



OFFICIAL STATEMENT

NEW ISSUE

SERIAL BONDS

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

The Bonds will be designated by the School District as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code.

\$4,800,000\*

BRIGHTON CENTRAL SCHOOL DISTRICT, MONROE COUNTY, NEW YORK

General Obligation Bonds

\$4,800,000\* School District (Serial) Bonds, 2024

Dated: Date of Delivery

Due: June 15, 2025-2040

The Bonds will be issued as registered bonds and, when issued, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, ("DTC") which will act as securities depository for the Bonds (see BOOK-ENTRY-ONLY SYSTEM herein). Individual purchases will be made in book-entry-only form, in the principal amount of \$5,000 or integral multiples thereof. Purchasers will not receive certificates representing their ownership interest in the Bonds. The Bonds bear interest from the date of delivery thereof, with interest thereon payable on December 15, 2024 and semi-annually thereafter on each June 15 and December 15 until maturity. Principal and interest will be paid by the School District to DTC, which will in turn remit such principal and interest to its Participants for subsequent distribution to the beneficial owners of the Bonds as described herein. The Record Date for the Bonds shall be the last business day of the calendar month preceding each interest payment date. Such Bonds mature on June 15 each year, as set forth below.

MATURITIES\*

Table with 4 columns of maturity years (2025-2032, 2033-2036, 2037-2040) and corresponding principal amounts in dollars.

The aggregate principal amount of the Bonds and the principal amount of each of the maturities thereof are subject to adjustment following their sale, pursuant to the terms of the accompanying Notice of Bond Sale, in order to achieve substantially level or declining annual debt service and to permit the School District to comply with the applicable Federal tax law provisions relating to over-issuance.

Bonds maturing on or before June 15, 2032 are not subject to redemption prior to maturity. Bonds maturing on or after June 15, 2033 are subject to redemption, at the option of the School District, prior to maturity, in whole or in part, on any date on or after June 15, 2032, at par, plus accrued interest to the redemption date.

All of the Bonds are general obligations of the Brighton Central School District, Monroe County, New York. All the taxable real property within the School District is subject to the levy of ad valorem taxes to pay the Bonds and interest thereon, without limitation as to rate or amount (see "REAL PROPERTY TAX CAP" herein).

Sealed bids will be received by the President of the Board of Education, and electronic bids may be submitted via Ipreo's Parity electronic bid submission system, on WEDNESDAY, MAY 29, 2024 until 11:00 a.m. Prevailing Time, in accordance with the official Notice of Bond Sale included herewith, at Bernard P. Donegan, Inc., 345 Woodcliff Drive, 2nd Floor, Fairport, New York 14450; facsimile: (585) 924-4636.

The Bonds are offered when, as and if issued and received by the purchasers and subject to the receipt of an approving legal opinion as to the validity of the Bonds of Harris Beach PLLC, Pittsford, New York, Bond Counsel. It is anticipated that the Bonds will be available for delivery in escrow to DTC one day in advance of the date of delivery of the Bonds. The closing will be in Jersey City, New Jersey or at such other place as may be agreed upon with the purchaser on or about June 26, 2024.

THE SCHOOL DISTRICT 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, AS MORE FULLY DESCRIBED IN THE NOTICE OF BOND SALE WITH RESPECT TO THE OBLIGATIONS HEREIN DESCRIBED. THE SCHOOL DISTRICT WILL COVENANT IN AN UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE AND NOTICES OF CERTAIN EVENTS AS DESCRIBED IN THE RULE. SEE "CONTINUING DISCLOSURE UNDERTAKING" HEREIN.

May 15, 2024

\*Preliminary, subject to change.

## NOTICE OF BOND SALE

**\$4,800,000\***

### **BRIGHTON CENTRAL SCHOOL DISTRICT MONROE COUNTY, NEW YORK**

### **SCHOOL DISTRICT (SERIAL) BONDS, 2024**

### **(BANK QUALIFIED) (BOOK-ENTRY ONLY) (CALLABLE)**

SEALED PROPOSALS or, at the option of bidders, proposals delivered via Ipreo's Parity electronic bid submissions system ("Parity"), will be received by Larry Davis, President of the Board of Education of the Brighton Central School District, Monroe County, New York, (the "School District") at the offices of **Bernard P. Donegan, Inc., 345 Woodcliff Drive, 2<sup>nd</sup> Floor, Fairport, New York 14450, (telephone: (585) 924-2145; facsimile number: (585) 924-4636) on WEDNESDAY, MAY 29, 2024 until 11:00 a.m., Prevailing Time**, at which time and place the bids will be publicly opened and announced, for the purchase IN FEDERAL FUNDS at not less than par and accrued interest of the following issue of \$4,800,000\* School District (Serial) Bonds, 2024 of the School District (the "Bonds"), to be dated the date of delivery thereof, bearing interest from the date of the Bonds, payable December 15, 2024, and semiannually thereafter on each June 15 and December 15 until maturity. Such interest will be payable to the registered owners of the Bonds as shown on the registration books of the School District as of the close of business on the Record Date, being the last business day of the calendar month preceding each interest payment date. The Bonds will be payable in annual installments on June 15, in the following years and amounts:

<b>MATURITIES</b>					
<u>YEAR</u>	<u>AMOUNT*</u>	<u>YEAR</u>	<u>AMOUNT*</u>	<u>YEAR</u>	<u>AMOUNT*</u>
2025	\$250,000	2031	\$275,000	2036	\$330,000
2026	270,000	2032	280,000	2037	340,000
2027	245,000	2033	300,000	2038	355,000
2028	260,000	2034	305,000	2039	355,000
2029	270,000	2035	310,000	2040	380,000
2030	275,000				

\* The aggregate principal amount of the Bonds, the purchase price thereof and the principal amounts of the installments listed in the table above are subject to change depending upon the actual interest rates bid and the successful bidder's initial reoffering yields, in order to (i) meet the requirements of substantially level or declining annual debt service in accordance with the New York Local Finance Law, and (ii) ensure the Bonds comply with applicable Federal tax law provisions regarding over-issuance. Accordingly, the School District reserves the right, after selecting the lowest bidder, to decrease the size of the issue and/or adjust the maturity amounts of the Bonds to the extent necessary to satisfy such requirements. The successful bidder may neither withdraw nor modify its bid as a result of any such post-bid adjustment. Any such adjustment shall be conclusive, shall be promptly communicated to the successful bidder, and shall be binding upon the successful bidder. The Bonds of each maturity, as adjusted, will bear interest at the same interest rate as specified for that maturity in the Proposal for Bonds submitted by the successful bidder for the Bonds, and must have the same initial reoffering yields as thereafter specified by such bidder. Notwithstanding any post-bid adjustment, and provided the School District will receive at the time of delivery of such Bonds an amount which together with the amount of the good faith deposit theretofore received is at least equal to the par amount (as the same may have been adjusted) of the Bonds, the School District will hold constant, on a per bond basis, the successful bidder's underwriting spread with respect to such Bonds. However, the award shall be made to the bidder whose bid produces the lowest net interest cost rate solely on the basis of the Bonds offered, without taking into account any adjustment in the amount of the Bonds pursuant to this paragraph.

The Bonds will be issued pursuant to the Constitution and statutes of the State of New York, including, among others, the Education Law and the Local Finance Law, and a bond resolution dated June 14, 2022 duly adopted by the Board of Education of the School District authorizing the issuance of \$4,800,000 in serial bonds of the School District to finance the construction of alterations, renovations and improvements to the School District's school buildings and associated facilities. The proceeds of the Bonds will provide for original financing for the project.

Bonds maturing on or before June 15, 2032 are not subject to redemption prior to maturity. Bonds maturing on or after June 15, 2033 are subject to redemption, at the option of the School District, prior to maturity, in whole or in part, on any date on or after June 15, 2032, at par, plus accrued interest to the redemption date.

Note: \* Preliminary, subject to change.

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

The Bonds will be issued in registered form by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, Jersey City, New Jersey ("DTC") and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any integral multiple thereof for any single maturity, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The successful bidder, as a condition to delivery of the Bonds shall be required to deposit the bond certificates with DTC, registered in the name of Cede & Co., its nominee. Principal of and interest on the Bonds will be payable to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest to participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. The School District will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants. See "BOOK-ENTRY-ONLY SYSTEM" in the Official Statement of the School District with respect to the Bonds (the "Official Statement").

In the event (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the School District determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the School District will discontinue the book-entry system with DTC. If the School District fails to identify another qualified securities depository to replace DTC, the School District will deliver replacement Bonds in the form of fully registered certificates.

THE SCHOOL DISTRICT RESERVES THE RIGHT TO CHANGE THE TIME AND/OR DATE FOR THE OPENING OF THE BIDS. NOTICE OF ANY SUCH CHANGE SHALL BE PROVIDED NOT LESS THAN ONE HOUR PRIOR TO THE TIME SET FORTH ABOVE FOR THE OPENING OF BIDS BY MEANS OF A SUPPLEMENTAL NOTICE OF BOND SALE TO BE TRANSMITTED OVER TM3.

The Bonds will be designated as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code").

Each bid must be for all of said \$4,800,000\* in Bonds and may state different rates of interest for Bonds maturing in different calendar years; provided, however, that (i) only one rate of interest may be bid for all Bonds maturing in any one calendar year, (ii) the maximum difference between the highest and lowest interest rate bid shall not exceed one percentum, (iii) variations in rates of interest so bid shall be in ascending progression in order of maturity so that the rate of interest on Bonds maturing in any particular calendar year shall not be less than the rate of interest applicable to Bonds maturing in any prior calendar year and (iv) all rates of interest bid must be stated in a multiple of one-eighth of one percentum or one-hundredth of one percentum per annum.

Unless all bids are rejected, the award will be made to the bidder complying with the terms of sale and offering to purchase said Bonds at such rate or rates of interest which will produce the lowest interest cost computed in accordance with the net interest cost method of calculation, that being the rate or rates of interest which will produce the least interest cost over the life of the Bonds, after accounting for the premium offered, if any. If two or more such bidders offer to purchase the Bonds at the same net interest cost, computed as described above, the Bonds will be awarded to the bidder whose bid offers to purchase the Bonds at the highest premium dollar amount, and if two or more bidders offer the same lowest interest cost and the same premium, then to the one of said bidders selected by lot from among all said bidders. The right is reserved to reject any or all bids, and any bid not complying with this Notice of Bond Sale will be rejected.

Each bid must be either (i) enclosed in a sealed envelope and should be marked on the outside "Proposal for Bonds" and addressed as follows: Larry Davis, President of the Board of Education of the School District, c/o Bernard P. Donegan, Inc., 345 Woodcliff Drive, 2nd Floor, Fairport, New York 14450, (ii) be received via facsimile transmission at (585) 924-4636, or (iii) be submitted electronically via Parity. No other form of electronic bidding service nor telephone proposals will be accepted. No proposal will be accepted after the time for receiving proposals specified above. Bidders submitting proposals via facsimile must use the "Proposal for Bonds" form attached hereto. Once the proposals are communicated electronically via Parity or via facsimile to the School District, each bid will constitute an irrevocable offer to purchase the bonds pursuant to the terms therein provided.

The timely delivery of proposals submitted via facsimile transmission must be in legible and completed form, signed by an authorized representative of the bidder and shall be the sole responsibility of the bidder. The School District shall not be responsible for any errors and/or delays in transmission and/or receipt of such bids, mechanical or technical failures or disruptions, or any omissions or irregularities in any bids submitted in such manner.

Prospective bidders wishing to submit an electronic bid via Parity must be contracted customers of Parity. Prospective bidders who do not have a contract with Parity must call (212) 849-5021 to become a customer. By submitting an electronic bid for the bonds, a bidder represents and warrants to the School District that such bidder's bid for the purpose of the bonds is submitted for and on behalf of such prospective bidder by an offer or agent who is duly authorized to bind the bidder to a legal, valid and enforceable contract for the purchase of the bonds.

Each prospective bidder who wishes to submit electronic bids shall be solely responsible to register to bid via Parity. Each qualified prospective bidder shall be solely responsible to make necessary arrangements to access Parity for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Bond Sale. Neither the School District nor Parity shall have any duty or obligation to undertake such registration to bid for any prospective bidder or to provide or assure such access to any qualified prospective bidder, and neither the School District nor Parity shall be responsible for a bidder's failure to register to bid or for proper operation of, or have any liability for any delays or interruptions of, or any damages caused by Parity. The School District is using Parity as a communications mechanism, and not as the School District's agent, to conduct the electronic bidding for the School District's bonds. The School District is not bound by any advice or determination of Parity as to whether any bid complies with the terms of this Notice of Bond Sale. All costs and expenses incurred by prospective bidders in connection with their registration and submission of bids via Parity are the sole responsibility of the bidders, and the School District is not responsible, directly or indirectly, for any such costs or expenses. If a prospective bidder encounters any difficulty in registering to bid, or submitting or modifying a bid for the bonds, it should telephone Parity and notify the School District municipal advisor, Bernard P. Donegan, Inc. at (585) 924-2145 (provided that the School District shall have no obligation to take any action whatsoever upon receipt of such notice).

If any provisions of this Notice of Bond Sale shall conflict with information provided by Parity, as approved provider of electronic bidding services, the provisions of this Notice of Bond Sale shall control. Further, information about Parity, including any fee charged, may be obtained from Parity at (212) 849-5021. The time maintained by Parity shall constitute the official time with respect to all bids submitted.

Each bidder must, as a condition precedent to the consideration of its bid, deposit with its bid a certified or cashier's check or a wire transfer in the amount of \$96,000, as a good faith deposit (the "Deposit") to secure the School District against loss resulting from the failure of the bidder to comply with the terms of its bid. If a check is used, it must be a certified or cashier's check drawn upon an incorporated bank or trust company located in the State, payable to the order of "Brighton Central School District, New York" and be enclosed with the bid. The check deposited by the bidder to whom the Bonds are awarded will be retained by the School District and the amount thereof shall be applied as provided by law. If a wire transfer is used, it must be sent to the account so designated by the School District for such purpose, not later than 10:00 a.m. on the date of the sale; however, the School District reserves the right to award the Bonds to a successful bidder whose wire transfer is initiated but not received by such time provided that such successful bidders fed wire reference number has been received. A wire reference number must be provided on the "Proposal for Bonds" when submitted. Bidders must contact Bernard P. Donegan, Inc., 345 Woodcliff Drive, 2<sup>nd</sup> Floor, Fairport, New York 14450 (585-924-2145; fax no. 585-924-4636), the School District's municipal advisor (the "Municipal Advisor"), no later than 24 hours prior to the sale date to obtain the School District's wire instructions. No interest will be allowed upon the amount of the Deposit made by the successful bidder. The purchaser must pay accrued interest from the dated date of Bonds to the date of delivery thereof, if any.

When the successful bidder has been ascertained, all such Deposits will be promptly returned to the persons making them, except the certified or cashier's check or the wire transfer of the successful bidder. Award of the Bonds to the successful bidder, or rejection of all bids, is expected to be made promptly after opening of the bids, but such successful bidder may not withdraw this proposal until after 2:00 p.m., New York time, of the day of such bid opening and then only if such award has not been made prior to the withdrawal. The successful bidder will be promptly notified of the award to it, and if the successful bidder refuses or neglects to pay the agreed price of the Bonds less the amount of the Deposit, the Deposit shall be forfeited to and retained by the School District as liquidated damages for such neglect or refusal.

The Bonds will be executed and delivered in escrow to DTC, not less than 24 hours prior to the time set for the delivery thereof. It shall be the responsibility of the purchaser to verify the CUSIP numbers at such time. The closing will be held on or about June 26, 2024, at such place in Jersey City, New Jersey and on such business day, or at such other place and time as may be agreed upon with the successful bidder on or against receipt of Federal Funds, in an amount equal to the par amount of such Bonds, plus the premium, if any, including accrued interest from the date of such Bonds to the date of delivery, less the amount of the deposit submitted with the bid.

As a condition of the purchaser's obligation to accept delivery of and pay for the Bonds, the School District will furnish without cost to the purchaser the following, dated as of the date of delivery and payment for the Bonds: (1) a closing certificate constituting receipt of the Bond proceeds, (2) a certificate signed by the officers who signed the Bonds, stating that no litigation is then pending or, to the knowledge of such officers, threatened to restrain or enjoin the issuance or delivery of the Bonds or the levy or collection of taxes to pay the Bonds or the interest thereon, or questioning the validity of the statutes or the proceedings under which the Bonds are issued, and that neither the corporate existence or boundaries

of the School District, nor the title of any of the said officers to their respective offices, is being contested and that no authority or proceedings for the issuance of the Bonds has been revoked, (3) a certificate of the President of the Board of Education of the School District certifying that (a) as of the date of the Official Statement furnished by the School District in relation to the Bonds, the Official Statement did not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, subject to the condition that while information in said Official Statement obtained from sources other than the School District is not guaranteed as to the accuracy, completeness or fairness, he has no reason to believe and does not believe that such information is materially inaccurate or misleading, and (b) to his knowledge, since the date of the Official Statement and since the date of the sale of the Bonds, the School District has engaged in no material transactions not in the ordinary course of affairs of the School District and no material adverse change in the general affairs of the School District or in its financial condition as shown in the Official Statement has occurred other than as disclosed in or contemplated by the Official Statement; (4) a tax and arbitrage certificate executed on behalf of the School District which includes, among other things, covenants relating to compliance with the Code, with the owners of the Bonds that the School District will, among other things (A) take all actions on its part necessary to cause interest on the Bonds not to be includable in 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 Bonds 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 (B) refrain from taking any action which would cause interest on the Bonds to be includable in gross income of the owners thereof for Federal income tax purposes; and (5) an approving opinion as to the validity of the Bonds of **Harris Beach PLLC, Pittsford, New York**, Bond Counsel. Reference is hereby made to the Official Statement relating to the Bonds for a description of the scope of the Bond Counsel's engagement in relation to the issuance of the Bonds and the matters covered by such legal opinion. Furthermore, reference should be made to the information under the subheading "LEGAL MATTERS" and "TAX MATTERS" in the Official Statement.

