#### **BOND ANTICIPATION NOTES**

In the opinion of Hodgson Russ LLP, Albany, New York, Bond Counsel, based on existing statutes, regulations, rulings and court decisions, and assuming the accuracy of certain representations and continuing compliance with certain covenants described in "TAX MATTERS" herein, interest on the Notes is excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"). Bond Counsel is further of the opinion that, interest on the Notes is not treated as a specific preference item for purposes of the federal alternative minimum tax imposed on individuals. Bond Counsel is also of the opinion that interest on the Notes is exempt from personal income taxes imposed by the State of New York or any political subdivision thereof (including The City of New York). Bond Counsel expresses no opinion regarding any other tax consequences related to the ownership or disposition of or the amount, accrual, or receipt of interest on the Notes. See "TAX MATTERS" herein.

The Notes will be designated "qualified tax-exempt obligations" under Section 265(b)(3) of the Code.

# \$5,480,000

# TOWN OF MOHAWK FIRE DISTRICT

# IN THE TOWN OF MOHAWK MONTGOMERY COUNTY, NEW YORK

GENERAL OBLIGATIONS \$5,480,000 Bond Anticipation Notes, 2021 (the "Notes")

Dated: November 4, 2021 Due: November 4, 2022

The Notes are general obligations of the Town of Mohawk Fire District, in the Town of Mohawk, Montgomery County, New York (the "Fire District"), all of the taxable real property within which is subject to the levy of ad valorem taxes to pay the Notes and interest thereon, subject to applicable statutory limitations. See "NATURE OF OBLIGATION" and "TAX LEVY LIMITATION LAW" herein.

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

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

If the Notes are issued registered in the name of the purchaser, a single note certificate will be issued for those Notes of an issue bearing the same rate of interest in the aggregate principal amount awarded to such purchaser at such interest rate. Principal of and interest on such Notes will be payable in Federal Funds by the Fire District. Paying agent fees, if any, will be the responsibility of the purchaser should the purchaser choose to engage any.

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

The Notes are offered when, as and if issued and received by the purchaser and subject to the receipt of the approving legal opinion as to the validity of the Notes of Hodgson Russ LLP, Bond Counsel, Albany, New York. It is anticipated that the Notes will be available for delivery Jersey City, New Jersey or as may be agreed upon on or about November 4, 2021.

ELECTRONIC BIDS for the Notes must be submitted on Fiscal Advisors Auction website ("Fiscal Advisors Auction") accessible via <a href="www.FiscalAdvisorsAuction.com">www.FiscalAdvisorsAuction.com</a>, on October 21, 2021 by no later than 11:00 A.M. ET. Bids may also be submitted by facsimile at (315) 930-2354. No other form of electronic bidding services will be accepted. No phone bids will be accepted. Once the bids are communicated electronically via Fiscal Advisors Auction or via facsimile to the Fire District, each bid will constitute an irrevocable offer to purchase the Notes pursuant to the terms provided in the Notice of Sale.

October 15, 2021

THE FIRE 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 BIDDERS, AS MORE FULLY DESCRIBED IN THE NOTICE OF PRIVATE COMPETITIVE BOND SALE WITH RESPECT TO THE OBLIGATIONS HEREIN DESCRIBED. FOR A DESCRIPTION OF THE FIRE DISTRICT'S AGREEMENT TO PROVIDE CONTINUING DISCLOSURE FOR THE NOTES AS DESCRIBED IN THE RULE, SEE "APPENDIX B – FORM OF UNDERTAKING TO PROVIDE MATERIAL EVENTS" HEREIN.

# TOWN OF MOHAWK FIRE DISTRICT

# **MONTGOMERY COUNTY, NEW YORK**

#### **BOARD OF FIRE COMMISSIONERS**

WILLIAM VANGORDER CHAIRMAN

TODD WINSMAN DEPUTY CHAIRMAN

JOHN BUCCOS THOMAS FLANDER JR.

\* \* \* \* \*

#### **ADMINISTRATION**

KANDACE ROSE
District Treasurer

KIMBERLY SULLIVAN
Fire District Secretary



Municipal Advisor

HODGSON RUSS LLP Bond Counsel No person has been authorized by Fire District to give any information or to make any representations not contained in this Official Statement, and, if given or made, such information or representations 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 Notes in any jurisdiction to any person to whom it is unlawful to make such offer or solicitation in such jurisdiction. The information, estimates and expressions of opinion herein are subject to change without notice, and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of Fire District.

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#### OFFICIAL STATEMENT

of the

## TOWN OF MOHAWK FIRE DISTRICT IN THE TOWN OF MOHAWK MONTGOMERY COUNTY, NEW YORK

**Relating To** 

## **\$5,480,000 Bond Anticipation Notes, 2021**

This Official Statement, which includes the cover page, inside cover page, and appendices, has been prepared by the Town of Mohawk Fire District, in the Town of Mohawk, Montgomery County, New York (the "Fire District", "County", and "State", respectively) in connection with the sale by the Fire District of \$5,480,000 principal amount of Bond Anticipation Notes, 2021 (the "Notes").

The factors affecting the Fire District's financial condition and the Notes are described throughout this Official Statement. Inasmuch as many of these factors, including economic and demographic factors, are complex and may influence the Fire District's tax base, revenues, and expenditures, this Official Statement should be read in its entirety.

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

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

#### NATURE OF OBLIGATION

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

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

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

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

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

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

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

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

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

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

In *Quirk v. Municipal Assistance Corp.*, the Court of Appeals described this as a "first lien" on revenues, but one that does not give holders a right to any particular revenues. It should thus be noted that the pledge of the faith and credit of a political subdivision in New York State is a pledge of an issuer of a general obligation bond or note to use its general revenue powers, including, but not limited to, its property tax levy to pay debt service on such obligations, but that such pledge may not be interpreted by a court of competent jurisdiction to include a constitutional or statutory lien upon any particular revenues.

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

#### THE NOTES

#### **Description of The Notes**

The Notes are general obligations of the Fire District, and will contain a pledge of its faith and credit for the payment of the principal of and interest on the Notes as required by the Constitution and laws of the State (State Constitution, Art. VIII, Section 2 as implemented for fire districts by Local Finance Law, Section 100.00) See "STATUS OF INDEBTEDNESS – Statutory Procedure" herein as to fire districts and constitutional law in the State. All the taxable real property within the Fire District is subject to the levy of ad valorem taxes to pay the Notes and interest thereon, subject to certain statutory limitations imposed by Chapter 97 of the Laws of 2011 of the State of New York. See "NATURE OF OBLIGATION" and "TAX LEVY LIMITATION LAW" herein.

The Notes are dated November 4, 2021 and will mature, without option of prior redemption, on November 4, 2022. Interest on the Notes will be calculated on a 30-day month and 360-day year basis.

The Notes will be issued in registered form at the option of the Purchaser(s) either (i) requested in the name of the purchaser, in denominations of \$5,000 or integral multiples thereof, as may be determined by the successful bidder(s); or (ii) registered in the name of Cede & Co. as nominee of The Depository Trust Company, New York, New York ("DTC") which will act as the securities depository for the Notes. See "BOOK-ENTRY-ONLY SYSTEM" herein.

#### No Optional Redemption

The Notes are not subject to redemption prior to maturity.

#### **Purpose of Issue**

The Notes are being issued pursuant to the Constitution and statutes of the State, including among others, the Local Finance Law, and a bond resolution adopted by the Board of Fire Commissioners on July 26, 2021 authorizing the issuance of \$5,480,000 serial bonds to finance the construction of a new firehouse.

The proceeds of the Notes will provide \$5,480,000 in new money financing for the above mentioned project.

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

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

DTC, the world's largest securities 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 posttrade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. 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.

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

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

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Notes may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Notes, such as redemptions, tenders, defaults, and proposed amendments to the Note documents. For example, Beneficial Owners of Notes may wish to ascertain that the nominee holding the Notes for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of notices be provided directly to them.

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

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

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

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

THE FIRE 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 NOTES (1) PAYMENTS OF PRINCIPAL OF OR INTEREST ON THE NOTES; (2) CONFIRMATIONS OF THEIR OWNERSHIP INTERESTS IN THE NOTES; OR (3) OTHER NOTICES SENT TO DTC OR CEDE & CO., ITS PARTNERSHIP NOMINEE, AS THE REGISTERED OWNER OF THE NOTES, 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 FIRE 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 (1) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC OR ANY DIRECT PARTICIPANTS OR INDIRECT PARTICIPANTS OF DTC; (2) 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 ON THE NOTES; (3) 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 (4) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC AS THE REGISTERED HOLDER OF THE NOTES.

THE INFORMATION CONTAINED HEREIN CONCERNING DTC AND ITS BOOK-ENTRY SYSTEM HAS BEEN OBTAINED FROM DTC AND THE FIRE 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 Notes**

DTC may discontinue providing its services with respect to the Notes at any time by giving notice to the Fire District and discharging its responsibilities with respect thereto under applicable law, or the Fire District may terminate its participation in the system of book-entry-only system transfers through DTC at any time. In the event that such book-entry-only system is discontinued, the following provisions will apply:

The Notes will be issued in bearer form in denominations of \$5,000 or integral multiples thereof. Principal of and interest on the Notes will be payable at a bank or trust company located and authorized to do business in the State of New York to be named by the Fire District. The Notes will remain not subject to redemption prior to their stated maturity date.

#### THE FIRE DISTRICT

#### **General Information**

The Town of Mohawk Fire District is a political sub-division of New York State and was established for the purpose of providing fire protection and emergency response within the boundaries of Town of Mohawk Fire District and any other outlying Districts that the Board of Fire Commissioners decides to provide similar protection to. The Board of Fire Commissioners is the District's governing group and has authority, within its District, similar to that of a Town, Village or School Board. The authority and conduct of the District and the Fire Commissioners is closely regulated and monitored by the State. The Board is comprised of 5 Fire Commissioners that are publicly elected for terms of 5 years each. The election of these Commissioners is staggered so that, normally, only one Commissioner would be up for election each calendar year. The Treasurer and Secretary for the Board are appointed positions.

Basically, the Fire District's responsibility is to provide buildings, apparatus, services and equipment to the Fire Department for their use in fire suppression and emergency medical service efforts. The District's income comes from Fire District taxes. Periodically, government funding and utility grants are available to assist paying for specific projects. The Fire District's records and monies are audited every year by an accounting firm to ensure compliance with New York State regulations.

The Fire District encompasses approximately 35 square miles and is served by over 46 volunteer firefighters.

Source: Fire District Officials

#### **Population Trends**

	Town of Mohawk	Montgomery County	New York State
U. S. Census 1990	3,981	51,981	17,990,455
U. S. Census 2000	3,890	49,708	18,976,457
U. S. Census 2010	3,844	50,219	19,378,102
U. S. Census 2019 (estimated)	3,762	49,221	19,542,209

Source: U.S. Census Bureau; 1990, 2000, 2010 and 2019 American Community Survey 5-year estimates.

