

PRELIMINARY OFFICIAL STATEMENT DATED JULY 8, 2024

RENEWAL

BOND ANTICIPATION NOTES

In the opinion of Orrick, Herrington & Sutcliffe LLP, Bond Counsel, based upon an analysis of existing laws, regulations, rulings and court decisions, and assuming among other matters, the accuracy of certain representations and compliance with certain covenants, interest on the Notes is excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"). In the further opinion of Bond Counsel, interest on the Notes is not a specific preference item for purposes of the federal alternative minimum tax on individuals. Interest on the Notes included in adjusted financial statement income of certain corporations is not excluded from the federal corporate alternative minimum tax. Bond Counsel is also of the opinion that interest on the Notes is exempt from personal income taxes imposed by the State of New York or any political subdivision thereof (including The City of New York). Bond Counsel expresses no opinion regarding any other tax consequences related to the ownership or disposition of, or the amount, accrual or receipt of interest on, the Notes. See "Tax Matters" herein.

The Notes will be deemed designated as "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b)(3) of the Code.

COUNTY OF CLINTON, NEW YORK (the "County")

\$4,430,000

BOND ANTICIPATION NOTES, 2024 (RENEWALS)

Dated Date: July 25, 2024

Maturity Date: July 25, 2025

Security and Sources of Payment: The Notes will constitute general obligations of the County and will contain a pledge of its faith and credit for the punctual payment of the principal of and interest on the Notes, and all the taxable real property within the County will be subject to the levy of ad valorem taxes, for such purpose, subject to applicable statutory limitations. See "Nature of Obligation" and "Tax Levy Limitation Law" herein.

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

At the option of the purchaser(s), the Notes may either be registered to the purchaser(s) or registered in the name of Cede & Co., as nominee for the Depository Trust Company, New York, New York ("DTC") as book-entry notes. Note certificates shall bear a single rate of interest and shall be in a denomination equal to the aggregate principal amount awarded to such purchaser at such interest rate.

Form and Denomination: The Notes will be issued as registered notes, and, when issued, if issued in book entry form will be registered in the name of Cede & Co. as partnership nominee of The Depository Trust Company, ("DTC") New York, New York, or such other name as may be requested by an authorized representative of DTC, which will act as the securities depository for the Notes. Individual purchases of the Notes may be made only in book-entry-only form in denominations of \$5,000 or integral multiples thereof. Noteholders will not receive certificates representing their ownership interest in the notes purchased. (See "Book-Entry System" herein.)

Payment: Payment of the principal of and interest on the Notes to the Beneficial Owner of the Notes will be made by DTC Participants and Indirect Participants in accordance with standing instructions and customary practices, as is now the case with municipal securities held for the accounts of customers in bearer form or registered in "street name." Payment will be the responsibility of the DTC Participant or Indirect Participant and not of DTC or the County, subject to any statutory and regulatory requirements as may be in effect from time to time. (See "Book-Entry System" herein.) The County will act as paying agent for the Notes if registered to DTC.

The Notes are offered when, as and if issued and received by the purchaser(s) and subject to the receipt of an approving legal opinion as to the validity of the Notes of Orrick, Herrington & Sutcliffe LLP, Bond Counsel, of New York, New York. It is anticipated that the Notes will be available for delivery in Jersey City, New Jersey or such other place as may be agreed upon with the purchaser(s) on or about July 25, 2024.

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

COUNTY OF CLINTON, NEW YORK

Clinton County Government Center
137 Margaret Street
Plattsburgh, New York 12901
Telephone: (518) 565-4730
Fax: (518) 565-4516

LEGISLATURE

Mark R. Henry, Chairperson

David Bezio
Calvin T. Castine
Robert E. Hall
Wendell K. Hughes
Joshua A. Kretser

Francis J. Peryea
Rob B. Timmons
Patty A. Waldron
Kevin Randall

Michael E. Zurlo, County Administrator and Clerk of the County Legislature
Jacqueline M. Kelleher, County Attorney
Kimberly Davis, County Treasurer
Rebecca M. Murphy, Deputy Treasurer
John H. Zurlo, County Clerk

* * *

BOND COUNSEL



Orrick, Herrington & Sutcliffe 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
Website: <https://www.munistat.com>

No person has been authorized by the County of Clinton to give any information or to make any representations not contained in this Official Statement and, if given or made, such other information or representations must not be relied upon as having been authorized. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, any of the Notes in any jurisdiction to any person to whom it is unlawful to make such offer or solicitation in such jurisdiction. The information, estimates 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 County of Clinton since the date hereof.

TABLE OF CONTENTS

	Page
THE NOTES	1
DESCRIPTION OF THE NOTES	1
OPTIONAL REDEMPTION.....	1
BOOK-ENTRY SYSTEM	1
DISCLOSURE UNDERTAKING	3
COMPLIANCE HISTORY.....	4
AUTHORIZATION AND PURPOSE FOR THE NOTES.....	4
NATURE OF OBLIGATION.....	5
TAX LEVY LIMITATION LAW.....	6
SPECIAL PROVISIONS AFFECTING REMEDIES UPON DEFAULT.....	7
GENERAL MUNICIPAL LAW CONTRACT CREDITORS' PROVISION	7
EXECUTION/ATTACHMENT OF MUNICIPAL PROPERTY	7
AUTHORITY TO FILE FOR MUNICIPAL BANKRUPTCY	7
STATE DEBT MORATORIUM LAW.....	7
CONSTITUTIONAL NON-APPROPRIATION PROVISION.....	9
DEFAULT LITIGATION	9
NO PAST DUE DEBT	9
THE COUNTY.....	10
DESCRIPTION.....	10
GOVERNMENT	10
TRANSPORTATION	10
EDUCATION	11
HEALTHCARE	11
CULTURE AND RECREATION.....	11
EMPLOYEES.....	12
ECONOMIC AND DEMOGRAPHIC INFORMATION	12
POPULATION TRENDS	12
INCOME DATA	12
SELECTED LISTING OF LARGER EMPLOYERS	13
ECONOMIC DEVELOPMENT.....	14
UNEMPLOYMENT RATE STATISTICS	14
INDEBTEDNESS OF THE COUNTY	15
CONSTITUTIONAL REQUIREMENTS	15
STATUTORY PROCEDURE.....	15
COMPUTATION OF DEBT LIMIT.....	16
DETAILS OF SHORT-TERM INDEBTEDNESS	17
DEBT SERVICE REQUIREMENTS - OUTSTANDING BONDS	17
ESTIMATED OVERLAPPING AND UNDERLYING INDEBTEDNESS.....	18
AUTHORIZED BUT UNISSUED DEBT	18
DEBT RATIOS	18
CAPITAL PROGRAM	18
PLATTSBURGH INTERNATIONAL AIRPORT	19
COUNTY JAIL AND LEASE OBLIGATION.....	19
CLINTON COUNTY LANDFILL LOCATED IN SCHUYLER FALLS	19

TABLE OF CONTENTS - CONTINUED

	Page
FINANCES OF THE COUNTY	19
INDEPENDENT AUDIT	19
INVESTMENT POLICY.....	20
FUND STRUCTURE AND ACCOUNTS	25
BASIS OF ACCOUNTING	25
BUDGET PROCESS.....	25
REVENUES	25
<i>Real Property Taxes</i>	25
STATE AID.....	26
EXPENDITURES	26
RESULTS OF OPERATIONS: 2019.....	26
RESULTS OF OPERATIONS: 2020.....	26
RESULTS OF OPERATIONS: 2021.....	27
RESULTS OF OPERATIONS: 2022.....	27
RESULTS OF OPERATIONS: 2023 (UNAUDITED).....	27
THE STATE COMPTROLLER’S FISCAL STRESS MONITORING SYSTEM	27
PENSION SYSTEMS.....	27
PAYMENTS TO THE PENSION SYSTEMS	28
OTHER POST EMPLOYMENT BENEFITS	28
TAX INFORMATION	29
REAL PROPERTY TAXES	29
TAX COLLECTION PROCEDURE.....	30
TAX LEVY AND COLLECTION RECORD AND TAX RATES	30
SELECTED LISTING OF LARGE TAXABLE PROPERTIES	31
TAX CERTIORARI CLAIMS	31
SALES TAX.....	31
LITIGATION	32
CYBERSECURITY	32
MARKET AND RISK FACTORS	33
TAX MATTERS	33
LEGAL MATTERS	35
RATING	35
MUNICIPAL ADVISOR	36
OTHER MATTERS	36
ADDITIONAL INFORMATION	36
APPENDIX A: FINANCIAL INFORMATION	
APPENDIX B: FORM OF BOND COUNSEL’S OPINION	
APPENDIX C: ANNUAL FINANCIAL REPORT UPDATE DOCUMENT FOR THE FISCAL YEAR ENDED DECEMBER 31, 2023	

OFFICIAL STATEMENT

Relating to

COUNTY OF CLINTON, NEW YORK

\$4,430,000

BOND ANTICIPATION NOTES, 2024 (RENEWALS)

This Official Statement, including the cover page and appendices thereto, has been prepared by the County of Clinton, New York (the "County") and presents certain information relating to the County's \$4,430,000 Bond Anticipation Notes, 2023 (Renewals) (the "Notes"). All quotations from and summaries and explanations of provisions of the Constitution and laws of the State of New York (the "State") and acts and proceedings of the County contained herein do not purport to be complete and are qualified in their entirety by reference to the official compilations thereof and all references to the Notes and the proceedings of the County relating thereto are qualified in their entirety by reference to the definitive form of the Notes and such proceedings.

THE NOTES

Description of the Notes

The Notes will be dated July 25, 2024 and will mature, without right of redemption prior to maturity, on July 25, 2025 with interest payable at maturity.

At the option of the purchaser(s), the Notes may be either registered to the purchaser(s) or registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC") as book-entry notes.

For those Notes registered to the purchaser(s), a single note certificate shall be delivered to the purchaser(s), for those Notes bearing the same rate of interest in the aggregate principal amount awarded to such purchaser at such interest rate. Principal of and interest on such Notes will be payable in lawful money of the United States of America (Federal Funds) at such bank(s) or trust company(ies) located and authorized to do business in the State of New York as may be selected by the successful bidder(s).

For those Notes issued as book-entry notes registered to Cede & Co., DTC will act as securities depository for the Notes and owners will not receive certificates representing their respective interests in the Notes. Individual purchases of such registered Notes 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 County 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. See "Book-Entry System" herein.

The County will act as Fiscal Agent for the Notes. The County's contact information is as follows: Rebecca M. Murphy, Deputy Treasurer, County of Clinton, Clinton County Government Center, 137 Margaret Street, Plattsburgh, New York 12901, telephone number (518) 565-4733, fax number (518) 565-4516, and email: Rebecca.murphy@clintoncountygov.com.

Optional Redemption

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

Book-Entry System

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

Purchases of the Notes under the DTC system must be made by or through Direct Participants, which will receive a credit for 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 Notes are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Notes, except in the event that use of the book-entry system for the Notes is discontinued.

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

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

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

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

Principal and interest payments on 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 County, on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC or the County, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of principal and interest payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the County, 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 Notes at any time by giving reasonable notice to the County. Under such circumstances, in the event that a successor depository is not obtained, note certificates are required to be printed and delivered.

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

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

Source: The Depository Trust Company

Disclosure Undertaking

This Official Statement is in a form "deemed final" by the County for the purposes of Securities and Exchange Commission Rule 15c2-12 (the "Rule"). At the time of the delivery of the Notes, the County will provide an executed copy of its "Material Event Notices Certificate" (the "Undertaking"). Said Undertaking will constitute a written agreement or contract of the County for the benefit of holders of and owners of beneficial interests in the Notes, to provide, or cause to be provided, to the Electronic Municipal Market Access ("EMMA") System implemented by the Municipal Securities Rulemaking Board established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934, or any successor thereto, timely notice not in excess of ten (10) business days after the occurrence of any of the following events with respect to the Notes:

- (i) principal and interest payment delinquencies; (ii) non-payment related defaults, if material;
- (iii) unscheduled draws on debt service reserves reflecting financial difficulties; (iv) unscheduled draws on credit enhancements reflecting financial difficulties; (v) substitution of credit or liquidity providers, or their failure to perform; (vi) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices of determinations with respect to the tax status of the Notes, or other material events affecting the tax status of the Notes; (vii) modifications to rights of Noteholders, if material; (viii) Note calls, if material, and tender offers; (ix) defeasances; (x) release, substitution, or sale of property securing repayment of the Notes, if material; (xi) rating changes; (xii) bankruptcy, insolvency, receivership or similar event of the County; (xiii) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the County, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; (xiv) appointment of a successor or additional trustee or the change of name of a trustee, if material; (xv) incurrence of a "financial obligation" (as defined in the Rule) 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 noteholders, if material; and (xvi) default, event of acceleration, termination event, modification of terms or other similar events under a financial obligation of the Issuer, any of which reflect financial difficulties.

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

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

With respect to event (xii) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the County 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 County, 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 County.

“*Financial Obligation*” means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii); provided that “financial obligation” shall not include municipal securities (as defined in the Securities Exchange Act of 1934, as amended) as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

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

The County's Undertaking shall remain in full force and effect until such time as the principal of, redemption premiums, if any, and interest on the Notes shall have been paid in full. The sole and exclusive remedy for breach or default under the Undertaking is an action to compel specific performance of the undertakings of the County, and no person or entity, including a holder of the Notes, shall be entitled to recover monetary damages thereunder under any circumstances. Any failure by the County to comply with the Undertaking will not constitute a default with respect to the Notes.

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

Compliance History

To the best of their knowledge, the County has complied with all previous Undertakings in all material respects pursuant to the Rule.

The following table sets forth the annual filings for each of the five preceding fiscal years.

<u>Fiscal Year Ending Dec 31:</u>	<u>Financial & Operating Information</u>	<u>Audited Financial Statements</u>
2019	06/26/2020	09/15/2020
2020	06/14/2021	09/30/2021
2021	06/28/2022	09/08/2022
2022	06/20/2023	09/15/2023
2023	06/21/2024	NA*

*The County's Annual Financial Report Update Document for Fiscal Year 2023 was filed on May 18, 2024. The Audit is expected to be completed later this year.

Authorization and Purpose for the Notes

The Notes are being issued pursuant to the Constitution and statutes of the State of New York, including among others, the Local Finance Law and various bond resolutions adopted by the County Legislature. The proceeds of the Notes in the amount of \$4,430,000, along with available funds in the amount of \$778,087 will be used to redeem outstanding bond anticipation notes in the amount of \$5,208,087.