The Official Statement has been prepared and disseminated by the School District. Such Official Statement is deemed to be "final", as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission ("SEC"), but is subject to (a) completion with certain price and other information to be made available by the successful bidder for the Bonds and (b) amendment. The Official Statement, as so revised, will constitute the "Final Official Statement". By the submission of a bid for the Bonds, the successful bidder contracts for the receipt of a reasonable number of copies of the Final Official Statement within seven business days of the award of the Bonds. In order to complete the Final Official Statement, the successful bidder must furnish on behalf of the underwriters of the Bonds the following information to Bond Counsel and the School District by electronic or facsimile transmission or overnight delivery received by Bond Counsel and the School District within 24 hours after the award of the Bonds: (a) initial offering prices or yields (expressed as percentages), (b) selling compensation (aggregate total anticipated compensation to the underwriters expressed in dollars), (c) the identity of the underwriters if the successful bidder is part of a group or syndicate and (d) any other material information necessary for the Final Official Statement, but not known to the School District (such as the bidder's purchase of credit enhancement). The School District shall not be responsible or liable in any manner for the successful bidder's determination of information necessary to comply with SEC Rule 15c2-12 or the accuracy of any such information provided by the successful bidder or failure to furnish such Final Official Statements as described above which results from a failure by the successful bidder to provide the aforementioned information within the time specified. Acceptance by the successful bidder of such Final Official Statement shall be conclusive evidence of the satisfactory completion of the obligations of said School District with respect to the preparation and delivery thereof.

In accordance with the requirements of SEC Rule 15c2-12, the School District shall provide on the date of delivery of the Bonds a written undertaking to provide the annual financial information and operating data and notices of the occurrence of certain events, all as described in the Official Statement under the heading "CONTINUING DISCLOSURE UNDERTAKING".

The Bonds are general obligations of the School District. All the taxable real property within the School District is subject to the levy of ad valorem taxes to pay the principal of and interest on the Bonds, without limitation as to rate or amount (see "REAL PROPERTY TAX CAP" in the Official Statement). The State Constitution requires the School District to pledge its faith and credit for the payment of such interest and the principal of the Bonds. The State Constitution also provides that if at any time the School District fails to make the required appropriations for annual debt service on the Bonds and certain other obligations of the School District, a sufficient sum shall be set apart from the first revenues thereafter received and shall be applied for such purposes; also that the fiscal officer of the School District may be required to set apart and apply such revenues as aforesaid at the suit of any holder of the Bonds.

In the event of a default in the payment of the principal of and/or interest on the Bonds, the State Comptroller is required to withhold, under certain conditions prescribed by Section 99-b of the State Finance Law, State aid and assistance to the School District and to apply the amount thereof so withheld to the payment of such defaulted principal and/or interest, which requirement constitutes a covenant by the State with the holders from time to time of the Bonds.

The deposit of the Bonds with DTC under a book-entry system requires the assignment of CUSIP numbers prior to delivery. It shall be the responsibility of the successful bidder to obtain CUSIP numbers for the Bonds prior to delivery and the School District will not be responsible for any delay occasioned by the inability to deposit the Bonds with DTC due

to the failure of the successful bidder to obtain such numbers and supply them to the School District in a timely manner. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid for by the School District; provided, however, that the CUSIP Service Bureau charge for the assignment of the numbers shall be the responsibility of and shall be paid for by the purchaser.

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of a bidder, the purchase of any such insurance policy or the issuance of any such commitment therefor shall be at the sole option and expense of such bidder and any increased costs of insurance of the bids resulting by reason of the same, unless otherwise paid, shall be paid by such bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued, shall not constitute cause for a failure or refusal by the purchaser of the Bonds to accept delivery of and pay for said Bonds in accordance with the terms of its proposal.

In the event that prior to the delivery of the Bonds, the income received by private holders from bonds of the same type and character shall be includable in gross income for Federal income tax purposes, the successful bidder may at its election, be relieved of its obligations under the contract to purchase the Bonds, and in such case, the deposit accompanying his bid will be returned.

By submitting a bid, each bidder is certifying that its bid is a firm offer to purchase the Bonds, is a good faith offer which the bidder believes reflects current market conditions, and is not a "courtesy bid" being submitted for the purpose of assisting in meeting the competitive sale requirements relating to the establishment of the "issue price" of the Bonds pursuant to U.S. Treasury Regulation Section 1.148-1(f)(3)(i), including the requirement that bids be received from at least three (3) underwriters (as defined below) of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds (the "Competitive Sale Requirements"). The Municipal Advisor will advise the winning bidder if the Competitive Sale Requirements were met at the same time it notifies the winning bidder of the award of the Bonds. **Bids will not be subject to cancellation in the event that the Competitive Sale Requirements are not satisfied.**

The winning bidder shall, within one (1) hour after being notified of the award of the Bonds, advise the Municipal Advisor by electronic or facsimile transmission of the reasonably expected initial public offering price or yield of each maturity of the Bonds (collectively the "Initial Reoffering Prices") as of the date of the award.

By submitting a bid, each bidder (unless such bidder would be purchasing the Bonds for its own account and not with a view to distribution or resale to the public (as defined below)) (i) represents that it has an established industry reputation for underwriting new issuances of municipal bonds, and (ii) agrees that if the Competitive Sale Requirements are not met, and if it is the winning bidder, it will elect and satisfy either option (1) or option (2) described below. **Such election must be made on the bid form submitted by each bidder. In the event a bidder submits a bid via Parity, such bidder must notify the Municipal Advisor by email ([team@bpdinc.net](mailto:team@bpdinc.net)) as to such election at the time such bid is submitted. If no election is made, the bidder shall be deemed to have elected option (1) below.**

(1) Hold the Price. The winning bidder:

- (a) will make a bona fide offering to the public of all of the Bonds at the Initial Reoffering Prices and provide the Municipal Advisor and Bond Counsel with reasonable supporting documentation, such as a copy of the pricing wire or equivalent communication, the form of which is acceptable to Bond Counsel,
- (b) will neither offer nor sell any of the Bonds to any person at a price that is higher, or a yield that is lower, than the Initial Reoffering Price for such maturity until the earlier of (i) the date on which the winning bidder has sold to the public at least 10 percent of the Bonds of such maturity at a price that is no higher, or a yield that is no lower, than the Initial Reoffering Price of such maturity or (ii) the close of business on the 5<sup>th</sup> business day after the date of the award of the Bonds, and
- (c) has or will include or cause to be included within any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which either the winning bidder or another member of any underwriting syndicate established by the winning bidder for the Bonds is a party) relating to the initial sale of the Bonds to the public, and in the related pricing wire, language obligating each underwriter to comply with the limitations on the sale of the Bonds as set forth above.

(2) Follow the Price. The winning bidder:

- (a) will make a bona fide offering to the public of all of the Bonds at the Initial Reoffering Prices and provide the Municipal Advisor and Bond Counsel with reasonable supporting documentation,

such as a copy of the pricing wire or equivalent communication, the form of which is acceptable to Bond Counsel,

- (b) will report to the Municipal Advisor and Bond Counsel information regarding the actual prices at which the Bonds within each maturity have been first sold to the public; such reporting requirement, which may extend beyond the closing date of the Bonds, will continue with respect to each maturity of the Bonds until either (i) all of the Bonds of such maturity have been sold, or (ii) the date by the first price at which 10 percent of such maturity of the Bonds has been sold to the public,
- (c) will provide the Municipal Advisor and Bond Counsel with reasonable supporting documentation or certifications of such sale prices the form of which is acceptable to Bond Counsel, and
- (d) has or will include or cause to be included within any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which either the winning bidder or another member of any underwriting syndicate established by the winning bidder for the Bonds is a party) relating to the initial sale of the Bonds to the public and in the related pricing wire, language obligating each underwriter to comply with the reporting requirement described above.

For purposes of the “hold the price” and “follow the price” requirements, a maturity refers to Bonds that have the same interest rate, credit and payment terms.

Regardless of whether or not the Competitive Sale Requirements were met, the winning bidder shall submit to the Issuer a certificate (the “Reoffering Price Certificate”), satisfactory to Bond Counsel, prior to the delivery of the Bonds stating the applicable facts as described above. The form of Reoffering Price Certificate is available by contacting Bond Counsel or the Municipal Advisor.

If the winning bidder has purchased the Bonds for its own account and not with a view to distribution or resale to the public, then, whether or not the Competitive Sale Requirements were met, the Reoffering Price Certificate will recite such facts and identify the price or prices at which the purchase of the Bonds was made.

For purposes of this Notice of Bond Sale, the following terms shall have the following respective meanings:

- (A) the “public” means any person other than an underwriter or a related party (as defined below) to an underwriter;
- (B) an “underwriter” means (i) the winning bidder (unless the winning bidder is purchasing the Bonds for its own account and not with a view to distribution or resale to the public), (ii) any person that agrees pursuant to a written contract with the winning bidder to form an underwriting syndicate to participate in the initial sale of the Bonds to the public, and (iii) any person that agrees pursuant to a written agreement with either the winning bidder or any other member of an underwriting syndicate for the Bonds to participate in the initial sale of the Bonds to the public (such as a retail distribution agreement between a national lead underwriter and a regional firm under which the regional firm participates in the initial sale of the Bonds to the public); and
- (C) a “related party” means an entity that shares with another entity (i) more than fifty percent (50%) common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (ii) more than fifty percent (50%) common ownership of their capital interests or profit interests, if both entities are partnerships (including direct ownership by one partnership of another), or (iii) more than fifty percent (50%) common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other).

In making the representations described above, the winning bidder must reflect the effect on the offering prices of any “derivative products” (e.g., a tender option) used by the bidder in connection with the initial sale of any of the Bonds.

The current population as estimated by the School District is 24,654 (Source: 2022 U.S. Census Estimate). The Debt Statement to be filed pursuant to Section 109.00 of the Local Finance Law in connection with the sale of the bonds herein described, prepared as of May 15, 2024 will show the full valuation of the real estate subject to taxation by the School District to be \$3,056,270,013, its debt limit to be \$305,627,001, and its total net indebtedness subject to the debt limit to be \$50,170,000. The indebtedness to be evidenced by the Bonds will increase the School District’s net indebtedness by \$4,800,000. The calculation of such bonded indebtedness has not taken into account any deductions

therefrom of any apportionment of state aid for debt service for school building purposes to which the School District may be entitled. A detailed Official Statement will be furnished to any interested bidder upon request.

The School District's contact information is as follows: Louis J. Alaimo, Assistant Superintendent for Administration, Brighton Central School District, 2035 Monroe Avenue, Rochester, New York 14618 (telephone: (585) 242-5200 ext. 5510); or, from the School District's municipal advisor, Bernard P. Donegan, Inc. (telephone: (585) 924-2145).

Dated: May 15, 2024  
Rochester, New York

Larry Davis, President, Board of Education  
Brighton Central School District

Copies of the Notice of Bond Sale and the Official Statement may be obtained upon request from the offices of Bernard P. Donegan, Inc., 345 Woodcliff Drive, 2<sup>nd</sup> Floor, Fairport, New York 14450 (telephone: (585) 924-2145; facsimile number: (585) 924-4636).





# PROPOSAL FOR BONDS

Larry Davis  
President, Board of Education  
Brighton Central School District  
c/o Bernard P. Donegan, Inc.  
345 Woodcliff Drive – 2<sup>nd</sup> Floor  
Fairport, New York 14450  
Facsimile: (585) 924-4636

**\$4,800,000\* School District (Serial) Bonds, 2024**  
Sale Date & Time: May 29, 2024 at 11:00 a.m.

(1)	Year of Maturity	Interest Rate	Year of Maturity	Interest Rate	Year of Maturity	Interest Rate	Year of Maturity	Interest Rate	Year of Maturity	Interest Rate
	2025	_____ %	2029	_____ %	2032	_____ %	2035	_____ %	2038	_____ %
	2026	_____ %	2030	_____ %	2033	_____ %	2036	_____ %	2039	_____ %
	2027	_____ %	2031	_____ %	2034	_____ %	2037	_____ %	2040	_____ %
	2028	_____ %								

(2)	Gross Interest . . . . .	\$	Net Interest . . . . .	\$
	Premium Bid Over Par. . . . .	\$	Net Interest Cost . . . . .	%

(3) Check one of the following:

- We enclose a certified or cashier's check for \$96,000 payable to the order of the Brighton Central School District, New York. If the bid is accepted, the Deposit will be applied as part payment for the Bonds or, if the bidder does not purchase the Bonds in accordance with its proposal, the Deposit will be retained by the School District as and for liquidated damages. If the bid is not accepted, the Deposit will be returned to the bidder.
- We sent a fed wire transfer of \$96,000 to the account of said Brighton Central School District, New York designated for such purpose in accordance with the Notice of Bond Sale and instructions provided by the School District's Municipal Advisor. The fed wire reference number is \_\_\_\_\_ sent at \_\_\_\_\_. If the bid is accepted, the Deposit will be applied as part payment for the Bonds or, if the bidder does not purchase the Bonds in accordance with its proposal, the Deposit will be retained by the School District as and for liquidated damages. If the bid is not accepted, the Deposit will be returned to the bidder.

(4) A) **TO BE COMPLETED BY BIDDERS WHO ARE NOT PURCHASING THE BONDS FOR THEIR OWN ACCOUNT:**  
**(BY SUBMITTING THIS PROPOSAL, THE BIDDER REPRESENTS THAT IT HAS AN ESTABLISHED INDUSTRY REPUTATION FOR UNDERWRITING NEW ISSUANCES OF MUNICIPAL BONDS SIMILAR TO THE BONDS.)**

If the Competitive Sale Requirements are not met, the Bidder will use one or more of the following methods to determine the issue price of the Bonds:

Please select one of the following:

*(if none are selected, then the method shall be assumed to be Hold the Price for each maturity for which at least 10% was not sold on the Sale Date at the Initial Reoffering Price):*

\_\_\_\_\_ Follow the Price -or- \_\_\_\_\_ Hold the Price

B) **TO BE COMPLETED BY BIDDERS WHO ARE PURCHASING BONDS FOR THEIR OWN ACCOUNT:** The Bidder is not acting as an underwriter with respect to the Bonds and is not a related party to an underwriter with respect to the Bonds. We are purchasing the Bonds for our own account and have no present intention to sell, reoffer or otherwise dispose of the Bonds.

YES \_\_\_ NO \_\_\_

(5) <b>BIDDER:</b>	<b>AGENT for Bidder:</b>
Firm/Bank _____	_____
Individual _____	_____
Address _____	_____
Telephone ( ) _____	( ) _____
E-mail _____	_____

(6) **SIGNATURE** of Bidder or Agent \_\_\_\_\_

\* Preliminary, subject to change pursuant to Notice of Bond Sale

No person has been authorized by the Brighton Central School District to give any information or to make any representations not contained in this Official Statement, and, if given or made, such information or representation must not be relied upon as having been authorized. This Official Statement does not constitute an offer to sell or solicitation of an offer to buy any of the Bonds in any jurisdiction to any person to whom it is unlawful to make such offer or solicitation or sale 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 Brighton Central School District since the date hereof.

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Prepared with the Assistance of:

**BERNARD P. DONEGAN, INC.**  
**345 Woodcliff Drive, 2<sup>nd</sup> Floor**  
**Fairport, New York 14450**  
**(585) 924-2145**  
[team@bpdinc.net](mailto:team@bpdinc.net)

**OFFICIAL STATEMENT**  
**BRIGHTON CENTRAL SCHOOL DISTRICT**  
**MONROE COUNTY, NEW YORK**

Relating to

**\$4,800,000\* School District (Serial) Bonds, 2024**

This Official Statement (the "Official Statement"), which includes the cover page, has been prepared by the Brighton Central School District, Monroe County, New York (the "School District", the "County" and the "State", respectively) in connection with the sale by the School District of \$4,800,000\* School District (Serial) Bonds, 2024 (the "Bonds").

This Official Statement is hereby "deemed final" by the School District within the meaning of, and for the purposes of, paragraph (b)(1) of Securities and Exchange Commission Rule 15c2-12.