#### **Selected Wealth and Income Indicators**

Per capita income statistics are available for the Towns, County and State. Listed below are select figures from the 2000 Census Reports and the 2006-2010 and 2015-2019 American Community Survey 5 Year Estimates.

	]	Per Capita Incom	<u>e</u>	Median Family Income				
	<u>2000</u>	2006-2010	<u>2015-2019</u>	<u>2000</u>	2006-2010	2015-2019		
Towns of: Mohawk	\$ 17,896	\$ 22,843	\$ 34,222	\$ 43,700	\$ 58,056	\$ 72,750		
County of: Montgomery	17,248	22,347	26,521	45,088	53,476	60,621		
State of: New York	23,389	32,382	39,326	51,691	70,670	84,385		

Note: 2016-2020 American Community Survey estimates are not available as of the date of this Official Statement.

Source: U.S. Census Bureau, 2000 census, 2006-2010 and 2015-2019 American Community Survey data.

#### **Larger Employers**

Some of the major employers located near the Town of Mohawk or in close proximity to the Fire District are as follows:

<u>Name</u>	<u>Type</u>	<u>Employees</u>
KeyMark/Kasson & Keller	Manufacturer - Storm Windows/Doors	825
Montgomery County	Municipal Government	500
Exel	Manufacturer	322
Fonda-Fultonville Central School District	Education	176

Source: Fire District Officials.

#### **Unemployment Rate Statistics**

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

Annual Average											
	<u>2013</u>	<u>2014</u>	2015	2016	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>			
Montgomery County	9.2%	7.5%	6.6%	5.7%	5.7%	5.1%	5.1%	8.8%			
New York State	7.8%	6.3%	5.2%	4.9%	4.6%	4.1%	3.8%	10.0%			
2021 Monthly Figures											
	<u>Jar</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>			
Montgomery County	7.89	% 8.4%	7.8%	6.6%	5.7%	6.1%	6.3%	6.1%			
New York State	9.49	6 9.7%	8.4%	7.7%	6.9%	7.2%	7.4%	7.1%			

Note: Unemployment rates for September and October 2021 are unavailable as of the date of this Official Statement. Unemployment rates for the foreseeable future are expected to increase substantially over prior periods as a result of the COVID-19 pandemic. (See "MARKET AND RISK FACTORS -COVID-19" herein).

#### **Form of Fire District Government**

The Fire District is governed by a five member Board of Fire Commissioners who are elected to five-year terms on a rotating basis. The Chairman of the Board is elected by the Commissioners at the Organizational Meeting each year. The Treasurer is appointed to a one-year term and the Fire District Secretary is appointed to a one-year term annually by the Commissioners at the Organizational Meeting. A 100% volunteer force made up of 46 volunteer firefighters is responsible for the operation of the equipment and apparatus within the Fire District.

#### **Financial Organization**

Pursuant to Town Law, the Treasurer is Chief Fiscal Officer of the Fire District. The Treasurer is responsible to the Board of Commissioners and serves as the Fire District's Budget Officer. Pursuant to the Town Law, during the absence of the Fire District Treasurer or the inability to act as the Fire District Treasurer or while the office of the Fire District Treasurer is vacant, the Deputy Fire District Treasurer shall be vested with all of the powers and may perform all of the duties of the Fire District Treasurer.

#### **Budgetary Procedures**

Pursuant to Town Law, the Treasurer is Chief Fiscal Officer of the Fire District. The Treasurer is responsible to the Board of Commissioners and serves as the Fire District's Budget Officer. Pursuant to the Town Law, during the absence of the Fire District Treasurer or the inability to act as the Fire District Treasurer or while the office of the Fire District Treasurer is vacant, the Deputy Fire District Treasurer shall be vested with all of the powers and may perform all of the duties of the Fire District Treasurer.

The Fire District exceeded its Tax Levy Limit for the 2020 and 2021 fiscal year by \$22,128 and \$29,832 respectively.

#### **Investment Policy**

Pursuant to the statutes of the State of New York, the Fire District is permitted to invest only in the following investments: (1) special time deposits or certificates of deposits in 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) with the approval of the New York State Comptroller, Bond Anticipation Notes and revenue anticipation notes issued by any New York municipality or district corporation, other than the Fire District. All investment obligations shall be payable or redeemable at the option of the Verdoy Fire District within such times as the proceeds for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Verdoy Fire District within 2 years of the date of purchase. These statutes further require that all bank deposits, in excess of the amount insured under the Federal Deposit Insurance Act, be secured by either a pledge of eligible securities, an eligible surety bond or an eligible letter of credit, as those terms are defined in the law.

Consistent with the above statutory limitations, it is the Fire 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, or for obligation of the State of New York or its municipal subdivisions. In the case of obligations of the United States government, the Fire District may also purchase such obligations pursuant to a written repurchase agreement that requires the purchased securities to be delivered to a third party custodian bank or trust company.

#### **Employees**

The Fire District currently has 0 employees and 46 volunteer firefighters.

Source: Fire District officials.

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

The Fire District does not have post-employment benefit liabilities for its employees.

#### Length of Service Award Program (LOSAP)

The Fire District does not currently have a length of service award program.

Source: Fire District Officials.

#### **Financial Statements**

The Fire District does not retain an independent certified public accountant firm for a continuous independent audit of all financial transactions of the Fire District. The Fire District prepares an Annual Financial Report Update Document ("AUD"), which is unaudited and not prepared in accordance with GAAP. The AUD for the fiscal year ended December 31, 2020 is available and is attached hereto as "APPENDIX-C". The financial affairs of the Fire District are also subject to annual audits by the State Comptroller.

The Fire District complies with the Uniform System of Accounts as prescribed for towns in New York State by the State Comptroller. 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 Governmental Accounting Standards Board (GASB).

#### **New York State Comptroller Reports of Examination**

The State Comptroller's office, i.e., the Department of Audit and Control, periodically performs a compliance review to ascertain whether the Fire District has complied with the requirements of various State and Federal statutes. These audits can be found by visiting the Audits of Local Governments section of the Office of the State Comptroller website.

There have not been any State Comptroller audits of the Fire District published in the past five years. There are no other State Comptrollers audits of the Fire District that are currently in progress or pending release at this time.

Note: Reference to website implies no warranty of accuracy of information therein.

#### **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 Notes are to be issued, is the Town Law and the Local Finance Law.

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

The fiscal year of the Fire District is January 1 through December 31.

Except for as shown under "STATUS OF INDEBTEDNESS – Estimated Overlapping Indebtedness", this Official Statement does not include the financial data of any political subdivision having power to levy taxes within the Fire District.

#### TAX INFORMATION

#### **Taxable Valuations**

Years Ending December 31:	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
FD Assessed Valuation	\$ 177,713,860	\$ 177,053,124	\$ 176,771,556	\$ 177,498,360	\$ 178,520,959
New York State Equalization	ı Rate				
	100.00%	98.24%	92.00%	92.00%	89.60%
Taxable Full Valuation	\$ 177,713,860	\$ 180,225,086	\$ 192,142,996	\$ 192,933,000	\$ 199,242,142
Tax Rate per \$1,000 (Assesse	ed)				
Years Ending December 31:	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Town of Mohawk Fire District	\$ 1.84	\$ 2.07	\$ 2.11	\$ 2.29	\$ 2.49

Note: Tax rate per \$1,000 (Assessed) for the 2022 fiscal year is not available as of the date of this Official Statement.

#### **Tax Collection Procedure**

The respective Town Tax Receivers collects all the real estate taxes of the Town, County, Fire District and special district purposes. The Town Tax Receivers distribute the collected tax money to both the Towns and Fire District prior to distributing the balance collected to the County. The Fire District is thereby assured 100% tax collections. Responsibility for the collecting of unpaid taxes rests with the County.

#### Tax Levy and Tax Collection Record

Years Ending December 31:	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Tax Levy	\$ 329,365	\$ 368,726	\$ 374,931	\$ 406,413	\$ 442,585
Uncollected Taxes (1)	None	None	None	None	None

Note: Total tax levy for the 2022 fiscal year is not available as of the date of this Official Statement.

<sup>(1)</sup> See "Tax Collection Procedure".

#### Ten Largest Taxpayers – 2021 Assessment Roll for 2022 Taxes

<u>Name</u>	<u>Type</u>	Assessed Valuation
New York Central Line Inc.	Transportation	\$ 6,749,117
Niagara Mohawk	Utility	6,513,665
National Grid	Utility	5,913,886
Keymark Corporation	Manufacturing	5,503,600
Rode M-1 Industrial LLC	Industrial	1,380,000
Tommell Marc, M.	Private	1,308,800
Jones, Laverne, R. Jr.	Private	1,226,800
Kasson & Keller Inc.	Manufacturing	1,150,000
Frontier Communications	Communications	1,033,967
Potter, Owen, T.	Private	569,400

The ten larger taxpayers listed above have a total assessed valuation of \$31,349,235 which represents 17.56% of the tax base of the Fire District.

As of the date of this Official Statement, the Fire District currently does not have any other pending or outstanding tax certioraris that are known to have a material impact on the Fire District.

Source: Fire District officials.

#### **Additional Tax Information**

Real property located in the Fire District is assessed by the Towns.

Senior citizens' exemptions are offered to those who qualify.

Total assessed valuation of the Fire District is approximately residential-37.00%, commercial-62.93% and agricultural-.07%.

The estimated total annual property tax bill of a \$100,000 market value residential property located in the Fire District is approximately \$3,070.76 including County, School District, New York State mandates, and Fire District taxes. The estimated total annual property tax bill for the Fire District alone is \$263.57.

#### TAX LEVY LIMITATION LAW

Chapter 97 of the Laws of 2011, as amended (the "Tax Levy Limitation Law") applies to virtually all local governments, including school districts (with the exception of New York City, Yonkers, Syracuse, Rochester and Buffalo, the latter four of which are indirectly affected by applicability to their respective city). It also applies to independent special districts and to town and county improvement districts as part of their parent municipalities tax levies.

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

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

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

#### STATUS OF INDEBTEDNESS

#### **Constitutional Requirements**

The State Constitution does not contain provisions relating to a Fire District's power to issue obligations and incur indebtedness. Therefore, the authorization and issuance of Fire District debt, including the purpose, amount and nature thereof, the method and manner of the incurrence of such debt, the maturity and terms of repayment thereof, and other related matters are determined by statute.

<u>Purpose and Pledge</u>. Subject to certain enumerated exceptions, the Fire 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 Fire District may contract indebtedness only for a Fire 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 the expiration of the period of probable usefulness of the object or purpose as determined by statute; unless substantially level or declining annual debt service is authorized and utilized, no installment may be more than fifty per centum in excess of the smallest prior installment. The Fire 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 notes and such required annual installments on its bonds.