<u>Date Authorized</u>	<u>Project Name</u>	<u>Amount Outstanding</u>	<u>Amount to be Paid</u>	<u>Amount to be Issued</u>
11/20/2017	Reconstruction of George Moore Academic Building	\$ 4,770,000	\$ 340,000	\$ 4,430,000
04/24/2019	Reconstruction of Runway 17-35	38,087	38,087	0
04/24/2019	Reconstruction of Various County Buildings	100,000	100,000	0
05/26/2021	Reconstruction of Various County Buildings	300,000	300,000	0
TOTALS		\$ <u>5,208,087</u>	\$ <u>778,087</u>	\$ <u>4,430,000</u>

Nature of Obligation

Each of the Notes when duly issued and paid for will constitute a contract between the County and the holder thereof.

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

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

Although the State Legislature is restricted by Article VIII, Section 12 of the State Constitution from imposing limitations on the power to raise taxes to pay "interest on or principal of indebtedness theretofore contracted" prior to the effective date of any such legislation, the New York State Legislature may from time to time impose additional limitations or requirements on the ability to increase a real property tax levy or on the methodology, exclusions or other restrictions of various aspects of real property taxation (as well as on the ability to issue new indebtedness). On June 24, 2011, Chapter 97 of the Laws of 2011 was signed into law by the Governor (the "Tax Levy Limitation Law"). The Tax Levy Limitation Law applies to local governments and school districts in the State (with certain exceptions) and imposes additional procedural requirements on the ability of municipalities and school districts to levy certain year-to-year increases in real property taxes.

Under the Constitution of the State, the County is required to pledge its faith and credit for the payment of the principal of and interest on the Notes and is required to raise real estate taxes, and without specification, other revenues, if such levy is necessary to repay such indebtedness. While the Tax Levy Limitation Law imposes a statutory limitation on the County's power to increase its annual tax levy with the amount of such increase limited by the formulas set forth in the Tax Levy Limitation Law, it also provides the procedural method to surmount that limitation. See "Tax Levy Limitation Law," herein.

The Constitutionally-mandated general obligation pledge of municipalities and school districts in New York State has been interpreted by the Court of Appeals, the State's highest court, in Flushing National Bank v. Municipal Assistance Corporation for the City of New York, 40 N.Y.2d 731 (1976), as follows:

"A pledge of the City's faith and credit is both a commitment to pay and a commitment of the City's revenue generating powers to produce the funds to pay. Hence, an obligation containing a pledge of the City's "faith and credit" is secured by a promise both to pay and to use in good faith the City's general revenue powers to produce sufficient funds to pay the principal and interest of the obligation as it becomes due. That is why both words, "faith" and "credit" are used and they are not tautological. That is what the words say and this is what the courts have held they mean . . . So, too, although the Legislature is given the duty to restrict municipalities in order to prevent abuses in taxation, assessment, and in contracting of indebtedness, it may not constrict the City's power to levy taxes on real estate for the payment of interest on or principal of indebtedness previously contracted.... While phrased in permissive language, these provisions, when read together with the requirement of the pledge and faith and credit, express a constitutional imperative: debt obligations must be paid, even if tax limits be exceeded".

In addition, the Court of Appeals in the Flushing National Bank (1976) case has held that the payment of debt service on outstanding general obligation notes takes precedence over fiscal emergencies and the police power of political subdivisions in New York State.

The pledge has generally been understood as a promise to levy property taxes without limitation as to rate or amount to the extent necessary to cover debt service due to language in Article VIII Section 10 of the Constitution which provides an exclusion for debt service from Constitutional limitations on the amount of a real property tax levy, insuring the availability of the levy of property tax revenues to pay debt service. As the Flushing National Bank (1976) Court noted, the term "faith and credit" in its context is "not qualified in any way". Indeed, in Flushing National Bank v. Municipal Assistance Corp., 40 N.Y.2d 1088 (1977) the Court of Appeals described the pledge as a direct constitutional mandate. In Quirk v. Municipal Assistance Corp., 41 N.Y.2d 644 (1977), the Court of Appeals stated that, while holders of general obligation debt did not have a right to particular revenues such as sales tax, "with respect to traditional real estate tax levies, the noteholders are constitutionally protected against an attempt by the State to deprive the County of those revenues to meet its obligations." According to the Court in Quirk, the State Constitution "requires the City to raise real estate taxes, and without specification other revenues, if such a levy be necessary to repay indebtedness."

In addition, the Constitution of the State requires that every county, city, town, village, and school district in the State provide annually by appropriation for the payment of all interest and principal on its serial bonds and certain other obligations, and that, if at any time the respective appropriating authorities shall fail to make such appropriation, a sufficient sum shall be set apart from the first revenues thereafter received and shall be applied to such purposes. In the event that an appropriating authority were to make an appropriation for debt service and then decline to expend it for that purpose, this provision would not apply. However, the Constitution of the State does also provide that the fiscal officer of any county, city, town, village, or school district may be required to set apart and apply such first revenues at the suit of any holder of any such obligations.

In Quirk v. Municipal Assistance Corp., 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 New York 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 not be interpreted by a court of competent jurisdiction to include a constitutional or statutory lien upon any particular revenues.

While the courts in New York 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.

Tax Levy Limitation Law

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

The Tax Levy Limitations Law restricts, among other things, the amount of real property taxes (including assessments of certain special improvement districts) that may be levied by or on behalf of a municipality in a particular year, beginning with fiscal years commencing on or after January 1, 2012. It was set to expire on June 15, 2020 unless extended; it was made permanent in 2020. Pursuant to the Tax Levy Limitation Law, the tax levy of a municipality cannot increase by more than the lesser of (i) two percent (2%) or (ii) the annual increase in the consumer price index (“CPI”), over the amount of the prior year’s tax levy. Certain adjustments would be permitted for taxable real property full valuation increases due to changes in physical or quantity growth in the real property base as defined in Section 1220 of the Real Property Tax Law. A municipality may exceed the tax levy limitation for the coming fiscal year only if the governing body of such municipality first enacts, by at least a sixty percent vote of the total voting strength of the board, a local law (resolution in the case of fire districts and certain special districts) to override such limitation for such coming fiscal year only. There are exceptions to the tax levy limitation provided in the Tax Levy Limitation Law, including expenditures made on account of certain tort settlements and certain increases in the average actuarial contribution rates of the New York State and Local Employees’ Retirement System, the Police and Fire Retirement System, and the Teachers’ Retirement System. Each municipality, prior to adoption of each fiscal year budget, must submit for review to the State Comptroller any information that is necessary in the calculation of its tax levy for each fiscal year.

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

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

SPECIAL PROVISIONS AFFECTING REMEDIES UPON DEFAULT

General Municipal Law Contract Creditors' Provision

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

Execution/Attachment of Municipal Property

As a general rule, property and funds of a municipal corporation serving the public welfare and interest have not been judicially subjected to execution or attachment to satisfy a judgment, although judicial mandates have been issued to officials to appropriate and pay judgments out of certain funds or the proceeds of a tax levy. In accordance with the general rule with respect to municipalities, judgments against the County may not be enforced by levy and execution against property owned by the County.

Authority to File For Municipal Bankruptcy

The Federal Bankruptcy Code allows public bodies, such as a county, city, town or village, recourse to the protection of a Federal Court for the purpose of adjusting outstanding indebtedness. Section 85.80 of the Local Finance Law contains specific authorization for any municipality in the State or its emergency control board to file a petition under any provision of Federal bankruptcy law for the composition or adjustment of municipal indebtedness. While this Local Finance Law provision does not apply to school districts, there can be no assurance that it will not be made so applicable in the future.

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

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

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

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

State Debt Moratorium Law

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

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

As a result of the Court of Appeals decision in Flushing National Bank v. Municipal Assistance Corporation for the City of New York, 40 N.Y.2d 731 (1976), the constitutionality of that portion of Title 6-A of Article 2 of the Local Finance Law enacted at the 1975 Extraordinary Session of the State legislature, as described below, 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 County.

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

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

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

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

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

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

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

Fiscal Stress and State Emergency Financial Control Boards. Pursuant to Article IX Section 2(b)(2) of the State Constitution, any local government in the State may request the intervention of the State in its “property, affairs and government” by a two-thirds vote of the total membership of its legislative body or on request of its chief executive officer concurred in by a majority of such membership. This has resulted in the adoption of special acts for the establishment of public benefit corporations with varying degrees of authority to control the finances (including debt issuance) of the cities of Buffalo, Troy and Yonkers and the County of Nassau. The specific authority, powers and composition of the financial control boards established by these acts varies based

upon circumstances and needs. Generally, the State legislature has granted such boards the power to approve or disapprove budget and financial plans and to issue debt on behalf of the municipality, as well as to impose wage and/or hiring freezes and approve collective bargaining agreements in certain cases. Implementation is left to the discretion of the board of the public benefit corporation. Such a State financial control board was first established for New York City in 1975. In addition, on a certificate of necessity of the governor reciting facts which in the judgment of governor constitute an emergency requiring enactment of such laws, with the concurrences of two-thirds of the members elected in each house of the State legislature the State is authorized to intervene in the “property, affairs and governments” of local government units. This occurred in the case of the County of Erie in 2005. The authority of the State to intervene in the financial affairs of local government is further supported by Article VIII, Section 12 of the Constitution which declares it to be the duty of the State legislature to restrict, subject to other provisions of the Constitution, the power of taxation, assessment, borrowing money and contracting indebtedness and loaning the credit of counties, cities, towns and villages so as to prevent abuses in taxation and assessment and in contracting indebtedness by them.

In 2013, the State established a new state advisory board to assist counties, cities, towns and villages in financial distress. The Financial Restructuring Board for Local Governments (the “FRB”), is authorized to conduct a comprehensive review of the finances and operations of any such municipality deemed by the FRB to be fiscally eligible for its services upon request by resolution of the municipal legislative body and concurrence of its chief executive. The FRB is authorized to make recommendations for, but cannot compel improvement of fiscal stability, management and delivery of municipal services, including shared services opportunities and is authorized to offer grants and/or loans of up to \$5,000,000 through a Local Government Performance and Efficiency Program to undertake certain recommendations. If a municipality agrees to undertake the FRB recommendations, it will be automatically bound to fulfill the terms in order to receive the aid.

The FRB is also authorized to serve as an alternative arbitration panel for binding arbitration.

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

Several municipalities in the State are presently working with the FRB. The County is presently not working with the FRB and does not reasonably anticipate doing so in the foreseeable future. School districts and fire districts are not eligible for FRB assistance.

Constitutional Non-Appropriation Provision

There is in the Constitution of the State, Article VIII, Section 2, the following provision relating to the annual appropriation of monies for the payment of due principal of and interest on indebtedness of every county, city, town, village and school district in the State: “If at any time the respective appropriating authorities shall fail to make such appropriations, a sufficient sum shall be set apart from the first revenues thereafter received and shall be applied to such purposes. The fiscal officer of any county, city, town, village or school district may be required to set aside and apply such revenues as aforesaid at the suit of any holder of obligations issued for any such indebtedness.” This constitutes a specific non-exclusive constitutional remedy against a defaulting municipality or school district; however, it does not apply in a context in which monies have been appropriated for debt service but the appropriating authorities decline to use such monies to pay debt service. However, Article VIII, Section 2 of the Constitution of the State also provides that the fiscal officer of any county, city, town, village or school district may be required to set apart and apply such revenues at the suit of any holder of any obligations of indebtedness issued with the pledge of the faith of the credit of such political subdivision. See “General Municipal Law Contract Creditors’ Provision” herein.

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

Default Litigation

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

No Past Due Debt

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

THE COUNTY

There follows in this Statement a brief description of the County, together with certain information concerning its economy and governmental organization, its indebtedness, current major revenue sources and expenditures and general and specific funds.

Description

The County, with a land area of 1,039 square miles and a population of 80,320 (2020 U.S. Census) is located in the northeast corner of New York State and is bounded on the north by the Canadian border, on the west by Franklin County, on the south by Essex County and on the east by Lake Champlain and the State of Vermont. While major portions of the County are rural and agricultural in character the County includes the City of Plattsburgh and its surrounding area, which serve as the commercial, industrial, governmental and educational hub of the northern Adirondack region. Situated in the Plattsburgh area is the State University at Plattsburgh, the Clinton Correctional Facility at Dannemora, manufacturing facilities of Georgia-Pacific Corp., WAC Lighting, Alstom Transportation and Schluter Systems, among others. The County has been involved in the development of Plattsburgh International Airport, following the closing of the Plattsburgh Air Force Base in 1995. See "Plattsburgh International Airport" herein.

Government

Residents of the County receive a full range of services from the County government including higher education (Clinton County Community College); health services (Clinton County Nursing Home); highway maintenance and improvement; social services; mental health services; sewage treatment; enhanced 911 emergency response system; parks, recreation, and culture; airport facilities; planning and development; emergency preparedness; consumer protection, employment training services, youth services, and veterans services.

The County Legislature is the legislative, appropriating and policy making body of the County. The 10 members represent legislative areas of approximately equal population. Members are elected to serve four year terms and may serve up to three terms. The current membership of the County Legislature is listed in the beginning of the Official Statement. Duties of the Legislature include, among others, review and adoption of the County's annual budget; approval of budgetary modifications during the year; and authorization by resolution for the issuance of debt by the County. Legislative committees have been organized to oversee various aspects of County government. These committees are advisory in nature and formal actions must be approved by a vote of Legislature as a whole. The County Legislature retains the services of an independent public accounting firm to audit the financial records of the County and issue their report thereon.

The Chairperson of the Board of Legislators is appointed for a one-year term. The County Treasurer, is elected for a 4-year term and is the chief fiscal officer of the County. The County Treasurer is responsible for accounting and receipts and disbursements, for the collection of taxes and other revenues, for the custody of all public funds of the County, and for the issuance of debt obligations for County purposes. The County Clerk, Sheriff and District Attorney are elected for 4-year terms. The Superintendent of Highways, County Attorney, Director of Real Property Tax Services and other County officials are appointed by the County Legislature.

Transportation

Clinton County Public Transit (CCPT) serves Clinton County and the City of Plattsburgh, a public transportation provider with a fleet of fifteen buses. CCPT provides approximately 100,000 passenger trips per year, linking towns within Clinton County to the City of Plattsburgh. CCPT aims to provide safe reliable service that is accessible and affordable to the residents and visitors to Clinton County. The deviation service provides transportation to and from the City of Plattsburgh by way of AuSable, Keeseville, Champlain, Ellenburg, Lyon Mountain, Clayburg, Rouses Point and Dannemora. Service within the City of Plattsburgh links the downtown to shopping destinations along Route 3 (Cornelia Street) and to various residential and service destinations within the city limits. CCPT also provides a Dial-A-Ride service to residents in the more rural areas of the county to help provide affordable accessible transportation to those who live in areas not typically served by a regular bus route.