**DESCRIPTION OF THE BONDS**

The Bonds contain a pledge of faith and credit of the School District for the payment of the principal of and interest on the Bonds as required by the Constitution and laws of the State of New York (State Constitution, Article VIII, Section 2; Local Finance Law, Section 100.00). All the taxable real property within the School District is subject to the levy of ad valorem taxes to pay the Bonds and interest thereon, without limitation as to rate or amount (see "REAL PROPERTY TAX CAP" herein).

The Bonds comprise an issue in the principal amount of \$4,800,000\*, will be dated June 26, 2024, and mature in annual installments on June 15 in the following years and amounts:

MATURITIES\*

2025	\$	250,000		2029	\$	270,000		2033	\$	300,000		2037	\$	340,000
2026		270,000		2030		275,000		2034		305,000		2038		355,000
2027		245,000		2031		275,000		2035		310,000		2039		355,000
2028		260,000		2032		280,000		2036		330,000		2040		380,000

**The aggregate principal amount of the Bonds and the principal amount of each of the maturities thereof are subject to adjustment following their sale, pursuant to the terms of the accompanying Notice of Bond Sale, in order to achieve substantially level or declining annual debt service and to permit the School District to comply with the applicable Federal tax law provisions relating to overissuance.**

Bonds maturing on or before June 15, 2032 are not subject to redemption prior to maturity. Bonds maturing on or after June 15, 2033 are subject to redemption, at the option of the School District, prior to maturity, in whole or in part, on any date on or after June 15, 2032, at par, plus accrued interest to the redemption date.

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

The Bonds will be issued as registered bonds and, when issued, will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds (see BOOK-ENTRY-ONLY SYSTEM herein). Individual purchases will be made in book-entry only form, in the principal amount of \$5,000 or integral multiples thereof. Purchasers will not receive certificates representing their ownership interest in the Bonds. Principal and interest will be paid by the School District to DTC, which will in turn remit such principal and interest to its Participants, for subsequent distribution to the Beneficial Owners of the Bonds, as described herein. The Bonds bear interest from their date of delivery, with interest thereon payable on December 15, 2024 and semi-annually thereafter on each June 15 and December 15 until maturity. The Record Date for the Bonds shall be the last business day of the calendar month preceding each interest payment date. The Bonds may not be registered to bearer or converted to coupon bonds.

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\*Preliminary, subject to change.

## BOOK-ENTRY-ONLY SYSTEM

The Depository Trust Company ("DTC"), Brooklyn, New York, will act as securities depository for the Bonds. The Bonds will be issued as fully-registered Bonds registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. Upon issuance of the Bonds, one fully registered bond certificate will be issued for each maturity of the Bonds, in the aggregate principal amount of such issue, and will be deposited with DTC.

DTC, the world's largest security depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation ("NSCC") and Fixed Income Clearing Corporation ("FICC"), 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](http://www.dtcc.com).

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

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

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

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

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Bonds unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the School District 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 Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Redemption proceeds, and principal and interest payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the School District, on the payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers

## **BOOK-ENTRY-ONLY SYSTEM - Concluded**

in bearer form or registered in "street name", and will be the responsibility of such Participant and not of DTC (nor its nominee), or the School District, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, 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 School District, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

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

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

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

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

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

THE SCHOOL DISTRICT WILL NOT HAVE ANY RESPONSIBILITY OR OBLIGATIONS TO DTC, THE DIRECT PARTICIPANTS, THE INDIRECT PARTICIPANTS OF DTC OR THE BENEFICIAL OWNERS WITH RESPECT TO (I) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC OR ANY DIRECT PARTICIPANTS OR INDIRECT PARTICIPANTS OF DTC; (II) THE PAYMENT BY DTC OR ANY DIRECT PARTICIPANTS OR INDIRECT PARTICIPANTS OF DTC OF ANY AMOUNT DUE TO ANY BENEFICIAL OWNER IN RESPECT OF THE PRINCIPAL AMOUNT OF OR INTEREST OR REDEMPTION PREMIUM ON THE BONDS; (III) THE DELIVERY BY DTC OR ANY DIRECT PARTICIPANTS OR INDIRECT PARTICIPANTS OF DTC OF ANY NOTICE TO ANY BENEFICIAL OWNER THAT IS REQUIRED OR PERMITTED TO BE GIVEN TO OWNERS; OR (IV) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC AS THE REGISTERED HOLDER OF THE BONDS.

THE INFORMATION CONTAINED HEREIN CONCERNING DTC AND ITS BOOK-ENTRY SYSTEM HAS BEEN OBTAINED FROM DTC AND THE SCHOOL DISTRICT MAKES NO REPRESENTATION AS TO THE COMPLETENESS OR THE ACCURACY OF SUCH INFORMATION OR AS TO THE ABSENCE OF MATERIAL ADVERSE CHANGES IN SUCH INFORMATION SUBSEQUENT TO THE DATE HEREOF.

## **CERTIFICATED BONDS**

In the event that the book-entry-only system is discontinued, the following provisions will apply: the Bonds will be issued in fully registered form in denominations of \$5,000 each or any integral multiple thereof for any single maturity. Principal of the Bonds when due will be payable upon presentation at the office of a bank or trust company located and authorized to do business in the State of New York to be named as the fiscal agent by the School District upon termination of the book-entry-only system. Interest on the Bonds will remain payable December 15, 2024 and semi-annually thereafter on June 15 and December 15, in each year until maturity (or earlier redemption). Interest on the Bonds will be payable by check or draft mailed by the fiscal agent to the registered owners of the Bonds, as shown on the registration books of the School District maintained by the fiscal agent as of the close of business on the Record Date, being the last business day of the calendar month immediately preceding each interest payment date. Bonds may be transferred or exchanged at no cost to the registered owner for Bonds of the same maturity or any other authorized denomination or denominations in the same aggregate principal amount in the manner described on the Bonds and as referenced in certain proceedings of the School District referred to therein.

## **AUTHORIZATION AND PURPOSE**

The Bonds are issued pursuant to the Constitution and statutes of the State of New York, including among others, the Education Law and the Local Finance Law, for the following purpose:

The construction of alterations, renovations and improvements to the School District's school buildings and associated facilities, pursuant to a Bond Resolution adopted by the Board of Education of the School District on June 14, 2022 authorizing the issuance of \$4,800,000 serial bonds, of which the School District is now issuing \$4,800,000 serial bonds.

This issue represents the first and final issuance of indebtedness against said Resolution.

## **STATUS OF PROJECT**

On May 17, 2022, the School District voters approved a \$7,200,000 capital project consisting of alterations, renovations and improvements to the School District's school buildings and associated facilities, including improvements to outdoor playground facilities and boiler replacements. The School District has contributed \$2,400,000 of capital reserves towards the project. The project will be completed in phases. Plans and specifications for Phase 1 have received approval from the State Education Department ("SED"). Construction for Phase 1 began in spring, 2023 and is essentially complete. Plans and specifications for Phase 2 have received partial approval from SED. Construction for Phase 2 began in summer, 2023 and is estimated to be complete in fall, 2024.

## **REMAINING BOND AUTHORIZATIONS**

On May 16, 2023, the School District voters approved a \$19,500,000 Capital Project consisting of alterations, renovations and improvements to the School District's school buildings and associated facilities, and the construction of a greenhouse. The Board of Education adopted a Bond Resolution authorizing the issuance of \$19,500,000 serial bonds. The School District is currently awaiting the State Education Department's approval on the final plans and specifications.

On February 7, 2024, the School District voters approved a \$21,850,000 Capital Project consisting of building and site improvements to the School District's buildings and associated facilities. The Board of Education adopted a Bond Resolution authorizing the issuance of \$17,000,000 serial bonds with the remainder of the authorization to be funded through the expenditure of \$4,850,000 in capital reserves. The School District is in the process of developing plans and specifications to be submitted to the State Education Department for approval.

## **FUTURE CAPITAL PLANS**

The School District is evaluating the results of the 2023 Building Conditions Survey and considering capital plans to address building needs at Council Rock Primary School. The School District is evaluating the feasibility of a capital project to be presented to the voters in December, 2024.

## **GENERAL INFORMATION**

The School District covers approximately 19 square miles in the Towns of Brighton and Pittsford in Monroe County and is contiguous with the City of Rochester. The Towns of Brighton and Pittsford are primarily residential communities. The majority of residents are employed in professional and executive positions.

The Rochester Gas and Electric Corporation provides gas and electricity, although some residents are served by the National Grid Power Corporation. The Town of Brighton maintains its own police department. In addition, the Monroe County Sherriff's Department and the New York State Police supplement Town forces. The West Brighton Volunteer Fire Department and the Brighton Fire Department, the latter of which is staffed by professional and salaried personnel, provide fire protection.

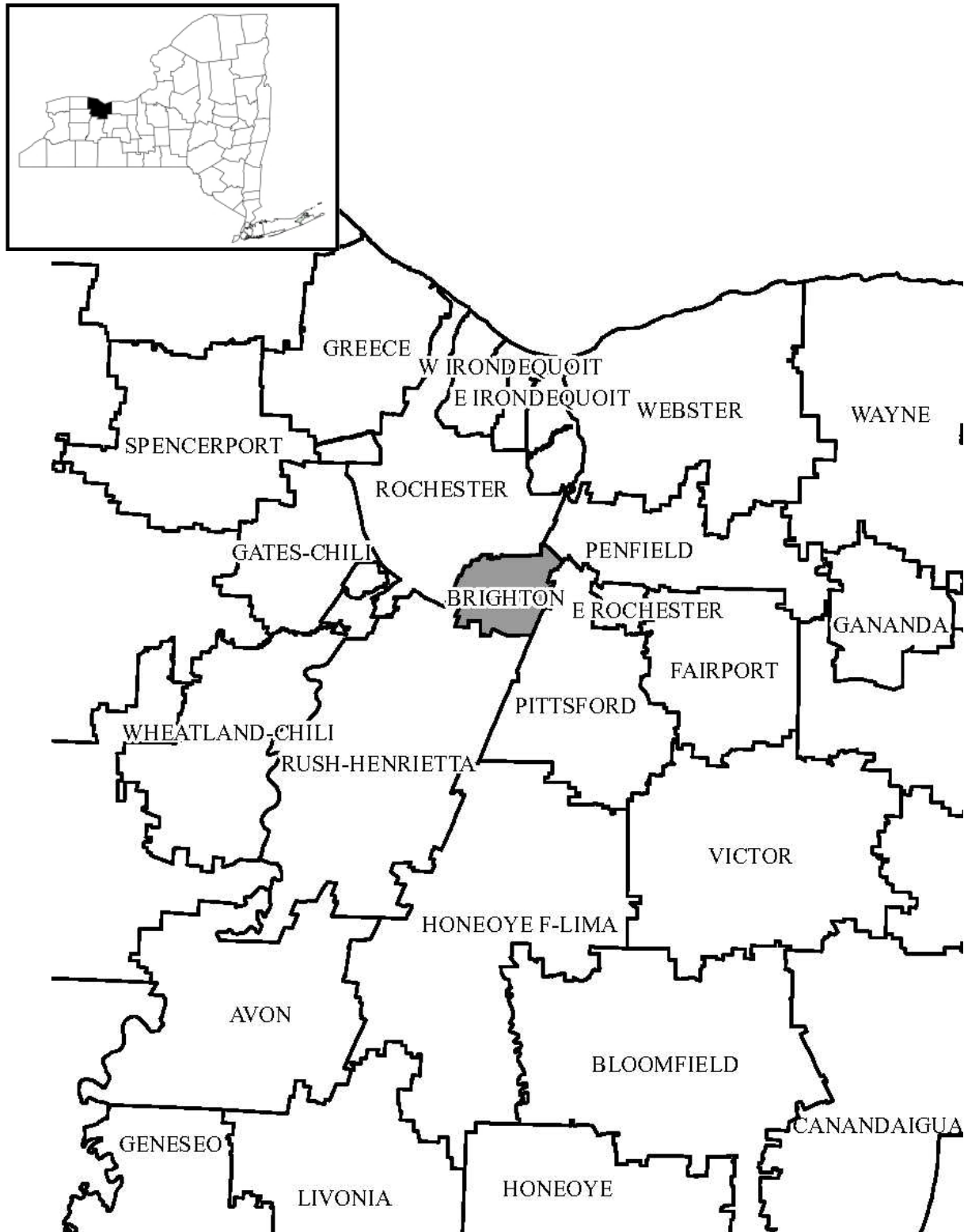
Educational opportunities within the School District include a number of public and private institutions. Monroe Community College is situated in the Town of Brighton and has an enrollment of several thousand students. Within a five-mile radius are the Rochester Institute of Technology, the University of Rochester, St. John Fisher College and Nazareth College.

Available transportation in the area includes air, bus, rail and major commercial carriers. Airline service is provided at the Greater Rochester International Airport. Bus lines include the Greyhound Bus Lines Company, Blue Bird Coach Lines, Trailways and the Rochester-Genesee Regional Transportation Authority. Rail services provided are Amtrak, Conrail and the Chessie System. Major highways include Routes 390, 490 and 590, all of which feed on to and off the New York State Thruway System. The School District is also served by a substantial number of commercial and savings banks.

## **BOND RATING**

The School District has applied to Moody's Investors Service, Inc. for a rating for this issue.

# GENERAL LOCATION MAP - BRIGHTON CENTRAL SCHOOL DISTRICT





## SCHOOL DISTRICT OFFICIALS

The 2023-24 Board of Education consists of:

	<u>Term Expires</u>
Larry Davis, President .....	06-30-26
Christina Lee, Vice President .....	06-30-24
Carrielyn Bertino .....	06-30-26
Dr. Susan Gasparino .....	06-30-26
Karen Hatch .....	06-30-25
Eleanor Oi .....	06-30-25
Esther Winter .....	06-30-24

The administrative officers and professional advisors of the School District consist of:

Dr. Kevin McGowan .....	Superintendent
Louis J. Alaimo .....	Asst. Superintendent for Administration
Dahlia Watts .....	Treasurer
Kim Lanzafame .....	District Clerk
Bond, Schoeneck & King PLLC .....	School District Attorney
SEI Design Group .....	Architects
Mengel Metzger Barr & Co. LLP .....	Certified Public Accountants
Harris Beach PLLC .....	Bond Counsel
Bernard P. Donegan, Inc. ....	Municipal Advisors

## HISTORICAL/PROJECTED ENROLLMENT

2019-20 .....	3,530
2020-21 .....	3,378
2021-22 .....	3,376
2022-23 .....	3,427
2023-24 .....	3,425
2024-25 .....	3,451
2025-26 .....	3,494
2026-27 .....	3,505
2027-28 .....	3,555
2028-29 .....	3,580

## SCHOOL FACILITIES

<u>Name of School</u>	<u>Grades</u>	<u>Date of Construction</u>	<u>Date of Last Addition or Alteration</u>	<u>Current Maximum Capacity</u>
Twelve Corners Elementary School <sup>1</sup>	N/A	1950	2021	432
Council Rock Primary	K-2	1956	2021	741
French Road Elementary School	3-5	1958	2023	1,041
Twelve Corners Middle School	6-8	1925	2023	1,152
Brighton High School	9-12	1939	2023	<u>1,162</u>
Total Capacity .....				<u><u>4,528</u></u>

Notes: N/A Not applicable.

1 Leased space within the building, also houses School District Office.

## EMPLOYEE CONTRACTS

<u>Association</u>	<u>Periods Covered</u>	<u>Number of Employees Covered</u>	<u>Affiliation</u>
Brighton Teachers' Association	07-01-22/06-30-25	365	NYSUT
Brighton Association of Educational Office Professionals	07-01-23/06-30-26	40	NYSUT
Brighton Custodial Maintenance Association	07-01-21/06-30-24 <sup>1</sup>	55	None
Brighton Non-Teaching Supervisors	07-01-22/06-30-25	4	None
Brighton Cafeteria Association	07-01-23/06-30-26	22	None
Association of Brighton Administrators	07-01-22/06-30-26	18	SAANYS
Brighton Educational Paraprofessional Association	07-01-21/06-30-24 <sup>1</sup>	142	NYSUT
Brighton Tutors	07-01-22/06-30-25	10	NYSUT
School Nurse	07-01-22/06-30-25	15	NYSUT
Brighton Non-Unit Support	07-01-22/06-30-25	31	None

The School District currently has 650 full-time and 52 part-time employees.

Note: 1 On May 7, 2024 the Board of Education approved a tentative agreement with the Associations to cover the contract period July 1, 2024 through June 30, 2027.

## STATUS AND FINANCING OF EMPLOYEE PENSION BENEFITS

All non-teaching and non-certified administrative employees of the School District eligible for pension or retirement benefits under the Retirement and Social Security Law of the State of New York are members of the New York State and Local Employees' Retirement System ("ERS"). In the School District's 2023-24 and Proposed 2024-25 Budgets, the appropriations for payments to the ERS are \$1,392,551 and \$1,398,855, respectively.

Teachers and certified administrators are members of the New York State Teachers' Retirement System ("TRS" and, collectively with ERS, the "Retirement Systems"). Payments to the TRS are deducted from the School District's State aid payments. In the School District's 2023-24 and Proposed 2024-25 Budgets, the appropriations for payments to the TRS are \$3,606,895 and \$4,011,352, respectively.