Debt Limit. The Fire District has the power to contract indebtedness for any Fire District purpose authorized by the State Legislature provided that the aggregate principal amount thereof shall not exceed three per centum (3.0%) of the full valuation of the taxable real estate located in the Fire District (such limit may be increased to five per centum (5.0%) of the full value, if approved by a 2/3's affirmative vote of the voters followed by approval of the State Comptroller) and subject to certain enumerated exclusions and deductions such as cash or appropriations for principal debt. The statutory method for determining full valuation consists of taking the assessed valuation of taxable real estate for the last completed assessment roll and applying thereto the ratio (equalization rate) which such assessed valuation bears to the full valuation as determined by the State Board of Real Property Service (the "State Board"). The State Legislature is required to prescribe the manner by which such ratio shall be determined.

#### **Statutory Procedure**

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

Pursuant to the Local Finance Law, the Fire District authorizes the issuance of bonds by the adoption of a bond resolution, approved by at least three-fifths of the members of the Board of Fire Commissioners, the finance board of the Fire District. The Local Finance Law requires that the bond resolution be submitted to the voters of the Fire District for approval. Customarily, the Fire District delegates to the Fire District Treasurer, as chief fiscal officer of the Fire District, the power to authorize and sell bond anticipation notes in anticipation of authorized bonds.

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 Fire 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 within 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 Fire 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 Fire District is in the process of complying with the estoppel procedure. Such compliance will be completed by November 4, 2021.

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) restrictions relating to the period of probable usefulness with respect thereto.

Statutory Law in the State 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, generally, that such renewals do not exceed five years beyond the original date of borrowing. (See "Payment and Maturity" under "Constitutional Requirements" herein, and "Details of Outstanding Indebtedness" herein).

In general, the Local Finance Law contains provisions providing the Fire District with the power to issue certain other short-term general obligations indebtedness including revenue and tax anticipation notes, and budget or capital notes (see "Details of Outstanding Indebtedness" herein).

#### **Debt Outstanding End of Fiscal Year**

Fiscal Years Ending December 31:	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
Bonds	\$ 76,500	\$ 50,100	\$ 33,400	\$ 16,700	\$ 0
Bond Anticipation Notes	0	0	0	0	0
Other Debt	 0	 0	 0	 0	 0
Total Debt Outstanding	\$ 76,500	\$ 50,100	\$ 33,400	\$ 16,700	\$ 0

#### **Debt Statement Summary**

Summary of Indebtedness, Debt Limit and Net Debt-Contracting Margin as of October 15, 2021:

Five-Year Average Full Valuation of Taxable Real Property\$	,	188,451,417
Debt Limit 3% thereof		5,653,542
Inclusions:		
Bonds\$ 0		
Bonds Anticipation Notes		
Total Inclusions <u>\$</u>		
Exclusions:		
Appropriations         \$0           Total Inclusions         \$0		
Total Inclusions		
Total Net Indebtedness	₽.	0
		<u>U</u>
Net Debt-Contracting Margin	<u>\$</u>	5,653,542
The percent of debt contracting power exhausted is		0.00%

Note: The issuance of the Notes will increase the net indebtedness of the Fire District by \$5,480,000.

#### **Capital Project Plans**

Other than for the issuance of the Notes, the Fire District does not have any additional capital project plans, nor are any contemplated as of the date of this Official Statement.

#### **Cash Flow Borrowings**

The Fire District has not issued tax or revenue anticipation notes in the past and does not expect to issue such notes in the current fiscal year or in the foreseeable future.

#### **Lease Obligations**

The Fire District entered into a lease obligation for air packs and air breathing compressor on July 1, 2017. Currently, \$23,485.53 remains to be paid on the lease. The final payment in the amount of \$23,485.53 will be paid on March 15, 2022.

#### **Estimated Overlapping Indebtedness**

In addition to the Fire District, the following political subdivisions have the power to issue bonds and to levy taxes or cause taxes to be levied on taxable real property in the Fire District. The estimated net outstanding indebtedness of such political subdivisions is as follows:

	Status of	Gross	Estimated	Net	Town	Net Overlapping
<u>Municipality</u>	Debt as of	Indebtedness (1)	<b>Exclusions</b>	<u>Indebtedness</u>	<b>Share</b>	<u>Indebtedness</u>
County of:						
Montgomery	12/31/2019	\$ 331,955,000	\$ - (2	\$ 331,955,000	7.55%	\$ 25,062,603
School District:						
Canajoharie CSD	6/30/2020	7,470,000	6,588,540 (3	881,460	0.42%	3,702
Fonda-Fultonville CSD	6/30/2020	37,934,554	31,599,483 (3	6,335,071	34.73%	2,200,170
Town:						
Mohawk	12/31/2019	-	_ (2	_	100.00%	_
					Total:	\$ 27,266,475

<sup>(1)</sup> Bonds and bond anticipation notes are as of the close of the respective fiscal years and are not adjusted to include subsequent bond or note sales, if any.

Source: Comptroller's Special Report on Municipal Affairs for Local Finance Years Ended in 2019 for counties and towns and 2020 for school districts.

#### **Debt Ratios**

The following table sets forth certain ratios relating to the Fire District's indebtedness as of October 15, 2021:

	Amoun	<u>ıt</u>	<u>(</u>	Per Capita <sup>(a)</sup>	Full Value (b)
Net Indebtedness (c)	\$	0	\$	0.00	0.00%
Net Indebtedness Plus Net Overlapping Indebtedness (c)	27,266,4	475	7,	,247.86	13.69

<sup>(</sup>a) The 2019 estimated population of the Town of Mohawk is 3,762. (See "THE FIRE DISTRICT – Population" herein.)

Pursuant to applicable constitutional and statutory provisions, this indebtedness is deductible from gross indebtedness for debt limit purposes.

<sup>(3)</sup> Estimated State Building aid.

<sup>(</sup>b) The Fire District's full value of taxable real estate for its 2021 tax roll is \$199,242,142. (See "TAX INFORMATION – Taxable Valuations" herein.)

<sup>(</sup>c) See "Debt Statement Summary" herein.

<sup>(</sup>d) Estimated net overlapping indebtedness is \$27,266,475. (See "Estimated Overlapping Indebtedness" herein.)

#### SPECIAL PROVISIONS AFFECTING REMEDIES UPON DEFAULT

General Municipal Law Contract Creditors' Provision. Each Note when duly issued and paid for will constitute a contract between the Fire District and the holder thereof. Under current law, provision is made for contract creditors of the Fire District to enforce payments upon such contracts, if necessary, through court action. Section 3-a of the General Municipal Law provides, subject to exceptions not pertinent, that the rate of interest to be paid by the Fire District upon any judgment or accrued claim against it on an amount adjudged due to a creditor shall not exceed nine per centum (9.0%) per annum from the date due to the date of payment. This provision might be construed to have application to the holders of the Notes in the event of a default in the payment of the principal of and interest on the Notes.

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

**Authority to File For Municipal Bankruptcy.** The Federal Bankruptcy Code allows public bodies, such as counties, cities, towns and villages, recourse to the protection of a Federal Court for the purpose of adjusting outstanding indebtedness. Section 85.80 of the Local Finance Law contains specific authorization for any municipality in the State or its emergency control board to file a petition under any provision of Federal bankruptcy law for the composition or adjustment of municipal indebtedness. This provision does not by its terms apply to fire districts.

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

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

As a result of the Court of Appeals decision in <u>Flushing National Bank v. Municipal Assistance Corporation for the City of New York</u>, 40 N.Y.2d 731 (1976), the constitutionality of that portion of Title 6-A of Article 2 of the Local Finance Law enacted at the 1975 Extraordinary Session of the State legislature 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. <u>This provision does not by its terms apply to fire districts</u>.

Fiscal Stress and State Emergency Financial Control Boards. Pursuant to Article IX Section 2(b)(2) of the State Constitution, any local government in the State may request the intervention of the State in its "property, affairs and government" by a two-thirds vote of the total membership of its legislative body or on request of its chief executive officer concurred in by a majority of such membership. This has resulted in the adoption of special acts for the establishment of public benefit corporations with varying degrees of authority to control the finances (including debt issuance) of the cities of Buffalo, Troy and Yonkers and the County of Nassau. The specific authority, powers and composition of the financial control boards established by these acts varies based upon circumstances and needs. Generally, the State legislature has granted such boards the power to approve or disapprove budget and financial plans and to issue debt on behalf of the municipality, as well as to impose wage and/or hiring freezes and approve collective bargaining agreements in certain cases. Implementation is left to the discretion of the board of the public benefit corporation. Such a State financial control board was first established for New York City in 1975. In addition, on a certificate of necessity of the governor reciting facts which in the judgment of governor constitute an emergency requiring enactment of such laws, with the concurrences of two-thirds of the members elected in each house of the State legislature the State is authorized to intervene in the "property, affairs and governments" of local government units. This occurred in the case of the County of Erie in 2005. The authority of the State to intervene in the financial affairs of local government is further supported by Article VIII, Section 12 of the Constitution which declares it to be the duty of the State legislature to restrict, subject to other provisions of the Constitution, the power of taxation, assessment, borrowing money and contracting indebtedness and loaning the credit of counties, cities, towns and villages so as to prevent abuses in taxation and assessment and in contracting indebtedness by them.

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

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

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

Several municipalities in the State are presently working with the FRB. <u>School districts and fire districts are not eligible</u> for FRB assistance.

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

The Constitutional provision providing for first revenue set asides does not apply to tax anticipation notes, revenue anticipation notes or bond anticipation notes, and does not, in any event, apply by its terms to fire districts.

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

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

#### MARKET AND RISK FACTORS

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

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

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 market price of the Notes. See "TAX LEVY LIMITATION LAW" herein.

Current and future legislative proposals, if enacted into law, or clarification of the Code (as hereinafter defined) or court decisions may cause interest on the Notes to be subject, directly or indirectly, to federal income taxation or to be subject to or exempted from state income taxation, or otherwise prevent the beneficial owners of the Notes 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 Notes, or the tax status of interest on the Notes. See "TAX MATTERS" herein.

Disease outbreaks or similar public health threats could have an adverse impact on the Fire District's financial condition and operating results. See "COVID-19" herein for a discussion of the impacts of the COVID-19 pandemic.

<u>Cybersecurity.</u> The Fire 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 Fire 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

The outbreak of COVID-19, a serious respiratory disease caused by a novel strain of coronavirus, was declared a pandemic by the World Health Organization on March 11, 2020.

#### **Economic Impacts**

The outbreak of COVID-19 has drastically affected travel, commerce and financial markets globally. As almost all nations have experienced a rise in infections and implemented containment measures that in the case of some nations (including the United States) have been drastic, economies have suffered in the extreme. The full impact is difficult to predict due to uncertainties regarding the duration and severity of the COVID-19 pandemic.

While initially the hospitality and tourism industries were hardest hit, within a short period of time there was widespread unemployment across all economic sectors in the United States.

Uncertainty regarding the short, medium and long-term effects of the COVID-19 pandemic initially caused extreme volatility across all financial markets, including the primary and secondary markets for municipal bonds. In the United States, Congress and the Federal Reserve have taken significant steps to backstop those markets and to provide much-needed liquidity, and markets have since generally stabilized. Still, given these conditions, it is possible that the process of trading the Notes in the secondary market could be affected in ways that are difficult to predict.

