



**NORTH MERRICK UNION FREE SCHOOL DISTRICT  
NASSAU COUNTY, NEW YORK**

**\$14,650,000\* SCHOOL DISTRICT SERIAL BONDS - 2017**

**BOND MATURITY SCHEDULE**

**Dated: Date of Delivery**

**Principal Due: May 1, 2019-2034, inclusive  
Interest Due: November 1, 2017 and semi-annually  
thereafter on May 1 and November 1 in  
each year to maturity**

<u>Amount**</u>	<u>Maturity</u>	<u>Rate</u>	<u>Price or Yield</u>	<u>CUSIP #</u>
\$ 735,000	May 1, 2019			
760,000	May 1, 2020			
785,000	May 1, 2021			
810,000	May 1, 2022			
835,000	May 1, 2023			
860,000	May 1, 2024			
890,000	May 1, 2025			
915,000	May 1, 2026			
945,000	May 1, 2027			
975,000	May 1, 2028			
1,010,000	May 1, 2029			
1,040,000	May 1, 2030			
1,075,000	May 1, 2031			
1,110,000	May 1, 2032			
1,145,000	May 1, 2033			
760,000	May 1, 2034			

\*Preliminary, subject to change

\*\*Amounts are subject to adjustment by the District following the sale, pursuant to the terms of the Notice of Sale relating to the Bonds, to achieve substantial level or declining annual debt service as provided in Section 58.00 9(c)(2) of the Local Finance Law.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT  
NASSAU COUNTY, NEW YORK**

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\* \* \*

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\* \* \*

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

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**OFFICIAL STATEMENT**  
**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NASSAU COUNTY, NEW YORK**

**\$14,650,000\* SCHOOL DISTRICT SERIAL BONDS – 2017**

**[BOOK-ENTRY ONLY BONDS]**

This Official Statement and appendices hereto presents certain information relating to the North Merrick Union Free School District, in the County of Nassau, in the State of New York (the "District" and "State," respectively) in connection with the sale of \$14,650,000\* School District Serial Bonds - 2017 (the "Bonds").

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

**THE BONDS**

**Description of the Bonds**

The Bonds will be dated date of delivery, and will mature in the principal amounts on May 1 in each of the years 2019 to 2034, inclusive, as set forth on the inside cover page hereof.

The Bonds will be issued in fully registered form and when issued will be registered in the name of Cede & Co. as nominee of The Depository Trust Company, New York, New York ("DTC"). DTC will act as securities depository for the Bonds. Individual purchases of the Bonds may be made in book-entry form only, in denominations of \$5,000 or integral multiples thereof. Purchasers will not receive certificates representing their interest in the Bonds.

Interest on the Bonds will be payable on November 1, 2017 and semiannually thereafter on May 1 and November 1 in each year to maturity. Principal and interest will be paid by the District to DTC, which will in turn remit such principal and interest to its Participants, for subsequent distribution to the Beneficial Owners of the Bonds, as described herein. The Bonds may be transferred in the manner described on the Bonds and as referenced in certain proceedings of the District referred to therein.

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

**Optional Redemption**

The Bonds maturing on or before May 1, 2026 will not be subject to redemption prior to maturity. The Bonds maturing on May 1, 2027 and thereafter, will be subject to redemption, at the option of the District, prior to maturity, in whole or in part, and if in part, in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), on any date on or after May 1, 2026, at par plus accrued interest to the date of redemption.

If less than all of any of the Bonds of any maturity are to be redeemed prior to maturity, the particular Bonds of such maturity to be redeemed shall be selected by the District by lot in any customary manner of selection as determined by the District. Notice of such call for redemption shall be given by mailing such notice to the registered owner at least thirty (30) days prior to the date set for such redemption. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable together with interest to such redemption date. Interest shall cease to be paid thereon after such redemption date.

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\*Preliminary, subject to change

## **Book-Entry-Only System**

DTC will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities, in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully registered bond certificate will be issued for each maturity of the Bonds and deposited with DTC.

DTC is limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of certificates.

Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of the Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). Effective August 9, 2011, Standard & Poor's assigns a rating of "AA+" to DTC. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at [www.dtcc.com](http://www.dtcc.com) and [www.dtc.org](http://www.dtc.org).

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

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

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

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

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

Principal and interest payments on the Bonds will be made to Cede & Co. or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the District on the payable date, in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC (nor its nominee) or the District, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the District, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

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

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

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

The information contained in the above section concerning DTC and DTC's book-entry system has been obtained from sample offering document language supplied by DTC, but the District takes no responsibility for the accuracy thereof. In addition, the District will not have any responsibility or obligation to participants, to indirect participants or to any beneficial owner with respect to: (i) the accuracy of any records maintained by DTC, and participant or any indirect participant; (ii) the payments by DTC or any participant or any indirect participant of any amount with respect to the principal of, or premium, if any, or interest on the bonds or (iii) any notice which is permitted or required to be given to Bondowners.

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

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

### **Certificated Bonds**

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

### **Authorization and Purpose**

The Bonds are being issued in accordance with the Constitution and statutes of the State of New York including the Education Law and the Local Finance Law, to pay the cost of the construction and improvements of various district buildings and sites pursuant to a bond resolution duly adopted by the Board of Education of the District on June 9, 2015, following the approval of a proposition by a majority of the qualified voters of the District at the Annual District Meeting and Election held on May 19, 2015.

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

### **Security and Source of Payment**

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

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

Under the Constitution of the State, the District is required to pledge its faith and credit for the payment of the principal of and interest on the Bonds, and the State is specifically precluded from restricting the power of the District to levy taxes on real estate therefor. On June 24, 2011, the Governor signed into law Chapter 97 of the Laws of 2011, as amended, (the "Tax Levy Limit Law") imposes a limitation on the power of local governments and school districts, including the District, to increase their annual tax levy above a certain specified amount. However, the Tax Levy Limit Law expressly provides an exception from the annual tax levy limitation for any taxes levied to pay debt service on bonds or notes issued to finance voter approved capital expenditures or the refinancing or refunding of such bonds or notes. As the Bonds are being issued to finance voter-approved capital expenditures, the Bonds qualify for such exception to the Tax Levy Limit Law annual tax levy limitation. (See "*The Tax Levy Limit Law*," herein.)

### **REMEDIES UPON DEFAULT**

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

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

may be impracticable and difficult to enforce. Further, the right to enforce payment of the principal of or interest on the Bonds may be limited by bankruptcy, insolvency, reorganization, moratorium and similar laws and equitable principles, which may limit the specific enforcement of certain remedies.

In 1976, the New York Court of Appeals, the State's highest court, held in *Flushing National Bank v. Municipal Assistance Corporation for the City of New York*, 40 N.Y.2d 731 (1976), that the New York State legislation purporting to postpone the payment of debt service on New York City obligations was an unconstitutional moratorium in violation of the New York State constitutional faith and credit mandate included in all municipal debt obligations. While that case can be viewed as a precedent for protecting the remedies of Bondholders, there can be no assurance as to what a Court may determine with respect to future events, including financial crises as they may occur in the State and in municipalities of the State, that require the exercise by the State of its emergency and police powers to assure the continuation of essential public services. (See also, *Quirk v. Municipal Assistance Corporation for the City of New York*, 41 N.Y.2d 644 (1977), where the Court of Appeals described the pledge as a direct Constitutional mandate.)

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

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

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

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

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

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

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

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

### **NO PAST DUE DEBT**

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

### **BANKRUPTCY**

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

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

## **THE DISTRICT**

### **Description**

The District is located on the south shore of Long Island in the easterly part of the Town of Hempstead. It covers an area of approximately five square miles which includes the hamlet of Merrick and the unincorporated community of North Merrick. The District is bordered by the school districts of Freeport, Roosevelt, Uniondale, East Meadow, and Wantagh. The administrative offices are located at 1057 Merrick Avenue, North Merrick in the Town of Hempstead, Nassau County, New York. The community is primarily residential in nature.

Electricity is provided throughout the District by PSEGLI; natural gas by National Grid; and the District's water is supplied by New York American Water.