The Retirement Systems are non-contributory with respect to members hired prior to July 27, 1976. Other than those in Tier V and Tier VI (as described below), all members hired on or after July 27, 1976 with less than 10 years of service must contribute 3% of their gross annual salary toward the cost of retirement programs.

The investment of monies, and assumptions underlying the same, of the Retirement Systems covering the School District's employees are not subject to the direction of the School District. Thus, it is not possible to predict, control or prepare for future unfunded accrued actuarial liabilities of the Retirement Systems ("UAALs"). The UAAL is the difference between total actuarially accrued liabilities and actuarially calculated assets available for the payment of such benefits. The UAAL is based on assumptions as to retirement age, mortality, projected salary increases attributed to inflation, across-the-board raises and merit raises, increases in retirement benefits, cost-of-living adjustments, valuation of current assets, investment return and other matters. Such UAALs could be substantial in the future, requiring significantly increased contributions from the School District which could affect other budgetary matters. Concerned investors should contact the Retirement Systems' administrative staff for further information on the latest actuarial valuations of the Retirement Systems.

The State's 2019-2020 Budget, which was signed into law on March 31, 2019, allows school districts in the State to establish a reserve fund for the purpose of funding/offsetting the cost of TRS contributions. School districts may pay into such fund, during any particular fiscal year, an amount not to exceed two percent of the total compensation or salaries of all district-employed teachers who are members of the TRS paid during the immediately preceding fiscal year; provided that the balance of such fund may not exceed ten percent of the total compensation or salaries of all district-employed teachers who are members of the TRS paid during the immediately preceding fiscal year. The School District has established such a fund.

In 2003, Chapter 49 of the Laws of 2003 amended the Retirement and Social Security Law and the Local Finance Law ("Chapter 49"). Chapter 49 empowered the State Comptroller to implement a comprehensive structural reform program for the ERS. The reform program established a minimum contribution for any local governmental employer equal to 4.5% of pensionable salaries for bills which were due December 15, 2003 and for all fiscal years thereafter, as a minimum annual contribution where the actual rate would otherwise be 4.5% or less due to the investment performance of the fund. In addition, the reform program instituted a billing system to match the budget cycle of municipalities and school districts that will advise such employers over one year in advance concerning actual pension contribution rates for the next annual billing cycle. Under the previous method, the requisite ERS contributions for a fiscal year could not be determined until after the local budget adoption process was complete. Under Chapter 49, a contribution for a given fiscal year is now based on the valuation of the pension fund on the prior April 1 of the calendar year preceding the contribution due date instead of the following April 1 in the year of contribution so that the exact amount may now be included in a budget.

On July 20, 2004, Chapter 260 of the Laws of 2004 ("Chapter 260") was enacted amending the New York State General Municipal Law, Local Finance Law and the Retirement and Social Security Law.

Chapter 260 contained three components which altered the way municipalities and school districts contribute to the State pension system: (1) revision of the payment due date, (2) extension of the period of time for pension debt amortization, and (3) authorization to establish a pension reserve fund. Prior to the effective date of Chapter 260, the annual retirement bill sent to municipalities and school districts from the State had reflected pension payments due between April 1 and March 31, consistent with the State fiscal year.

Chapter 260 provided for the following changes:

- **Contribution Payment Date Change:** The law changed the date on which local pension contributions are due to the State. The annual required contribution is now due February 1 annually instead of December 15.

Continued on following page.

## STATUS AND FINANCING OF EMPLOYEE PENSION BENEFITS - Continued

- Pension Cost Amortization-Extension of Payout Period: The law also extended the ability of municipalities and school districts to amortize a portion of the current year pension cost over a period of 10 years, extending the term from five years as authorized under Chapter 49. Municipalities and school districts could choose to amortize, either directly through the State retirement system at a fixed interest rate annually determined by the State Comptroller or through the capital markets, pension payments in excess of 9.5% in 2006 and 10.5% in 2007.
- Pension Contributions Reserve Fund: The law created special authorization to create a new category of reserve fund under the General Municipal Law. Municipalities and school districts may now establish a retirement contribution reserve fund that can be funded from other available current government resources.

On December 10, 2009, legislation was signed into law that created a new Tier V pension level. Key components of Tier V include:

- Raising the minimum age at which most civilians can retire without penalty from 55 to 62 and imposing a penalty of up to 38% for any civilian who retires prior to age 62.
- Requiring employees to continue contributing 3% of their salaries toward pension costs so long as they accumulate additional pension credits.
- Increasing the minimum years of service required to draw a pension from 5 years to 10 years. The State's 2022-23 Budget reduced the minimum years of service required to draw a pension from 10 years to 5 years.
- There is a cap on the amount of overtime that can be considered in the calculation of pension benefits. The cap for 2023-24 for Tier V is \$22,028.01 and the cap for Tier VI is \$19,729.00.

Members of the TRS have a separate Tier V benefit structure that will achieve equivalent savings as other civilian public employees. It includes:

- Raising the minimum age an individual can retire without penalty from 55 to 57 years.
- Contributing 3.5% of their annual wages to pension costs rather than 3% and continuing this increased contribution so long as they accumulate additional pension credits.
- Increasing the 2% multiplier threshold for final pension calculations from 20 to 25 years.

In accordance with constitutional requirements, Tier V applies only to public employees hired after December 31, 2009 and before April 2, 2012.

On March 16, 2012, legislation was signed into law that created a new Tier VI pension level. The Tier VI plan only applies to those employees hired on or after April 1, 2012.

Below is a brief summary (compiled from information provided by the Governor's office) highlighting a number of components from the Tier VI legislation:

- The employee contribution rates vary based on a salary sliding scale from 3% to 6% of salary.
- Under previous tiers, there was no limit to the number of public employers a public employee worked for from which retirement benefits could be calculated. Tier VI permits only two salaries to be included in the calculation.
- The legislation includes an optional defined contribution plan for new non-union employees with annual salaries of \$75,000 and over. The employer will make an 8% contribution to employee contribution accounts. This is a voluntary option for those employees.
- The new tier increases the minimum retirement age from 62 to 63 and allows for early retirement with penalties. There will be a permanent reduction of a pension payout for each year a person retires prior to age 63.
- The pension multiplier for Tier VI is 1.75% for the first 20 years of service and 2% starting in the 21st year.
- Employees will vest after 10 years of service. The State's 2022-23 Budget reduced the number of years of service to 5 years. This is not a change from Tier V.
- The number of sick and leave days that can be applied toward retirement service credit is reduced from 200 to 100.
- The final average salary is based on a five-year average instead of the previous Tiers' three-year average. The State's 2024-25 Budget revised the final average salary to be based on the highest consecutive three-year average. The annual growth in salary used to determine pension allowances is capped at 10% of the average salary of the previous four years (lump sum payments of unused sick and vacation time are eliminated from the calculation).
- Pension eligible overtime for civilian and non-uniformed employees will be capped at \$15,000 plus inflation. For uniformed employees (primarily police and fire) outside of New York City, the cap is set at 15% of base pay.
- The State is required to fund any pension enhancements on an ongoing basis. This is a potential future cost savings for local governments.

Concluded on following page.

## STATUS AND FINANCING OF EMPLOYEE PENSION BENEFITS - Concluded

The average contribution rate for the ERS for the 2023-24 fiscal year is 13.1%. The average contribution rate for the TRS for the 2023-24 fiscal year is 9.76%.

The 2013-14 State Enacted Budget included a provision that provides local governments and school districts, including the School District, with the option to "lock-in" long-term, stable rate pension contributions for a period of years determined by the State Comptroller and TRS. The stable rates were 12% for ERS and 14% for TRS for 2013-14 and 2014-15; 2015-16 and beyond are subject to adjustment. The pension contribution rates under this program reduced near-term payments for employers, but required higher than normal contributions in later years. This provision describes this savings as a "spin up" of future savings from the implementation of Tier VI of the State Retirement System last year. The School District did not avail itself of this option.

## OTHER POSTEMPLOYMENT BENEFITS

School Districts and Board of Cooperative Education, unlike other municipal units of government in the State, are prohibited from reducing health benefits received by or increasing health care contributions paid by retirees below the level of benefits or contributions afforded to or required from active employees.

The School District provides post-retirement healthcare benefits to various categories of former employees. These costs may be expected to rise substantially in the future. GASB Statement No. 75 ("GASB 75") of the Governmental Accounting Standards Board ("GASB") requires governmental entities, such as the School District, to account for the cost of certain non-pension post-employment benefits as it accounts for vested pension benefits.

GASB 75 and OPEB. OPEB refers to "other postemployment benefits," meaning other than pension benefits. OPEB consists primarily of health care benefits, and may include other benefits such as disability benefits and life insurance. Before GASB 75, OPEB costs were generally accounted for and managed as current expenses in the year paid and were not reported as a liability on governmental financial statements.

GASB 75 requires municipalities and school districts to account for OPEB liabilities much like they already account for pension liabilities, generally adopting the actuarial methodologies used for pensions, with adjustments for the different characteristics of OPEB and the fact that most municipalities and school districts have not set aside any funds against this liability. However, GASB 75 also addresses certain circumstances in which a non-employer entity provides financial support for OPEB of employees of another entity and requires: (a) explanations of how and why the OPEB liability changed from year to year (b) amortization and reporting of deferred inflows and outflows due to assumption changes, (c) use of a discount rate that takes into account resources of an OPEB plan and how they will be invested to maximize coverage of the liability (d) a single actual cost method and (e) immediate recognition of OPEB expense and effects of changes to benefit terms.

Under GASB 75, a total OPEB liability is determined for each municipality or school district. A net change in the total OPEB Liability is calculated as the sum of changes for the year including service cost, interest, difference between expected and actual experience, changes in benefit terms, changes in assumptions or other inputs, less the benefit payments made by the School District for the year.

Based on the most recent actuarial valuation dated June 30, 2023 and financial data as of June 30, 2023, the School District's beginning year total OPEB liability was \$198,002,258, the net change for the year was (\$68,250,669), resulting in a total OPEB liability of \$129,751,589 for a fiscal year ending June 30, 2023. The aforementioned liability is recognized and disclosed in accordance with GASB 75 standards in the School District's June 30, 2023 financial statements.

The total OPEB liability is required to be determined through an actuarial valuation every two years, at a minimum. However, OPEB plans with fewer than 100 members, may use an alternative measurement method in place of an actuarial valuation. Additional information about GASB 75 and other accounting rules applicable to municipalities and school districts may be obtained from GASB.

There is no authority in current State law to establish a trust account or reserve fund for this liability.

The School District's total OPEB liability is expected to increase. As is the case with most municipalities, this is being handled by the School District on a "pay-as-you-go" basis. Substantial future increases could have a material adverse impact upon the School District's finances and could force the School District to reduce services, raise taxes or both.

## MAJOR EMPLOYERS

<u>Name</u>	<u>Type of Product or Service</u>	<u>Approximate Number of Employees</u>
Jewish Home of Rochester	Nursing & Convalescent Home	738
Brighton Central School District	Public Education	702
Alstrom	Communications Equipment	570
Monroe Development Center	Mental Health	450
Town of Brighton	Municipal Government	258

## UNEMPLOYMENT RATES<sup>1</sup>

Unemployment statistics are not available for the School District as such. The smallest area for which such statistics are available (which includes the School District) is Monroe County. The data set forth below with respect to the County is included for information purposes only. It should not be inferred from the inclusion of such data in this Official Statement that the School District is necessarily representative of the County or vice versa.

<u>Year</u>	<u>County Unemployment Rate</u>	<u>New York State Unemployment Rate</u>	<u>U.S. Unemployment Rate</u>
2014	5.8%	6.3%	6.2%
2015	5.1%	5.2%	5.3%
2016	4.8%	4.9%	4.9%
2017	4.9%	4.6%	4.4%
2018	4.2%	4.1%	3.9%
2019	4.0%	3.9%	3.7%
2020	8.2%	9.8%	8.1%
2021	5.2%	4.1%	5.3%
2022	3.4%	4.3%	3.6%
2023	3.7%	4.2%	3.6%

Note: 1 Unemployment rates for 2020 increased substantially over prior years as a result of the COVID-19 pandemic.

Source: New York State Department of Labor, abstracted March 14, 2024. Rates shown are not seasonally adjusted.

## **INVESTMENT POLICY**

Pursuant to the statutes of the State of New York, the School District is permitted to invest only in the following investments: (1) special time deposit accounts in, certificates of deposit issued by or a deposit placement program (as provided by statute) with a bank or trust company located and authorized to do business in the State of New York; (2) obligations of the United States of America; (3) obligations guaranteed by agencies of the United States of America where the payment of principal and interest is guaranteed by the United States of America; (4) obligations of the State of New York; (5) obligations issued pursuant to Local Finance Law Sections 24.00 (tax anticipation notes) or 25.00 (revenue anticipation notes) with approval of the State Comptroller, by any municipality, school district or district corporation other than the School District; and (6) in the case of the School District moneys held in certain reserve funds established pursuant to law, obligations issued by the School District. These statutes further require that all bank deposits, in excess of the amount insured under the Federal Deposit Insurance Act, be secured by a pledge of eligible securities, an eligible letter of credit or an eligible surety bond, as each such term is defined in the law, or satisfy the statutory requirements of the deposit placement program.

Consistent with the above statutory limitations, it is the School District's current policy to invest in: (1) certificates of deposit or time deposit accounts that are fully secured as required by statute, (2) obligations of the United States of America or (3) obligations guaranteed by agencies of the United States of America where the payment of principal and interest is guaranteed by the United States of America. In the case of obligations of the United States government, the School District may purchase such obligations pursuant to a written repurchase agreement that requires the purchased securities to be delivered to a third party custodian. The School District is not authorized by State Law to invest in reverse repurchase agreements or similar derivative-type investments.

## **BUDGETARY PROCEDURES**

Pursuant to the Education Law, the Board of Education of the School District annually prepares, or causes to be prepared, a budget for the ensuing fiscal year. A public hearing on such budget is held not less than seven and not more than fourteen days prior to the vote. The Board of Education causes notice of such public hearing to be published four times beginning seven weeks prior to the vote. After the public hearing, but not less than six days prior to the budget vote, the School District must mail a school budget notice to all qualified voters which contains the total budgeted amount, the dollar and percentage increase or decrease in the proposed budget (or contingency budget) as compared to the current budget, the percentage increase or decrease in the consumer price index, the estimated property tax levy, the basic STAR exemption impact and the date, time and place of the budget vote.

After the budget hearing and subsequent notice, a referendum upon the question of the adoption of the budget is held on the third Tuesday in May each year. All qualified School District residents are eligible to participate.

Pursuant to Chapter 97 of the Laws of 2011 of the State of New York ("Chapter 97"), beginning with the 2012-13 fiscal year, if the proposed budget requires a tax levy increase that does not exceed the lesser of 2% (plus certain adjustments, if applicable) or the rate of inflation (the "School District Tax Cap"), then a majority vote is required for approval. If the proposed budget requires a tax levy increase that exceeds the School District Tax Cap, the budget proposition must include special language and a 60% vote is required for approval. Any separate proposition that would cause the School District to exceed the School District Tax Cap also must receive at least 60% voter approval.

If the proposed budget is not approved by the required margin, the Board of Education may resubmit the original budget or a revised budget to the voters on the third Tuesday in June, or adopt a contingency budget (which would provide for ordinary contingent expenses, including debt service) that levies a tax levy no greater than that of the prior fiscal year (i.e. a 0% increase in the tax levy).

If the resubmitted and/or revised budget is not approved by the required margin, the Board of Education must adopt a budget that requires a tax levy no greater than that of the prior fiscal year (i.e. a 0% increase in the tax levy). For a complete discussion of Chapter 97, see "Real Property Tax Cap" herein.

The budget for the 2023-24 fiscal year was adopted by the qualified voters on May 16, 2023. The School District's 2023-24 Budget remained within the School District Tax Cap imposed by Chapter 97. The budget for the 2024-25 fiscal year will be presented to the qualified voters on May 21, 2024. The School District's 2024-25 Budget will remain within the School District Tax Cap imposed by Chapter 97.



## STATE AID

The School District receives financial assistance from the State. In its budgets for the 2023-24 and 2024-25 fiscal years, approximately 31.13% and 31.49% of the revenues of the School District, respectively, are estimated to be received in the form of State aid. 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 School District, in any year, the School District may be affected by a delay in the receipt of State aid until sufficient State taxes have been received by the State to make State aid payments. Additionally, should the State budget not be adopted in a timely manner, municipalities and school districts in the State, including the School District, may be affected by a delay in the payment of State aid.

The State is not constitutionally obligated to maintain or continue State aid to the School District. No assurance can be given that present State aid levels will be maintained in the future. State budgetary restrictions which eliminate or substantially reduce State aid could have a material adverse effect upon the School District requiring either a counterbalancing increase in revenues from other sources to the extent available, or a curtailment of expenditures (see also "MARKET FACTORS AFFECTING FINANCINGS OF THE STATE AND MUNICIPALITIES OF THE STATE").