#### **Federal Response**

The federal government passed several pieces of legislation in response to the COVID-19 pandemic including the \$2.3 trillion Coronavirus Aid, Relief, and Economic Security ("CARES") Act, which attempted to address financial stability and liquidity issues through a variety of stimulus measures.

Stimulus Efforts for State and Local Governments: The CARES Act included a \$150 billion Coronavirus Relief Fund, which provided funds to states, tribal governments and local governments with populations exceeding 500,000 (local governments with smaller populations can receive monies from the amount allocated to their state). The money was intended for programs that were necessary expenditures incurred due to the public health emergency resulting from the pandemic. The money was not intended to be used to directly account for revenue shortfalls due to the COVID-19 pandemic, but it may have indirectly assisted with revenue shortfalls in cases where the expenses that were being covered by this fund would otherwise create a further budget shortfall. Because the money was targeted to larger governmental units, it is unlikely that the District benefited directly from this program. Additionally, the recently enacted Coronavirus Response and Relief Supplemental Appropriations Act, 2021, did not include any direct funding for state and local governments.

President Biden has signed into law the American Rescue Plan, a \$1.9 trillion COVID-19 relief package that includes \$350 billion to state, local and territorial governments to keep their frontline workers employed, distribute the vaccine, increase testing, reopen schools and maintain vital services. The American Rescue Plan also includes an additional \$1,400 payment to eligible individuals and families, enhanced unemployment aid, rental and utility assistance to low and moderate income households, an increase in food stamp benefits, additional funding for child care and an increase in child care tax credits. As of the date of this Official Statement it is not possible to predict the impact that the American Rescue Plan will have on the finances of the State and the Fire District.

Although the American Rescue Plan provides for funds to be paid to the State, it is not possible to predict whether any future federal legislation will contain reduction in other federal aid to the State. Any reduction in Federal funding levels 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 new 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.

#### **State Response**

Executive Orders: Governor Cuomo has released a number of executive orders in response to the COVID-19 pandemic, including various mandates requiring "non-essential" employees to work from home. Starting on May 15, 2020, regions of the State that met certain criteria were allowed to begin reopening. Reopening occurred in phases, with different industries allowed to open in each phase. However, in response to rising COVID-19 infection rates, Governor Cuomo announced a new cluster action initiative in October of 2020. Working with public health experts, the State developed a science-based approach to contain these clusters and stop any further spread of the virus, including new rules and restrictions directly targeted to areas with the highest concentration of COVID cases and surrounding communities. The initiative will divide clusters and surrounding areas into three categories with successively higher restrictions within each category: Yellow Zone (precautionary), Orange Zone (warning) and Red Zone (cluster itself). See <a href="https://forward.ny.gov/">https://forward.ny.gov/</a> for more details on the relevant industry-specific guidelines provided by the Department of Health for each cluster zone. Reference to website implies no warranty of accuracy of information therein.

<u>State Budget</u>: The City of New York was an early epicenter of the COVID-19 pandemic in the United States, and as a result the State has suffered (and expects to continue to suffer) significant revenue shortfalls and unanticipated expenses.

To mitigate a potential budget gap, the State's adopted budget for the fiscal year ending March 31, 2021 allows the State to reduce expenditures (including aid to local school districts and municipalities) if, during certain defined periods in 2020 (i.e., April 1 - April 30, May 1- June 30, and July 1 - December 31), tax receipts are lower than anticipated or disbursements from the State's general fund are higher than anticipated. In such a scenario, the State Budget Director will develop a plan to make spending reductions. The State Budget Director's plan would take effect automatically unless the Legislature passes its own plan within ten days. It is theoretically possible for such reductions to later be restored under certain circumstances.

On April 25, 2020, the State Division of the Budget (the "DOB") announced the release of the State's Fiscal Year 2021 Enacted State Budget Financial Plan (the "Financial Plan"), which projected a \$13.3 billion (14%) shortfall in State revenues from the Executive Budget Forecast that was released in January and estimated a \$61 billion decline through Fiscal Year 2024 as a direct consequence of the COVID-19 pandemic. As a result, in the absence of Federal assistance, initial budget control actions outlined in the Financial Plan will reduce spending by \$10.1 billion from the Executive Budget. This represents a \$7.3 billion reduction in State spending from FY 2020 levels.

On October 30, 2020, the DOB released the FY 2021 Mid-Year State Budget Financial Plan Update, with a revised projection of a \$14.9 billion shortfall, over \$1.6 billion more than was projected in April. The updated Financial Plan also noted that, in the absence of additional federal aid, the DOB began withholding 20 percent of most local aid payments in June, pursuant to the withholding authority granted in the fiscal year 2021 enacted budget. As of the date of this Official Statement, the DOB has not converted such withholds to permanent reductions, but the DOB has stated that such a conversion may be made depending on the size and timing of new federal aid, if any.

Negotiations for additional federal aid to states and local governments have stalled; therefore, the extent of future COVID-19-related direct federal financial relief, if any, to states, localities and school districts cannot be predicted. Reductions in the payment of State aid could adversely affect the financial condition of municipalities in the State, including the District.

<u>Legislation Allowing Financial Flexibility for Municipalities and School Districts</u>: On August 24, 2020, Governor Cuomo signed legislation allowing municipalities and school districts additional financial flexibility in response to the COVID-19 pandemic. Whereas municipalities and school districts in the State typically may only pursue short-term financing for five years, under certain circumstances the new legislation allows an additional two years prior to converting to long-term bonds.

The new legislation also allows municipalities and school districts additional flexibility related to the use of reserve funds or inter-fund transfers for costs associated with COVID-19. The typical mandatory or permissive referendum requirements for the expenditure of funds from a capital reserve fund have been waived for capital costs attributable to the COVID-19 pandemic. Moneys from a capital reserve fund can also be temporarily advanced for operating costs or other costs attributable to the COVID-19 pandemic, so long as such moneys are repaid within five fiscal years, with interest. Additionally, while inter-fund transfers must typically be repaid by the end of the fiscal year in which the transfer is made, inter-fund advances for costs attributable to the COVID-19 pandemic do not need to be repaid until the close of the following fiscal year.

#### TAX MATTERS

#### **The Notes**

Hodgson Russ LLP, of Albany, New York, Bond Counsel, will deliver an opinion that, under existing law, the interest on the Notes is excluded from gross income of the holders thereof for federal income tax purposes and is not an item of tax preference for the purpose of the individual alternative minimum tax imposed by the Internal Revenue Code of 1986, as amended (the "Code"). However, such opinion will note that the Fire District, by failing to comply with certain restrictions contained in the Code, may cause interest on the Notes to become subject to federal income taxation from the date of issuance of the Notes. Prospective purchasers should consult their tax advisers as to any possible collateral consequences from their ownership of, or receipt of interest on, or disposition of, the Notes. Bond Counsel expresses no opinion regarding any such collateral federal income tax consequences.

#### **Tax Requirements**

In rendering the foregoing opinions, Hodgson Russ LLP will note that the exclusion of the interest on the Notes from gross income for federal income tax purposes is subject to, among other things, continuing compliance by the Fire District with the applicable requirements of Code Sections 141, 148, and 149, and the regulations promulgated thereunder (collectively, the "Tax Requirements"). In the opinion of Hodgson Russ LLP, the tax compliance certificate and non arbitrage certificate that will be executed and delivered by the Fire District in connection with the issuance of the Notes (collectively, the "Tax Certificate") establishes the requirements and procedures, compliance with which will satisfy the Tax Requirements.

The Tax Requirements referred to above, which must be complied with in order that interest on the Notes remains excluded from gross income for federal income tax purposes, include, but are not limited to:

- The requirement that the proceeds of the Notes be used in a manner so that the Notes are not obligations which meet the definition of a "private activity bond" within the meaning of Code Section 141;
  - The requirements contained in Code Section 148 relating to arbitrage bonds; and
- 3 The requirements that payment of principal or interest on the Notes not be directly or indirectly guaranteed (in whole or in part) by the United States (or any agency or instrumentality thereof) as provided in Code Section 149(b).

In the Tax Certificate, the District will covenant to comply with the Tax Requirements, and to refrain from taking any action which would cause the interest on the Notes to be includable in gross income for federal income tax purposes. Any violation of the Tax Requirements may cause the interest on the Notes to be included in gross income for federal income tax purposes from the date of issuance of the Notes. Hodgson Russ LLP expresses no opinion regarding other federal tax consequences arising with respect to the Notes.

#### **Bank Qualified**

The Notes will be designated as "qualified tax-exempt obligations" pursuant to Code Section 265.

#### **Other Impacts**

Prospective purchasers of the Notes should be aware that ownership of, accrual or receipt of interest on, or disposition of, the Notes 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 Retirement 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 from their ownership of, or receipt of interest on, or disposition of, the Notes. Bond Counsel expresses no opinion regarding any such collateral federal income tax consequences.

#### **Information Reporting and Backup Withholding**

In general, information reporting requirements will apply to non-corporate holders with respect to payments of principal, payments of interest, and the proceeds of the sale of a bond before maturity within the United States. Backup withholding may apply to a holder of the Notes under Code section 3406, if such holder fails to provide the information required on Internal Revenue Service ("IRS") Form W-9, Request for Taxpayer Identification Number and Certification, or the IRS has specifically identified the holder as being subject to backup withholding because of prior underreporting. Any amounts withheld under the backup withholding rules from a payment to a beneficial owner, and which constitutes over-withholding, would be allowed as a refund or a credit against such beneficial owner's United States federal income tax provided the required information is furnished to the IRS. Neither the information reporting requirement nor the backup withholding requirement affects the excludability of interest on the Notes from gross income for federal income tax purposes.

#### **Future Legislation**

Bond Counsel has not undertaken to advise in the future whether any events occurring after the date of issuance of the Notes may affect the tax status of interest on the Notes. The Code has been continuously subject to legislative modifications, amendments, and revisions, and proposals for further changes are regularly submitted by leaders of the legislative and executive branches of the federal government.

No representation is made as to the likelihood of such proposals being enacted, or if enacted, the effective date of any such legislation, and no assurances can be given that such proposals or amendments will not materially and adversely affect the economic value of the Notes or the tax consequences of ownership of the Notes.

Prospective purchasers of the Notes should consult their own tax advisers regarding pending or proposed federal and state tax legislation and court proceedings, and prospective purchasers of the Notes at other than their original issuance at the respective prices set indicated on the cover of this Official Statement should also consult their own tax advisers regarding other tax considerations, such as the consequences of market discount, as to which Bond Counsel expresses no opinion.

#### **New York State Taxes**

In the opinion of Bond Counsel, interest on the Notes is exempt, under existing statutes, from New York State and New York City personal income taxes.

