Suffolk, New York

Ladies and Gentlemen:

We have acted as Bond Counsel to the Commack Union Free School District (the “School District”), in the County of Suffolk, New York, a school district of the State of New York, and have examined a record of proceedings relating to the authorization, sale, and issuance of the \$21,570,000 School District Serial Bonds-2021 Series A (the “Bonds”), dated and delivered on the date hereof.

In such examination, we have assumed the genuineness of all signatures, the authenticity of all documents submitted to us as originals and the conformity with originals of all documents submitted to us as copies thereof.

Based upon and subject to the foregoing, and in reliance thereon, as of the date hereof, we are of the following opinions:

1. The Bonds are valid and legally binding general obligations of the School District for which the School District has validly pledged its faith and credit and, unless paid from other sources, all the taxable real property within the School District is subject to the levy of ad valorem real estate taxes to pay the Bonds and interest thereon without limitation as to rate or amount. The enforceability of rights or remedies with respect to such Bonds may be limited by bankruptcy, insolvency, or other laws affecting creditors’ rights or remedies heretofore or hereafter enacted.

2. Under existing statutes and court decisions and assuming continuing compliance with certain tax certifications described herein, (i) interest on the Bonds is excluded from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”), and (ii) interest on the Bonds is not treated as a preference item in calculating the alternative minimum tax under the Code. Bond counsel further is of the opinion that, for any Bonds having original issue discount (a “Discount Bond”), original issue discount that has accrued and is properly allocable to the owners of the Discount Bonds under Section 1288 of the Code is excludable from gross income for federal income tax purposes to the same extent as other interest on the Bonds.

The Code establishes certain requirements that must be met subsequent to the issuance of the Bonds in order that the interest on the Bonds be and remain excludable from gross income under Section 103 of the Code. These requirements include, but are not limited to, requirements relating to the use and expenditure of proceeds of the Bonds, restrictions on the investment of proceeds of the Bonds prior to expenditure and the requirement that certain earnings be rebated to the federal government. Noncompliance with such requirements may cause the interest on the Bonds to become subject to federal income taxation retroactive to the date of issuance thereof, irrespective of the date on which such noncompliance occurs or is ascertained.

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

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

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

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

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

Very truly yours,

Hawkins Delafield & Wood LLP  
7 World Trade Center, 250 Greenwich Street  
New York, New York 10007

September 23, 2021

The Board of Education of  
Commack Union Free School District, in the  
County of Suffolk, New York

Ladies and Gentlemen:

We have acted as Bond Counsel to the Commack Union Free School District (the "School District"), in the County of Suffolk, New York, a school district of the State of New York, and have examined a record of proceedings relating to the authorization, sale, and issuance of the \$10,730,000 School District Serial Bonds-2021 Series B (Federally Taxable) (the "Bonds"), dated and delivered on the date hereof.

In such examination, we have assumed the genuineness of all signatures, the authenticity of all documents submitted to us as originals and the conformity with originals of all documents submitted to us as copies thereof.

Based upon and subject to the foregoing, and in reliance thereon, as of the date hereof, we are of the following opinions:

1. The Bonds are valid and legally binding general obligations of the School District for which the School District has validly pledged its faith and credit and, unless paid from other sources, all the taxable real property within the School District is subject to the levy of ad valorem real estate taxes to pay the Bonds and interest thereon without limitation as to rate or amount. The enforceability of rights or remedies with respect to such Bonds may be limited by bankruptcy, insolvency, or other laws affecting creditors' rights or remedies heretofore or hereafter enacted.

2. Interest on the Bonds is included in gross income for federal income tax purposes pursuant to the Internal Revenue Code of 1986, as amended.

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

We express no opinion as to any other federal, state or local tax consequences arising with respect to the Bonds, or the ownership or disposition thereof, except as stated in paragraphs 2 and 3 above. We render our opinion under existing statutes and court decisions as of the date hereof, and assume no obligation to update, revise or supplement our opinion to reflect any action hereafter taken or not taken, any fact or circumstance that may hereafter come to our attention, any change in law or interpretation thereof that may hereafter occur, or for any other reason.