Greater Plattsburgh is centrally located and offers great access to some of the largest markets in the world. It is located one hour south of Montreal and within a five hour drive of New York City, Boston and Toronto. The County has highway access through Interstate 87 and Interstate 90 both allow all of northeastern U.S. to be accessible within a day's drive. I-87 provides immediate access to the entire area and allows access to Canada which is twenty miles north of Plattsburgh. Due to recent renovations to the Champlain – Lacolle Port of Excellence along with Quebec's Highway 15, the port is now the Country's most modern northern border crossing. The port has an average of 2,000 vehicles crossing each day which makes it the sixth busiest Canada-U.S. border crossing.

Within the City of Plattsburgh runs a rail line for Canadian Pacific, which connects New York City with Montreal. A rail spur, already being used for industrial purposes, runs to Plattsburgh International Airport (see “Plattsburgh International Airport”, herein). If Canadian Pacific requires additional rail service, Canadian National (CN), who maintains a partnership with Canadian Pacific, is used. Passenger rails via Amtrak are used to provide daily connections between Montreal and New York City.

The County has access to major markets in the US and Canada through the large, deep water ports and quick access to some of the largest metropolitan areas in North America. The Ports of Montreal and Sorel/Tracy, the Port of Albany and the Port of New York are all world-class deep-water seaports and have the capacity to handle loading of large pieces of containerized parts. The Ports of Montreal and Sorel/ Tracy are located within 60 miles of Plattsburgh, the Port of Albany is within 150 miles and the Port of New York is within 300 miles. All three ports are operational all year round. The canal system and Lake Champlain also present the opportunity for moving materials via barge directly to the City of Plattsburgh.

Education

Primary and secondary education is the responsibility of various public and private or parochial schools within the County. There are seven school districts wholly within the County and two that are partially within the County. Higher education is available within the County at SUNY Plattsburgh and Clinton County Community College.

Founded in 1889, SUNY Plattsburgh is a highly regarded institution that offers both undergraduate and graduate degree programs. The University has approximately 4,900 undergraduate students enrolled and offers programs in 51 majors. SUNY Plattsburgh has one of the largest international student populations per capita of any comprehensive college in the State University of New York system. Approximately 6% of students of its students come from different countries all around the world.

Established in 1969, Clinton County Community College is a two year school which offers thirty two different degree and certificate programs. The campus is located 4 miles south of Plattsburgh and allows students to complete the two year program then either pursue a career or transfer to another school. Other institutions surrounding the area include the University of Vermont, Concordia University, McGill University and The University of Quebec, all located within an hour drive.

Healthcare

County residents are provided healthcare through one of two facilities located within the County. The University of Vermont Health Network at CVPH is the region’s largest medical complex. It is part of a six-hospital network located in the City of Plattsburgh and provides services to residents of northern New York and Vermont. The Hospital incorporates a variety of inpatient, outpatient, and community outreach care services, including an oncology center, a nursing home unit, renal dialysis center, adult and child/adolescent mental health wards, and medical and surgical capabilities. It has approximately 2,236 employees, over 230 physicians and has 300 licensed hospital beds and 34 skilled nursing beds.

Clinton County Nursing Home (CCNH) was established in 1874 and has been providing quality long term health care ever since. It is an 80 bed Medicare and Medicaid certified nursing facility located in the City of Plattsburgh and operated by Clinton County. CCNH provides services ranging from short-term restorative rehabilitation to long-term skilled nursing care.

On February 7, 2023, Clinton County entered into an Operations Transfer and Surrender Agreement with CLRNC Operating LLC. On February 7, 2023, Clinton County and CLRNC Realty, LLC entered into a Contract of Sale whereby CLRNC Realty, LLC agreed to purchase the real estate associated with the facility from Clinton County. On May 5, 2023, CLRNC Operating LLC submitted a Certificate of Need (CON) with the New York State Department of Health (DOH). Pending approval from DOH, the CON will then be reviewed by the Public Health and Health Planning Commission (PHHPC). Pending approval from PHHPC, the facility will be operated by CLRNC Operating LLC under the name of Clinton Rehabilitation and Nursing Center.

Culture and Recreation

The region is rich in history, culture and heritage. The City of Plattsburgh, the Villages of Lake Placid, Saranac Lake and Tupper Lake, and the communities of Burlington Vt., and Montreal, Canada all provide cultural venues to study and enjoy varied connections to the past. These include the Adirondack Museum, the Battle of Plattsburgh Museum, Clinton County Historical Museum, Fort Ticonderoga and many other museums.

Within the County there are many recreational activities to enjoy. Lake Champlain offers numerous water activities including sailing, power boating, fishing, water-skiing, sightseeing and scenic rivers. The Adirondack Mountains provide access to hiking, back-packing, skating, skiing, wildlife observation and canoeing. Lake Placid is a place where a number of competitive and recreational events occur including bike races and triathalons. Lake Placid annually hosts one of five ironman triathalons that take place throughout the U.S. Other annual events that bring a multitude of tourists are the bass tournaments held in Lake Champlain. These tournaments bring about 1,500 anglers and co-anglers to Plattsburgh each year.

Surrounding areas of the County include Montreal, Quebec, which has vibrant cultural and art scenes, diverse dining options, museums and big-city nightlife. Burlington, Vermont is another area located on the east shore of Lake Champlain, and it offers the charm and energy of church street shopping. Another popular destination is Lake George, which has recreational and historic activities that attract tourists.

Employees

The County provides services through approximately 642 full-time and 63 part-time employees, of which about 489 are represented by CSEA, Inc Local 1000/AFSCME, AFL-CIO, Clinton County Unit 6450 & 6466 of Local 884; 68 represented by CSEA, Inc Local 1000 AFSCME, AFL-CIO, Clinton County Sheriff's Unit 6450-01 of Local 884; and 26 by the Clinton County Sheriff's Police Benevolent Association Inc. The CSEA General Unit contract expires December 31, 2024; the CSEA Corrections Unit contract expires on December 31, 2025; the Clinton County Sheriff's Police Benevolent Association Inc. contract expires on December 31, 2024. There have been no strikes against the County, and its labor relations have been amicable.

ECONOMIC AND DEMOGRAPHIC INFORMATION

Population Trends

The following table sets forth population statistics for the County, the State and the United States.

<u>Year</u>	<u>Clinton County</u>	<u>State of New York</u>
1990	85,969	17,990,455
2000	79,894	18,976,457
2010	82,128	19,378,102
2020	80,320	19,514,849
2022	78,753	19,677,152

Source: U.S. Bureau of the Census

Income Data

	<u>Per Capita Money Income</u>				
	<u>1990</u>	<u>2000</u>	<u>2010</u>	<u>2020</u>	<u>2022</u>
County of Clinton	\$11,444	\$17,946	\$22,607	\$29,960	\$35,168
State of New York	16,501	23,389	30,791	40,898	47,421
	<u>Median Household Income</u>				
	<u>1990</u>	<u>2000</u>	<u>2010</u>	<u>2020</u>	<u>2022</u>
County of Clinton	\$26,903	\$37,028	\$46,843	\$59,510	\$66,152
State of New York	32,965	43,393	55,603	71,117	79,557
	<u>Median Family Income</u>				
	<u>1990</u>	<u>2000</u>	<u>2010</u>	<u>2020</u>	<u>2022</u>
County of Clinton	\$31,833	\$45,732	\$59,860	\$73,838	\$91,394
State of New York	39,741	51,691	67,059	87,270	99,066

Source: United States Bureau of the Census

Selected Listing of Larger Employers

<u>Name</u> ^a	<u>Type</u>	<u>Estimated Number Of Employees</u>
UVMHN	Hospital	2,285
Clinton Correctional	State Prison	1,330
SUNY-Plattsburgh	Education	911
Schluter Systems	Manufacturers	800
Clinton County	Government/Local	893
Advocacy and Resource Center	Employment Services/Job Placement	675
Peru Central School District	Education	598
MRP Solutions	Manufacturers	500
BHSN	Mental Health Agency	465
Plattsburgh City School District	Education	390
Beekmantown School District	Education	363
Walmart Supercenter	Retail	357
Champlain Valley Educational Services	Education	352
Nova Bus	Manufacturers	350
Alstom	Manufacturers	275
Ausable Valley Central School District	Education	268
City of Plattsburgh	Government/Local	254
Murnane Building Contractors	Construction	250
Salerno Packaging, Inc.	Manufacturers	199
Chartwells	Food Service/Vendor	175
Camso Manufacturing, USA Ltd	Manufacturers	168
AQ Wiring Systems	Manufacturers	160
Eye Care for the Adirondacks	Optical Services	152
Sam's Club	Retail	150
Clinton County Board Of Realtors	Associations/Non Profit Organizations	140
Spencer ARL	Manufacturers	135
Pactiv Evergreen	Manufacturers	135
Lowe's	Retail	133
W Schonbek LLC	Manufacturers	132
Jeffords Steel and Engineering Co.	Steel / Metal Fabricators	116
North Country Home Services	Home Care Services	115
JCEO	Service Organizations	110
UPS Supply Chain Solutions, Inc.	Customs Brokers	110
Upstone Materials	Crushed Stone	100
Georgia Pacific	Manufacturers	88

Source: Clinton County Area Development Corp.

Economic Development

The County of Clinton Industrial Development Agency (CCIDA), Economic Development Office of Clinton County, TDC, and the North Country Chamber of Commerce (the Chamber) are the four primary entities driving economic development and tourism in Clinton County. Each of these organizations is steered by their own Board of Directors, all of whom are comprised of the region’s most distinguished business and community leaders

While each offer distinct opportunities for the community, the partnership between the CCIDA, Economic Development Office of Clinton County, TDC, and the Chamber has historically functioned to develop partnerships with companies that can benefit from the many strategic advantages to expanding or relocating in the County. Other TDC and Chamber programming includes workshops, networking, and workforce development funding and training. The CCIDA is the State-sanctioned governmental agency formulated for the purpose of granting tax incentives in Clinton County.

The CCIDA, Economic Development Office of Clinton County, TDC, and the Chamber work together frequently to further the County’s economy and quality of life for its residents. Numerous industrial sites have been developed pursuant to this partnership; for example, the four organizations worked together to solidify a contract with the Champlain Hudson Power Express project which will result in \$64 million for Clinton County. They also worked together to help TDC construct another 60,000 square foot facility which has been leased by Medisca and will employ dozens of individuals. They have also worked with many solar companies over the last several years resulting in a number of solar farms helping New York State obtain their overall green energy goals while bringing temporary construction jobs as well as sales revenue for locally sourced materials to Clinton County.

Efforts continue to be underway to create new development opportunities in the County by expanding on clusters of existing industrial real estate. The 550+ acre Air Industrial Park in the Town of Plattsburgh is built to capacity and nearly always entirely occupied. Adjacent to this development is a 455 acre site that formerly hosted the Clinton County Airport. Industrial development on this property was initiated in 2015, when it was selected as the location for the North American production facility of Norsk Titanium, a Norwegian manufacturer of 3-D printed titanium aerospace components. On a nearby parcel, Monaghan Medical (a US subsidiary of Canadian company Trudell Medical International) constructed a new \$10 million 60,000 square foot manufacturing plant when they outgrew their former building. The Monaghan project was developed collaboratively with the County, CCIDA, and New York State, and they now employ about 80 residents. The final additional acreage with existing infrastructure was sold to TDC, who constructed a 60,000 square foot industrial building with support from the CCIDA, as well as 10,000 square foot new office space when they vacated 150 Banker Road to permit expansion of their neighbor, Northern Culinary, into TDC’s half of the building.

To create more developable acreage at the former Airport, TDC, the Town of Plattsburgh, and Clinton County previously have committed a total of \$1 million to match grant awards of \$1.5 million from the Economic Development Administration and \$500,000 from the Northern Border Regional Commission and \$3 million from FAST-NY funding for a total of \$6 million infrastructure buildout to include roads, energy transmission, and water infrastructure at the site. This construction is set to be completed in July of 2024 as the County is now working with CVES to expand this road and facilitate the buildout of a new technological campus.

Additional investments and operational expansions in Clinton County include the addition of BETA Technologies, electric aircraft test center and paint shop, Schluter Systems’ only North American research and development facility, of which Clinton County with BETA were awarded \$20 million to complete the buildout of their PBG campus. Additionally, adult care facility Vilas Home, renovation of Beekman Towers and repowering of the Noble/AES windfarms, and the Champlain Hudson Power Express project highlight additional developments going on throughout the County. All of the aforementioned projects were endorsed by the Board of Directors of the CCIDA.

Unemployment Rate Statistics

<u>Annual Averages:</u>	<u>Clinton County (%)</u>	<u>New York State (%)</u>
2019	4.4	4.0
2020	8.0	10.0
2021	5.0	7.2
2022	3.2	4.4
2023	3.4	4.2
2024 (3 month average)	4.4	4.3

Source: Department of Labor, State of New York
 (Note: Figures not seasonally adjusted.)

INDEBTEDNESS OF THE COUNTY

Constitutional Requirements

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

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

General. The County is further subject to constitutional limitation by the general constitutionally imposed duty on the State Legislature to restrict the power of taxation, assessment, borrowing money, contracting indebtedness and loaning the credit of the County so as to prevent abuses in the exercise of such powers; however, as has been noted under "Nature of Obligation", the State Legislature is prohibited by a specific constitutional provision from restricting the power of the County to levy taxes on real estate for the payment of interest on or principal of indebtedness theretofore contracted. However, the Tax Levy Limitation Law imposes a statutory limitation on the County's power to increase its annual tax levy. The amount of such increase is limited by the formulas set forth in the Tax Levy Limitation Law. See "Tax Levy Limitation Law," herein.

Statutory Procedure

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

Pursuant to the Local Finance Law, the County authorizes the incurrence of indebtedness by the adoption of a bond ordinance approved by at least two-thirds of the members of the County Legislature, the finance board of the County.

The Local Finance Law also provides a twenty-day statute of limitations after publication of a bond resolution which, in effect, estops thereafter legal challenges to the validity of obligations authorized by such bond resolution except for alleged constitutional violations. The County will be in compliance upon closing with such requirement with respect to the bond resolution authorizing the issuance of the Notes.

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

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

In addition, under each bond resolution, the County Legislature may delegate, and has delegated, power to issue and sell notes, to the County Treasurer, the chief fiscal officer of the County.