The District provides an educational program to students in grades K through 6. Students in grades 7 through 12 attend schools in the Bellmore-Merrick Central High School District.

The District is largely suburban due to its proximity to New York City. Rail passenger service with access into NYC is provided by the Long Island Railroad which has stations in both Bellmore and Merrick. Bus service in the area is provided by Nassau Inter County Express, and taxi service is also readily available in the communities. Three airports, John F. Kennedy International, LaGuardia, and Long Island MacArthur are all located within thirty (30) miles of the District. East/west automobile access is via Southern State Parkway and Sunrise Highway.

### **District Organization**

Subject to provisions of the State Constitution, the District operates pursuant to the Education Law, the Local Finance Law, other laws generally applicable to the District, and any special laws applicable to the District. Under such laws, there is no authority for the District to have a charter or adopt local laws.

The legislative power of the District is vested in the seven (7) member Board of Education. At the time of Reorganization, by law the second Tuesday of July, an election is held within the Board to elect a president and vice president, as well as to appoint a District Clerk, and District Treasurer.

Pursuant to Local Finance Law, the President of the Board of Education is the chief fiscal officer of the District. However, certain of the financial functions of the District are the responsibility of the Superintendent of Schools and the District's business administrator, the Assistant Superintendent for Business and Operations. Other administrative officers of the District include: Deputy Superintendent, Director of School Facilities, District Clerk, and District Treasurer. All administrative officers have a duty to implement the policies of the Board of Education.

### **Enrollment History**

<u>School Year</u>	<u>School Enrollment</u>
2012	1,318
2013	1,267
2014	1,232
2015	1,213
2016	1,199

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Source: District Officials

### Enrollment Projections

<u>School Year</u>	<u>School Enrollment</u>
2017	1,222
2018	1,203

Source: District Officials

### School Facilities

<u>Name of School</u>	<u>Grades</u>	<u>Date of Construction</u>	<u>Date of Last Addition</u>	<u>Capacity</u>
Camp Avenue School	K-6	1923	1956	599
Old Mill Road School	K-6	1953	1996	594
Harold D. Fayette School	K-6	1950	1959	595

### Employees

The District's staff of approximately 215 employees is composed of both residents and non-residents.

The District has four (4) bargaining units:

<u>Name of Union</u>	<u>Expiration Date of Contract</u>	<u>Approx. No. of Members</u>
North Merrick Supervisory Unit	06/30/2018	6
North Merrick Faculty Association	06/30/2020	118
CSEA	06/30/2017	37
North Merrick Faculty Association - Paraprofessionals	06/30/2020	54

### ECONOMIC AND DEMOGRAPHIC INFORMATION

The following table represents population trends for the Town of Hempstead and County of Nassau, since 1990, as indicated below:

#### Population Trends

<u>Year</u>	<u>Hempstead</u>	<u>Nassau County</u>
1990	725,639	1,287,348
2000	755,924	1,334,544
2010	769,040	1,339,532
2015	767,916	1,354,612

Source: U.S. Bureau of the Census.

**Income Data<sup>a</sup>**

	Per Capita Money Income			
	<u>1990</u>	<u>2000</u>	<u>2010</u>	<u>2015<sup>b</sup></u>
Town of Hempstead	\$20,955	\$28,153	\$35,43	\$38,412
County of Nassau	23,352	32,151	40,912	44,358
State of New York	16,501	23,389	30,948	34,297
	Median Household Income			
	<u>1990</u>	<u>2000</u>	<u>2010</u>	<u>2015<sup>b</sup></u>
Town of Hempstead	\$52,286	\$69,083	\$89,878	\$ 98,02
County of Nassau	54,283	72,030	96,626	101,830
State of New York	32,965	43,393	55,603	60,850

Source: United States Bureau of the Census

a. Not Necessarily representative of the District.

b. Based on American Community Survey 1-Year Estimates (2015)

**Major Non-Government Employers Located in Nassau County**

<u>Name</u>	<u>Type of Business</u>	<u>Number of Employees</u>
Hofstra University	Higher Education	5,545
Nassau Health Care Corporation	Hospital, Nursing Home, Health Center	4,110
BOCES - Nassau	Education Support Services	3,900
All Metro Health	Home Health Care	4,000
South Nassau Community Hospital	Hospital	2,036
Nassau Community College	Higher Education	2,000
Adelphi University	Higher Education	1,863
Summit Security Services	Security and Investigations	1,827
Mercy Medical Center	Hospital	1,500

Source: Town of Hempstead 2014 Comprehensive Annual Financial Report.