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

Very truly yours,

Hawkins Delafield & Wood LLP

## FORM OF OPINION OF BOND COUNSEL

Hawkins Delafield & Wood LLP  
7 World Trade Center  
250 Greenwich Street  
New York, New York 10007

September 23, 2021

The Board of Education of  
Commack Union Free School District,  
in the County of Suffolk, New York

Ladies and Gentlemen:

We have acted as Bond Counsel to Commack Union Free School District (the “School District”), in the County of Suffolk, a school district of the State of New York, and have examined a record of proceedings relating to the authorization, sale and issuance of the \$36,000,000 Tax Anticipation Notes for 2021-2022 Taxes (the “Note”), dated and delivered the date hereof.

In such examination, we have assumed the genuineness of all signatures, the authenticity of all documents submitted to us as originals and the conformity with originals of all documents submitted to us as copies thereof.

Based upon and subject to the foregoing, and in reliance thereon, as of the date hereof, we are of the following opinions:

1. The Note is a valid and legally binding general obligation of the School District for which the School District has validly pledged its faith and credit and, unless paid from other sources, all the taxable real property within the School District is subject to the levy of ad valorem real estate taxes to pay the Note and interest thereon subject to certain statutory limitations. The enforceability of rights or remedies with respect to such Note may be limited by bankruptcy, insolvency, or other laws affecting creditors’ rights or remedies heretofore or hereafter enacted.

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

The Code establishes certain requirements that must be met subsequent to the issuance of the Note in order that the interest on the Note be and remain excludable from gross income for federal income tax purposes under Section 103 of the Code. These requirements include, but are not limited to, requirements relating to the use and expenditure of proceeds of

the Note, restrictions on the investment of proceeds of the Note prior to expenditure and the requirement that certain earnings be rebated to the federal government. Noncompliance with such requirements may cause the interest on the Note to become subject to federal income taxation retroactive to the date of issuance thereof, irrespective of the date on which such noncompliance occurs or is ascertained.

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

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

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

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

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

Very truly yours,

**APPENDIX E**

**CONTINUING DISCLOSURE UNDERTAKING**

## UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE

### Section 1. Definitions

“Annual Information” shall mean the information specified in Section 3 hereof.

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

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

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

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

“Issuer” shall mean the **Commack Union Free School District**, in the County of Suffolk, a school district of the State of New York.

“MSRB” shall mean the Municipal Securities Rulemaking Board established in accordance with the provisions of Section 15B(b)(1) of the Securities Exchange Act of 1934, or any successor thereto or to the functions of the MSRB contemplated by this Agreement.

“Purchaser” shall mean the financial institution referred to in the Certificate of Award executed by the President of the Board of Education as of September 1, 2021.

“Rule” shall mean Rule 15c2-12 promulgated by the SEC under the Securities Exchange Act of 1934 (17 CFR Part 240, §240.15c2-12), as amended, as in effect on the date of this Undertaking, including any official interpretations thereof issued either before or after the effective date of this Undertaking which are applicable to this Undertaking.

“Securities” shall mean the Issuer’s [**\$21,570,000 School District Serial Bonds-2021 Series A**][**\$10,730,000 School District Serial Bonds-2021 Series B (Federally Taxable)**], dated September 23, 2021, maturing in various principal amounts on June 15 in each of the years 202[2][3] to 2036, inclusive, and delivered on the date hereof.

Section 2. Obligation to Provide Continuing Disclosure. (a) The Issuer hereby undertakes, for the benefit of Holders of the Securities, to provide or cause to be provided to the EMMA System:

- (i) not later than the fifteenth day of the sixth month following the end of each fiscal year, commencing with the fiscal year ending June 30, 2021, the Annual Information relating to such fiscal year, together with audited financial statements of the Issuer for each fiscal year commencing with the fiscal year ending June 30, 2021, if audited financial statements are then

available; provided, however, that if audited financial statements are not then available, unaudited financial statements shall be provided with the Annual Information, and audited financial statements, if any, shall be delivered to the EMMA System within sixty (60) days after they become available and in no event later than the fifteenth day of the succeeding fiscal year; provided, however, that the unaudited financial statement shall be provided for any fiscal year only if the Issuer has made a determination that providing such unaudited financial statement would be compliant with federal securities laws, including Rule 10b-5 of the Securities Exchange Act of 1934 and Rule 17 (a)(2) of the Securities Act of 1933.