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

Debt Limit. The County has the power to contract indebtedness for any County purpose so long as the principal amount thereof shall not exceed seven per centum of the average full valuation of taxable real estate of the County and subject to certain enumerated exclusions and deductions such as water and certain sewer facilities and cash or appropriations for current debt service. The constitutional and statutory method for determining the full valuation is by dividing the assessed valuation of taxable real estate by the respective equalization rates assigned to each assessment roll. Such equalization rates are the ratios which each of such assessed valuations bear to the respective full valuation of such year, as assigned by the Office of Real Property Tax Services. The State Legislature is required to prescribe the manner by which such ratios shall be determined. Average full valuation is determined by adding the full valuations for the most recently completed assessment roll and the four immediately preceding assessments rolls and dividing the resulting sum of such addition by five.

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

Computation of Debt Limit
(As of July 8, 2024)

<u>Fiscal Year ending Dec 31:</u>	<u>Assessed Valuation</u>	<u>State Equalization Rate (%)</u>	<u>Full Valuation</u>
2019	\$5,037,583,350	100.00	\$5,037,583,350
2020	5,212,299,912	97.10	5,367,817,440
2021	5,423,883,078	99.30	5,463,901,300
2022	5,976,197,295	98.60	6,062,138,348
2023	6,590,506,145	95.28	6,923,680,137
Total Five Year Full Valuation			\$28,855,120,575
Average Five Year Full Valuation			5,771,024,115
Debt Limit - 7% of Full Valuation			\$484,657,610
Inclusions:			
Outstanding Bonds			\$37,395,000
Bond Anticipation Notes			5,208,087
Total Indebtedness			42,603,087
Appropriations for Bonds			2,745,000
Appropriations for Notes			578,087
Total Exclusions			3,323,087
Total Net Indebtedness			39,280,000
Net Debt Contracting Margin			\$445,377,610
Per Cent of Debt Contracting Margin Exhausted			8.10%

Details of Short-Term Indebtedness

<u>Date Authorized</u>	<u>Project Name</u>	<u>Amount Outstanding</u>	<u>Amount to be Paid</u>	<u>Amount to be Issued</u>
11/20/2017	Reconstruction of George Moore Academic Building	\$ 4,770,000	\$ 340,000	\$ 4,430,000
04/24/2019	Reconstruction of Runway 17-35	38,087	38,087	0
04/24/2019	Reconstruction of Various County Buildings	100,000	100,000	0
05/26/2021	Reconstruction of Various County Buildings	<u>300,000</u>	<u>300,000</u>	<u>0</u>
TOTALS		\$ <u>5,208,087</u>	\$ <u>778,087</u>	\$ <u>4,430,000</u>

Debt Service Requirements - Outstanding Bonds

<u>Fiscal Year Ending December 31</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2024	\$ 2,745,000	\$ 1,288,031	\$ 4,033,031
2025	2,855,000	1,172,469	4,027,469
2026	2,960,000	1,052,231	4,012,231
2027	3,030,000	966,006	3,996,006
2028	3,095,000	875,781	3,970,781
2029	3,170,000	779,869	3,949,869
2030	1,870,000	681,431	2,551,431
2031	1,940,000	614,756	2,554,756
2032	2,010,000	545,631	2,555,631
2033	2,085,000	473,969	2,558,969
2034	2,160,000	399,681	2,559,681
2035	2,240,000	321,281	2,561,281
2036	2,325,000	238,541	2,563,541
2037	2,410,000	148,200	2,558,200
2038	<u>2,500,000</u>	<u>50,000</u>	<u>2,550,000</u>
Totals	\$ <u>37,395,000</u>	\$ <u>9,607,878</u>	\$ <u>47,002,878</u>

Estimated Overlapping and Underlying Indebtedness

<u>Overlapping Units</u>	<u>Applicable Total Indebtedness</u>	<u>Applicable Net Indebtedness</u>
City of Plattsburgh (at 11-2-2023)	\$ 32,634,220	\$ 26,224,681
Towns (at 12-31-2022)	54,058,913	54,058,913
Villages (at 5-31-2023)	3,185,427	3,185,427
School Districts (at 6-30-2023)	147,694,541	24,860,655
Fire Districts (at 12-31-2022)	5,956,339	5,956,339
Totals	<u>\$243,529,440</u>	<u>\$114,286,015</u>

Source: Special Report on Municipal Affairs published by the Office of the State Comptroller or more recent Official Statements.

Authorized but Unissued Debt

As of the date of this Official Statement, the County has no authorized but unissued debt.

Debt Ratios (July 8, 2024)

	<u>Amount</u>	<u>Per Capita^a</u>	<u>Percentage Of Full Value (%)^b</u>
Total Direct Debt	\$42,603,087	\$541	0.615
Net Direct Debt	39,280,000	499	0.567
Total Direct & Applicable Total Overlapping Debt	286,132,527	3,633	4.133
Net Direct & Applicable Net Overlapping Debt	153,566,015	1,950	2.218

a. The current estimated population of the County is 78,753 (U.S. Census).

b. The full valuation of taxable real property in the County for 2023-2024 is \$6,923,680,137.

Capital Program

The County is generally responsible for providing services as required to the citizens on a County-wide basis. The County maintains a road system necessitating road resurfacing and improvements and the acquisition of machinery and, from time to time, equipment. Additionally, although not a capital expense, the road system requires annual expenditures for snow removal as well as regular general operating maintenance expenses. In addition, the County owns, operates, maintains and improves recreation facilities. As has been noted, the County generally has provided the financing for the airport and maintains primary responsibility for these functions. In general, needs for capital funding for the above described projects which the County has responsibility are anticipated to continue and to be in approximately the same amounts or less than has prevailed in the past. There are no significant capital improvements being contemplated at this time.

Plattsburgh International Airport

In February 2003, the Clinton County Legislature agreed to take title to the portion of the former Plattsburgh Air Force Base containing the aviation assets. On February 28, 2003, the Chairperson of the Clinton County Legislature executed a “Lease in Furtherance of Conveyance” agreement with the U.S. Air Force that allowed the County to assume control over 1,700 acres of land for the operation of an airport. The County also entered into an agreement with Plattsburgh Airbase Redevelopment Corp. (“PARC”) on February 28, 2003 that obligated PARC to manage and operate the airport on behalf of the County for one year.

Over the past several years, the County engaged in several capital improvement projects to relocate Clinton County Airport to Plattsburgh International Airport. The projects included the construction of a new passenger terminal, major renovations of the ILS (instrument landing system) and precision instrument approach, runway improvements and repairs, and construction of a new fuel farm. The projects are now complete, and the airport operates as a Part 139 certificate Commercial Service Airport, supporting activities of industrial tenants, general aviation, and passenger flights.

Plattsburgh International Airport – Terminal Expansion and Capacity Enhancement Project – The terminal expansion project at Plattsburgh International Airport was intended to accommodate current demand as well as forecast demand through 2030. The expansion addressed the passenger terminal (including ancillary functions such as fueling, aircraft boarding, etc.), vehicle parking, roadway, and utility enhancements needed to accommodate 2030 forecast demands. The project has now been completed and provides a long term solution to the capacity shortcomings in the existing terminal area.

County Jail and Lease Obligation

In August of 1987, the County entered into a lease agreement with a not-for-profit corporation pursuant to which the not-for-profit corporation agreed to finance and construct a ninety bed correctional facility to be located in the Town of Plattsburgh to be leased to the County. Pursuant to such agreement, the County was required, subject to annual appropriation, to make lease payments to the not-for-profit corporation, in an amount sufficient to pay the not-for-profit corporation's debt service payments on the obligations issued by the not-for-profit corporation to finance the cost of the construction of the jail. In 2017, the County exercised its option to purchase the facility for \$684,625.

Clinton County Landfill located in Schuyler Falls

The County originally entered into an agreement, effective as of July 8, 1996, to lease the Schuyler Falls Landfill to Casella Waste Systems, Inc. (“Casella”) Casella has contracted to operate the landfill on behalf of the County for 25 years. The agreement was renegotiated in 2016 and is effective through 2041. In addition, Casella pays host fees and recycling revenues to the County. Under the terms of the lease, Casella assumes the responsibility for the closure of the lined landfill.

FINANCES OF THE COUNTY

Independent Audit

The financial affairs of the County are subject to periodic compliance review by the Office of the State Comptroller (“OSC”) to ascertain whether the County has complied with the requirements of various state and federal statutes. The financial statements of the County are audited each year by an independent public accountant. The last such audit covers the fiscal year ended December 31, 2022. Additionally, the County prepares an Annual Financial Report Update Document and is filed with the OSC on or before April 30th each year. Such statement for fiscal year ending 2023 is attached as Appendix C.

Investment Policy

Scope

This investment policy applies to all moneys and other financial resources available for deposit and investment by Clinton County ("The County") on its own behalf or on behalf of any other entity or individual.

Objectives

The primary objectives of the County investment activities are, in priority order:

- To conform with all applicable federal, State and other legal requirements (legality);
- To adequately safeguard principal (safety);
- To provide sufficient liquidity to meet all operating requirements (liquidity) and
- To obtain a reasonable rate of return (yield).

To appropriately meet these objectives, the County will make investment decisions based on categories of cash with which the time horizon is continually calculated using a liquidity analysis of past and anticipated future financial requirements.

Delegation Of Authority

The County Treasurer maintains responsibility for administration of the investment program who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

Prudence

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County to govern effectively.

Investments shall be made with prudence, diligence, skill, judgment and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions.

Diversification

It is the policy of the County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling. The County Treasurer shall establish appropriate limits for the amount of investments which can be made with each financial institution or dealer, and shall evaluate this listing at least annually.

Internal Controls

It is the policy of the County for all moneys collected by any officer or employee of the government to transfer those funds to the County Treasurer within five days of deposit, or within the time period specified in law, whichever is shorter.

The County Treasurer is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

Collateralization

All demand and time deposits of the County in excess of the amount insured under the provision of the Federal Deposit Insurance Act shall be secured by eligible collateral, consisting of any one, or combination, of the following:

- A pledge of eligible securities, as provided in General Municipal Law, Section 10, which is provided in Table A.

Securing Deposits And Investments

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, “deposits”) made by officers of the County that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, including pursuant to a Deposit Placement Program in accordance with law, shall be secured by:

- A pledge of “eligible securities” with an aggregate “market value” (as provided by New York State Law in Table A) that is at least equal to the aggregate amount of deposits by the officers. See Schedule A of this policy for a listing of “eligible securities.”
- A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within New York State at the bank or trust company.
- An “eligible surety bond” payable to the government for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and conditions of the surety bond.
- An “eligible letter of credit,” payable to the County as security for the payment of 140 percent of the aggregate amount of deposits and the agreed-upon interest, if any. An “eligible letter of credit” shall be an irrevocable letter of credit issued in favor of the County, for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company’s commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.
- An “irrevocable letter of credit” issued in favor of the County by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

Collateralization And Safekeeping

Eligible securities used for collateralizing deposits made by officers of the County shall be held by (the depository or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities (or the pro rata portion of a pool of eligible securities) are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities (or pro rata portion of a pool of eligible securities) held may be sold, presented for payment, substituted or released and the events of default which will enable the local government to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of the County, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the local government in the securities (or the pro rata portion of a pool of eligible securities) as set forth in the security agreement.

The custodial agreement shall provide that pledged securities (or the pro rata portion of a pool of eligible securities) will be held by the custodial bank or trust company as agent of, and custodian for, the County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral

when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the County with a perfected security interest in the eligible securities and to otherwise secure the local government's interest in the collateral, and may contain other provisions that the governing board deems necessary.

Permitted Investments

As provided by General Municipal Law Section 11, the Clinton County Legislature authorizes the County Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in New York State;
- Through a Deposit Placement Program, certificates of deposit in one or more "banking institutions", as defined in Banking Law Section 9-r;
- Obligations of the United States of America;
- 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;
- Obligations of the State; With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e., Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district or district corporation in the State other than the County;
- General obligation bonds and notes of any state other than this state, provided that such bonds and notes receive the highest rating of at least one independent rating agency designated by the state comptroller.
- Obligations of any corporation organized under the laws of any state in the United States maturing within two hundred seventy days, provided that such obligations receive the highest rating of two independent rating services designated by the state comptroller and that the issuer of such obligations has maintained such ratings on similar obligations during the preceding six months, provided, however, that the issuer of such obligations need not have received such rating during the prior six month period if such issuer has received the highest rating of two independent rating services designated by the state comptroller and is the successor or wholly-owned subsidiary of an issuer that has maintained such ratings on similar obligations during the preceding six month period or if the issuer is the product of a merger of two or more issuers, one of which has maintained such ratings on similar obligations during the preceding six month period, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one corporation.
- Bankers' acceptances maturing within two hundred seventy days which are eligible for purchase in the open market by federal reserve banks and which have been accepted by a bank or trust company which is organized under the laws of the United States or of any state thereof and which is a member of the federal reserve system and whose short-term obligations meet the criteria outlined in clause (7). Provided, however, that no more than two hundred fifty million dollars may be invested in such bankers' acceptances of any one bank or trust company; or
- Obligations of, or instruments issued by or fully guaranteed as to principal and interest by, any agency or instrumentality of the United States acting pursuant to a grant of authority from the Congress of the United States, including but not limited to, any federal home loan bank or banks, the Tennessee valley authority, the federal national mortgage association, the federal home loan mortgage corporation and the United States postal service, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one agency.
- No-load money market mutual funds registered under the Securities Act of 1933, as amended, and operated in accordance with Rule 2a-7 of the Investment Company Act of 1940, as amended, provided that such funds are limited to investments in obligations issued or guaranteed by the United States of America or in obligations of agencies or instrumentalities of the United States of America where the payment of principal and interest are guaranteed by the United States of America (including contracts for the sale and repurchase of any such obligations) and are rated in the highest rating category by at least one nationally recognized statistical rating organization, provided, however, that no more than two hundred fifty million dollars may be invested in such funds.

All investment obligations shall be payable or redeemable at the option of the County 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 County within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the monies were obtained, and shall be secured as provided in Sections VIII and IX herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the County authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the County within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

Authorized Financial Institutions And Dealers

All financial institutions and dealers with which the County transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size and other factors that make the financial institution or the dealer capable and qualified to transact business with the County. The County Treasurer shall evaluate the financial position and maintain a listing of proposed depositories, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the Federal Reserve Bank, as primary dealers.

The County shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealer. This list is present in Table B of this policy.

Purchase Of Investments

The County Treasurer is authorized to contract for the purchase of investments:

- Directly, from an authorized trading partner
- By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the County by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the County with a perfected interest in the securities.