\*Company headquarters are located in Nassau County; number may include employees who work outside Nassau County.

## Unemployment Rate Statistics

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

<u>Annual Averages:</u>	<u>Town of Hempstead</u>	<u>Nassau County</u>	<u>New York State</u>
2011	7.1	6.7	8.0
2012	7.6	7.2	8.6
2013	6.4	6.0	7.7
2014	5.0	4.8	6.4
2015	4.5	4.3	5.3
2016	4.0	3.9	4.9

Source: Department of Labor, State of New York

## INDEBTEDNESS OF THE DISTRICT

### Constitutional and Statutory Requirements

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

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

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

**Payment and Maturity.** Except for certain short-term indebtedness contracted in anticipation of taxes 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 period of probable usefulness of the object or purpose determined by statute or the weighted average maturity thereof; no installment may be more than fifty per centum in excess of the smallest prior installment, unless the District has authorized the issuance of indebtedness having substantially level or declining annual debt service. The District is required to provide an annual appropriation for the payment of interest due during the year on its indebtedness and for the amounts required in such year for amortization and redemption of its serial bonds, bond anticipation notes and capital notes.

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

## Statutory Procedure

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

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

The Local Finance Law also provides a twenty-day statute of limitations after publication of a bond resolution, together with a statutory form of notice which, in effect, estops legal challenges to the validity of obligations authorized by such bond resolution except for alleged constitutional violations. The District has complied with such procedure with respect to the Bonds.

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

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

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

**Computation of Debt Limit and Debt Contracting Margin**  
(As of April 19, 2017)

<u>In Town of:</u>	<u>Assessed_</u> <u>Valuation</u>	<u>State</u> <u>Equalization_</u> <u>Rate (%)</u>	<u>Full Valuation</u>
Hempstead (2016-2017)	\$4,120,173	0.29%	\$1,420,749,310
Debt Limit - 10% of Average Full Valuation			\$142,074,931
Inclusions:			
Outstanding Bonds			\$0
Bond Anticipation Notes			0
Total Indebtedness			<u>0</u>
Total Net Indebtedness Before Issuing the Bonds			<u>0</u>
The Bonds			14,650,000
Less: BANs to be redeemed by the Issuance of the Bonds			<u>0</u>
Less: Exclusions (Estimated Building Aid) <sup>a</sup>			<u>0</u>
Net Effect of the Bonds			14,650,000
Total Net Indebtedness After Issuing the Bonds			14,650,000
Net Debt Contracting Margin			<u><u>\$127,424,931</u></u>
Per Cent of Debt Contracting Margin Exhausted			10.31%

a. Represents estimate of moneys receivable by the District from the State as an apportionment for debt service for school building purposes, based on the most recent information received by the District from the State Department of Education. The amount shown is not necessarily the amount the District will ultimately receive. The District has not applied for a building aid exclusion certificate from the Commissioner of Education and therefore may not exclude such amount from its total indebtedness on the Debt Statement form required to be filed with the Office of the State Comptroller when bonds are to be issued.

**Details of Short-Term Indebtedness Outstanding**

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

**Outstanding Long-Term Bond Indebtedness**

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

### Operating Leases

The District leases various equipment and has service agreements under operating leases. Rental expense for the year was \$39,031. The minimum remaining operating lease payments are as follows:

<u>FYE June 30:</u>	<u>Amount</u>
2017	\$34,372
2018	<u>11,458</u>
	<u>\$45,830</u>

### Authorized but Unissued Indebtedness

As of the date of this Official Statement, the District has \$14,650,000 in authorized and unissued debt to pay the construction and improvements of various district buildings. Such amount will be financed with the issuance of the Bonds.