#### **Miscellaneous**

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

Bond Counsel's engagement with respect to the Notes ends with the issuance of the Notes. Bond Counsel has not undertaken to advise in the future whether any events occurring after the date of issuance of the Notes may affect the tax status of interest on the Notes. Unless separately engaged, Bond Counsel is not obligated to defend the Fire District or the owners of the Notes regarding the tax status of the interest thereon in the event of an audit examination by the Service.

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

#### LEGAL MATTERS

The legality of the authorization and issuance of the Notes will be covered by the unqualified legal opinion of Hodgson Russ LLP, Bond Counsel, Albany, New York. Such legal opinion will state that in the opinion of Bond Counsel (i) the Notes have been authorized and issued in accordance with the Constitution and statutes of the State of New York and constitute valid and legally binding general obligations of the Fire District, all the taxable property within which is subject to the levy of ad valorem taxes to pay the Notes and interest thereon, without limitation as to rate or amount, subject to the statutory limitation imposed by the Tax Levy Limitation Law, (ii) interest on the Notes is exempt from personal income taxes imposed by the State of New York or any political subdivision thereof, including the City of New York; and (iii) interest on the Notes is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals. The opinions of Bond Counsel set forth in (iii) above are subject to the condition that the District comply with all requirements of the Code that must be satisfied subsequent to the issuance of the Notes in order that interest thereon be, or continue to be, excluded from gross income for federal income tax purposes. The Fire District has covenanted to comply with each such requirement. Failure to comply with certain of such requirements may cause the inclusion of interest on the Notes in gross income for federal income tax purposes to be retroactive to the date of issuance of the Notes. Bond Counsel expresses no opinion regarding other federal tax consequences arising with respect to the Notes. It is to be understood that the rights of the holders of the Notes and the enforceability thereof may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights heretofore or hereafter enacted to the extent constitutionally applicable and that their enforcement may be also subject to exercise of judicial discretion in appropriate cases. See "TAX LEVY LIMITATION LAW" herein.

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 accuracy of the signatures appearing upon such public records, documents and proceedings and such certifications; (ii) the scope of Bond Counsel's engagement in relation to the issuance of the Notes 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 District, together with other legally available sources of revenue, if any, will be sufficient to enable the Fire District to pay the principal of and interest on the Notes as the same respectively become due and payable; (iv) reference should be made to this Official Statement for factual information which, in the judgment of the Fire District, would materially affect the ability of the Fire 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 District, in connection with the sale of the Notes, has made any untrue statement of a material fact, or omitted to state a material fact necessary in order to make any statements made, in the light of the circumstances under which they were made, not misleading.

Certain legal matters will be passed on for the Underwriter by its counsel, Orrick, Herrington & Sutcliffe LLP, New York, New York.

#### LITIGATION

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

There is no action, suit, proceedings or investigation, at law or in equity, before or by any court, public board or body pending or, to the best knowledge of the Fire District, threatened against or affecting the Fire District to restrain or enjoin the issuance, sale or delivery of the Notes or the levy and collection of taxes or assessments to pay same, or in any way contesting or affecting the validity of the Notes or any proceedings or authority of the Fire District taken with respect to the authorization, issuance or sale of the Notes or contesting the corporate existence or boundaries of the Fire District.

#### CONTINUING DISCLOSURE

In order to assist the purchasers in complying with Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended ("Rule 15c2-12"), the Fire District will enter into a Continuing Disclosure Undertaking Certificate, the form of which is attached hereto as "APPENDIX – B".

#### **Historical Continuing Disclosure Compliance**

The Fire District has not been subject to any Continuing Disclosure Undertakings in the past five years.

#### RATING

The Notes are <u>not</u> rated. The purchaser(s) of the Notes may choose to have a rating completed after the sale pending the approval of the Fire District and at the expense of the purchaser(s), including any fees to be incurred by the Fire District, as such rating action will result in a material event notification to be posted to EMMA which is required by the Fire District.

The Fire District currently has no debt outstanding rated by any rating agency.

#### MUNICIPAL ADVISOR

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

#### **CUSIP IDENTIFICATION NUMBERS**

It is anticipated that CUSIP (an acronym that refers to Committee on Uniform Security Identification Procedures) identification numbers will be printed on the Notes. All expenses in relation to the printing of CUSIP numbers on the Notes will be paid for by the County provided, however; the County assumes no responsibility for any CUSIP Service Bureau charge or other charge that may be imposed for the assignment of such numbers.

#### **MISCELLANEOUS**

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 Notes.

Statements in this official statement, and the documents included by specific reference, that are not historical facts are forward-looking statements, which are based on the Fire District management's beliefs as well as assumptions made by, and information currently available to, the Fire District's management and staff. Because the statements are based on expectations about future events and economic performance and are not statements of fact, actual results may differ materially from those projected. Important factors that could cause future results to differ include legislative and regulatory changes, changes in the economy, and other factors discussed in this and other documents that the Fire District's files with the repositories. When used in Fire District documents or oral presentation, the words "anticipate", "estimate", "expect", "objective", "projection", "forecast", "goal", or similar words are intended to identify forward-looking statements.

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

Bond Counsel expresses no opinions as to the accuracy or completeness of information in any documents prepared by or on behalf of the Fire District for use in connection with the offer and sale of the Notes, including but not limited to, the financial or statistical information in this Official Statement.

References herein to the Constitution of the State and various State and federal laws are only brief outlines of certain provisions thereof and do not purport to summarize or describe all of such provisions.

Concurrently with the delivery of the Notes, the Fire District 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 herein, in the light of the circumstances under which they were made, not misleading, subject to a limitation as to information in the Official Statement obtained from sources other than the Fire District.

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

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

Fiscal Advisors & Marketing, Inc. may place a copy of this Official Statement on its website at www.fiscaladvisors.com. Unless this Official Statement specifically indicates otherwise, no statement on such website is included by specific reference or constitutes a part of this Official Statement. Fiscal Advisors & Marketing, Inc. has prepared such website information for convenience, but no decisions should be made in reliance upon that information. Typographical or other errors may have occurred in converting original source documents to digital format, and neither the Fire District nor Fiscal Advisors & Marketing, Inc. assumes any liability or responsibility for errors or omissions on such website. Further, Fiscal Advisors & Marketing, Inc. and the Fire District disclaim any duty or obligation either to update or to maintain that information or any responsibility or liability for any damages caused by viruses in the electronic files on the website. Fiscal Advisors & Marketing, Inc. and the Fire District also assume no liability or responsibility for any errors or omissions or for any updates to dated website information.

The Fire District's contact information is as follows: Kimberly Sullivan, Fire District Secretary, Town of Mohawk Fire District, 2553 State Highway 30A, Fonda, New York 12068, Telephone (518) 853-4213, Email: tnmohawk@frontiernet.net.

Additional copies of the Notice of Sale and the Official Statement may be obtained upon request from the offices of Fiscal Advisors & Marketing, Inc., telephone number (315) 752-0051, or at www.fiscaladvisors.com

TOWN OF MOHAWK FIRE DISTRICT

Dated: October 15, 2021

KANDACE ROSE

Fire District Treasurer &

Chief Fiscal Officer

#### GENERAL FUND

#### **Balance Sheets**

Fiscal Year Ending December 31:	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
ASSETS  Cash & Cash Equivalents  Cash - Special Reserves  Accounts Receivable  Prepaid Expenses	\$ 72,018 65,869 -	\$ 116,338 65,885	\$ 82,882 65,906 -	\$ 68,965 86,092 -	\$ 27,687 101,180 -
TOTAL ASSETS	\$ 137,887	\$ 182,223	\$ 148,788	\$ 155,057	\$ 128,867
LIABILITES AND FUND EQUITY Accounts Payable & Accrued Liabilities TOTAL LIABILITIES	\$ - - \$ -	\$ - - \$ -	\$ - - \$ -	\$ - - \$ -	\$ - - \$ -
FUND EQUITY Appropriated Unappropriated TOTAL FUND EQUITY	\$ 20,000 117,887 \$ 137,887	\$ 75,000 107,223 \$ 182,223	\$ 52,500 96,288 \$ 148,788	\$ 65,537 89,520 \$ 155,057	\$ 19,615 109,252 \$ 128,867
TOTAL LIABILITES and FUND EQUITY	\$ 137,887	\$ 182,223	\$ 148,788	\$ 155,057	\$ 128,867

Source: 2016-2020 Annual Financial Report Update Document (unaudited) of the Fire District. This Appendix itself is not audited.

GENERAL FUND

Revenues, Expenditures and Changes in Fund Balance

Fiscal Years Ending December 31:	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
REVENUES					
Real Property Taxes & Tax Items	\$ 222,326	\$ 329,366	\$ 368,726	\$ 369,885	\$ 406,413
Departmental Income	223	1,948	350	7,133	2,953
Use of Money and Property	52	51	55	40	114
Sales of Equipment	-	-	-	4,793	-
Insurance Recoveries	-	-	-	-	-
State Aid	12,007	8,418	7,743	-	-
Miscellaneous	68	105	60	253	
Total Revenues	\$ 234,676	\$ 339,888	\$ 376,934	\$ 382,104	\$ 409,480
<u>EXPENDITURES</u>					
Public Safety	119,231	145,786	154,923	147,598	148,213
Equipment & Capital Outlay	-	-	-	-	· -
Contractual	-	-	-	-	-
Employee Benefits	-	-	-	-	-
Judgements & Claims	-	-	-	-	-
Debt Service	30,862	29,766	18,970	18,213	17,457
Total Expenditures	\$ 150,093	\$ 175,552	\$ 173,893	\$ 165,811	\$ 165,670
Excess of Revenues Over (Under)					
Expenditures	84,583	164,336	203,041	216,293	243,810
Other Financing Sources (Uses):					
Operating Tranfers In	-	-	-	-	-
Operating Tranfers Out	(102,295)	(120,000)	(236,500)	(210,000)	(270,000)
Total Other Financing	\$ (102,295)	\$ (120,000)	\$ (236,500)	\$ (210,000)	\$ (270,000)
Excess of Revenues and Other Sources Over (Under) Expeditures					
and Other Uses	(17,712)	44,336	(33,459)	6,293	(26,190)
FUND BALANCE					
Fund Balance - Beginning of Year	155,599	137,887	182,223	148,764	155,057
Prior Period Adjustments (net)					
Fund Balance - End of Year	\$ 137,887	\$ 182,223	\$ 148,764	\$ 155,057	\$ 128,867

Source: 2016-2020 Annual Financial Report Update Document (unaudited) of the Fire District. This Appendix itself is not audited.