The County Treasurer, where authorized, can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for the deposit of any such evidences of investments with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

Definitions

The terms "public funds," "public deposits," "bank," "trust company," "eligible securities," "eligible surety bond," and "eligible letter of credit" shall have the same meanings as set forth in General Municipal Law Section 10.

Table A

Schedule of Eligible Securities for Collateralizing Deposits and Investments in Excess of FDIC Coverage
(see Investment Policy, herein)

For purposes of determining aggregate
“market value,” eligible securities shall be
valued at these percentages of “market
value”:

“Eligible Securities” for Collateral	
(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government-sponsored corporation.	100%
(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank and the African Development Bank.	100%
(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.	100%
(iv) Obligations issued or fully insured or guaranteed by the State, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.	100%
(v) Obligations issued by states (other than the State) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(vi) Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.	80%
(ix) Any mortgage-related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.	70%
(x) Commercial paper and bankers’ acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of no longer than 60 days from the date they are pledged.	80%
(xi) Zero-coupon obligations of the United States government marketed as “Treasury STRIPS.”	80%

Table B

<u>Name of Institution</u>	<u>Maximum Amount</u>
BNY Mellon and Dreyfus / NY MuniTrust	\$50,000,000
Champlain National Bank	15,000,000
Community Bank	15,000,000
Glens Falls National Bank	50,000,000
KeyBanc Capital Markets	50,000,000
Key Bank, N.A.	15,000,000
National Bank & Trust	15,000,000
TD Bank	15,000,000
U.S. Bank / NYCLASS	50,000,000

Fund Structure and Accounts

The General Fund is the general operating fund for the County and is used to account for substantially all revenues and expenditures of the County. The County also maintains a county road fund, road machinery fund, solid waste fund and health related facility fund. In addition, a capital fund is used to record capital facilities while a trust and agency fund accounts for assets received by the County in a fiduciary capacity.

Basis of Accounting

The government-wide, proprietary, and fiduciary fund 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 flows take place. Nonexchange transactions, in which the County receives value directly without giving equal value in exchange, include property taxes, sales tax receipt, grants and donations. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which taxes are levied. Revenue from grants and donations is recognized in the fiscal year in which all eligibility requirements have been satisfied.

Governmental funds 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 County considers all revenues reported in the governmental funds to be available if they are collected within sixty days after year end. Expenditures are recorded when the related fund on long-term debt, claims and judgments, and compensated absences, which are recognized as Capital asset purchases are reported as expenditures in governmental funds. Proceeds of long-term liabilities and property or equipment purchased under capital leases are reported as other financing sources.

Budget Process

On or before the end of each October, the tentative budget is submitted to the Finance Committee (the "Committee"). The Committee is designated to receive and study the tentative budget. The Committee holds such meetings as it may determine, and may require any officer or employee of the County or the head of any County department, bureau, office, board or commission, or of any organization receiving financial aid from the County, to appear before the Committee for the purpose of furnishing any information required by the Committee in its consideration of the tentative budget. After such consideration, the Committee approves such tentative budget as originally prepared or with such amendments or change therein as the Committee may determine.

The Annual Meeting for the adoption of the Budget, making appropriation therefore, and for the levying of taxes for all County and Town purposes prescribed by law is held on or before December 15 each year. The Budget is not subject to referendum.

Revenues

The County receives most of its revenue from a real property tax on all non-exempt real property situated within the County, non-property taxes (including sales and use tax) and State aid and Federal 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" and "Tax Levy Limitation Law", herein

State Aid

The County receives financial assistance from the State. If the State should not adopt its budget in a timely manner, municipalities and school districts in the State, including the County, may be affected by a delay in the payment of State aid. Additionally, if the State should experience difficulty in borrowing funds in anticipation of the receipt of State taxes in order to pay State aid to municipalities and school districts in the State, including the County, in this year of future years, the County may be affected by a delay in the receipt of State aid until sufficient State taxes have been received by the State to make State aid payments.

Based on the unaudited Annual Financial Report Update Document of the County, the County received approximately 17.02% of its total General Fund operating revenue from State aid in 2023. There is no assurance, however, that State appropriations for aid to municipalities will continue, either pursuant to existing formulas or in any form whatsoever. The State is not constitutionally obligated to maintain or continue such aid and, in fact, the State has drastically reduced funding to municipalities and school districts in the last several years in order to balance its own budget.

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

The County received \$15,633,268 in aid through the American Rescue Plan Act of 2021 (“ARPA”) which was signed into law on March 11, 2021.

The following table sets forth the percentage of the County’s General Fund revenue comprised of State Aid for each of the fiscal years 2019 through 2023 and as budgeted for 2024.

Year Ended <u>December 31:</u>	<u>General Fund Total Revenue</u>	<u>State Aid</u>	<u>State Aid To Revenues (%)</u>
2019	\$ 149,753,965	\$ 26,396,553	17.63
2020	141,824,436	22,423,825	15.81
2021	159,883,994	23,627,651	14.78
2022	165,235,200	26,102,639	15.80
2023 (Unaudited)	177,023,861	30,134,039	17.02
2024 (Budgeted)	151,481,499	24,840,550	16.40

Source: Audited financial statements 2019 through 2022, the unaudited annual financial report update document for 2023, and the Budget of the County (2024). Table itself is not audited. Audited results may vary.

Expenditures

The major categories of expenditure for the County are General Government Support, Public Safety Education, Health, Economic Assistance and Opportunity. A summary of the expenditures for the five most recently completed fiscal years may be found in Appendix A.

Results of Operations: 2019

The County's revenues exceeded its expenditures by \$2,648,858 in its General Fund for the fiscal year which ended December 31, 2019, which resulted in an increase in fund balance from \$20,346,465 at the beginning of the fiscal year to \$22,995,323 at the end of the fiscal year.

Results of Operations: 2020

The County's revenues exceeded its expenditures by \$4,353,092 in its General Fund for the fiscal year which ended December 31, 2020, which resulted in an increase in fund balance from \$22,995,320 at the beginning of the fiscal year to \$27,348,412 at the end of the fiscal year.

Results of Operations: 2021

The County's revenues exceeded its expenditures by \$18,039,685 in its General Fund for the fiscal year which ended December 31, 2021, which resulted in an increase in fund balance from \$27,348,412 at the beginning of the fiscal year to \$45,388,107 at the end of the fiscal year.

Results of Operations: 2022

The County's revenues exceeded its expenditures by \$14,009,240 in its General Fund for the fiscal year which ended December 31, 2022, which resulted in an increase in fund balance from \$45,388,097 at the beginning of the fiscal year to \$59,397,337 at the end of the fiscal year.

Results of Operations: 2023 (unaudited)

The County's revenues exceeded its expenditures by \$7,769,801 in its General Fund for the fiscal year which ended December 31, 2023, which resulted in an increase in fund balance from \$59,397,337 at the beginning of the fiscal year to \$67,167,148 at the end of the fiscal year. Such results are unaudited and subject to change.

The State Comptroller's Fiscal Stress Monitoring System

The New York State Comptroller has reported that New York State's school districts and municipalities are facing significant fiscal challenges. As a result, the Office of the State Comptroller 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 State Comptroller. Using financial indicators that include year-end fund balance, cash position and patterns of operating deficits, the system creates an overall fiscal stress score which classifies whether a school district or municipality is in "significant fiscal stress", in "moderate fiscal stress," as "susceptible to fiscal stress" or "no designation". Entities that do not accumulate the number of points that would place them in a stress category will receive a financial score but will be classified in a category of "no designation." This classification should not be interpreted to imply that the entity is completely free of fiscal stress conditions. Rather, the entity's financial information, when objectively scored according to the FSMS criteria, did not generate sufficient points to place them in one of the three established stress categories.

The most current applicable report of the State Comptroller designates the County as "No Designation" (Fiscal Score: 3.3%, Environmental 16.7%). More information on the FSMS may be obtained from the Office of the State Comptroller.

In addition, the Office of the State Comptroller 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 performed was released in June, 2018. The purpose of such audit was to determine whether the County accurately paid employees' separation payments for the period January 1, 2016 to December 31, 2017. The complete report may be found on the State Comptroller's official website. Reference to this website implies no warranty of accuracy of information therein, not incorporation herein by reference.

Pension Systems

Substantially all employees of the County are members of the New York State and Local Employees' Retirement System (the "Retirement System" or "ERS"). The Retirement Systems are a cost-sharing multiple public employer retirement system. The obligation of employers and employees to contribute and the benefits to employees are governed by the New York State Retirement System and Social Security Law (the "Retirement System Law"). The Systems offers a wide range of plans and benefits which are related to years of service and final average salary, vesting of retirement benefits, death and disability benefits and optional methods of benefit payments. All benefits generally vest after five years of credited service. The Retirement System Law generally provides that all participating employers in the Retirement Systems are jointly and severally liable for any unfunded amounts. Such amounts are collected through annual billings to all participating employers. Generally, all employees, except certain part-time employees, participate in the Retirement Systems. The Retirement Systems are non-contributory with respect to members hired prior to July 27, 1976. All members hired on or after July 27, 1976 must contribute three percent of their gross annual salary towards the costs of retirement programs until they attain ten years in the Retirement System, at such time contributions become voluntary. On December 10, 2009, the Governor signed into law the creation of a new Tier 5, which is effective for new ERS employees hired after January 1, 2010. New ERS employees in Tier 5 will now contribute 3% of their salaries. There is no

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

As a result of significant capital market declines in the recent past, in certain years the State’s Retirement System portfolio has experienced negative investment performance and severe downward trends in market earnings. As a result of the foregoing, it is anticipated that the employer contribution rate for the State’s Retirement System in future years may be higher than the minimum contribution rate established under applicable law. Since 2010, various forms of legislation have been enacted to allow local governments and school districts the option of amortizing required contributions to the Retirement System. However, although these options reduce near term payments, it will require higher than normal contributions in later years. The County has not chosen to amortize any of its Retirement System contributions.

The County is required to contribute an actuarially determined rate. The County’s contributions made to the System were equal to 100% of the contributions required for each year. The required contributions for the five most recently completed fiscal years are as follows:

Payments to the Pension Systems^a

Fiscal Year Ending	
<u>December 31:</u>	<u>ERS</u>
2019	\$6,068,219
2020	6,117,671
2021	6,267,456
2022	4,660,373
2023	5,668,128
2024 (Budgeted)	6,338,174

a. Includes Clinton Community College.
 Note: Table not audited.

Other Post Employment Benefits

The County 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 December 31, 2018, the County adopted GASB 75, which supersedes and eliminates GASB 45. Under GASB 45, 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.

For the fiscal year ended December 31, 2018, the County implemented GASB 75. The implementation of this Statement resulted in the reporting of the entire actuarial accrued liability for other post-employment benefits. The County’s total OPEB liability as of December 31, 2022 is as follows:

Total OPEB Liability at December 31, 2021	<u>\$249,017,899</u>
Charges for the Year:	
Service Cost	10,894,423
Interest	5,448,645
Changes of Benefit Terms	-
Difference between expected and actual experience	-
Changes in Assumptions or Other Inputs	2,721,024
Benefit Payments	<u>(5,801,511)</u>
Net Changes in total OPEB liability	<u>13,262,581</u>
Total OPEB Liability at December 31, 2022	<u><u>\$262,280,480</u></u>

Actuarial valuation will be required every 2 years for OPEB plans with more than 200 members, every 3 years, if there are less than 200 members.

At this time, New York State has not developed guidelines for the creation and use of irrevocable trusts for the funding of OPEB. The County continues funding the expenditure on a pay-as-you-go basis.

TAX INFORMATION

Real Property Taxes

The County 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 County are prepared by the component Towns and City of Plattsburgh. Assessment valuations are determined by the Town and City Assessors and the Office of Real Property Tax Services which is responsible for certain utility and railroad property. In addition, the State Office 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 of debt contracting and real property taxing limitations. See also “The Tax Levy limitation law” herein.

The following table sets forth the percentage of the County’s General Fund revenue (excluding other financing sources) comprised of real property taxes for each of the fiscal years 2019 through 2023 and as budgeted for 2024.

Fiscal Year Ending <u>December 31:</u>	<u>Total Revenue</u>	<u>Real Property Taxes</u>	<u>Real Property Taxes to Revenues (%)</u>
2019	149,753,965	21,296,182	14.22
2020	141,824,436	21,431,872	15.11
2021	159,883,994	22,473,319	14.06
2022	165,235,200	21,404,059	12.95
2023 (Unaudited)	177,023,861	20,898,080	11.81
2024 (Budgeted)	151,481,499	29,710,751	19.61

Source: Audited financial statements 2019 through 2022, the unaudited annual financial report update document for 2023, and the Budget of the County (2024). Table itself is not audited. Audited results may vary.

Tax Collection Procedure

County taxes are collected in the City of Plattsburgh by the City. The City pays the County levy to the County in full and assumes responsibility for uncollected items. County taxes in the Towns are collected by the Town Receivers of Taxes along with Town and Town Special County taxes. The Town retains the Town and Town Special County taxes from the total collection and returns the balance of such collection and the uncollected items to the County which assumes the responsibility of collection of unpaid items. The County is also responsible for collection of delinquent School district taxes (except Plattsburgh City School District) and the County pays the amount of such uncollected School district taxes to the School districts in full. The County relieves these items on the next County tax roll and enforcement is the same as for the County taxes.

Town and County taxes are due and payable on January 1 of each year. If not paid prior to February 1st, penalties are imposed at an annual rate determined by the New York State Commissioner of Taxation and Finance. In May, the tax rolls are returned to the County and taxes plus penalties are payable to the County Treasurer.