### Calculation of Estimated Overlapping and Underlying Indebtedness

<u>Overlapping Units</u>	<u>Date of Report</u>	<u>Percentage Applicable (%)</u>	<u>Applicable Total Indebtedness</u>	<u>Applicable Net Indebtedness</u>
County of Nassau	4/30/2016	0.67	\$27,862,057	\$23,671,033
Town of Hempstead	12/11/2015	1.48	5,152,384	4,780,267
North Merrick Fire District		100.00	<u>48,590</u>	<u>48,590</u>
Totals			<u>\$33,063,031</u>	<u>\$28,499,890</u>

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

### Debt Ratios (As of April 19, 2017)

	<u>Amount</u>	<u>Per Capita<sup>a</sup></u>	<u>Percentage Of Full Value (%)<sup>b</sup></u>
Total Direct Debt	\$14,650,000	\$1,081	1.031
Net Direct Debt	14,650,000	1,081	1.031
Total Direct & Applicable Total Overlapping Debt	47,713,031	3,521	3.358
Net Direct & Applicable Net Overlapping Debt	43,149,890	3,184	3.037

a. Inclusive of the Bonds.

b. The current estimated population of the District is 13,552 (U.S. Census Bureau).

c. The full valuation of taxable real property in the District for 2016-17 is \$1,420,749,310.

## **FINANCES OF THE DISTRICT**

### **Independent Audit**

The financial affairs of the District are subject to periodic compliance review by the Office of the State Comptroller to ascertain whether the District has complied with the requirements of various state and federal statutes. The financial statements of the District are audited each year by an independent public accountant. The last such audit covers the fiscal year ended June 30, 2016. A copy of such report is included herein as Appendix B.

### **Investment Policy**

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

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

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

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

### **Fund Structure and Accounts**

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

### **Basis of Accounting**

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

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

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

Source: Audited Financials of the District.

### **Budget Process**

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

On May 17, 2016, the District's budget for the 2016-2017 fiscal year was approved by a majority of the voters of the District voting thereon. Summaries of the District's Adopted Budgets for the fiscal years 2015-2016 and 2016-2017 may be found in Appendix A, herein.

### **Revenues**

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

#### *Real Property Taxes*

See "*Tax Information*" herein.

#### *State Aid*

In addition to the amount of State aid budgeted by the District, the State is expected to make STAR payments representing tax savings provided by school districts to their taxpayers under the STAR Program (See "*STAR - School Tax Exemption*" herein). The District is dependent in significant part on financial assistance from the State in the form of State Aid for both operating and capital purposes. The District received approximately 23.12% in the 2015-2016 fiscal year and expects to receive 22.70% for the 2016-2017 fiscal year. Should the District in the current fiscal year or in future fiscal years fail to receive State aid expected from the State in the amounts and at the times expected, occasioned by a delay in the payment of such monies or by a mid-year reduction in State aid, the District is authorized by the Local Finance Law to provide operating funds by borrowing on account of such uncollected State aid. (See "*Events Affecting State Aid to New York State School Districts*" herein).

The State is not constitutionally obligated to maintain or continue State aid to the School District. There can be no assurance that the State appropriation for State aid to school districts will be continued in future years, either pursuant to existing formulas or in any form whatsoever. The availability of such monies and the timeliness of such payment could be affected by a delay in the adoption of the State budget and other circumstances including State fiscal stress. State aid appropriated and apportioned to the District can be paid only if the State has such monies available therefor. State budgetary restrictions, which eliminate or substantially reduce State aid could have a material adverse effect upon the School District requiring either a counterbalancing increase in revenues from other sources to the extent available, or a curtailment of expenditures.

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

State aid to school districts in the State has declined in some recent years.

*School district fiscal year (2009-2010):* Total State aid for the 2009-2010 fiscal year was maintained at the 2008-2009 levels in part due to the use of Federal aid made available as part of the American Reinvestment and Recovery Act of 2009 (“ARRA”). During said fiscal year, the District’s receipt of State aid was delayed as a result of several initiatives adopted by then Governor Paterson in response to the State’s ongoing and worsening fiscal crisis. Despite such delays, the District did receive all of the State aid due to it for the fiscal year ended June 30, 2010.