GENERAL FUND

Revenues, Expenditures and Changes in Fund Balance - Budget and Actual

		20	20			2021
		Adopted				Adopted
		<u>Budget</u>		<u>Actual</u>		<u>Budget</u>
<u>REVENUES</u>						
Real Property Taxes & Tax Items	\$	406,413	\$	406,413	\$	442,585
Departmental Income		-		2,953		-
Use of Money and Property		-		114		-
Sales of Equipment		-		-		-
Insurance Recoveries Grant Income		-		-		-
Miscellaneous		-		-		-
		<u>-</u> _				
Total Revenues	\$	406,413	\$	409,480	\$	442,585
EXPENDITURES						
Public Safety		143,750		148,213		152,200
Equipment		-		-		-
Contractual		-		-		-
Employee Benefits		-		-		-
Debt Service		43,200		17,457		25,000
Total Expenditures	\$	186,950	\$	165,670	\$	177,200
Excess of Revenues Over (Under)						
Expenditures		219,463		243,810		265,385
Experiences		219,103		213,010		200,000
Other Financing Sources (Uses):						
Operating Tranfers In		-		-		-
Operating Tranfers Out		(285,000)		(270,000)		(285,000)
Total Other Financing	\$	(285,000)	\$	(270,000)	\$	(285,000)
Excess of Revenues and Other						
Sources Over (Under) Expeditures						
and Other Uses		(65,537)		(26,190)		(19,615)
		(00,007)		(=0,100)	-	(15,015)
FUND BALANCE						
Fund Balance - Beginning of Year		65,537		155,057		19,615
Prior Period Adjustments (net)	Ф.		Ф.	120.07	Φ.	
Fund Balance - End of Year	\$		\$	128,867	\$	

Source: 2020 Annual Financial Report Update Document (unaudited) and Adopted Budgets (unaudited) of the Fire District. This Appendix itself is not audited.

#### FORM UNDERTAKING TO PROVIDE NOTICES OF EVENTS

This undertaking to provide notice of certain designated events (the "Disclosure Undertaking") is executed and delivered by the Town of Mohawk Fire District, a fire district of the State of New York (the "Issuer") in connection with the issuance of its \$5,480,000 Bond Anticipation Notes, 2021 (the "Security"). The Security has a stated maturity of 18 months or less. The Issuer hereby covenants and agrees as follows:

Section 1. Obligation to Provide Notices of Events. (a) The Issuer hereby undertakes (for the benefit of Security Holders) to provide (or cause to be provided either directly or through a dissemination agent) to EMMA (or any successor thereto) in an electronic format (as prescribed by the MSRB) in a timely manner (not in excess of ten business days after the occurrence of any such event) notice of any of the following events with respect to the Security:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701–TEB) or other material notices or determinations with respect to the tax status of the Security, or other material events affecting the tax status of the Security;
- (7) Modifications to rights of Security Holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the Security, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;

Note to paragraph (12): For the purposes of the event identified in paragraph (12) of this section, the event is considered to occur when any of the following occur: The appointment of a receiver, fiscal agent or similar officer for an obligated person 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 obligated person, 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 obligated person.

- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;

- (15) Incurrence of a Financial Obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the obligated person, any of which affect Security Holders, if material; and
- (16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the obligated person, any of which reflect financial difficulties.
- (b) The Issuer may choose to disseminate other information in addition to the information required as part of this Disclosure Undertaking. Such other information may be disseminated in any manner chosen by the Issuer. If the Issuer disseminates any such additional information, the Issuer shall have no obligation to update such information or include it in any future materials disseminated pursuant to this Disclosure Undertaking.
- (c) The Issuer may choose to provide notice of the occurrence of certain other events, in addition to those listed in Section 1(a) above, if the Issuer determines that any such other event is material with respect to the Security; but the Issuer does not undertake to commit to provide any such notice of the occurrence of any material event except those events listed above.

#### Section 2. Definitions

"EMMA" shall mean Electronic Municipal Market Access System implemented by the MSRB.

"Financial Obligation" shall mean a (A) debt obligation; (B) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (C) guarantee of (A) or (B). Financial Obligation shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

"MSRB" shall mean the Municipal Securities Rulemaking Board established in accordance with the provisions of Section 15B(b)(1) of the Securities Exchange Act of 1934, or any successor thereto or to the functions of the MSRB contemplated by this Disclosure Undertaking.

"Purchaser" shall mean the financial institution referred to in a certain Certificate of Determination that is being delivered by the Issuer in connection with the issuance of the Security.

"Rule 15c2-12" shall mean Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended through the date of this Disclosure Undertaking, including any official interpretations thereof.

"Security Holder" shall mean any registered owner of the Security and any beneficial owner of the Security within the meaning of Rule 13d-3 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934.

Section 3. Remedies. If the Issuer fails to comply with any provision of this Disclosure Undertaking, then any Security Holder may enforce, for the equal benefit and protection of all Security Holders similarly situated, by mandamus or other suit or proceeding at law or in equity, this Disclosure Undertaking against the Issuer and any of the officers, agents and employees of the Issuer, and may compel the Issuer or any such officers, agents or employees to perform and carry out their duties under this Disclosure Undertaking; provided that the sole and exclusive remedy for breach of this Disclosure Undertaking shall be an action to compel specific performance of the obligations of the Issuer hereunder and no person or entity shall be entitled to recover monetary damages hereunder under any circumstances. Failure to comply with any provision of this Disclosure Undertaking shall not constitute an event of default on the Security.

Section 4. <u>Parties in Interest</u>. This Disclosure Undertaking is executed to assist the Purchaser to comply with paragraph (b)(5) of Rule 15c2-12 and is delivered for the benefit of the Security Holders. No other person has any right to enforce the provisions hereof or any other rights hereunder.

Section 5. <u>Amendments</u>. Without the consent of any Security Holders, at any time while this Disclosure Undertaking is outstanding, the Issuer may enter into any amendments or changes to this Disclosure Undertaking for any of the following purposes:

- (a) to comply with or conform to any changes to Rule 15c2-12 (whether required or optional);
- (b) to add a dissemination agent for the information required to be provided as part of this Disclosure Undertaking and to make any necessary or desirable provisions with respect thereto;
- (c) to evidence the succession of another person to the Issuer and the assumption of any such successor of the duties of the Issuer hereunder;
- (d) to add to the duties of the Issuer for the benefit of the Security Holders, or to surrender any right or power herein conferred upon the Issuer;
- (e) to cure any ambiguity, to correct or supplement any provision hereof which may be inconsistent with any other provision hereof, or to make any other provisions with respect to matters or questions arising under this Disclosure Undertaking which, in each case, comply with Rule 15c2-12 or Rule 15c2-12 as in effect at the time of such amendment or change; <u>provided</u> that no such action pursuant to this Section 5 shall adversely affect the interests of the Security Holders in any material respect. In making such determination, the Issuer shall rely upon an opinion of nationally recognized bond counsel.

Section 6. <u>Termination</u>. (a) This Disclosure Undertaking shall remain in full force and effect until such time as all principal, redemption premiums, if any, and interest on the Security shall have been paid in full or the Security shall have otherwise been paid or legally defeased in accordance with their terms. Upon any such legal defeasance, the Issuer shall provide notice of such defeasance to EMMA. Such notice shall state whether the Security has been defeased to maturity or to redemption and the timing of such maturity or redemption.

(b) In addition, this Disclosure Undertaking, or any provision hereof, shall be null and void in the event that those portions of Rule 15c2-12 which require this Disclosure Undertaking, or such provision, as the case may be, do not or no longer apply to the Security, whether because such portions of Rule 15c2-12 are invalid, have been repealed, or otherwise.

Section 7. <u>Undertaking to Constitute Written Agreement or Contract</u>. This Disclosure Undertaking shall constitute the written agreement or contract for the benefit of Security Holders, as contemplated under Rule 15c2-12.

Section 8. Governing Law. This Disclosure Undertaking shall be governed by the laws of the State of New York determined without regard to principles of conflict of law.

IN WITNESS WHEREOF, the undersigned has duly authorized, executed and delivered this Disclosure Undertaking as of November\_\_\_, 2021.

# D ///

TOWN OF MOHAWK FIRE DISTRICT

By: /s/:	
	Fire District Treasurer

# TOWN OF MOHAWK FIRE DISTRICT IN THE TOWN OF MOHAWK MONTGOMERY COUNTY, NEW YORK

# ANNUAL FINANCIAL REPORT UPDATE DOCUMENT (UNAUDITED)

Fiscal Year Ended December 31, 2020

All Numbers in This Report Have Been Rounded To The Nearest Dollar

ANNUAL FINANCIAL REPORT

**UPDATE DOCUMENT** 

For The

FIRE DISTRICT of Mohawk

County of Montgomery

For the Fiscal Year Ended 12/31/2020

#### **AUTHORIZATION**

ARTICLE 3, SECTION 30 of the GENERAL MUNICPAL LAW:

- 1. \*\*\*Every Municipal Corporation \*\*\* shall annually make a report of its financial condition to the Comptroller. Such report shall be made by the Chief Fiscal Officer of such Municipal Corporation \*\*\*
- 5. All reports shall be certified by the officer making the same and shall be filed with the Comptroller \*\*\* It shall be the duty of the incumbent officer at the time such reports are required to be filed with the Comptroller to file such report \*\*\*

State of NEW YORK
Office of The State Comptroller
Division of Local Government and School Accountability
Albany, New York 12236

#### FIRE DISTRICT OF Mohawk

## \*\*\* FINANCIAL SECTION \*\*\*

Financial Information for the following funds and account groups are included in the Annual Financial Report filed by your government for the fiscal year ended 2019 and has been used by the OSC as the basis for preparing this update document for the fiscal year ended 2020:

- (A) GENERAL
- (H) CAPITAL PROJECTS
- (K) GENERAL FIXED ASSETS
- (R) RESERVE
- (R1) FIRE APPARATUS
- (R2) FIRE STATION
- (R3) SCBA
- (R4) PROTECTIVE EQUIPMENT
- (W) GENERAL LONG-TERM DEBT

All amounts included in this update document for 2019 represent data filed by your government with OSC as reviewed and adjusted where necessary.

### \*\*\* SUPPLEMENTAL SECTION \*\*\*

The Supplemental Section includes the following sections:

- 1) Statement of Indebtedness
- 2) Schedule of Time Deposits and Investments
- 3) Bank Reconciliation
- 4) Local Government Questionnaire
- 5) Schedule of Employee and Retiree Benefits
- 6) Schedule of Energy Costs and Consumption

All numbers in this report will be rounded to the nearest dollar.