- (ii) in a timely manner, not in excess of ten (10) business days after the occurrence of such event, notice of any of the following events with respect to the Securities:
  - (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 of determinations with respect to the tax status of the Securities, or other material events affecting the tax status of the Securities;
  - (7) modifications to rights of Securities holders, if material;
  - (8) Bond calls, if material, and tender offers;
  - (9) defeasances;
  - (10) release, substitution, or sale of property securing repayment of the Securities, if material;
  - (11) rating changes;

- (12) bankruptcy, insolvency, receivership or similar event of the Issuer;

Note to clause (12): For the purposes of the event identified in clause (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Issuer in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or government authority has assumed jurisdiction over substantially all of the assets or business of the Issuer, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer;

- (13) the consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (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 Issuer, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Issuer, any of which affect security holders, if material; and
- (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Issuer, any of which reflect financial difficulties.
- (iii) in a timely manner, not in excess of ten (10) business days after the occurrence of such event, notice of a failure to provide by the date set forth in Section 2(a)(i) hereof any Annual Information required by Section 3 hereof.

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

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

Section 3. Annual Information. (a) The required Annual Information shall consist of the financial information and operating data for the preceding fiscal year, in a form generally consistent with the information contained or cross-referenced in the Issuer's final official statement relating to the Securities under the headings: "THE DISTRICT", "ECONOMIC AND DEMOGRAPHIC INFORMATION", "INDEBTEDNESS OF THE DISTRICT", "FINANCES OF THE DISTRICT", "TAX INFORMATION" and "LITIGATION", and in APPENDIX A.

(b) All or any portion of the Annual Information may be incorporated in the Annual Information by cross reference to any other documents that are (i) available to the public on the EMMA System or (ii) filed with the SEC. If such a document is a final official statement, it also must be available from the EMMA System.

(c) Annual Information for any fiscal year containing any modified operating data or financial information (as contemplated by Section 7(e) hereof) for such fiscal year shall explain, in narrative form, the reasons for such modification and the effect of such modification on the Annual Information being provided for such fiscal year. If a change in accounting principles is included in any such modification, such Annual Information shall present a comparison between the financial statements or information prepared on the basis of the modified accounting principles and those prepared on the basis of the former accounting principles.

Section 4. Financial Statements. The Issuer's annual financial statements for each fiscal year shall be prepared in accordance with New York State regulatory requirements or GAAP as in effect from time to time. Such financial statements shall be audited by an independent accounting firm.

Section 5. Remedies. If the Issuer shall fail to comply with any provision of this Undertaking, then any Holder of Securities may enforce, for the equal benefit and protection of all Holders similarly situated, by mandamus or other suit or proceeding at law or in equity, this Undertaking against the Issuer and any of the officers, agents and employees of the Issuer, and may compel the Issuer or any such officers, agents or employees to perform and carry out their duties under this Undertaking; provided that the sole and exclusive remedy for breach of this Undertaking shall be an action to compel specific performance of the obligations of the Issuer hereunder and no person or entity shall be entitled to recover monetary damages hereunder under any circumstances. Failure to comply with any provision of this Undertaking shall not constitute an event of default on the Securities.

Section 6. Parties in Interest. This Undertaking is executed to assist the Purchaser to comply with subsection (b)(5) of the Rule and is delivered for the benefit of the Holders. No other person shall have any right to enforce the provisions hereof or any other rights hereunder.

Section 7. Amendments. Without the consent of any holders of Securities, the Issuer at any time and from time to time may enter into any amendments or changes to this Undertaking for any of the following purposes:

- (a) to comply with or conform to any changes in Rule 15c2-12 (whether required or optional);
- (b) to add a dissemination agent for the information required to be provided hereby and to make any necessary or desirable provisions with respect thereto;
- (c) to evidence the succession of another person to the Issuer and the assumption of any such successor of the duties of the Issuer hereunder;
- (d) to add to the duties of the Issuer for the benefit of the Holders, or to surrender any right or power herein conferred upon the Issuer;
- (e) to modify the contents, presentation and format of the Annual Information from time to time to conform to changes in accounting or disclosure principles or practices and legal requirements followed by or applicable to the Issuer or to reflect changes in the identity, nature or status of the Issuer or in the business, structure or operations of the Issuer or any mergers, consolidations, acquisitions or dispositions made by or affecting any such person; provided that any such modifications shall comply with the requirements of Rule 15c2-12 or Rule 15c2-12 as in effect at the time of such modification; or
- (f) to cure any ambiguity, to correct or supplement any provision hereof which may be inconsistent with any other provision hereof, or to make any other provisions with respect to matters or questions arising under this Undertaking which, in each case, comply with Rule 15c2-12 or Rule 15c2-12 as in effect at the time of such amendment or change;

provided that no such action pursuant to this Section 7 shall adversely affect the interests of the Holders in any material respect. In making such determination, the Issuer shall rely upon an opinion of nationally recognized bond counsel.