The availability of State aid and the timeliness of payment of State aid to school districts could be affected by a delay in the adoption of the State budget and/or the State's cash flow difficulties.

The State's 2019-20 Budget included a total of \$27.69 billion for school aid, a year-to-year funding increase of \$956 million or 3.6%. The State's 2019-20 Budget provided \$338 million of additional funding for Foundation Aid, including a \$50 million increase for set-aside funding for Community Schools. The State's 2019-20 Budget continued initiatives implemented in previous years including funding for the State's prekindergarten programs, the Empire State After School program and the \$2 billion Smart Schools Bond Act. The State's 2019-20 Budget also contained provisions on the State's first ever collection and reporting of school-level financial data by requiring school districts to dedicate a portion of their Foundation Aid increases to address inequities in their most underfunded, neediest schools.

Due to the extraordinary challenges from the COVID-19 health crisis creating a \$10 billion loss in revenue to the State, the State's 2020-21 Budget included a total of \$27.9 billion of State aid, which was essentially the same amount of State aid to school districts included in the State's 2019-20 Budget. It should be noted that there was an actual year-to-year decrease of State aid implemented through a reduction of each school district's State aid allocation from the 2019-20 year. The reduction was referred to as a "Pandemic Adjustment". However, the decrease in State aid was expected to be fully offset by an allocation received by the State of funds from the federal stimulus bill. Absent the federal stimulus funds, there would have been a \$1.127 billion decrease in State aid from the 2019-20 year. In addition, the State's 2020-21 Budget authorized the State's Budget Director to make periodic adjustments to State aid, in the event that actual State revenues came in below 99% percent of estimates or if actual disbursements exceeded 101% of estimates. Specifically, the legislation provided that the State Budget Director would determine whether the State's 2020-2021 Budget was balanced during three "measurement periods": April 1 to April 30, May 1 to June 30, and July 1 to Dec. 31. According to the legislation, if "a General Fund imbalance has occurred during any Measurement Period," the State's Budget Director will be empowered to "adjust or reduce any general fund and/or state special revenue fund appropriation ... and related cash disbursement by any amount needed to maintain a balanced budget," and "such adjustments or reductions shall be done uniformly across the board to the extent practicably or by specific appropriations as needed." The legislation further provided that prior to making any adjustments or reductions, the State's Budget Director must notify the Legislature in writing and the Legislature has 10 days following receipt of such notice to prepare and approve its own plan. If the Legislature failed to approve its own plan, the Budget Director's reductions would take effect automatically.

Pursuant to that provision, in October, 2020, the State announced that, in the absence of Federal funding to offset such lost revenue, the State had begun to take steps to reduce spending, including but not limited to, temporarily holding back 20% of most aid payments to local governments and school districts. However, the 2020-2021 State aid declines were offset, in part, by \$1.1 billion of increased federal funding through the Coronavirus Aid, Relief, and Economic Security Act. With these federal funds, State aid totaled \$27.9 billion in the State's 2020-2021 Budget, an annual increase of approximately \$100 million or 0.4 percent from the 2019-2020 Budget. As of February 1, 2021, the State Education Department ("SED") advised school districts that the State Division of the Budget would, at some point, provide approval for SED to make the payments to school districts for State aid and other Pre-K-12 grant programs that had been subject to the above-referenced 20% withholding. Such approval was received and the State released all of the withheld funds prior to June 30, 2021.

Continued on following page.

## STATE AID - Continued

The State's 2021-22 Budget included a total of \$29.5 billion for school aid, a year-to-year funding increase of \$3 billion or 11.3%. The State's 2021-22 Budget provided \$19.8 billion for Foundation Aid, a \$1.4 billion increase, as well as a three-year phase-in of full funding of Foundation Aid by the State's 2024-25 fiscal year. Approximately 75 percent of the Foundation Aid increase was targeted to high-need school districts. The State's 2021-22 Budget included a \$105 million expansion of the State's full-day prekindergarten programs. The State's 2021-22 Budget also authorized aid for pandemic-related school district transportation costs. School districts were reimbursed for the cost of delivering school meals and instructional materials as well as the cost of keeping transportation employees and contractors on stand-by during the pandemic-related closures in spring 2020. The State's 2021-22 Budget included \$13 billion of federal Elementary and Secondary School Emergency Relief and Governor's Emergency Education Relief funds to public schools, to be used over multiple years. Of the \$13 billion, \$629 million was used as targeted grants to support efforts to address learning loss through activities such as summer enrichment and comprehensive after-school programs.

The State's 2022-23 Budget included a total of \$31.5 billion for school aid, an increase of \$2.1 billion or 7.2%. This increase was largely driven by the second year of the three-year phase in of full funding of the Foundation Aid formula. The State's 2022-23 Budget provided a \$1.5 billion increase in Foundation Aid, which included a 3% minimum annual increase to fully funded school districts. The State's 2022-23 Budget also included a \$451 million increase in all other school aid programs. The State's 2022-23 Budget provided an additional \$125 million in funding for full-day prekindergarten programs.

The State's 2023-24 Budget included \$34.5 billion for school aid, an increase of \$3.1 billion or 10%. The State's 2023-24 Budget also provided a \$2.6 billion increase in Foundation Aid, fully funding the program for the first time in history.

The State's 2023-24 Budget provides \$134 million to increase access to free school meals. A \$20 million grant will establish new Early College High School and Pathways in Technology Early College High School Programs. An investment of \$10 million over two years in competitive funding for school districts, boards of cooperative educational services, and community colleges was made to promote job readiness. An additional \$150 million was used to expand high-quality full-day prekindergarten, resulting in universal prekindergarten to be phased into 95% of the State.

The State's 2024-25 Enacted Budget provides \$35.9 billion in State funding to school districts for the 2024-25 school year, the highest level of State aid ever. This represents an increase of \$1.3 billion compared to the 2023-24 school year and includes a \$934 million or 3.89% Foundation Aid increase. The State's 2024-25 Enacted Budget maintains the "save harmless" provision, which currently ensures a school district receives at least the same amount of Foundation Aid as it received in the prior year. The State's 2024-25 Enacted Budget also authorizes a comprehensive study by the Rockefeller Institute and the State Department of Education to develop a modernized school funding formula.

Since the 2010-11 State fiscal year, the State budget has been generally adopted on or before April 1, with the exception of the 2016-17 State budget which was not adopted until April 9, 2017, the State's 2023-24 Budget which was not adopted until May 3, 2023, and the State's 2024-25 Budget which was not adopted until April 20, 2024. As such, no assurance can be given that the State will not experience delays in the adoption of the budget in future fiscal years. Significant delays in the adoption of the State budget could result in delayed payment of State aid to school districts in the State which could adversely affect the financial condition of school districts in the State.

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

Section 99-b of the State Finance Law provides a mechanism for the intercept of certain State aid or assistance for the payment of the principal of and interest on bonds and notes of a school district (including the Bonds) in default on such payment. The intercept mechanism provides procedures for the giving of default notices to the State Comptroller, payment by the State Comptroller to the paying agent or agents for the bonds and notes in default of all or a portion of the amount then due and allotment, apportionment or payment by the State Comptroller of such State aid or assistance due to such school district.

Concluded on following page.

## **STATE AID – Concluded**

Since March, 2020, the State has been awarded over \$14 billion in Federal education COVID response funding through the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act; Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (“CRRSA”); and the American Rescue Plan (“ARP”) Act. These funds are supporting the ability of local educational agencies to address the impact that COVID-19 has had, and continues to have, on elementary and secondary schools in the State. Such federal funding is expected to expire at the end of the 2023-24 fiscal year.

The State receives a substantial amount of federal aid for other health care, education, transportation and other governmental purposes, as well as federal funding to respond to, and recover from, severe weather events and other disasters. There is no assurance that such Federal aid will continue at similar levels in future years.

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

## **FISCAL STRESS MONITORING**

The New York State Office of the State Comptroller (“OSC”) has developed a Fiscal Stress Monitoring System (“FSMS”) to provide independent information to School District officials, taxpayers and policy makers regarding the various levels of fiscal stress under which the State’s diverse school districts are operating.

The fiscal stress scores are based on financial information submitted as part of each school district’s ST-3 report filed yearly with the State Education Department. Using financial indicators that include June 30, 2023 year-end fund balance, cash position and patterns of operating deficits, the OSC system creates an overall fiscal stress score which classifies whether a district 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 report of the State Comptroller using financial indicators through June 30, 2023 designated the School District as “No Designation”.

Note: See the official website of the New York State Comptroller for more information on FSMS. Reference to websites implies no warranty of accuracy of information therein nor inclusion herein by reference.

## OTHER INFORMATION

The statutory authority for the power to spend money for the object or purpose, or to accomplish the object or purpose, for which the Bonds are to be issued is the Education Law and the Local Finance Law.

No principal or interest upon any obligation of the School District is past due.

The fiscal year of the School District is from July 1 to June 30.

The population of the School District is currently estimated to be 24,654 (2022 U.S. Census estimate).

Other than "Estimated Calculation of Overlapping Indebtedness", this Official Statement does not include the financial data of any other political subdivisions of the State having power to levy taxes within the School District.

## FINANCIAL AUDITS

The School District retains an independent public accountant, whose most recent report covers the period ended June 30, 2023. Copies of the report have been duly delivered to the Electronic Municipal Market Access ("EMMA") system maintained by the Municipal Securities Rulemaking Board (<https://emma.msrb.org/P11719823-P21351911-P11755078.pdf>) and may be examined at the School District office. Such report was prepared as of the date thereof and has not been updated in connection with the preparation and dissemination of this Official Statement, which Official Statement itself was not audited. Any interested person is hereby referred to such report and any other report that may be filed with the EMMA system from time to time to determine whether there is, or has been, any material qualification to the opinion or opinions of such accountants that may have been provided therein.

The School District complies with the Uniform System of Accounts as prescribed for school districts in New York State. This system differs from generally accepted accounting principles as prescribed by the American Institute of Certified Public Accountants' Industry Audit Guide, "Audits of State and Local Governmental Units", and codified in Government Accounting, Auditing and Financial Reporting ("GAAFR"), published by the National Committee on Government Accounting Standards Board ("GASB").

Mengel Metzger Barr & Co. LLP, the independent auditor for the School District, has not been engaged to perform and has not performed, since the date of its report, any procedures on the financial statements addressed in that report. Mengel Metzger Barr & Co. LLP also has not performed any procedures relating to this Official Statement.

The Office of the State Comptroller completed a follow up of the July 1, 2016 Separation Payments Audit of the School District on March 3, 2023. For more information see: <https://www.osc.ny.gov/files/local-government/audits/2023/pdf/brighton-central-school-district-audit-follow-up-2016-119-f.pdf>.

The Office of the State Comptroller completed an audit of IT Asset Management of the School District on March 16, 2023. For more information see: <https://www.osc.ny.gov/files/local-government/audits/2023/pdf/brighton-central-school-district-S9-22-6.pdf>.

The Office of the State Comptroller completed an audit of the Procurement of the School District on June 2, 2023. For more information see: <https://www.osc.ny.gov/files/local-government/audits/2023/pdf/brighton-central-school-district-2022-205.pdf>.

Note: Reference to website implies no accuracy of the information therein, and is not incorporated herein by reference.

## FINANCIAL INFORMATION<sup>1</sup>

Fiscal Year Ended <u>June 30:</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
<b>Assessed Valuation:</b>						
Brighton	\$ 2,085,680,127	\$ 2,093,746,711	\$ 2,106,084,168	\$ 2,104,730,278	\$ 2,111,016,528	\$ 2,109,706,148
Pittsford	29,800,545	29,867,157	30,374,158	30,237,391	30,487,544	30,530,944
<b>Total Assessed Value</b>	<b>\$ 2,115,480,672</b>	<b>\$ 2,123,613,868</b>	<b>\$ 2,136,458,326</b>	<b>\$ 2,134,967,669</b>	<b>\$ 2,141,504,072</b>	<b>\$ 2,140,237,092</b>
<b>Equalization Rates:</b>						
Brighton	100.00%	100.00%	100.00%	95.00%	89.00%	70.00%
Pittsford	100.00%	100.00%	95.00%	91.00%	82.00%	72.00%
<b>Equalized Value:</b>						
Brighton	\$ 2,085,680,127	\$ 2,093,746,711	\$ 2,106,084,168	\$ 2,215,505,555	\$ 2,371,928,683	\$ 3,013,865,925
Pittsford	29,800,545	29,867,157	31,972,797	33,227,902	37,179,931	42,404,088
<b>Total Equalized Value</b>	<b>\$ 2,115,480,672</b>	<b>\$ 2,123,613,868</b>	<b>\$ 2,138,056,965</b>	<b>\$ 2,248,733,457</b>	<b>\$ 2,409,108,614</b>	<b>\$ 3,056,270,013</b>
<b>Tax Levy for All Purposes</b>	<b>\$ 52,276,756</b>	<b>\$ 53,498,731</b>	<b>\$ 55,545,890</b>	<b>\$ 56,729,971</b>	<b>\$ 57,931,205</b>	<b>\$ 58,942,337</b>
<b>Tax Rate/\$1,000 Equalized Value</b>	<b>\$ 24.71</b>	<b>\$ 25.19</b>	<b>\$ 25.98</b>	<b>\$ 25.23</b>	<b>\$ 24.05</b>	<b>\$ 19.29</b>
<b>Tax Levy as a Percentage of Equalized Value</b>	<b>2.47%</b>	<b>2.52%</b>	<b>2.60%</b>	<b>2.52%</b>	<b>2.40%</b>	<b>1.93%</b>
<b>Outstanding Debt:</b>						
Serial Bonds	\$ 3,575,000	\$ 31,710,000	\$ 54,929,091	\$ 51,160,000	\$ 50,170,000	\$ N/A
Leases <sup>2</sup>	0	0	0	71,539	114,106	N/A
<b>Total Debt</b>	<b>\$ 3,575,000</b>	<b>\$ 31,710,000</b>	<b>\$ 54,929,091</b>	<b>\$ 51,231,539</b>	<b>\$ 50,284,106</b>	<b>\$ N/A</b>
<b>Per Capita Debt</b>	<b>\$ 145.01</b>	<b>\$ 1,286.20</b>	<b>\$ 2,228.00</b>	<b>\$ 2,078.02</b>	<b>\$ 2,039.59</b>	<b>\$ N/A</b>
<b>Debt/\$1,000 Equalized Value</b>	<b>\$ 1.69</b>	<b>\$ 14.93</b>	<b>\$ 25.69</b>	<b>\$ 22.78</b>	<b>\$ 20.87</b>	<b>\$ N/A</b>
<b>Debt as a Percentage of Equalized Value</b>	<b>0.17%</b>	<b>1.49%</b>	<b>2.57%</b>	<b>2.28%</b>	<b>2.09%</b>	<b>N/A%</b>

Notes: 1 Equalized values shown here are those used by the School District for tax levy purposes as provided in the Real Property Tax Law. In some cases, equalization rates established specifically for school tax apportionment may have been used, as is also provided in the Real Property Tax Law.

2 Implementation of GASB 87 beginning fiscal year ending June 30, 2022.

N/A Not available until June 30, 2024.

# STATEMENT OF NET POSITION

As of June 30, 2023

<b><u>ASSETS:</u></b>	
Cash & Cash Equivalents	\$ 55,923,108
Accounts Receivable	5,896,912
Inventories	26,820
<b>Capital Assets:</b>	
Land	2,143,486
Work in Progress	7,776,641
Other Capital Assets (Net of Depreciation)	<u>107,992,506</u>
<b>TOTAL ASSETS</b>	<b><u>\$ 179,759,473</u></b>
<b><u>DEFERRED OUTFLOWS OF RESOURCES :</u></b>	
Deferred Outflows of Resources	<u>35,257,411</u>
<b>TOTAL ASSETS &amp; DEFERRED OUTFLOWS</b>	<b><u>\$ 215,016,884</u></b>
<b><u>LIABILITIES:</u></b>	
Accounts Payable	\$ 2,202,397
Accrued Liabilities	847,607
Unearned Revenues	456,317
Due to Other Governments	161
Due to State Teachers' Retirement System	3,651,472
Due to Employees' Retirement System	239,571
Other Liabilities	1,834,779
<b>Long-Term Liabilities:</b>	
Due in One Year	4,352,248
Due in More Than One Year	<u>185,974,884</u>
<b>TOTAL LIABILITIES</b>	<b><u>\$ 199,559,436</u></b>
<b><u>DEFERRED INFLOWS OF RESOURCES :</u></b>	
Deferred Inflows of Resources	<u>73,727,849</u>
<b>TOTAL LIABILITIES &amp; DEFERRED INFLOWS</b>	<b><u>\$ 273,287,285</u></b>
<b><u>NET POSITION :</u></b>	
Net Investment in Capital Assets	\$ 71,750,072
<b>Restricted for:</b>	
Capital Projects	4,504,747
Insurance Reserve	8,232,606
Reserve for Employee Retirement System	6,155,145
Capital Reserve	11,679,827
Other Purposes	7,267,256
<b>Unrestricted:</b>	<u>(167,860,054)</u>
<b>TOTAL NET POSITION</b>	<b><u>\$ (58,270,401)</u></b>

Source: Annual Financial Report prepared by Certified Public Accountants. Summary itself not audited.