Tax Levy and Collection Record and Tax Rates

	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
County and State Taxes	\$ 24,264,284	\$ 25,099,589	\$ 25,060,159	\$ 25,314,641	\$ 27,398,936
Town Taxes	27,987,133	28,174,863	28,897,920	29,649,010	31,866,869
Returned School Taxes	3,524,498	3,778,457	3,390,223	3,677,289	4,202,053
Relieved Item and Penalties	338,123	320,984	293,497	337,405	368,871
Total Tax Levy	56,114,038	57,373,893	57,641,799	58,978,346	63,836,729
Adjustments	(4,092)	(25,424)	(144,548)	(6,968)	(7,843)
Tax Levy	56,109,946	57,348,469	57,497,251	58,971,378	63,828,886
Uncollected End of Year of Levy:					
Amount	\$ 4,037,756	\$ 3,417,279	\$ 3,684,998	\$ 3,840,227	\$ 4,315,960
Percent	7.20%	6.00%	6.41%	6.51%	6.76%
Tax Rate per \$1,000 of County Equalized Full Valuation	\$ 5.90	\$ 5.55	\$ 5.45	\$ 4.90	\$ 4.28

Selected Listing of Large Taxable Properties
2024 Assessment Roll^a

<u>Name</u>	<u>Type</u>	<u>Assessed Valuation</u>
New York State Elec. & Gas Corp	Utility	\$293,312,022
Noble Environmental Power LLC	Utility	163,885,185
State of New York	State Properties	90,505,930
Plattcon A LLC	Commercial	40,534,600
Verizon New York Inc	Utility	23,943,937
Meron Terry	Commercial	22,920,900
City of Plattsburgh	Water Properties	20,594,188
Fort Schuyler Mgmt Corp	Industrial	19,800,000
TDC NNY Inc	Industrial	19,585,000
UMS Property LLC	Industrial	19,401,300
Adirondack Farms LLC	Agriculture	17,050,137
North Country Gas Pipeline	Commercial	16,815,178
Meadowbrook Propco LLC	Commercial	16,400,000
Pyramid Co. of Plattsburgh	Commercial	14,054,300
EZ Properties LLC	Commercial	14,014,000
Mountain Harbor Properties LLC	Commercial	13,502,400
Bombardier Mass Transit Corp	Industrial	13,100,000
Mousseau Properties LLC	Commercial	12,272,500
D&H Corporation	Utility	12,174,663
AGNL CAPS LLC	Commercial	12,145,000
	Total ^a	<u><u>\$856,011,240</u></u>

- a. Assessment Roll established in 2023 for levy and collection of taxes during 2023 Fiscal Year. See “Tax Certiorari Claims” herein.
- b. Represents 12.99% of the total assessed valuation of \$6,923,680,137.

Tax Certiorari Claims

In common with other municipalities, there are a number of tax certiorari proceedings pending involving properties that are subject to the levy of County 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.

Sales Tax

Most counties in the State share some portion of the proceeds from their sales tax with cities, towns, villages, or school districts. These sales tax distributions are done in accordance with sharing agreements based on population, real property valuation and/or other factors, some of which are required by statute under certain circumstances and others or which are left to the discretion of the county. All of the sharing agreements must be approved by the county legislature, and any agreement between cities and counties that does not allocate revenues solely in proportion to population must also be approved by the State Comptroller.

The County presently imposes a sales tax and use tax of 4%, in addition to the 4% tax imposed by the State for a countywide sales tax rate of 8%. Such sales and use tax collections are administered by the State Tax Commission and paid at least monthly to the County. The County, pursuant to a Sales Tax Sharing Agreement shares the proceeds of the County's 3% sales and use tax with the one city, fourteen towns and three villages within the County. Under the terms of the Agreement, on the first 3%, the County retains 55% of the sales tax revenues up to \$27.1 million, 65% of the sales tax revenues over \$27.1 million with the balance disbursed quarterly to the municipalities on a formula basis. The additional 1% is retained by the County.

The following table sets forth the percentage of the County's General Fund revenue (excluding other financing sources) comprised of sales tax for each of the fiscal years 2019 through 2023 and as budgeted for 2024.

Year Ended <u>December 31:</u>	Total General Fund <u>Revenues</u>	Sales <u>Taxes*</u>	Sales Taxes to <u>Revenues (%)</u>
2019	\$ 149,753,965	\$ 68,199,391	45.54
2020	141,824,436	66,324,819	46.77
2021	159,883,994	74,909,945	46.85
2022	165,235,200	81,650,533	49.41
2023 (Unaudited)	177,023,861	85,572,976	48.34
2024 (Budgeted)	151,481,499	66,784,254	44.09

Source: Audited financial statements 2019 through 2022, the unaudited annual financial report update document for 2023, and the Budget of the County (2024). Table itself is not audited. Audited results may vary.

*Includes occupancy tax and other use taxes.

LITIGATION

In common with other counties, the County from time to time receives notices of claim and is party to litigation. In the opinion of the attorney for the County, 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 County has not asserted a substantial and adequate defense, nor which, if determined against the County, would have a adverse material effect on the financial condition of the County, in view of the County's ability to fund the same through use of appropriate funding mechanisms provided by the Local Finance Law.

Upon delivery of the Notes, the County shall furnish a certificate of the County, dated the date of delivery and payment for the Notes, to the effect that there is no controversy or litigation of any nature pending or threatened to her knowledge to restrain or enjoin the issuance, sale, execution or delivery of the Notes or in any way contesting or affecting the validity of the Notes or any of the proceedings taken with respect to the issuance and sale thereof or the application of moneys to the payment of the Notes and further stating that there is no controversy or litigation of any nature now pending or threatened by or against the County wherein an adverse judgment or ruling could adversely affect the power of the County to levy, collect and enforce the collection of taxes or other revenues for the payment of the Notes.

CYBERSECURITY

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

MARKET AND RISK FACTORS

There are various forms of risk associated with investing in the Notes. The following is a discussion of certain events that could affect the risk of investing in the Notes. In addition to the events cited herein, there are other potential risk factors that an investor must consider. In order to make an informed investment decision, an investor should be thoroughly familiar with the entire Official Statement, including its appendices, as well as all areas of potential investment risk.

The financial and economic condition of the County as well as the market for the Notes could be affected by a variety of factors, some of which are beyond the County's control. There can be no assurance that adverse events in the State and in other jurisdictions, including, for example, the seeking by a municipality or large taxable property owner of remedies pursuant to the Federal Bankruptcy Code or otherwise, will not occur which might affect the market price of and the market for the Notes. If a significant default or other financial crisis should occur in the affairs of the State or another jurisdiction or any of its agencies or political subdivisions thereby further impairing the acceptability of obligations issued by borrowers within the State, both the ability of the County to arrange for additional borrowings, and the market for and market value of outstanding debt obligations, including the Notes could be adversely affected.

The County is dependent in part on financial assistance from the State. However, if the State should experience difficulty in borrowing funds in anticipation of the receipt of State taxes and revenues in order to pay State aid to municipalities and school districts in the State, including the County, in any year, the County may be affected by a delay, until sufficient taxes have been received by the State to make State aid payments to the County. In some years, the County has received delayed payments of State aid which resulted from the State's delay in adopting its budget and appropriating State aid to municipalities and school districts, and consequent delay in State borrowing to finance such appropriations. (See also "State Aid").

There are a number of general factors which could have a detrimental effect on the ability of the County to continue to generate revenues, particularly property taxes. For instance, the termination of a major commercial enterprise or an unexpected increase in tax certiorari proceedings could result in a significant reduction in the assessed valuation of taxable real property in the County. Unforeseen developments could also result in substantial increases in County expenditures, thus placing strain on the County's financial condition. These factors may have an effect on the market price of the Notes.

If a holder elects to sell his investment prior to its scheduled maturity date, market access or price risk may be incurred. If and when a holder of any of the Notes should elect to sell a Note prior to its maturity, there can be no assurance that a market shall have been established, maintained and be in existence for the purchase and sale of any of the Notes. Recent global financial crises have included limited periods of significant disruption. In addition, the price and principal value of the Notes is dependent on the prevailing level of interest rates; if interest rates rise, the price of a bond or note will decline, causing the bondholder or noteholder to incur a potential capital loss if such bond or note is sold prior to its maturity.

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

The Tax Levy Limitation Law, which imposes a tax levy limitation upon municipalities, school districts and fire districts in the State, including the County and continuing technical and constitutional issues raised by its enactment and implementation could have an impact upon the finances and operations of the County and hence upon the market price of the Notes. See "Tax Levy Limitation Law" herein.

TAX MATTERS

In the opinion of Orrick, Herrington & Sutcliffe LLP ("Bond Counsel"), based upon an analysis of existing laws, regulations, rulings, and court decisions, and assuming, among other matters, the accuracy of certain representations and compliance with certain covenants, interest on the Notes is excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986 (the "Code") and is exempt from personal income taxes imposed by the State of New York or any political subdivision thereof (including The City of New York). Bond Counsel is of the further opinion that interest on the Notes is not a specific preference item for purposes of the federal alternative minimum tax on individuals. Interest on the Notes included in adjusted financial statement income of certain corporations is not excluded from the federal corporate alternative minimum tax. A complete copy of the proposed forms of opinions of Bond Counsel is set forth in Appendix B hereto.

To the extent the issue price of any maturity of the Notes is less than the amount to be paid at maturity of such Notes (excluding amounts stated to be interest and payable at least annually over the term of such Notes), the difference constitutes "original issue discount," the accrual of which, to the extent properly allocable to each owner thereof, is treated as interest on the Notes which is excluded from gross income for federal income tax purposes and exempt from State of New York personal income taxes. For this purpose, the issue price of a particular maturity of the Notes is the first price at which a substantial amount of such maturity of the Notes is sold to the public (excluding bond houses, brokers, or similar persons or organizations acting in the capacity of underwriters, placement agents or wholesalers). The original issue discount with respect to any maturity of the Notes accrues daily over the term to maturity of such Notes on the basis of a constant interest rate compounded semiannually (with straight-line interpolations between compounding dates). The accruing original issue discount is added to the adjusted basis of such Notes to determine taxable gain or loss upon disposition (including sale, redemption, or payment on maturity) of such Notes. Owners of the Notes should consult their own tax advisors with respect to the tax consequences of ownership of Notes with original issue discount, including the treatment of owners who do not purchase such Notes in the original offering to the public at the first price at which a substantial amount of such Notes is sold to the public.

Notes purchased, whether at original issuance or otherwise, for an amount higher than their principal amount payable at maturity (or, in some cases, at their earlier call date) ("Premium Notes") will be treated as having amortizable bond premium. No deduction is allowable for the amortizable bond premium in the case of Notes, like the Premium Notes, the interest on which is excluded from gross income for federal income tax purposes. However, the amount of tax-exempt interest received, and an owner's basis in a Premium Bond, will be reduced by the amount of amortizable bond premium properly allocable to such owner. Owners of Premium Notes should consult their own tax advisors with respect to the proper treatment of amortizable bond premium in their particular circumstances.

Bond Counsel is of the further opinion that the amount treated as interest on the Notes and excluded from gross income will depend upon the taxpayer's election under Internal Revenue Notice 94-84. Notice 94-84, 1994-2 C.B. 559, states that the Internal Revenue Service (the "IRS") is studying whether the amount of the stated interest payable at maturity on short-term debt obligations (i.e., debt obligations with a stated fixed rate of interest which mature not more than one year from the date of issue) that is excluded from gross income for federal income tax purposes should be treated (i) as qualified stated interest or (ii) as part of the stated redemption price at maturity of the short-term debt obligation, resulting in treatment as accrued original issue discount (the "original issue discount"). The Notes will be issued as short-term debt obligations. Until the IRS provides further guidance with respect to tax-exempt short-term debt obligations, taxpayers may treat the stated interest payable at maturity either as qualified stated interest or as includable in the stated redemption price at maturity, resulting in original issue discount as interest that is excluded from gross income for federal income tax purposes. However, taxpayers must treat the amount to be paid at maturity on all tax-exempt short-term debt obligations in a consistent manner. Taxpayers should consult their own tax advisors with respect to the tax consequences of ownership of Notes if the taxpayer elects original issue discount treatment.

The Code imposes various restrictions, conditions and requirements relating to the exclusion from gross income for federal income tax purposes of interest on obligations such as the Notes. The County has covenanted to comply with certain restrictions designed to ensure that interest on the Notes will not be included in federal gross income. Inaccuracy of these representations or failure to comply with these covenants may result in interest on the Notes being included in gross income for federal income tax purposes possibly from the date of original issuance of the Notes. The opinion of Bond Counsel assumes compliance with these covenants. Bond Counsel has not undertaken to determine (or to inform any person) whether any actions taken (or not taken) or events occurring (or not occurring) after the date of issuance of the Notes may adversely affect the value of, or the tax status of interest on, the Notes. Further, no assurance can be given that pending or future legislation or amendments to the Code, if enacted into law, or any proposed legislation or amendments to the Code, will not adversely affect the value of, or the tax status of interest on, the Notes.

Certain requirements and procedures contained or referred to in the Arbitrage Certificate, and other relevant documents may be changed and certain actions (including, without limitation, economic defeasance of the Notes) may be taken or omitted under the circumstances and subject to the terms and conditions set forth in such documents. Bond Counsel expresses no opinion as to any Notes or the interest thereon if any such change occurs or action is taken or omitted.

Although Bond Counsel is of the opinion that interest on the Notes is excluded from gross income for federal income tax purposes and is exempt from personal income taxes imposed by the State of New York or any political subdivision thereof (including The City of New York), the ownership or disposition of, or the amount, accrual or receipt of interest on, the Notes may otherwise affect an owner's federal or state tax liability. The nature and extent of these other tax consequences will depend upon the particular tax status of the owner or the owner's other items of income or deduction. Bond Counsel expresses no opinion regarding any such other tax consequences.

Current and future legislative proposals, if enacted into law, clarification of the Code or court decisions may cause interest on the Notes to be subject, directly or indirectly, to federal income taxation or to be subject to or exempted from state income taxation, or otherwise prevent owners from realizing the full current benefit of the tax status of such interest. The introduction or enactment of any such legislative proposals, clarification of the Code or court decisions may also affect the market price for, or marketability of, the Notes. Prospective purchasers of the Notes should consult their own tax advisors regarding any pending or proposed federal or state tax legislation, regulations or litigation, as to which Bond Counsel expresses no opinion.

The opinion of Bond Counsel is based on current legal authority, covers certain matters not directly addressed by such authorities, and represents Bond Counsel's judgment as to the proper treatment of the Notes for federal income tax purposes. It is not binding on the Internal Revenue Service ("IRS") or the courts. Furthermore, Bond Counsel cannot give and has not given any opinion or assurance about the future activities of the District, or about the effect of future changes in the Code, the applicable regulations, the interpretation thereof or the enforcement thereof by the IRS. The County has covenanted, however, to comply with the requirements of the Code.

Bond Counsel's engagement with respect to the Notes ends with the issuance of the Notes, and, unless separately engaged, Bond Counsel is not obligated to defend the County or the owners regarding the tax-exempt status of the Notes in the event of an audit examination by the IRS. Under current procedures, owners would have little, if any, right to participate in the audit examination process. Moreover, because achieving judicial review in connection with an audit examination of tax-exempt Notes is difficult, obtaining an independent review of IRS positions with which the County legitimately disagrees, may not be practicable. Any action of the IRS, including but not limited to selection of the Notes for audit, or the course or result of such audit, or an audit of Notes presenting similar tax issues may affect the market price for, or the marketability of, the Notes, and may cause the County or the owners to incur significant expense.