### Mohawk FIRE DISTRICT Annual Update Document For the Fiscal Year Ending 2020

#### (A) GENERAL

Balance Sheet

Code Description	2019	EdpCode	2020
Assets			
Cash	68,965	A200	27,687
Cash In Time Deposits	86.092	A201	101,180
TOTAL Cash	,	AZUT	
TOTAL Access and Defense LO Miles	155,057		128,867
TOTAL Assets and Deferred Outflows of Resources	155,057		128,867

# Mohawk FIRE DISTRICT Annual Update Document For the Fiscal Year Ending 2020

#### (A) GENERAL

Balance Sheet

Code Description Fund Balance	2019	EdpCode	2020
Assigned Appropriated Fund Balance			
Assigned Unappropriated Fund Balance	65,537	A914	19,615
TOTAL Assigned Fund Balance	89,520	A915	109,252
TOTAL Fund Balance	155,057		128,867
	155,057		128,867
OTAL Liabilities, Deferred Inflows And Fund Balance	155,057		128,867

## Mohawk FIRE DISTRICT Annual Update Document For the Fiscal Year Ending 2020

#### (A) GENERAL

Results of Operation

Code Description	2019	EdpCode	2020
Revenues		Lupoode	2020
Real Property Taxes	200 005		
TOTAL Real Property Taxes	369,885	A1001	406,413
Treasurer Fees	369,885		406,413
TOTAL Departmental Income	7,133	A1230	2,953
Interest And Earnings	7,133		2,953
_	40	A2401	114
TOTAL Use of Money And Property	40		114
Insurance Recoveries	4,793	A2680	
TOTAL Sale of Property And Compensation For Loss	4,793		^
Refunds of Prior Year's Expenditures		<b>^</b> 0704	0
Unclassified (specify)	253	A2701	
TOTAL Miscellaneous Local Sources		A2770	
TOTAL Revenues	253		0
	382,104		409,480
TOTAL Detail Revenues And Other Sources	382,104		409,480

#### (A) GENERAL

Code Description	2040		
Expenditures	2019	EdpCode	2020
Fire, Pers Serv			
Fire, Equip & Cap Outlay	5,180	A34101	5,190
Fire, Contr Expend	33,854	A34102	32,244
TOTAL Fire	108,564	A34104	110,779
TOTAL Public Safety	147,598		148,213
Debt Principal, Serial Bonds	147,598		148,213
	16,700	A97106	16,700
TOTAL Debt Principal	16,700		40.700
Debt Interest, Serial Bonds	1,513	A97107	<b>16,700</b> 757
TOTAL Debt Interest			701
TOTAL Expenditures	1,513		757
	165,811		165,670
Transfers, Capital Projects Fund	210,000	A99509	270,000
TOTAL Operating Transfers	210,000		
TOTAL Other Uses			270,000
TOTAL Detail Expenditures And Other Uses	210,000		270,000
Expenditures And Office Uses	375,811		435,670

#### (A) GENERAL

# Analysis of Changes in Fund Balance

Code Description			
Analysis of Changes in Fund Balance	2019	EdpCode	2020
Fund Balance - Beginning of Year  Restated Fund Balance - Beg of Year  ADD - REVENUES AND OTHER SOURCES  DEDUCT - EXPENDITURES AND OTHER USES  Fund Balance - End of Year	<b>148,764 148,764</b> 382,104 375,811 <b>155,057</b>	A8021 A8022 A8029	<b>155,057 155,057</b> 409,480 435,670
	155,057	A0029	128,867

#### (A) GENERAL

**Budget Summary** 

Code Description	2020	EdpCode	2021
Estimated Revenues			LULI
Est Rev - Real Property Taxes	406,413	A1049N	442.585
TOTAL Estimated Revenues	406,413		442,585
Appropriated Fund Balance	65,537	A599N	19.615
TOTAL Estimated Other Sources	65.537		19,615
TOTAL Estimated Revenues And Other Sources	/		,
The control country	471,950		462,200

## (A) GENERAL

Budget Summary

Code Description Appropriations	2020	EdpCode	2021
App - Public Safety	143,750	A3999N	450.000
App - Debt Service	43,200		152,200
TOTAL Appropriations	,	A9899N	25,000
App - Interfund Transfer	186,950		177,200
TOTAL Other Uses	285,000	A9999N	285,000
	285,000		285,000
TOTAL Appropriations And Other Uses	471,950		462,200

#### (H) CAPITAL PROJECTS

Code Description	2010	
Assets	2019 EdpCod	e 2020
Cash	H200	
TOTAL Cash		
Deferred Outflow of Resources	0	0
TOTAL Deferred Outflows of Resources	317,000 H495	
	317,000	0
TOTAL Assets and Deferred Outflows of Resources	317,000	0

## (H) CAPITAL PROJECTS

Code Description	2019 Ec	pCode	2020
Fund Balance Not in Spendable Form	•	H806	LOLU
TOTAL Nonspendable Fund Balance		1000	
Assigned Unappropriated Fund Balance	<b>0</b> 317,000	H915	0
TOTAL Assigned Fund Balance	317,000	1010	_
TOTAL Fund Balance			0
TOTAL Liabilities, Deferred Inflows And Fund Balance	317,000		0
	317,000		0

## (H) CAPITAL PROJECTS

Code Description Other Sources	2019	EdpCode	2020
Interfund Transfers	317,000	H5031	
TOTAL Interfund Transfers	317,000	Поизт	
TOTAL Other Sources	317,000		
TOTAL Detail Revenues And Other Sources	317,000		C

#### (H) CAPITAL PROJECTS

Code Description	2019	EdpCode	2020
Expenditures	LOTO	Lapoude	2020
Fire, Equip & Cap Outlay		H34102	047.000
TOTAL Fire			317,000
TOTAL Public Safety		0	317,000
		0	317,000
TOTAL Expenditures		0	317,000
Transfers, Other Funds		H99019	017,000
TOTAL Operating Transfers		0	
TOTAL Other Uses		U	0
		0	0
TOTAL Detail Expenditures And Other Uses		0	317,000

#### (H) CAPITAL PROJECTS

# Analysis of Changes in Fund Balance

Code Description	2019	EdpCode	2020
Analysis of Changes in Fund Balance	2010	Lupoode	2020
Fund Balance - Beginning of Year		H8021	047.000
Restated Fund Balance - Beg of Year		H8022	317,000
ADD - REVENUES AND OTHER SOURCES	317.000	110022	317,000
DEDUCT - EXPENDITURES AND OTHER USES	317,000		217.000
Fund Balance - End of Year	317,000	H8029	317,000

## (K) GENERAL FIXED ASSETS

Code Description	2019	EdpCode	2020
Assets	2013	Lupcode	2020
Land	15,000	K101	15,000
Buildings Machinery And Equipment	359,560	K102	359,560
	1,052,393	K104	1,369,393
TOTAL Fixed Assets (net)	1,426,953		1,743,953
TOTAL Assets and Deferred Outflows of Resources	1,426,953		1,743,953

## (K) GENERAL FIXED ASSETS

Code Description	2019 EdpCode	2020
Liabilities, Deferred Inflows And Fund Balance Total Non-Current Govt Assets	1.426.953 K159	1,743.953
TOTAL Investments in Non-Current Government Assets	,,	1,743,953
TOTAL Fund Balance	1,426,953	1,743,953
TOTAL Fund Balance	1,426,953	1,743,953
TOTAL	1,426,953	1,743,953

#### (R) RESERVE

Code Description Assets	2019 EdpCode	2020
Cash Special Reserve	-	
TOTAL Restricted Assets	352,012 R230	503,434
	352,012	503,434
TOTAL Assets and Deferred Outflows of Resources	352,012	503,434

#### (R) RESERVE

Code Description Fund Balance	2019 EdpCode	2020
Capital Reserve	352,012 R878	503,434
TOTAL Restricted Fund Balance	352,012	503,434
TOTAL Fund Balance	352,012	503,434
TOTAL Liabilities, Deferred Inflows And Fund Balance	352,012	503,434

#### (R) RESERVE

Code Description	2019	EdoCodo	2002
Revenues	2019	EdpCode	2020
Interest & Earnings	93	D0404	
TOTAL Use of Money And Property	93	R2401	91
TOTAL Revenues			91
Interfund Transfers	93		91
TOTAL Interfund Transfers	210,000	R5031	270,000
	210,000		270,000
TOTAL Other Sources	210,000		270,000
TOTAL Detail Revenues And Other Sources	210,093		270,091

#### (R) RESERVE

Code Description	2019	EdpCode	2020
Expenditures	20,0	Lapcoac	2020
Fire, Equipment Outlay		R34102	118,668
TOTAL Fire	0	110-1102	
TOTAL Public Safety			118,668
TOTAL Expenditures	0		118,668
	0		118,668
Transfers, Other Funds	317,000	R99019	
TOTAL Operating Transfers	317,000		0
TOTAL Other Uses	317,000		
TOTAL Detail Expenditures And Other Uses	317,000		0
TO TAL Detail Experiultures And Other Uses	317,000		118,668

#### (R) RESERVE

## Analysis of Changes in Fund Balance

Code Description			
Analysis of Changes in Fund Balance	2019	EdpCode	2020
Fund Balance - Beginning of Year	458,918	R8021	352,011
Restated Fund Balance - Beg of Year ADD - REVENUES AND OTHER SOURCES	458,918	R8022	352,011
DEDUCT - EXPENDITURES AND OTHER USES	210,093		270,091
Fund Balance - End of Year	317,000	Bassa	118,668
	352,011	R8029	503,434

#### (R1) FIRE APPARATUS

Code Description Assets	2019	EdpCode	2020
Cash Special Reserve	00.000		
TOTAL Restricted Assets	28,602	R230	48,942
TOTAL Assets and Deferred Outflows of Resources	28,602		48,942
The Country of Fiesburges	28,602		48,942

#### (R1) FIRE APPARATUS

Code Description Fund Balance	2019	EdpCode	2020
Capital Reserve		D070	
TOTAL Restricted Fund Balance	28,602	R878	48,942
TOTAL Fund Balance	28,602		48,942
	28,602		48,942
TOTAL Liabilities, Deferred Inflows And Fund Balance	28,602		48,942

# (R1) FIRE APPARATUS

Code Description	2019	F1.0 1	
Revenues	2019	EdpCode	2020
Interest & Earnings	37	Dozos	
TOTAL Use of Money And Property		R2401	9
TOTAL Revenues	37		9
Interfund Transfers	37		9
	100,000	R5031	125,000
TOTAL Interfund Transfers	100,000		125,000
TOTAL Other Sources	100,000		125,000
TOTAL Detail Revenues And Other Sources	·		
	100,037		125,009

# (R1) FIRE APPARATUS

Code Description Expenditures	2019	EdpCode	2020
Fire, Equipment Outlay		,	
TOTAL Fire		R34102	104,668
TOTAL Public Safety	0		104,668
TOTAL Expenditures	0		104,668
Transfers, Other Funds	0		104,668
s. o.	317,000	R99019	
TOTAL Operating Transfers	317.000		
TOTAL Other Uses	317,000		0
TOTAL Detail Expenditures And Other Uses	317,000		0
. 2 Soldii Experiultures Ariu Other Uses	317,000		104,668

## (R1) FIRE APPARATUS

# Analysis of Changes in Fund Balance

Code Description			
Analysis of Changes in Fund Balance	2019	EdpCode	2020
Fund Balance - Beginning of Year Restated Fund Balance - Beg of Year ADD - REVENUES AND OTHER SOURCES DEDUCT - EXPENDITURES AND OTHER USES Fund Balance - End of Year	245,564 245,564 100,037 317,000 28,601	R8021 R8022 R8029	28,601 28,601 125,009 104,668 48,942

## (R2) FIRE STATION

Assets	2019	EdpCode	2020
Cash Special Reserve			
TOTAL Restricted Assets	253,365	R230	364,432
TOTAL Assets and Deferred Outflows of Resources	253,365		364,432
and Beleffed Outllows of Hesources	253,365		364,432