# STATEMENT OF ACTIVITIES

As of June 30, 2023

Functions/Programs	Expenses	Program Revenues			Net (Expense) Revenue & Changes in Net Position
		Charges for Services	Operating Grants & Contributions	Capital Grants & Contributions	
<b>Primary Government:</b>					
General Support	\$ 13,250,956	\$ 0	\$ 0	\$ 0	\$ (13,250,956)
Instruction	72,824,596	2,470,724	5,084,420	16,257	(65,253,195)
Pupil Transportation	5,572,482	0	0	0	(5,572,482)
School Lunch	1,570,103	754,228	821,661	0	5,786
Interest	1,099,786	0	0	0	(1,099,786)
<b>Total Primary Government</b>	<b>\$ 94,317,923</b>	<b>\$ 3,224,952</b>	<b>\$ 5,906,081</b>	<b>\$ 16,257</b>	<b>\$ (85,170,633)</b>
<b>General Revenues:</b>					
Real Property Taxes					\$ 58,067,924
Non-Property Taxes					4,375,436
State & Federal Aid					25,696,514
Investment Earnings					1,057,542
Compensation for Loss					3,375,917
Miscellaneous					1,422,865
<b>Total General Revenues</b>					<b>\$ 93,996,198</b>
Change in Net Position					8,825,565
NET POSITION, BEGINNING OF YEAR					<b>\$ (67,095,966)</b>
TOTAL NET POSITION, END OF YEAR					<b>\$ (58,270,401)</b>

Source: Annual Financial Report prepared by Certified Public Accountants. Summary itself not audited.

**GENERAL FUND**  
**COMPARATIVE BALANCE SHEET**

Fiscal Year Ended <u>June 30:</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
<b><u>ASSETS:</u></b>					
Cash & Cash Equivalents	\$ 25,701,101	\$ 27,659,807	\$ 33,017,293	\$ 33,118,138	\$ 44,556,126
Other Receivables	4,014,289	3,941,329	5,958,576	5,009,540	4,645,735
Due from Other Funds	<u>911,322</u>	<u>2,033,184</u>	<u>966,217</u>	<u>2,362,779</u>	<u>1,294,706</u>
<b>Total Assets</b>	<b><u>\$ 30,626,712</u></b>	<b><u>\$ 33,634,320</u></b>	<b><u>\$ 39,942,086</u></b>	<b><u>\$ 40,490,457</u></b>	<b><u>\$ 50,496,567</u></b>
<b><u>LIABILITIES:</u></b>					
Accounts Payable	\$ 274,904	\$ 500,325	\$ 732,996	\$ 1,400,841	\$ 2,189,371
Accrued Liabilities	2,115,284	2,082,694	2,194,550	1,109,461	762,764
Due to Other Funds	1,828,297	103,367	1,653,958	67,280	1,606,259
Due to State Teachers' Retirement System	3,252,876	2,920,068	2,887,826	3,282,625	3,651,472
Due to Employees' Retirement System	194,108	182,362	197,968	237,983	239,571
Other Liabilities	0	0	1,773,722	1,780,978	1,834,779
Unearned Revenues	19,829	9,272	9,272	9,272	9,272
<b><u>FUND BALANCE:</u></b>					
Restricted:					
Reserves for:					
Capital Reserve	\$ 7,952,743	\$ 7,676,594	\$ 6,526,594	\$ 4,706,155	\$ 10,063,764
Transportation Reserve	300,000	300,000	500,000	500,000	800,000
Technology Reserve	1,096,328	1,106,269	806,269	806,946	816,063
Employee Benefits					
Accrued Liability	1,113,021	1,113,021	1,113,021	1,113,021	1,113,021
Insurance	145,000	1,745,000	4,545,000	7,682,606	8,232,606
Retirement Contribution for State Teachers' Retirement System	568,395	1,148,268	1,731,853	2,294,468	2,894,468
Retirement Contribution for Employees' Retirement System	4,255,145	4,705,145	5,155,145	5,655,145	6,155,145
Tax Certiorari	401,017	529,217	829,217	803,688	903,688
Unemployment	452,951	1,253,268	1,253,268	653,000	353,225
Assigned:					
Encumbrances	835,876	2,341,692	1,523,985	1,260,838	2,117,431
Appropriated Fund Balance	2,600,000	2,600,000	3,000,000	3,400,000	2,750,000
Unassigned:					
Unappropriated Fund Balance	<u>3,220,938</u>	<u>3,317,758</u>	<u>3,507,442</u>	<u>3,726,150</u>	<u>4,003,668</u>
<b>Total Fund Balance</b>	<b><u>22,941,414</u></b>	<b><u>27,836,232</u></b>	<b><u>30,491,794</u></b>	<b><u>32,602,017</u></b>	<b><u>40,203,079</u></b>
<b>Total Liabilities &amp; Fund Balance</b>	<b><u>\$ 30,626,712</u></b>	<b><u>\$ 33,634,320</u></b>	<b><u>\$ 39,942,086</u></b>	<b><u>\$ 40,490,457</u></b>	<b><u>\$ 50,496,567</u></b>

Source: Annual Financial Reports prepared by Certified Public Accountants. Summary itself not audited.



**GENERAL FUND**

**REVENUES, EXPENSES AND FUND BALANCE**

**Modified Accrual Double-Entry Basis**

Fiscal Year Ended June 30:	Actual					Adopted Budget	Proposed Budget
	2019	2020	2021	2022	2023	2024	2025
Balance July 1	\$ 24,562,548	\$ 22,941,414	\$ 27,836,232	\$ 30,491,794	\$ 32,602,017	\$ 40,203,079 <sup>1</sup>	\$ N/A
<b>REVENUES:</b>							
Real Property Taxes	\$ 52,276,756	\$ 53,498,731	\$ 55,545,890	\$ 56,729,971	\$ 57,931,205	\$ 58,942,337	\$ 60,047,913
Other Tax Items	325,211	210,027	0	146,431	136,719	165,741	0
Non-Property Tax Items	3,523,278	3,545,070	3,887,566	4,413,574	4,375,436	4,067,169	4,389,672
Charges for Services	1,936,780	1,758,971	2,148,717	2,121,838	2,470,724	2,756,274	2,839,757
Use of Money & Property Sale of Property/ Compensation for Loss	362,286	480,841	166,423	276,468	1,047,056	90,540	633,205
Miscellaneous	24,195	11,990	22,951	18,783	3,375,917	0	0
State Aid	718,422	731,825	870,023	1,831,956	812,475	0	0
Federal Aid	16,177,318	17,046,047	18,995,248	23,326,898	25,520,114	31,159,636	33,015,782
Interfund Transfers	166,924	111,469	372,147	126,434	176,400	160,000	180,000
	0	1,200,067	0	0	0	0	1,000,000
<b>Total Revenues</b>	<b>\$ 75,511,170</b>	<b>\$ 78,595,038</b>	<b>\$ 82,008,965</b>	<b>\$ 88,992,353</b>	<b>\$ 95,846,046</b>	<b>\$ 97,341,697</b>	<b>\$ 102,106,329 <sup>1</sup></b>
<b>Total Revenues &amp; Beginning Balance</b>	<b>\$ 100,073,718</b>	<b>\$ 101,536,452</b>	<b>\$ 109,845,197</b>	<b>\$ 119,484,147</b>	<b>\$ 128,448,063</b>	<b>\$ 137,544,776</b>	<b>\$ N/A</b>
<b>EXPENSES:</b>							
General Support	\$ 6,903,516	\$ 6,378,525	\$ 6,772,946	\$ 8,150,112	\$ 10,537,880	\$ 10,004,118	\$ 10,444,256
Instruction	39,843,262	40,059,830	40,439,450	43,351,537	43,479,112	51,064,230	54,221,116
Transportation	4,217,288	3,509,126	4,412,362	4,932,724	5,317,736	6,641,198	7,304,320
Community Services	0	0	0	0	0	2,000	2,000
Employee Benefits	20,105,270	20,039,249	20,536,042	22,387,304	22,156,573	26,687,254	26,725,680
Debt Service - Principal	855,000	865,000	3,015,000	3,818,348	3,932,362	3,770,000	3,910,000
- Interest	203,425	612,839	1,004,036	1,190,186	1,164,921	1,529,096	1,883,055
Interfund Transfers	5,004,543	2,235,651	3,173,567	3,051,919	1,656,400	393,801	365,902
<b>Total Expenses</b>	<b>\$ 77,132,304</b>	<b>\$ 73,700,220</b>	<b>\$ 79,353,403</b>	<b>\$ 86,882,130</b>	<b>\$ 88,244,984</b>	<b>\$ 100,091,697</b>	<b>\$ 104,856,329</b>
Adjustments	0	0	0	0	0	0	0
Balance June 30	\$ 22,941,414	\$ 27,836,232	\$ 30,491,794	\$ 32,602,017	\$ 40,203,079	\$ 37,453,079 <sup>E</sup>	\$ N/A
Fund Balance as a Percentage of Total Revenues	30.38%	35.42%	37.18%	36.63%	41.95%	38.48% <sup>E</sup>	N/A%

Source: Annual Financial Reports prepared by Certified Public Accountants and Annual Budgets. Summary itself not audited.

Notes: 1 Appropriated Fund Balance equals \$2,750,000.  
E Estimated based on 2023-24 Budget.  
N/A Not applicable.

## CHANGES IN REMAINING FUND BALANCES

### Modified Accrual Double-Entry Basis

Fiscal Year Ended <u>June 30:</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
<b><u>SPECIAL AID FUND:</u></b>					
Balance July 1	\$ 42,942	\$ 23,856	\$ 1,686	\$ (21,951)	\$ 28,823
Revenues	2,765,323	2,519,886	2,331,499	3,380,988	5,247,051
Expenses	2,784,409	2,542,056	2,355,136	3,330,214	5,271,393
Adjustments	0	0	0	0	0
Balance June 30	\$ 23,856	\$ 1,686	\$ (21,951)	\$ 28,823	\$ 4,481
<b><u>SCHOOL LUNCH FUND:</u></b>					
Balance July 1	\$ 100,825	\$ 236,628	\$ 236,628	\$ 236,628	\$ 791,902
Revenues	1,135,944	893,386	729,263	1,825,589	1,639,766
Expenses	1,000,141	893,386	729,263	1,270,315	1,552,204
Adjustments	0	0	0	0	0
Balance June 30	\$ 236,628	\$ 236,628	\$ 236,628	\$ 791,902	\$ 879,464
<b><u>CAPITAL FUND:</u></b>					
Balance July 1	\$ 7,391,895	\$ 5,030,134	\$ 2,978,398	\$ 15,001,137	\$ 10,330,580
Revenues	4,828,297	31,000,000	30,086,281	3,439,487	4,855,965
Expenses	7,190,058	33,051,736	18,063,542	8,110,044	5,608,191
Adjustments	0	0	0	0	0
Balance June 30	\$ 5,030,134	\$ 2,978,398	\$ 15,001,137	\$ 10,330,580	\$ 9,578,354
<b><u>DEBT SERVICE FUND:</u></b>					
Balance July 1	\$ 404,210	\$ 404,815	\$ 577,891	\$ 1,768,028	\$ 1,777,577
Revenues	605	173,076	1,190,137	9,549	393,630
Expenses	0	0	0	0	380,000
Adjustments	0	0	0	0	0
Balance June 30	\$ 404,815	\$ 577,891	\$ 1,768,028	\$ 1,777,577	\$ 1,791,207
<b><u>MISCELLANEOUS SPECIAL REVENUE FUND:<sup>1</sup></u></b>					
Balance July 1	\$ 0	\$ 0	\$ 202,024 <sup>2</sup>	\$ 202,319	\$ 203,137
Revenues	0	0	151,557	146,959	182,359
Expenses	0	0	151,262	146,141	173,849
Adjustments	0	0	0	0	0
Balance June 30	\$ 0	\$ 0	\$ 202,319	\$ 203,137	\$ 211,647

Source: Annual Financial Reports prepared by Certified Public Accountants. Summary itself not audited.

Notes: 1 Implementation of GASB 84 beginning fiscal year ending June 30, 2021.

2 Beginning balance as restated.

## TAX COLLECTION PROCEDURE

School taxes are due September 1. If paid by September 30, no penalty is imposed. There is a 2% penalty if paid by the end of October. A taxpayer may elect a three-payment plan with payments due September 15, October 15, and November 15. In addition to the payments, there is a 1% service charge.

On November 1, a list of all unpaid taxes is given to the County for relevy on County/Town tax rolls. The School District is reimbursed by the County for all unpaid taxes in the first week of April in each year and is thus assured of 100% collection of its annual levy.

## STAR - SCHOOL TAX EXEMPTION

The STAR (School Tax Relief) program provides State-funded exemptions from school property taxes to homeowners for their primary residences. School districts receive full reimbursement from the State for real property taxes exempted pursuant to the STAR program by the first business day in January of each year.

Homeowners over 65 years of age with household adjusted gross incomes, less the taxable amount of total distributions from individual retirement accounts and individual retirement annuities ("STAR Adjusted Gross Income") of \$93,200 or less in 2023 and \$98,700 or less in 2024, increased annually according to a cost-of-living adjustment, are eligible for a "full value" exemption of the first \$81,400 for the 2023-24 school year and the first \$84,000 for the 2024-25 school year (adjusted annually). Other homeowners with household STAR Adjusted Gross Income not in excess of \$250,000 (\$500,000 in the case of a STAR Credit, as discussed below) are eligible for a \$30,000 "full value" exemption on their primary residence.

Part A of Chapter 60 of the Laws of 2016 of the State of New York ("Chapter 60") gradually converts the STAR program from a real property tax exemption to a personal income tax credit. Chapter 60 prohibits new STAR exemptions from being granted unless at least one of the applicants held title to the property on the taxable status date of the assessment roll that was used to levy school district taxes for the 2015-16 school year (generally, March 1, 2015), and the property was granted a STAR exemption on that assessment roll. However, a new homeowner may receive a new personal income tax credit in the form of a check. The dollar benefit to eligible taxpayers will not change. A taxpayer who is eligible for the new credit will receive a check from the State equal to the amount by which the STAR exemption would have reduced his or her school tax bill. A homeowner who owned his or her home on the taxable status date for the assessment roll used to levy taxes for the 2015-16 school year, and who received a STAR exemption on that roll, may continue to receive a STAR exemption on that home as long as he or she still owns and primarily resides in it. No further action is required (unless the homeowner has been receiving Basic STAR and wants to apply for Enhanced STAR, which is permissible).

The 2019-20 State Budget made several changes to the STAR program, which went into effect immediately. The changes are intended to encourage home owners to switch from the STAR exemption to the STAR credit. The income limit for the exemption has been lowered to \$250,000, compared with a \$500,000 limit for the credit. Homeowners with STAR Adjusted Gross Income of \$250,000 or less have the option to elect the credit or exemption. The amount received for the STAR exemption will remain the same each year, while the amount of the STAR credit can increase up to two percent annually.

The 2020-21 State Budget included a provision that provides that property owners with property tax delinquencies greater than one year are not eligible for the Basic STAR exemption or the Basic STAR credit. Recipients of the Enhanced STAR exemption and credits are not impacted by this program; they may continue to receive their STAR benefits even if their property taxes are delinquent.

The 2022-23 State Budget provided \$2.2 billion in State funding for a one year property tax relief credit, the Homeowners Tax Rebate Credit, for eligible low- and middle-income households, as well as eligible senior households. Under this program, basic STAR exemption and credit beneficiaries with incomes below \$250,000 and enhanced STAR recipients were eligible for the property tax rebate in 2022 where the benefit was a percentage of the homeowners' existing STAR benefit.

## REAL PROPERTY TAX CAP

On June 24, 2011, Chapter 97 of the Laws of 2011 (herein referred to as the "Tax Levy Limitation Law" or "Law") was signed by the Governor. The Tax Levy Limitation Law modifies current law by imposing a limit on the amount of real property taxes that a school district may levy.

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

The Tax Levy Limitation Law restricts, among other things, the amount of real property taxes that may be levied by or on behalf of a school district in a particular year, beginning with the 2012-2013 fiscal year. On April 12, 2019, the enacted State budget legislation for fiscal year 2020 made the Tax Levy Limitation Law permanent. Pursuant to the Tax Levy Limitation Law, the tax levy of a school district cannot increase by more than the lesser of (i) two percent (2%) or (ii) the annual increase in the consumer price index ("CPI"), over the amount of the prior year's tax levy. Certain adjustments would be permitted for taxable real property full valuation increases or changes in physical or quantity growth in the real property base as defined in Section 1220 of the Real Tax Law. A school district could exceed the tax levy limitation for the coming fiscal year only if the voters of such school district first approve a budget by at least 60% affirmative vote of those voting to override such limitation for such coming fiscal year only.

There are permissible exceptions for school districts 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, and the Teachers' Retirement System. School districts are also permitted to carry forward a certain portion of their unused levy limitation from a prior year. A school district's calculation of each fiscal year's tax levy limit is subject to review by the Commissioner of Education and the Commissioner of Taxation and Finance prior to adoption of its each fiscal year budget.