Payments on the Notes generally will be subject to U.S. information reporting and possibly to "backup withholding." Under Section 3406 of the Code and applicable U.S. Treasury Regulations issued thereunder, a non-corporate owner of Notes may be subject to backup withholding with respect to "reportable payments," which include interest paid on the Notes and the gross proceeds of a sale, exchange, redemption, retirement or other disposition of the Notes. The payor will be required to deduct and withhold the prescribed amounts if (i) the payee fails to furnish a U.S. taxpayer identification number ("TIN") to the payor in the manner required, (ii) the IRS notifies the payor that the TIN furnished by the payee is incorrect, (iii) there has been a "notified payee underreporting" described in Section 3406(c) of the Code or (iv) the payee fails to certify under penalty of perjury that the payee is not subject to withholding under Section 3406(a)(1)(C) of the Code. Amounts withheld under the backup withholding rules may be refunded or credited against an owner's federal income tax liability, if any, provided that the required information is timely furnished to the IRS. Certain owners (including among others, corporations and certain tax-exempt organizations) are not subject to backup withholding. The failure to comply with the backup withholding rules may result in the imposition of penalties by the IRS.

LEGAL MATTERS

Legal matters incidental to the authorization, issuance and sale of the Notes are subject to the approving legal opinion of Orrick, Herrington & Sutcliffe LLP, Bond Counsel. Bond Counsel's opinion will be in substantially the form attached hereto as Appendix B.

RATING

The Notes are not rated.

Moody's Investors Services, Inc. has assigned a rating of "A1" to the outstanding bonds of the County. This rating reflects only the view of the rating agency furnishing the same, and an explanation of the significance of this rating may be obtained only from the rating agency. There is no assurance such rating will continue for any given period of time, or that such rating will not be revised or withdrawn by such rating agency, if in its judgment, circumstances so warrant. Any such action could have an adverse effect on the market for and market price of the Notes.

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 municipal advisor to the County 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 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 Notes was based on materials provided by the County and other sources of information believed to be reliable. The Municipal Advisor has not audited, authenticated, or otherwise verified the information provided by the County or the information set forth in this Official Statement or any other information available to the County 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.

OTHER MATTERS

The statutory authority for the power to spend money for the objects or purposes, or to accomplish the objects or purposes, for which the Notes are to be issued is the Local Finance Law.

The procedure for the validation of the Notes provided in Title 6 of Article 2 of the Local Finance Law, has been complied with.

There is no bond or note principal or interest past due.

The fiscal year of the County is January 1 to December 31.

This Official Statement does not include the financial data of any political subdivision of the State of New York having power to levy taxes within the County, except as expressed in the "Calculation of Estimated Overlapping and Underlying Indebtedness."

ADDITIONAL INFORMATION

Additional information may be obtained from the office of Rebecca M. Murphy, Deputy Treasurer, County of Clinton, Clinton County Government Center, 137 Margaret Street, Plattsburgh, New York 12901, telephone number (518) 565-4733, fax number (518) 565-4516, and email: Rebecca.murphy@clintoncountygov.com, or from Munistat Services, Inc., 12 Roosevelt Avenue, Port Jefferson Station, New York 11776, telephone number (631) 331-8888 and website: <https://www.munistat.com>.

So far as 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 such opinions or estimates will be realized. Neither this Official Statement nor any statement which may have been made orally or in writing with regard to the Notes is to be construed as a contract with the holders of the Notes.

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 Notes.

Munistat Services, Inc. may place a copy of this Official Statement on its website at 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 County nor Munistat Services, Inc. assumes any liability or responsibility for errors or omissions on such website. Further, Munistat Services, Inc. and the County 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 County also assume no liability or responsibility for any errors or omissions or for any updates to dated website information.

Orrick, Herrington & Sutcliffe LLP expresses no opinion as to the accuracy or completeness of any documents prepared by or on behalf of the County for use in connection with the offer and sale of the Notes, including this Official Statement.

The preparation and distribution of this Official Statement have been approved by the County Treasurer pursuant to the power delegated to her by the authorizing bond resolutions to sell and deliver the Notes.

This Official Statement has been duly executed and delivered by the Treasurer of the County of Clinton.

COUNTY OF CLINTON, NEW YORK

By: s/s KIMBERLY DAVIS
County Treasurer and Chief Fiscal Officer
County of Clinton, New York

July , 2024

APPENDIX A

FINANCIAL INFORMATION

**Balance Sheet
General Fund**

	Fiscal Year Ending December 31:	
	2022	2023
Assets:		
Cash	\$ 32,571,313	\$ 31,854,061
Investments	13,261,413	19,726,950
Taxes Receivable: Net	7,663,899	6,238,992
Accounts Receivable		1,489,584
Due from Other Funds	972,766	3,796,758
Due from Other Governments (including State & Federal)	32,903,160	32,943,456
Inventories	102,666	102,264
Prepaid Expenses	2,891,328	3,062,821
Total Assets	\$ 90,366,545	\$ 99,214,886
Liabilities:		
Accounts Payable	\$ 5,508,638	\$ 6,879,352
Accrued Liabilities	1,821,462	1,688,687
Other Liabilities		6,558,898
Due to Other Governments	9,823,332	10,137,964
Due to Other Funds		1,001,977
Deferred Inflows of Resources		5,780,872
Unearned Revenue	13,815,776	
Total Liabilities	\$ 30,969,208	\$ 32,047,750
Fund Balances:		
Nonspendable	\$ 2,993,994	\$ 3,165,085
Restricted	8,839,640	8,902,552
Assigned	745,019	398,266
Unassigned	46,818,684	54,701,233
Total Fund Balances	\$ 59,397,337	\$ 67,167,136
Total Liabilities & Fund Equity	\$ 90,366,545	\$ 99,214,886

Source: Audited Annual Financial Reports (2022) & Annual Financial Report (2023).

Note: This Table itself is Not Audited.

**Statement of Revenues, Expenditures and Fund Balances
General Fund**

Fiscal Year Ending December 31:

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Revenues:					
Real Property Taxes	\$ 21,296,182	\$ 21,431,872	\$ 22,473,319	\$ 21,404,059	\$ 20,898,080
Real Property Tax Items	2,117,394	1,929,367	1,849,714	3,197,883	2,027,858
Non-Property Tax Items	68,199,391	66,324,819	74,909,945	81,650,533	85,572,976
Departmental Income	8,186,073	7,968,891	8,149,560	8,323,661	10,053,174
Intergovernmental Revenue	1,924,800	2,010,493	2,390,616	2,852,429	3,191,188
Use of Money and Property	265,808	284,169	341,910	686,466	2,165,156
Fines and Forfeitures	508,947	378,227	453,233	400,531	361,582
Sale of Prop. and Comp. for Loss	2,122,049	2,022,958	2,042,922	2,282,605	2,105,166
Interfund Revenues	1,881,066	1,288,384	1,410,139	1,282,429	581,323
State Aid	26,396,553	22,423,825	23,627,651	26,102,639	30,134,039
Federal Aid	16,041,954	14,952,232	20,965,501	18,095,568	19,933,319
Miscellaneous	813,748	809,199	1,269,484	(1,043,603)	
Total Revenues	<u>149,753,965</u>	<u>141,824,436</u>	<u>159,883,994</u>	<u>165,235,200</u>	<u>177,023,861</u>
Expenditures:					
General Government Support	34,419,076	33,033,149	35,132,855	38,163,889	40,137,564
Public Safety	19,863,696	17,246,977	18,548,032	20,278,457	21,971,783
Health	14,259,507	13,253,028	13,878,727	15,257,303	15,269,601
Transportation	1,702,461	929,139	1,390,798	1,533,364	1,998,781
Economic Assistance and Opportunity	53,239,971	49,151,323	47,171,184	50,214,327	56,492,440
Culture and Recreation	569,883	479,618	503,429	536,202	592,115
Education	9,292,814	9,206,168	9,706,959	9,885,873	10,854,256
Home and Community Services	1,628,887	1,040,365	1,341,604	963,350	1,104,894
Employee Benefits	341,764	313,823	231,632	318,054	310,512
Debt Service - Principal	1,931,439	2,107,955	2,222,692	2,187,865	2,249,258
Debt Service - Interest	722,520	809,382	694,875	658,427	710,910
Total Expenditures	<u>137,972,018</u>	<u>127,570,927</u>	<u>130,822,787</u>	<u>139,997,111</u>	<u>151,692,114</u>
Excess (Deficiency) of Revenues over Expenditures	<u>11,781,947</u>	<u>14,253,509</u>	<u>29,061,207</u>	<u>25,238,089</u>	<u>25,331,747</u>
Other Financing Sources (Uses):					
Operating Transfers In			297,026		74,930
Operating Transfers (Out)	<u>(9,133,092)</u>	<u>(9,900,417)</u>	<u>(11,318,548)</u>	<u>(11,228,849)</u>	<u>(17,636,876)</u>
Total Other Financing Sources (Uses)	<u>(9,133,092)</u>	<u>(9,900,417)</u>	<u>(11,021,522)</u>	<u>(11,228,849)</u>	<u>(17,561,946)</u>
Excess (Deficiency) of Revs & Other Sources Over Exp. & Other Uses	<u>2,648,855</u>	<u>4,353,092</u>	<u>18,039,685</u>	<u>14,009,240</u>	<u>7,769,801</u>
Fund Equity Beginning of Year	<u>20,346,465</u>	<u>22,995,320</u>	<u>27,348,412</u>	<u>45,388,097</u>	<u>59,397,337</u>
Adjustments					10
Fund Equity End of Year	<u>\$ 22,995,320</u>	<u>\$ 27,348,412</u>	<u>\$ 45,388,097</u>	<u>\$ 59,397,337</u>	<u>\$ 67,167,148</u>

Source: Audited Annual Financial Reports (2019-2022) & Annual Financial Report (2023).

Note: This Table itself is Not Audited.

Special Revenue Funds ^a

Fiscal Year Ending December 31:

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Revenues:					
Departmental Income	\$ 120	\$ 93,201	\$	\$ 104,219	\$ 1,187,813
Intergovernmental Revenue	125,920		130,496		172,601
Use of Money and Property	2,726,906	2,808,961	2,907,703	3,049,026	3,329,693
Licenses and Permits	17,700	23,213	10,810	31,110	12,373
Sale of Prop. and Comp. for Loss	151,733	128,885	236,260	391,331	310,453
Miscellaneous	78,478	83,879	136,706	91,617	103,733
Interfund Revenues	1,175,132	1,221,500	1,132,125	1,215,524	
State Aid	5,020,886	4,788,792	4,842,848	5,857,624	4,544,456
Federal Aid	2,013,846	4,030,651	1,908,019	1,777,920	6,031,734
Total Revenues	<u>11,310,721</u>	<u>13,179,082</u>	<u>11,304,967</u>	<u>12,518,371</u>	<u>15,692,856</u>
Expenditures:					
General Governmental Support					
Public Safety	676,603				778,932
Transportation	13,005,101	14,883,898	13,467,423	14,739,432	17,535,350
Economic Assistance and Opportunity	1,916,362	2,015,352	1,717,440	1,947,535	1,639,427
Home and Community Services	2,375,357	2,482,775	2,435,126	2,546,199	2,830,374
Debt Service - Principal					
Debt Service - Interest					
Total Expenditures	<u>17,973,423</u>	<u>19,382,025</u>	<u>17,619,989</u>	<u>19,233,166</u>	<u>22,784,083</u>
Excess (Deficiency) of Revenues over Expenditures	<u>(6,662,702)</u>	<u>(6,202,943)</u>	<u>(6,315,022)</u>	<u>(6,714,795)</u>	<u>(7,091,227)</u>
Other Financing Sources (Uses):					
BANs Redeemed From Appropriations				7,389,448	7,689,612
Operating Transfers In	6,865,719	6,905,303	6,876,699		-74,930
Operating Transfers (Out)					
Total Other Financing Sources (Uses)	<u>6,865,719</u>	<u>6,905,303</u>	<u>6,876,699</u>	<u>7,389,448</u>	<u>7,614,682</u>
Excess (Deficiency) of Revs & Other Sources Over Exp. & Other Uses	<u>203,017</u>	<u>702,360</u>	<u>561,677</u>	<u>674,653</u>	<u>523,455</u>
Fund Equity Beginning of Year	<u>5,878,336</u>	<u>6,081,353</u>	<u>6,783,713</u>	<u>7,345,390</u>	<u>8,020,043</u>
Adjustments					<u>504,571</u>
Fund Equity End of Year	<u>\$ 6,081,353</u>	<u>\$ 6,783,713</u>	<u>\$ 7,345,390</u>	<u>\$ 8,020,043</u>	<u>\$ 9,048,069</u>

a. Includes the following funds: Special Grant, County Road, Road Machinery, and Refuse and Garbage.

Source: Audited Annual Financial Reports (2019-2022) & Annual Financial Report (2023).

Note: This Table itself is Not Audited.