Section 8. Termination. This Undertaking shall remain in full force and effect until such time as all principal, redemption premiums, if any, and interest on the Securities shall have been paid in full or the Securities shall have otherwise been paid or legally defeased pursuant to the their terms. Upon any such legal defeasance, the Issuer shall provide notice of such defeasance to the EMMA System. Such notice shall state whether the Securities have been defeased to maturity or to redemption and the timing of such maturity or redemption.

In addition, this Agreement, or any provision hereof, shall be null and void in the event that those portions of the Rule which require this Agreement, or such provision, as the case may be, do not or no longer apply to the Securities, whether because such portions of the Rule are invalid, have been repealed, or otherwise.

Section 9. Undertaking to Constitute Written Agreement or Contract. This Undertaking shall constitute the written agreement or contract for the benefit of Holders of Securities, as contemplated under Rule 15c2-12.

Section 10. Governing Law. This Undertaking shall be governed by the laws of the State of New York determined without regard to principles of conflict of law.

IN WITNESS WHEREOF, the undersigned has duly authorized, executed and delivered this Undertaking as of **September 23, 2021**.

**COMMACK UNION FREE SCHOOL DISTRICT**

By \_\_\_\_\_  
President of the Board of Education

**APPENDIX F**

**NOTICE OF EVENTS UNDERTAKING**

## UNDERTAKING TO PROVIDE NOTICES OF EVENTS

### Section 1. Definitions

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

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

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

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

“Issuer” shall mean the Commack Union Free School District, in the County of Suffolk, a school district of the State of New York.

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

“Purchaser” shall mean the financial institution referred to in the Certificate of Determination, executed by the President of the Board of Education as of August 5, 2021.

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

“Securities” shall mean the Issuer’s \$36,000,000 Tax Anticipation Notes for 2021-2022 Taxes, dated September 23, 2021, maturing on June 24, 2022, and delivered on the date hereof.

Section 2. Obligation to Provide Notices of Events. (a) The Issuer hereby undertakes, for the benefit of Holders of the Securities, to provide or cause to be provided either directly or through to the Electronic Municipal Market Access (“EMMA”) System implemented by the Municipal Securities Rulemaking Board established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934, or any successor thereto or to the functions of such Board contemplated by the Undertaking, in a timely manner, not in excess of ten (10) business days after the occurrence of any such event, notice of any of the following events with respect to the Securities:

- (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 of determinations with respect to the tax status of the Securities, or other material events affecting the tax status of the Securities;
- (7) modifications to rights of Securities holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution, or sale of property securing repayment of the Securities, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the Issuer;

Note to clause (12): For the purposes of the event identified in clause (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Issuer in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or government authority has assumed jurisdiction over substantially all of the assets or business of the Issuer, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer;

- (13) the consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

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

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

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

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

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

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

- (a) to comply with or conform to any changes in Rule 15c2-12 (whether required or optional);

- (b) to add a dissemination agent for the information required to be provided hereby and to make any necessary or desirable provisions with respect thereto;
- (c) to evidence the succession of another person to the Issuer and the assumption of any such successor of the duties of the Issuer hereunder;
- (d) to add to the duties of the Issuer for the benefit of the Holders, or to surrender any right or power herein conferred upon the Issuer;
- (e) to cure any ambiguity, to correct or supplement any provision hereof which may be inconsistent with any other provision hereof, or to make any other provisions with respect to matters or questions arising under this Undertaking which, in each case, comply with Rule 15c2-12 or Rule 15c2-12 as in effect at the time of such amendment or change;

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

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

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

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

IN WITNESS WHEREOF, the undersigned has duly authorized, executed and delivered this Undertaking as of **September 23, 2021**.

**COMMACK UNION FREE SCHOOL DISTRICT**

By \_\_\_\_\_  
President of the Board of Education