There is also a permissible exception for school districts to the tax levy limitation provided in the Tax Levy Limitation Law for "Capital Local Expenditures" subject to voter approval where required by law. This term is defined in a manner that does not include certain items for which a school district may issue debt including the payment of judgments or settled claims including tax certiorari payments, and cash flow borrowings including tax anticipation notes, revenue anticipation notes, budget notes and deficiency notes. "Capital Local Expenditures", are defined as "the taxes associated with budgeted expenditures resulting from the financing, refinancing, acquisition, design, construction, reconstruction, rehabilitation, improvement, furnishing and equipping of or otherwise providing for school district capital facilities or school district capital equipment, including debt service and lease expenditures, and transportation capital debt service, subject to the approval of the qualified voters where required by law". The portion of the tax levy necessary to support "Capital Local Expenditures" is defined as the "Capital Tax Levy", and this is an exclusion from the tax levy limitation.

Article 8 Section 2 of the State Constitution requires every issuer of general obligation notes and bonds in the State to pledge its faith and credit for the payment of the principal thereof and the interest thereon. This 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 that is what courts have held they mean."

Article 8 Section 12 of the State Constitution specifically provides as follows:

"It shall be the duty of the legislature, subject to the provisions of this constitution, to restrict the power of taxation, assessment, borrowing money, contracting indebtedness, and loaning the credit of counties, cities, towns and villages, so as to prevent abuses in taxation and assessments and in contracting of indebtedness by them. Nothing in this article shall be construed to prevent the legislature from further restricting the powers herein specified of any county, city, town, village or school district to contract indebtedness or to levy taxes on real estate. The legislature shall not, however, restrict the power to levy taxes on real estate for the payment of interest on or principal of indebtedness theretofore contracted."

## REAL PROPERTY TAX CAP - Concluded

On the relationship of the Article 8 Section 2 requirement to pledge the faith and credit and the Article 8 Section 12 protection of the levy of real property taxes to pay debt service on bonds subject to the general obligation pledge, the Court of Appeals in the *Flushing National Bank* case stated:

“So, too, although the Legislature is given the duty to restrict school districts 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 of 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* case has held that the payment of debt service on outstanding general obligation bonds and notes takes precedence over fiscal emergencies and the police power of municipal corporations.

On February 20, 2013, the New York State United Teachers (“NYSUT”) filed a lawsuit against the State challenging the Tax Levy Cap Law, as applied to school districts, on multiple Federal and State constitutional grounds. On September 23, 2014, a Justice of the State Supreme Court dismissed each of NYSUT’s causes of action but granted NYSUT’s motion to amend the complaint. After the ruling, NYSUT amended its complaint to include a challenge to the Real Property Tax Rebate (discussed below), also on Federal and State constitutional grounds. On March 16, 2015, all causes of action contained in the amended complaint were dismissed. On May 5, 2016, the dismissal was upheld by the New York Supreme Court, Appellate Division, Third Judicial Department to dismiss the complaint. An additional appeal by NYSUT was dismissed on October 20, 2016 by the Court of Appeals, New York’s highest court, on the grounds that no substantial constitutional question was directly involved, and thereafter, leave to appeal was denied on January 14, 2017 by the Court of Appeals.

## TAX COLLECTION RECORD

Fiscal Year Ended June 30:	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
General Fund Tax Levy	\$ 52,276,756	\$ 53,498,731	\$ 55,545,890	\$ 56,729,971	\$ 57,931,205	\$ 58,942,337
Omissions/Loss of Exemptions - Prior Years	0	0	0	0	0	0
Total Levy for All Purposes	\$ 52,276,756	\$ 53,498,731	\$ 55,545,890	\$ 56,729,971	\$ 57,931,205	\$ 58,942,337
Excess/(Deficit) on Tax Rolls	0	0	0	0	0	0
Taxes Cancelled	(8,137)	(3,335)	(14,744)	(28,147)	(8,196)	(8,544)
Net Taxes on Roll	\$ 52,268,619	\$ 53,495,396	\$ 55,531,146	\$ 56,701,824	\$ 57,923,009	\$ 58,933,793
STAR Program	4,506,267	4,071,685	3,730,547	3,507,976	3,343,376	3,161,387
Net Taxes After STAR Program	\$ 47,762,352	\$ 49,423,711	\$ 51,800,599	\$ 53,193,848	\$ 54,579,633	\$ 55,772,406
Taxes Collected Prior to Return	46,313,105	47,773,076	46,218,215	48,429,176	49,048,368	50,708,313
Uncollected Date of Return	\$ 1,449,247	\$ 1,650,635	\$ 5,582,384	\$ 4,764,672	\$ 5,531,265	\$ 5,072,637
Percentage Collected Prior to Return	96.97%	96.66%	89.22%	91.04%	89.87%	90.92%

## MAJOR TAXPAYERS

### 2023 Assessment Roll Used for 2023-24 Taxes

<u>Name</u>	<u>Type</u>	<u>Equalized Value</u>
Anthony J. Costello & Son	Professional Services	\$ 70,326,071
Rochester Gas & Electric Corporation	Utility	70,022,497
Meridian Centre Associates	Professional Services	41,098,857
Elmwood Manor Associates LLC	Apartment Complex	27,905,714
Clintwood Associates	Apartment Complex	26,675,571
Greystone Apartments 1, LLC	Apartment Complex	26,005,429
Briar Manor I, LLC	Apartment Complex	23,037,571
Paychex of New York, LLC	Private Commercial	19,403,429
Morgan Elmwood Terrace Apt LLC	Apartment Complex	15,323,286
MM Family Partnership IV, LP	Apartment Complex	<u>15,251,143</u>
Total.....		<u>\$ 335,049,569</u> <sup>1</sup>

Note: 1 The above taxpayers represent 10.96% of the School District's 2023-24 equalized value of \$3,056,270,013.

## SCHOOL DISTRICT INDEBTEDNESS - CONSTITUTIONAL REQUIREMENTS

The New York State Constitution limits the power of the School District (and other municipalities and school districts of the State) to issue obligations and to otherwise contract indebtedness. Such constitutional limitations in summary form, and as generally applicable to the School District and the Bonds include the following:

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

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

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



## SCHOOL DISTRICT INDEBTEDNESS - STATUTORY PROCEDURE

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

The School District is generally required by such laws to submit propositions for the expenditure of money for capital purposes to the qualified electors of the School District. Upon approval thereby, the Board of Education may adopt a bond resolution authorizing the issuance of bonds, and notes in anticipation of the bonds.

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

The Local Finance Law also provides that where a bond resolution is published with a statutory form of notice, the validity of the bonds authorized thereby, including bond anticipation notes issued in anticipation of the sale thereof, may be contested only if

- 1 Such obligations are authorized for a purpose for which the School District is not authorized to expend money, or
  - 2 There has not been substantial compliance with the provisions of law which should have been complied with in the authorization of such obligations
- and an action contesting such validity is commenced within twenty days after the date of such publication, or
- 3 Such obligations are authorized in violation of the provisions of the Constitution.

Except on rare occasions, the School District complies with this estoppel procedure. It is a procedure that is recommended by Bond Counsel, but it is not an absolute legal requirement. The School District complied with such procedure with respect to the bond resolution that authorizes the issuance of the Bonds.

The Board of Education, as the finance board of the School District, has the power to enact bond resolutions. In addition, such finance board has the power to authorize the sale and issuance of obligations. However, such finance board may delegate the power to sell the obligations to the President of the Board of Education, the chief fiscal officer of the School District, pursuant to the Local Finance Law.

Statutory law in New York permits bond anticipation notes to be renewed each year provided annual principal installments are made in reduction of the total amount of such notes outstanding, commencing no later than two years from the date of the first of such notes and provided that such renewals do not exceed five years beyond the original date of borrowing. (See "Payment and Maturity" under "SCHOOL DISTRICT INDEBTEDNESS - CONSTITUTIONAL REQUIREMENTS" herein, and "STATUS OF SHORT-TERM INDEBTEDNESS" herein.)

In general, the Local Finance Law contains provisions providing the School District with power to issue certain other short-term general obligation indebtedness including revenue and tax anticipation notes and budget notes (see "STATUS OF SHORT-TERM INDEBTEDNESS" herein).

Debt Limit. The School District has the power to contract indebtedness for any school district purpose so long as the principal amount thereof shall not exceed ten per centum of the full valuation of the taxable real estate of the School District and subject to certain enumerated deductions. The constitutional method for determining full valuation is by taking the assessed valuation of taxable real estate for the last completed assessment roll and applying thereto the ratio which such assessed valuation bears to the full valuation as determined by the State Office of Real Property Services. The State Legislature is required to prescribe the manner by which such ratio shall be determined.

## STATUS OF OUTSTANDING BOND ISSUES

Original Amount:	\$4,105,000	\$29,000,000	\$25,324,091
Dated Date:	02/03/15	06/04/20	06/22/21
Purpose:	Refunding	Construction/Alterations	Construction/Alterations
Last Maturity:	06/01/25	06/15/39	06/15/36
Call Option:	Non-Callable	June 15, 2028	June 15, 2029
Interest Rate/ Instrument:	1.9166% - RSB	2.2094% - SB	1.4482% - SB
Balance Principal 06-30-23:	\$955,000	\$25,215,000	\$21,225,000
	<u>Principal</u> <u>Interest</u>	<u>Principal</u> <u>Interest</u>	<u>Principal</u> <u>Interest</u>
Fiscal Year Ending June 30:			
2024	\$ 465,000    \$ 47,750	\$ 1,320,000    \$ 551,388	\$ 1,895,000    \$ 424,500
2025	490,000      24,500	1,350,000      523,338	1,910,000      386,600
2026		1,380,000      494,650	1,745,000      348,400
2027		1,410,000      465,325	1,720,000      313,500
2028		1,435,000      435,363	1,740,000      279,100
2029		1,465,000      404,869	1,775,000      244,300
2030		1,510,000      373,738	1,740,000      208,800
2031		1,555,000      341,650	1,645,000      174,000
2032		1,585,000      308,606	1,565,000      141,100
2033		1,625,000      274,925	1,585,000      109,800
2034		1,655,000      240,394	1,600,000      78,100
2035		1,690,000      203,156	1,545,000      46,100
2036		1,730,000      165,131	760,000      15,200
2037		1,790,000      126,206	
2038		1,840,000      85,931	
2039		1,875,000      44,531	
Totals	\$ 955,000    \$ 72,250	\$ 25,215,000    \$ 5,039,200	\$ 21,225,000    \$ 2,769,500

Original Amount:	\$2,775,000
Dated Date:	06/15/23
Purpose:	Construction/Alterations
Last Maturity:	06/15/39
Call Option:	October 1, 2031
Interest Rate/ Instrument:	3.4484% - DASNY SB
Balance Principal 06-30-23:	\$2,775,000
	<u>Principal</u> <u>Interest</u>
Fiscal Year Ending June 30:	
2024	\$ 130,000    \$ 179,604
2025	160,000      132,250
2026	170,000      124,250
2027	180,000      115,750
2028	185,000      106,750
2029	195,000      97,500
2030	205,000      87,750
2031	215,000      77,500
2032	220,000      66,750
2033	225,000      55,750
2034	245,000      44,500
2035	255,000      32,250
2036	135,000      19,500
2037	90,000      12,750
2038	85,000      8,250
2039	80,000      4,000
Totals	\$ 2,775,000    \$ 1,165,104

Concluded on following page.

**STATUS OF OUTSTANDING BOND ISSUES - Concluded**

Fiscal Year Ending June 30:	Totals		Total Debt Service	Year-End Outstanding Principal
	Principal	Interest		
2024	\$ 3,810,000	\$ 1,203,242	\$ 5,013,242	\$ 46,360,000
2025	3,910,000	1,066,688	4,976,688	42,450,000
2026	3,295,000	967,300	4,262,300	39,155,000
2027	3,310,000	894,575	4,204,575	35,845,000
2028	3,360,000	821,213	4,181,213	32,485,000
2029	3,435,000	746,669	4,181,669	29,050,000
2030	3,455,000	670,288	4,125,288	25,595,000
2031	3,415,000	593,150	4,008,150	22,180,000
2032	3,370,000	516,456	3,886,456	18,810,000
2033	3,435,000	440,475	3,875,475	15,375,000
2034	3,500,000	362,994	3,862,994	11,875,000
2035	3,490,000	281,506	3,771,506	8,385,000
2036	2,625,000	199,831	2,824,831	5,760,000
2037	1,880,000	138,956	2,018,956	3,880,000
2038	1,925,000	94,181	2,019,181	1,955,000
2039	<u>1,955,000</u>	<u>48,531</u>	<u>2,003,531</u>	0
<b>Totals</b>	<b>\$ 50,170,000</b>	<b>\$ 9,046,054</b>	<b>\$ 59,216,054</b>	

Source: School District Bond Records.

## BOND PRINCIPAL MATURING IN CURRENT AND SUBSEQUENT FISCAL YEARS

Fiscal Year Ending June 30:	Prior Issues	This Issue	Total Maturing Principal	Year-End Outstanding Principal
2024	\$ 3,810,000	\$ 0	\$ 3,810,000	\$ 51,160,000
2025	3,910,000	250,000	4,160,000	47,000,000
2026	3,295,000	270,000	3,565,000	43,435,000
2027	3,310,000	245,000	3,555,000	39,880,000
2028	3,360,000	260,000	3,620,000	36,260,000
2029	3,435,000	270,000	3,705,000	32,555,000
2030	3,455,000	275,000	3,730,000	28,825,000
2031	3,415,000	275,000	3,690,000	25,135,000
2032	3,370,000	280,000	3,650,000	21,485,000
2033	3,435,000	300,000	3,735,000	17,750,000
2034	3,500,000	305,000	3,805,000	13,945,000
2035	3,490,000	310,000	3,800,000	10,145,000
2036	2,625,000	330,000	2,955,000	7,190,000
2037	1,880,000	340,000	2,220,000	4,970,000
2038	1,925,000	355,000	2,280,000	2,690,000
2039	<u>1,955,000</u>	355,000	2,310,000	380,000
2040		<u>380,000</u>	<u>380,000</u>	0
Totals	<u>\$ 50,170,000</u>	<u>\$ 4,800,000</u>	<u>\$ 54,970,000</u>	

## **STATUS OF SHORT-TERM INDEBTEDNESS**

The School District has no outstanding short-term indebtedness as of the date of this Official Statement.

## **OPERATIONAL BORROWINGS**

The School District, historically, does not issue Tax Anticipation Notes or Revenue Anticipation Notes.

## **BUILDING AID ESTIMATE**

Pursuant to the provisions of Chapter 760 of the Laws of 1963, the School District is eligible to receive a Building Aid Estimate from the New York State Department of Education. The School District has not applied for a Building Aid Estimate, but anticipates that aid may be received on its outstanding indebtedness at their Building Aid Ratio of 81.0%.

The State building aid ratio is calculated each year based upon a formula which reflects Resident Weighted Average Daily Attendance (RWADA) and the full value per pupil compared with the State average. Consequently, the estimated aid will vary over the life of each issue. State building aid is further dependent upon the continued apportionment of funds by the State Legislature.

A fundamental reform of building aid was enacted as Chapter 383 of the Laws of 2001. The provisions legislated, among other things, a new "assumed amortization" payout schedule for future State building aid payments based on an annual "average interest rate" and mandatory periods of probable usefulness with respect to the allocation of building aid. The School District has no reason to believe that it will not ultimately receive all of the building aid it anticipates, however, no assurance can be given as to when and how much building aid the School District will receive in relation to its outstanding debt. See "State Aid" herein.

## DEBT STATEMENT SUMMARY

As of May 15, 2024

<u>Town</u>	<u>2023-24 Assessed Valuation</u>	<u>Final 2023 Equalization Rate</u>	<u>Equalized Value</u>
Brighton	\$ 2,109,706,148	70.00%	\$ 3,013,865,925
Pittsford	30,530,944	72.00%	<u>42,404,088</u>
Total . . . . .			<u>\$ 3,056,270,013</u>
Debt Limit (10% thereof) . . . . .			\$ 305,627,001
<u>Borrowings:</u>			
Serial Bonds . . . . .		\$ 49,215,000	
Refunding Serial Bonds . . . . .		<u>955,000</u>	
Total Inclusions . . . . .			\$ 50,170,000
<u>Proposed Issue:</u>			
Serial Bonds . . . . .		<u>\$ 4,800,000</u>	<u>\$ 4,800,000</u>
Total Indebtedness . . . . .			\$ 54,970,000
<u>Exclusions:</u>			
Building Aid Estimate . . . . .		<u>\$ 0</u> <sup>1</sup>	
Total Exclusions . . . . .			<u>\$ 0</u>
Total Net Indebtedness . . . . .			\$ 54,970,000
Net Debt-Contracting Margin . . . . .			\$ 250,657,001
Percentage of Debt-Contracting Power Exhausted . . . . .			17.99%

Note: 1 Pursuant to the provisions of Chapter 760 of the Laws of New York State of 1963, the School District receives aid on existing building debt. Since the Gross Indebtedness of the School District is within the debt limit, the School District has not applied for a Building Aid Estimate.