2024 BUDGET SUMMARIES BY FUNDS

Fiscal Year Ending December 31:							
TOTAL ALL FUNDS	GENERAL FUND	HIGHWAY ROADS	NURSING HOME	AIRPORT FUND	LANDFILL FUND	HIGHWAY MACHINERY	
Total Appropriations	\$ 198,511,685	\$ 153,421,604	\$ 18,977,304	\$ 6,838,547	\$ 13,958,483	\$ 3,393,534	\$ 1,922,213
Estimated Revenues	\$ 151,690,722	\$ 121,893,306	\$ 10,784,828	\$ 5,475,370	\$ 8,346,471	\$ 3,393,534	\$ 1,797,213
Fund Balance/Retained Earnings	2,430,401	542,224	400,000	1,363,177			125,000
Capital Reserve	132,239	32,003	100,000		236		
Computer Reserve	5,000	5,000					
CFC Reserve	21,059				21,059		
State Reserve	0						
Restricted Fund Balance	179,658	179,658					
Landfill/Solid Waste Reserve	0						
PFC Reserve	500,000				500,000		
Probation ATI Reserve	4,407	4,407					
Retirement Reserve	0						
Sheriff Justice Reserve	27,813	27,813					
Tobacco Reserve	1,000,000	1,000,000					
Workers Compensation Reserve	75,000	75,000					
General Fund Transfer	12,783,193		7,692,476		5,090,717		
Total Revenues	\$ 168,849,492	\$ 123,759,411	\$ 18,977,304	\$ 6,838,547	\$ 13,958,483	\$ 3,393,534	\$ 1,922,213
Tax Levy	\$ 29,662,193	\$ 29,662,193	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

Source: Adopted Budget of the County (2024)

2023 BUDGET SUMMARIES BY FUNDS

Fiscal Year Ending December 31:							
TOTAL ALL FUNDS	GENERAL FUND	HIGHWAY ROADS	NURSING HOME	AIRPORT FUND	LANDFILL FUND	HIGHWAY MACHINERY	
Total Appropriations	\$ 181,657,462	\$ 145,012,986	\$ 15,838,216	\$ 7,300,474	\$ 8,803,758	\$ 3,123,749	\$ 1,578,279
Estimated Revenues	\$ 135,501,317	\$ 113,742,689	\$ 7,853,604	\$ 6,009,502	\$ 3,271,494	\$ 3,123,749	\$ 1,500,279
Fund Balance/Retained Earnings	1,767,847		400,000	1,289,847			78,000
Capital Reserve	147,036	64,214	80,000	1,125	1,697		
Computer Reserve	8,000	8,000					
CFC Reserve	19,559				19,559		
State Reserve	0						
Restricted Fund Balance	110,919	110,919					
Landfill/Solid Waste Reserve	15,000		15,000				
PFC Reserve	400,000				400,000		
Probation ATI Reserve	1,271	1,271					
Retirement Reserve	269,416	269,416					
Sheriff Justice Reserve	25,726	25,726					
Tobacco Reserve	1,000,000	1,000,000					
Workers Compensation Reserve	0						
General Fund Transfer	12,680,620	80,000	7,489,612		5,111,008		
Total Revenues	\$ 151,946,711	\$ 115,302,235	\$ 15,838,216	\$ 7,300,474	\$ 8,803,758	\$ 3,123,749	\$ 1,578,279
Tax Levy	\$ 29,710,751	\$ 29,710,751	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

Source: Adopted Budget of the County (2023)

ASSESSED VALUATIONS FOR FISCAL YEAR DECEMBER 31, 2019

	<u>Assessed</u>	State	<u>Full</u>
	<u>Valuation</u>	<u>Eq. Rate</u>	<u>Valuation</u>
City of Plattsburgh	\$ 952,524,569	100.00%	\$ 952,524,569
Towns: Altona	109,789,405	100.00%	109,789,405
Ausable	139,906,913	100.00%	139,906,913
Beekmantown	352,507,460	100.00%	352,507,460
Black Brook	154,928,934	100.00%	154,928,934
Champlain	376,984,762	100.00%	376,984,762
Chazy	257,793,173	100.00%	257,793,173
Clinton	46,824,390	100.00%	46,824,390
Dannemora	171,565,026	100.00%	171,565,026
Ellenburg	124,564,304	100.00%	124,564,304
Mooers	159,817,279	100.00%	159,817,279
Peru	429,116,698	100.00%	429,116,698
Plattsburgh	1,159,122,374	100.00%	1,159,122,374
Saranac	212,243,429	100.00%	212,243,429
Schuyler Falls	<u>271,671,707</u>	100.00%	<u>271,671,707</u>
Total.	\$ <u><u>4,919,360,423</u></u>		\$ <u><u>4,919,360,423</u></u>

ASSESSED VALUATIONS FOR FISCAL YEAR DECEMBER 31, 2020

	<u>Assessed</u>	State	<u>Full</u>
	<u>Valuation</u>	<u>Eq. Rate</u>	<u>Valuation</u>
City of Plattsburgh	\$ 989,123,183	100.00%	\$ 989,123,183
Towns: Altona	110,857,147	100.00%	110,857,147
Ausable	142,210,267	100.00%	142,210,267
Beekmantown	373,780,035	100.00%	373,780,035
Black Brook	160,660,003	100.00%	160,660,003
Champlain	386,146,507	100.00%	386,146,507
Chazy	285,490,286	100.00%	285,490,286
Clinton	47,456,355	100.00%	47,456,355
Dannemora	172,208,709	100.00%	172,208,709
Ellenburg	125,418,193	100.00%	125,418,193
Mooers	161,371,484	100.00%	161,371,484
Peru	434,629,480	100.00%	434,629,480
Plattsburgh	1,161,399,401	100.00%	1,161,399,401
Saranac	214,227,744	100.00%	214,227,744
Schuyler Falls	<u>272,604,556</u>	100.00%	<u>272,604,556</u>
Total.	\$ <u><u>5,037,583,350</u></u>		\$ <u><u>5,037,583,350</u></u>

ASSESSED VALUATIONS FOR FISCAL YEAR DECEMBER 31, 2021

	<u>Assessed</u>	<u>State</u>	<u>Full</u>
	<u>Valuation</u>	<u>Eq. Rate</u>	<u>Valuation</u>
City of Plattsburgh	\$ 998,724,662	100.00%	\$ 998,724,662
Towns: Altona	113,026,084	100.00%	113,026,084
Ausable	145,868,579	95.00%	153,545,873
Beekmantown	401,563,328	100.00%	401,563,328
Black Brook	165,284,030	100.00%	165,284,030
Champlain	392,188,698	100.00%	392,188,698
Chazy	287,642,679	100.00%	287,642,679
Clinton	48,656,668	100.00%	48,656,668
Dannemora	181,134,421	100.00%	181,134,421
Ellenburg	129,684,041	100.00%	129,684,041
Mooers	165,222,544	100.00%	165,222,544
Peru	484,951,443	100.00%	484,951,443
Plattsburgh	1,195,198,290	90.00%	1,327,998,100
Saranac	217,386,383	100.00%	217,386,383
Schuyler Falls	<u>285,768,062</u>	95.00%	<u>300,808,486</u>
 Total.	 \$ <u><u>5,212,299,912</u></u>		 \$ <u><u>5,367,817,440</u></u>

ASSESSED VALUATIONS FOR FISCAL YEAR DECEMBER 31, 2022

	<u>Assessed</u>	<u>State</u>	<u>Full</u>
	<u>Valuation</u>	<u>Eq. Rate</u>	<u>Valuation</u>
City of Plattsburgh	\$ 1,022,818,910	100.00%	\$ 1,022,818,910
Towns: Altona	113,541,749	100.00%	113,541,749
Ausable	148,217,241	92.00%	161,105,697
Beekmantown	409,536,251	100.00%	409,536,251
Black Brook	170,781,235	100.00%	170,781,235
Champlain	395,015,896	100.00%	395,015,896
Chazy	296,880,826	100.00%	296,880,826
Clinton	48,667,114	100.00%	48,667,114
Dannemora	182,308,537	100.00%	182,308,537
Ellenburg	136,659,357	100.00%	136,659,357
Mooers	166,728,208	93.00%	179,277,643
Peru	489,159,884	100.00%	489,159,884
Plattsburgh	1,333,234,436	100.00%	1,333,234,436
Saranac	233,307,137	100.00%	233,307,137
Schuyler Falls	<u>277,026,297</u>	95.00%	<u>291,606,628</u>
 Total.	 \$ <u><u>5,423,883,078</u></u>		 \$ <u><u>5,463,901,300</u></u>

ASSESSED VALUATIONS FOR FISCAL YEAR DECEMBER 31, 2023

	<u>Assessed</u>	State	<u>Full</u>
	<u>Valuation</u>	<u>Eq. Rate</u>	<u>Valuation</u>
City of Plattsburgh	\$ 1,092,850,551	100.00%	\$ 1,092,850,551
Towns: Altona	141,496,759	100.00%	141,496,759
Ausable	154,012,555	81.00%	190,138,957
Beekmantown	479,225,745	100.00%	479,225,745
Black Brook	199,278,948	100.00%	199,278,948
Champlain	450,915,448	100.00%	450,915,448
Chazy	362,221,299	100.00%	362,221,299
Clinton	58,364,694	100.00%	58,364,694
Dannemora	211,749,143	100.00%	211,749,143
Ellenburg	163,381,868	100.00%	163,381,868
Mooers	221,375,263	100.00%	221,375,263
Peru	571,799,725	100.00%	571,799,725
Plattsburgh	1,323,541,147	100.00%	1,323,541,147
Saranac	263,701,126	100.00%	263,701,126
Schuyler Falls	<u>282,283,024</u>	85.00%	<u>332,097,675</u>
 Total.	 \$ <u><u>5,976,197,295</u></u>		 \$ <u><u>6,062,138,348</u></u>

ASSESSED VALUATIONS FOR FISCAL YEAR DECEMBER 31, 2024

	<u>Assessed</u>	State	<u>Full</u>
	<u>Valuation</u>	<u>Eq. Rate</u>	<u>Valuation</u>
City of Plattsburgh	\$ 1,214,468,306	100.00%	\$ 1,214,468,306
Towns: Altona	146,820,552	100.00%	146,820,552
Ausable	234,131,198	100.00%	234,131,198
Beekmantown	540,555,000	100.00%	540,555,000
Black Brook	216,790,486	100.00%	216,790,486
Champlain	491,375,746	100.00%	491,375,746
Chazy	407,379,164	100.00%	407,379,164
Clinton	92,868,661	100.00%	92,868,661
Dannemora	237,067,714	100.00%	237,067,714
Ellenburg	195,588,627	100.00%	195,588,627
Mooers	237,600,210	100.00%	237,600,210
Peru	630,685,317	100.00%	630,685,317
Plattsburgh	1,349,156,848	85.00%	1,587,243,351
Saranac	310,755,850	100.00%	310,755,850
Schuyler Falls	<u>285,262,466</u>	75.00%	<u>380,349,955</u>
 Total.	 \$ <u><u>6,590,506,145</u></u>		 \$ <u><u>6,923,680,136</u></u>

APPENDIX B

FORM OF BOND COUNSEL'S OPINION

July 25, 2024

County of Clinton,
State of New York

Re: County of Clinton, New York
\$4,430,000 Bond Anticipation Note, 2024 (Renewals)

Ladies and Gentlemen:

We have been requested to render our opinion as to the validity of a \$4,430,000 Bond Anticipation Note, 2024 (Renewals) (the “Obligation”), of the County of Clinton, New York (the “Obligor”), dated July 25, 2024, numbered _____, of the denomination of \$ _____, bearing interest at the rate of _____ % per annum, payable at maturity, and maturing July 25, 2025.

We have examined:

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

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

In our opinion:

- (a) The Obligation has been authorized and issued in accordance with the Constitution and statutes of the State of New York and constitutes a valid and legally binding general obligation of the Obligor, all the taxable real property within which is subject to the levy of ad valorem taxes to pay the Obligation and interest thereon, subject to applicable statutory limitations; provided, however, that the enforceability (but not the validity) of the Obligation: (i) may be limited by any applicable bankruptcy, insolvency or other law now existing or hereafter enacted by said State or the Federal government affecting the enforcement of creditors' rights, and (ii) may be subject to the exercise of judicial discretion in appropriate cases.
- (b) The Obligor has the power to comply with its covenants with respect to compliance with the Code as such covenants relate to the Obligation; provided, however, that the enforceability (but not the validity) of such covenants may be limited by any applicable bankruptcy, insolvency or other law now existing or hereafter enacted by said State or the Federal government affecting the enforcement of creditors' rights.
- (c) Interest on the Obligation is excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986 and is exempt from personal income taxes imposed by the State of New York and any political subdivision thereof (including The City of New York). Interest on the Obligation is not a specific preference item for purposes of the federal alternative minimum tax on individuals. We observe that interest on the Notes included in adjusted financial statement income of certain corporations is not excluded from the federal corporate alternative minimum tax. We express no opinion regarding other tax consequences related to the ownership or disposition of, or the amount, accrual or receipt of interest on, the Obligation.

Certain agreements, requirements and procedures contained or referred to in the Arbitrage Certificate and other relevant documents may be changed and certain actions (including, without limitation, economic defeasance of the Obligation) may be taken or omitted under the circumstances and subject to the terms and conditions set forth in such documents.

The opinions expressed herein are based on an analysis of existing laws, regulations, rulings and court decisions and cover certain matters not directly addressed by such authorities. Such opinions may be affected by actions taken or omitted or events occurring after the date hereof. Accordingly, this opinion is not intended to, and may not, be relied upon in connection with any such actions, events or matters. Our engagement with respect to the Obligation has concluded with their issuance, and we disclaim any obligation to update this opinion. We have assumed, without undertaking to verify, the accuracy of the factual matters represented, warranted or certified in the documents. Furthermore, we have assumed compliance with all covenants and agreements contained in the Arbitrage Certificate, including without limitation covenants and agreements compliance with which is necessary to assure that future actions, omissions or events will not cause interest on the Obligation to be included in gross income for federal income tax purposes. We call attention to the fact that the rights and obligations under the Obligation and the Arbitrage Certificate and their enforceability may be subject to bankruptcy, insolvency, reorganization, arrangement, fraudulent conveyance, moratorium or other laws relating to or affecting creditors' rights, to the application of equitable principles, to the exercise of judicial discretion in appropriate cases and to the limitations on legal remedies against municipal corporations such as the Obligor in the State of New York. We express no opinion with respect to any indemnification, contribution, penalty, choice of law, choice of forum, choice of venue, or waiver provisions contained in the foregoing documents.

The scope of our engagement in relation to the issuance of the Obligation has extended solely to the examination of the facts and law incident to rendering the opinions expressed herein. Such opinions are not intended and should not be construed to express or imply any conclusion that the amount of real property subject to taxation within the boundaries of the Obligor, together with other legally available sources of revenue, if any, will be sufficient to enable the Obligor to pay the principal of or interest on the Obligation as the same respectively become due and payable. Reference should be made to the Official Statement prepared by the Obligor in relation to the Obligation for factual information which, in the judgement of the Obligor, could materially affect the ability of the Obligor to pay such principal and interest. While we have participated in the preparation of such Official Statement, we have not verified the accuracy, completeness or fairness of factual information contained therein and, accordingly, we express no opinion as to whether the Obligor, in connection with the sale of the Obligation, has made any untrue statement of a material fact or omitted to state a material fact necessary in order to make any statements made, in the light of the circumstances under which they were made, not misleading.

Very truly yours,

/es

APPENDIX C

**ANNUAL FINANCIAL REPORT UPDATE DOCUMENT
FOR THE FISCAL YEAR ENDED DECEMBER 31, 2023**

[▶ Click Here For 2023 AFR](#)

NOTE: SUCH FINANCIAL REPORT AND OPINIONS WERE PREPARED BY THE COUNTY AS OF THE DATE THEREOF AND HAVE NOT BEEN REVIEWED AND/OR UPDATED BY THE COUNTY'S AUDITORS IN CONNECTION WITH THE PREPARATION AND DISSEMINATION OF THIS OFFICIAL STATEMENT.