## (R2) FIRE STATION

Code Description	2019 EdpCode	2020
Fund Balance Capital Reserve		ZUZU
TOTAL Restricted Fund Balance	253,365 R878	364,432
	253,365	364,432
TOTAL Fund Balance	253,365	364,432
TOTAL Liabilities, Deferred Inflows And Fund Balance	· · · · · · · · · · · · · · · · · · ·	004,402
	253,365	364,432

#### (R2) FIRE STATION

Code Description	2019	Ed-C-1	
Revenues	2019	EdpCode	2020
Interest & Earnings	43	R2401	07
TOTAL Use of Money And Property	43	N2401	67
TOTAL Revenues			67
Interfund Transfers	43		67
TOTAL Interfund Transfers	100,000	R5031	125,000
	100,000		125,000
TOTAL Other Sources	100,000		125,000
TOTAL Detail Revenues And Other Sources	100,043		125,067

## (R2) FIRE STATION

Code Description  Expenditures	2019 Ec	dpCode 2020
Fire, Equipment Outlay	D	34102 14.000
TOTAL Fire	п	34102 14,000
TOTAL Public Safety	0	14,000
TOTAL Expenditures	0	14,000
	0	14,000
TOTAL Detail Expenditures And Other Uses	0	14,000

#### (R2) FIRE STATION

# Analysis of Changes in Fund Balance

Code Description	2019	EdpCode	0000
Analysis of Changes in Fund Balance	2013	LupGode	2020
Fund Balance - Beginning of Year  Restated Fund Balance - Beg of Year  ADD - REVENUES AND OTHER SOURCES  DEDUCT - EXPENDITURES AND OTHER USES	<b>153,322 153,322</b> 100,043	R8021 R8022	<b>253,365 253,365</b> 125,067 14,000
Fund Balance - End of Year	253,365	R8029	364,432

#### (R3) SCBA

Code Description	2019	EdpCode	2020
Assets		Lapoddo	ZUZU
Cash Special Reserve	70,045	R230	80,060
TOTAL Restricted Assets	70,045		80,060
TOTAL Assets and Deferred Outflows of Resources	70,045		80,060

#### (R3) SCBA

Code Description Fund Balance	2019 EdpCode	2020
Capital Reserve	70,045 R878	80,060
TOTAL Restricted Fund Balance	70,045	80,060
TOTAL Fund Balance	70,045	80,060
TOTAL Liabilities, Deferred Inflows And Fund Balance	70,045	80,060

#### (R3) SCBA

Code Description	2019	EdpCode	2020
Revenues	2010	Lupcoue	2020
Interest & Earnings	13	R2401	15
TOTAL Use of Money And Property	13	112 101	15
TOTAL Revenues	13		15
Interfund Transfers	10,000	R5031	
TOTAL Interfund Transfers	10,000	H303 I	10,000 <b>10,000</b>
TOTAL Other Sources	10,000		
TOTAL Detail Revenues And Other Sources	•		10,000
Table 1 and Canol Good acco	10,013		10,015

Code Description 2019 EdpCode 2020

#### (R3) SCBA

# Analysis of Changes in Fund Balance

Code Description	2019	EdpCode	0000
Analysis of Changes in Fund Balance	2019	Eupcoue	2020
Fund Balance - Beginning of Year	60.032	R8021	70.045
Restated Fund Balance - Beg of Year	60,032	R8022	70,045
ADD - REVENUES AND OTHER SOURCES Fund Balance - End of Year	10,013		10,015
rund Balance - End of Year	70,045	R8029	80,060

#### (R4) PROTECTIVE EQUIPMENT

Code Description Assets	2019 EdpCode	2020
Cash Special Reserve	R230	10,000
TOTAL Restricted Assets	0	10,000
TOTAL Assets and Deferred Outflows of Resources	0	10,000

#### (R4) PROTECTIVE EQUIPMENT

Code Description	2019	EdpCode	2020
Fund Balance Capital Reserve		R878	10,000
TOTAL Restricted Fund Balance		0	10,000
TOTAL Fund Balance		0	10,000
TOTAL Liabilities, Deferred Inflows And Fund Balance		0	10,000

#### (R4) PROTECTIVE EQUIPMENT

Code Description	2019	EdpCode	2020
Other Sources			
Interfund Transfers		R5031	10,000
TOTAL Interfund Transfers		0	10,000
TOTAL Other Sources		0	10,000
TOTAL Detail Revenues And Other Sources		0	10,000

Code Description	2019 EdpCode 2020
	2019 EdpCode 2020

#### (R4) PROTECTIVE EQUIPMENT

# Analysis of Changes in Fund Balance

Code Description	2019	EdpCode	2020
Analysis of Changes in Fund Balance			
Fund Balance - Beginning of Year		R8021	
Restated Fund Balance - Beg of Year		R8022	
ADD - REVENUES AND OTHER SOURCES			10,000
Fund Balance - End of Year		R8029	10,000

#### (W) GENERAL LONG-TERM DEBT

Code Description	2019	EdpCode	2020
Assets			
Total Non-Current Govt Liabilities	16,700	W129	
TOTAL Provision To Be Made In Future Budgets	16,700		0
TOTAL Assets and Deferred Outflows of Resources	16,700		0

#### (W) GENERAL LONG-TERM DEBT

Code Description	2019 EdpCode 2020
Liabilities, Deferred Inflows And Fund Balance Bonds Payable	
,	16,700 W628
TOTAL Bond And Long Term Liabilities	16,700
TOTAL Liabilities	16,700
TOTAL Liabilities	16,700

# Mohawk FIRE DISTRICT Statement of Indebtedness For the Fiscal Year Ending 2020

6/8/2021

County of: Montgomery

Municipal Code: 271154005500

	Total fo	2006	First Year
AFR Yea	or Type/E	BOND N	Debt Code
AFR Year Total for All Debt Types - Sums Issued Amts only made in AFR Year	Total for Type/Exempt Status - Sums Issued Amts only made in AFR Year	2006 BOND N FIRE EQUIPMENT	Description
t Types - Sums	ms Issued Ami		Cops Co Flag F
Issued	ts only n	06/01	Comp Date of Flag Issue
Amts on	nade in ,	/2005 0	ite of sue
ly made in	AFR Year	06/01/2005 06/01/2010	Date of Maturity
AFR Yea		4.53%	Int. Rate
4			Var?
\$0	\$0		Amt. Orig. Issued
\$16,700	\$16,700	\$16,700	O/S Beg. of Year
\$16,700	\$16,700	\$16,700	Paid Dur. Year
\$0	\$0	\$0	Redeemed Bond Proc.
\$0	\$0	\$0	Prior Yr. Adjust.
\$0	\$0		Accreted Interest
\$0	\$0	\$0	O/S End of Year

## Mohawk FIRE DISTRICT Schedule of Time Deposits and Investments For the Fiscal Year Ending 2020

	EDP Code	Amount
CASH:		
On Hand	9Z2001	
Demand Deposits	9Z2011	\$27,687.00
Time Deposits	9Z2021	\$604,613.00
Total		\$632,300.00
COLLATERAL:		
- FDIC Insurance	9Z2014	\$250,000.00
Collateralized with securities held in	322014	φ230,000.00
possession of municipality or its agent	9Z2014A	\$382,300.00
Total		\$632,300.00
INVESTMENTS:		
- Securities (450)		
Book Value (cost)	9Z4501	
Market Value at Balance Sheet Date	9Z4502	
Oallatanalina I. W.		
Collateralized with securities held in possession of municipality or its agent	9Z4504A	
<b>B</b>		
- Repurchase Agreements (451)		
Book Value (cost)	9Z4511	
Market Value at Balance Sheet Date	9Z4512	
Collateralized with securities held in	0745444	
possession of municipality or its agent	9Z4514A	

#### Mohawk FIRE DISTRICT Bank Reconciliation For the Fiscal Year Ending 2020

# Include All Checking, Savings and C.D. Accounts

Bank Account Number	Bank Balance	Add: Deposit In Transit	Less Outstand Check	ding	Adjusted Bank Balance
*****-2107	\$10,000	\$0		\$0	\$10,000
*****-6078	\$34,687	\$0		\$7,000	\$27,687
*****-6221	\$364,433	\$0		\$0	\$364,433
*****-6515	\$48,942	\$0		\$0	\$48,942
****-9678	\$48,935	\$0		\$0	\$48,935
*****-9679	\$52,244	\$0		\$0	\$52,244
*****-9701	\$80,060	\$0		\$0	\$80,060
	Total Adjusted Ban	k Balance			\$632,301
	Petty Cash				\$.00
	Adjustments				\$.00
	Total Cash		9ZCASH	*	\$632,301
	Total Cash Balance	e All Funds	9ZCASHB	*	\$632,301
	* Must be equal				

#### Mohawk FIRE DISTRICT Fire District Questionnaire For the Fiscal Year Ending 2020

		Response
1)	Has your district adopted a written procurement prolicy and is it complied with?	Υ
2)	Has your district contracted to have an independent audit of its financial statements?	N
	If not, has the Board of Fire Commissioners performed an internal audit of the Treasurer's records and reports?	N
3)	Does your district have a written travel policy and is it complied with?	Υ
4)	Are monthly bank reconciliations performed?	Υ
5)	What is your district's statutory spending limitation margin (amount) for the next fiscal	
6)	Does your district have a Length of Service Award Program (LOSAP) for volunteer firefighters?	
	If so, how are the LOSAP funds invested?	
	Marketable Securities	
	Annuities	
	Life Insurance	
	Other (describe)	
7)	Has your Fire District adopted an investment policy as required by General Municipal Law, Section 39?	Y

## Mohawk FIRE DISTRICT Employee and Retiree Benefits For the Fiscal Year Ending 2020

	Total Full Time Employees:		250		
	Total Part Time Employees:				
Account Code	Description	Total Expenditures (All Funds)	# of Full Time Employees	# of Part Time Employees	# of Retirees
90108	State Retirement System				
90158	Police and Fire Retirement				
90258	Local Pension Fund				
90308	Social Security				
90408	Worker's Compensation Insurance		3		
90458	Life Insurance				
90508	Unemployment Insurance				
90558	Disability Insurance				
90608	Hospital and Medical (Dental) Insurance				
90708	Union Welfare Benefits				
90858	Supplemental Benefit Payment to Disabled Fire Fighters				
91890	Other Employee Benefits				
	Total	\$0.00			
mputed To	otal From Financial parative purposes only)				

## Mohawk FIRE DISTRICT Energy Costs and Consumption For the Fiscal Year Ending 2020

Energy Type	Total Expenditures	Total Volume	Units Of Measure	Alternative Units Of Measure
Gasoline	\$849	554	gallons	
Diesel Fuel	\$1,428	1,050	gallons	
Fuel Oil			gallons	
Natural Gas	\$1,551	2,147	cubic feet	therms
Electricity	\$3,518	18,148	kilowatt-hours	
Coal			tons	
Propane			gallons	