## ESTIMATED CALCULATION OF OVERLAPPING INDEBTEDNESS

Overlapping Unit	Applicable Equalized Value	Percent	Gross Indebtedness <sup>1</sup>	Exclusions	Net Indebtedness	Estimated Applicable Overlapping Indebtedness
Monroe County	\$ 2,233,736,778 \$ 50,268,950,978	4.44%	\$ 651,436,663	\$ N/A	\$ 651,436,663	\$ 28,923,788
Town of Brighton	\$ 2,200,836,625 \$ 3,203,439,340	68.70%	8,446,875	N/A	8,446,875	5,803,198
Town of Pittsford	\$ 32,900,153 \$ 3,601,477,388	0.91%	15,216,812	N/A	15,216,812	<u>139,008</u>
Total						<u>\$ 34,865,994</u>

Source: Office of the State Comptroller Local Government Data for Fiscal Years Ended in 2022.

Notes: 1 Bonds and bond anticipation notes as of 2022 fiscal year. Not adjusted to include subsequent bond and note sales.  
N/A Information not available from source document.

## LITIGATION

Except as set forth below, the School District represents that there are no suits pending or, to the knowledge of the School District, threatened against the School District wherein an unfavorable result would have a material adverse effect on the financial condition or operations of the School District, and any potential or pending litigation known to the School District does not affect the right of the School District to conduct its business or affect the validity or enforceability of its obligations with respect to the School District Bonds and the contracts executed in connection therewith.

On October 10, 2019, two separate lawsuits were commenced against the District in New York State Supreme Court, Monroe County pursuant to the Child Victims Act (the "CVA"). The CVA was signed into law on February 14, 2019 and opened up a one-year window to revive past claims involving sexual crimes against children beginning August 14, 2019. The Legislature and Governor extended the window to August 14, 2021, citing the COVID-19 pandemic. The CVA also allows claims to be filed against institutions that may have been involved in the abuse. Six additional lawsuits were commenced against the School District in August and September of 2020, and in July and August of 2021, each invoking the CVA. The complaint in each action alleges sexual misconduct related torts, including alleged negligent hiring, supervision and negligence by the School District. In each case, the acts were allegedly committed by a former teacher, coach, or, in one case, an unidentified custodian, against a former student or visitor to school property over multi-year periods occurring in the late 1960s, the 1970s and 1980s. Each complaint seeks unspecified monetary damages. While unable to predict the outcome of these suits, any subsequent judgments against the School District could have a material adverse impact upon the School District's finances, including causing the School District to issue additional indebtedness to finance the cost of any potential award. On October 25, 2022, the Board of Education settled an uninsured claim for \$1,750,000. As of April 1, 2024, the School District's Insurance Reserve established to fund uninsured claims totaled \$7,150,000.

Source: School District Official.

## **SPECIAL PROVISIONS AFFECTING REMEDIES UPON DEFAULT**

In the event of a default in the payment of the principal of and/or interest on the Bonds, the State Comptroller is required to withhold, under certain conditions prescribed by Section 99-b of the State Finance Law, State aid and assistance to the School District and to apply the amount thereof so withheld to the payment of such defaulted principal and/or interest, which requirement constitutes a covenant by the State with the holders from time to time of the Bonds.

Section 3-a of the General Municipal Law provides, subject to exceptions not pertinent, that the rate of interest to be paid by a municipality upon any judgment or accrued claim against such municipality shall not exceed nine per centum per annum. This provision might be construed to have application to the holders of the Bonds in the event of a default in the payment of the principal of or interest on the Bonds.

As is the general rule with respect to municipal corporations, judgments against the School District may not be enforced by levy and execution against School District property.

Recent amendments to the Federal Bankruptcy Act have the effect of facilitating recourse to the protection of a Federal Court by public bodies for the purpose of adjusting outstanding indebtedness. Section 85.80 of the Local Finance Law contains specific authorization for any municipality in the State to file a petition with any United States District Court or Court of Bankruptcy under any provision of Federal law for the composition or adjustment of municipal indebtedness. While these provisions do not apply to school districts, there can be no assurance that they will not be made applicable in the future.

As a result of a certain 1975 Court of Appeals decision, the constitutionality of that portion of Title 6-A of the Local Finance Law enacted at the 1975 Extraordinary Session of the State Legislature, authorizing any county, city, town or village with respect to which the State has declared a financial emergency to petition the State Supreme Court to stay the enforcement against such municipality of any claim for payment relating to any contract, debt or obligation of the municipality during the emergency period, is subject to doubt. These provisions do not apply to school districts, but there can be no assurance that they will not be made applicable in the future. In any event, no such emergency has been declared with respect to the School District.



## **MARKET FACTORS AFFECTING FINANCINGS OF THE STATE AND MUNICIPALITIES OF THE STATE**

There are various forms of risk associated with investing in the Bonds. The following is a discussion of certain events that could affect the risk of investing in the Bonds. 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 risk.

The financial and economic condition of the School District, as well as the market for the Bonds, could be affected by a variety of factors, some of which are beyond the School District's control. There can be no assurance that adverse events in the State and in other jurisdictions in the country, 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 Bonds. If a significant default or other financial crisis should occur in the affairs of the State or another jurisdiction, or of any of its respective agencies or political subdivisions thereby further impairing the acceptability of obligations issued by borrowers within the State, both the ability of the School District to arrange for additional borrowings and the market for and market value of outstanding debt obligations, including the Bonds, could be adversely affected.

The School District 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 revenue in order to pay State aid to municipalities, including the School District, in any year, the School District may be affected by a delay until sufficient taxes have been received by the State to make State aid payments to the School District.

The enactment of the Tax Levy Limitation Law, which imposes a tax levy limitation upon municipalities, school districts and fire districts in the State, including the District could have an impact upon the operations of the school budget, its ratings and hence the market price of the Notes. See "REAL PROPERTY TAX CAP" herein.

Future legislative proposals, if enacted into law, or clarification of the Code or court decisions may cause interest on the Bonds to be subject, directly or indirectly, to federal income taxation or to be subject to or exempted from state income taxation, or otherwise prevent the beneficial owners of the Bonds from realizing the full current benefit of the tax status of such interest. 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 the Bonds, or the tax status of interest on the Bonds. See "TAX MATTERS" herein.

### ***Cybersecurity.***

The School District, like many other public and private entities, relies on a large and complex technology environment to conduct its operations. As such, it may face multiple cybersecurity threats including, but not limited to, hacking, viruses, malware and other attacks on computer or other sensitive digital systems and networks. There can be no assurances that any security and operational control measures implemented by the School District will be completely successful to guard against and prevent cyber threats and attacks. The result of any such attacks could impact business operations and/or digital networks and systems and the costs of remedying any such damage could be significant.

### ***COVID-19 Pandemic.***

An outbreak of disease or similar public health threat, such as the novel coronavirus ("COVID-19") outbreak, or fear of such an event, could have an adverse impact on the School District's financial condition and operating results. There can be no assurances that another COVID-19 pandemic will not materially adversely impact the financial condition of the School District. The degree of any such impact to the School District's operations and finances is extremely difficult to predict due to the dynamic nature of a COVID-19 outbreak, including uncertainties relating to its (i) duration, (ii) severity and (iii) ultimate geographic spread, as well as with regard to what actions may be taken by governmental authorities to contain or mitigate its impact.

## LEGAL MATTERS

The legality of the authorization and issuance of the Bonds will be covered by the approving legal opinion of Harris Beach PLLC, Bond Counsel, Pittsford, New York. Such legal opinion will state that in the opinion of Bond Counsel (i) the Bonds have been authorized and issued in accordance with the Constitution and statutes of the State of New York and constitute valid and legally binding general obligations of the School District, all the taxable real property within which is subject to the levy of ad valorem taxes to pay the Bonds and interest thereon, without limitation as to rate of amount (see "REAL PROPERTY TAX CAP" herein); provided, however, that the enforceability (but not the validity) of the Bonds may be limited by any applicable existing or future bankruptcy, insolvency or other law (State or Federal) affecting the enforcement of creditors' rights; (ii) under existing statutes, regulations, administrative rulings and court decisions, interest on the Bonds is excluded from the gross income of the owners thereof for Federal income tax purposes and is not an "item of tax preference" for purposes of the Federal alternative minimum tax, however, interest on the Bonds held by certain corporations that are subject to the Federal corporate alternative minimum tax is included in the composition of "adjusted financial statement income" for purposes of the Federal alternative minimum tax imposed on such corporations; (iii) interest on the Bonds is exempt from personal income taxes imposed by the State of New York or any political subdivision thereof (including The City of New York); and (iv) based upon Bond Counsel's examination of law and review of the arbitrage and use of proceeds certificate executed by the President of the Board of Education of the School District pursuant to Section 148 of the Code and the regulations thereunder, the facts, estimates and circumstances as set forth in said arbitrage certificate are sufficient to support the conclusion that the Bonds will not be "arbitrage bonds" within the meaning of said section, and no matters have come to Bond Counsel's attention which makes unreasonable or incorrect the representations made in said arbitrage certificate. Bond Counsel will express no opinion regarding other Federal or State income tax consequences arising with respect to the Bonds.

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

## TAX MATTERS

In the opinion of Harris Beach PLLC, Bond Counsel to the School District, based on existing statutes, regulations, administrative rulings and court decisions and assuming compliance by the School District with certain covenants and the accuracy of certain representations, interest on the Bonds is excluded from gross income for federal income tax purposes. Bond Counsel is of the further opinion that interest on the Bonds is not an "item of tax preference" for purposes of the Federal alternative minimum tax on individuals. However, the Internal Revenue Code of 1986, as amended (the "Code"), imposes a federal corporate alternative minimum tax equal to fifteen percent of the "adjusted financial statement income" of corporations (other than S corporations, regulated investment companies and real estate investment trusts) having an average annual "adjusted financial statement income" for the three-taxable-year period ending with the tax year that exceeds \$1,000,000,000. Interest on tax-exempt obligations such as the Bonds is included in the computation of a corporation's "adjusted financial statement income".

The Code imposes various limitations, conditions and other requirements which must be met at and subsequent to the date of issue of the Bonds in order that interest on the Bonds will be and remain excluded from gross income for federal income tax purposes. Included among these requirements are restrictions on the investment and use of proceeds of the Bonds and in certain circumstances, payment of amounts in respect of such proceeds to the Federal government. Failure to comply with the requirement of the Code may cause interest on the Bonds to be includable in gross income for purposes of federal income tax, possibly from the date of issuance of the Bonds. In the arbitrage and use of proceeds certificate to be executed by the School District in connection with the issuance of the Bonds, the School District will covenant to comply with certain procedures and it will make certain representations and certifications, designed to assure satisfaction of the requirements of the Code in respect to the Bonds. The opinion of Bond Counsel assumes compliance with such covenants and the accuracy, in all material respects, of such representations and certificates.

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

The Bonds will be designated by the School District as "qualified tax exempt obligations" within the meaning of, and pursuant to Section 265(b)(3) of the Code.

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

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

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

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

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

## CONTINUING DISCLOSURE UNDERTAKING

In accordance with the requirements of SEC Rule 15c2-12 as the same may be amended or officially interpreted from time to time (the "Rule"), promulgated by the Securities and Exchange Commission ("SEC"), in the Notice of Bond Sale for the Bonds, the School District has agreed to provide, or cause to be provided either directly or through a designated agent,

- (i) During any succeeding fiscal year in which the Bonds are outstanding, to the Electronic Municipal Market Access ("EMMA") system maintained by the Municipal Securities Rulemaking Board ("MSRB"), certain annual financial information and operating data for the preceding fiscal year, and a copy of the audited financial statements for the preceding fiscal year, if any, such information, data and audited financial statements, if any, will be of the type included in the final Official Statement delivered in connection with the Bonds, with consistent accounting principles pursuant to State law and regulations in effect from time to time, and will be so provided on or prior to the latter of either the end of the sixth month of each such succeeding fiscal year or, if audited financial statements are prepared, sixty days following receipt by the School District of audited financial statements for the preceding fiscal year, but, in any event, not later than the last business day of each such succeeding fiscal year;
- (ii) In a timely manner not in excess of ten (10) business days after the occurrence of the event Notice of any of the following events with respect to the Bonds (a "Material Event Notice"):
  - (a) principal and interest payment delinquencies
  - (b) non-payment related defaults, if material
  - (c) unscheduled draws on debt service reserves reflecting financial difficulties
  - (d) in the case of credit enhancement, if any, provided in connection with the issuance of the Bonds, unscheduled draws on credit enhancements reflecting financial difficulties
  - (e) substitution of credit or liquidity providers, or their failure to perform
  - (f) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701 TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds
  - (g) modifications to rights of Bond holders, if material
  - (h) bond calls, if material and tender offers
  - (i) defeasances
  - (j) release, substitution, or sale of property securing repayment of the Bonds, if material
  - (k) rating changes
  - (l) bankruptcy, insolvency, receivership or similar event of the School District
  - (m) the consummation of a merger, consolidation, or acquisition involving the School District or the sale of all or substantially all of the assets of the School District, 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
  - (n) appointment of a successor or additional trustee or the change of name of a trustee, if material
  - (o) incurrence of a financial obligation of the School District, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the School District, any of which affect security holders, if material
  - (p) default, event of acceleration, termination event, modification of terms, or other similar events under the term of a financial obligation of the School District, any of which reflect financing difficulties.

Concluded on following page.

## CONTINUING DISCLOSURE UNDERTAKING – Concluded

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

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

With respect to event (l) above, the event is considered to occur whether any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the School District in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the School District, 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 School District.

For the purpose of events (o) and (p), "financial obligation" means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or source of pay for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii), but shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

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

The School District shall provide any Material Event Notice, accompanied by required identifying information, to the MSRB in an electronic format as prescribed by the MSRB for their EMMA system.

(iii) In a timely manner, to the MSRB's EMMA system, notice of its failure to provide the aforescribed annual financial information and operating data and such audited financial statement, if any, on or before the date specified.

The School District reserves the right to terminate its obligations to provide the aforescribed annual financial information and operating data and such audited financial statements, if any, and Material Event Notices as set forth above, if and when the School District no longer remains an obligated person with respect to the Bonds within the meaning of the Rule. The School District acknowledges that its undertaking pursuant to the Rule provided herein is intended to be for the benefit of the holders of the Bonds (including holders of beneficial interests in the Bonds). The right of holders of the Bonds to enforce the provisions of this undertaking will be limited to a right to obtain specific enforcement of the School District's obligations under this continuing disclosure undertaking and any failure by the School District to comply with the provisions of this undertaking will neither be a default with respect to the Bonds nor entitle any holder of the Bonds to recover monetary damages.

The School District reserves the right to modify from time to time the specific types of information provided or the format of the presentation of such information, to the extent necessary or appropriate in the judgment of the School District; provided that, the School District agrees that any such modification will be done in a manner consistent with the Rule.

An "Undertaking to Provide Notices of Certain Event" (the "Undertaking") to this effect shall be provided to the purchaser at closing.

The School District may amend the Undertaking without the consent of the holders of the Bonds, provided that (a) the Undertaking, as amended, would have complied with the requirements of the Rule at the time of the offering of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances and (b) that no such amendment shall adversely affect the interests of the holders of the Bonds (including holders of beneficial interests in the Bonds) in any material respect. In making such determinations, the Issuer shall rely upon an opinion of nationally recognized bond counsel.

The School District within the previous five years has complied to the best of its understanding, in all material respects, with any previous undertakings pursuant to Rule 15c2-12.

## MISCELLANEOUS

The execution and delivery of this Official Statement have been duly authorized by the Board of Education of the School District. Concurrently with the delivery of the Bonds, the President of the Board of Education will furnish a certificate to the effect that as of the date of the Official Statement, the Official Statement did not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading, subject to the condition that while information in the Official Statement obtained from sources other than the School District is not guaranteed as to accuracy, completeness or fairness, the President of the Board of Education has no reason to believe and does not believe that such information is materially inaccurate or misleading, and to the knowledge of the President of the Board of Education, since the date of the Official Statement, there have been no material transactions not in the ordinary course of affairs entered into by the School District and no material adverse changes in the general affairs of the School District or in its financial condition as shown in the Official Statement other than as disclosed in or contemplated by the Official Statement. Certain information contained in the Official Statement has been obtained from sources other than the School District. All quotations from and summaries and explanations of provisions of laws herein do not purport to be complete and reference is made to such laws for full and complete statements of their provisions.

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 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 holders of the Bonds.

The School District will act as Paying Agent for the Bonds. The School's contact information is as follows: Louis J. Alaimo, Assistant Superintendent for Administration, Brighton Central School District, 2035 Monroe Avenue, Rochester, New York 14618 (telephone: (585) 242-5200 ext. 5510); or, from the School District's financial advisor, Bernard P. Donegan, Inc. (telephone: (585) 924-2145).

Dated: May 15, 2024  
Rochester, New York

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Larry Davis  
President, Board of Education