*School district fiscal year (2010-2011):* The total reduction in State aid for the 2010-2011 fiscal year was approximately \$2.1 billion; however, this amount was partially offset by \$726,000,000 in Federal aid for education, including funding from ARRA and other federal initiatives. As a result, the net State aid reduction totaled approximately \$1.4 billion.

*School district fiscal year (2011-2012):* The total reduction in State aid for the 2011-2012 fiscal year was \$1.3 billion or 6.1 percent from the previous year, and all aid was received on time.

*School district fiscal year (2012-2013):* The State Legislature adopted the State budget on March 30, 2012. The budget included an increase of \$751 million in State aid for school districts.

*School district fiscal year (2013-2014):* The State Legislature adopted the State budget on March 29, 2013. The budget included an increase of \$936.6 million in State aid for school districts.

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

*School district fiscal year (2015-2016):* The State Legislature adopted the State budget on March 31, 2015. The budget included an increase of \$1.4 billion in State aid for school districts, that was tied to changes in the teacher evaluation and tenure process. School districts must obtain approval of their revised teacher evaluation plans by November 15, 2015 in order to receive their allotted increase in State aid.

*School district fiscal year (2016-2017):* The 2016-17 State budget includes a school aid increase of \$991 million over 2015-2016, \$863 million of which consists of traditional operating aid. In addition to full-funding of expense based aids (\$408 million), the Governor’s budget includes a \$266 million increase in Foundation Aid and an \$189 million restoration to the Gap Elimination Adjustment (the “GEA”). The majority of the remaining increase includes \$100 million in Community Schools Aid, a newly adopted aid category, to support school districts that wish to create community schools. The funds may only be used for certain purposes such as providing health, mental health and nutritional services to students and their families. Further information may be obtained at the official website of the New York State Divisions of Budget and the New York State Education Department.

*School district fiscal year (2017-2018):* The 2017-18 State budget includes a school aid increase of \$1.1 billion over the 2016-2017 school fiscal year.

The State provides annual State aid to school districts in the State, including the District, on the basis of various formulas. Due to the State’s own budgetary crisis in 2009 and to assist the State in mitigating the impacts of its own revenue shortfall, the State reduced the allocation of State aid to school districts as part of a program known as the Gap Elimination Adjustment (“GEA”). The GEA is a negative number (funds that are deducted from the State aid originally due to the District under existing State aid formulas). The District’s State aid has been reduced as a result of the GEA program since 2009. In the 2014-2015 fiscal year, the State began to decrease the amount of the GEA deduction, and as a result, there was a reduction in State aid to the District. The Adopted Budget for the State’s 2015-2016 fiscal year also includes a further reduction of the GEA. The Adopted Budget for the State’s 2016-2017 fiscal year includes the elimination of the remaining balance of the GEA, resulting in more State aid to the District in the 2016-2017 fiscal year.

The Smart Schools Bond Act was passed as part of the Enacted 2014-2015 State Budget. The Smart Schools Bond Act authorizes the issuance of \$2 billion of general obligation bonds to finance improved educational technology and infrastructure to improve learning and opportunity for students throughout the State. The District's estimated allocation of funds is \$0.6 million.

A case related to the campaign for Fiscal Equity, Inc. v. State of New York is scheduled to be heard on appeal on May 30, 2017 in New Yorkers for Students' Educational Rights ("NYSER") v. State of New York and a consolidated case on the right to a sound basic education. The NYSER lawsuit asserts that the State has failed to comply with the original decision in the Court of Appeals in the Campaign for Fiscal Equity case, and asks the Court of Appeals to require the State to develop new methodologies, formulas and mechanisms for determining State aid, to fully fund the "foundation aid" formula, to eliminate the supermajority requirement for voter approval of budgets which increase school district property tax levies above the property tax cap limitation, and related matters. It is not possible to predict the outcome of this litigation.

The District cannot predict at this time whether there will be any reductions in and/or delays in the receipt of State aid during the remainder of the current fiscal year and during the District's 2016-2017 fiscal year. The District believes that it would mitigate the impact of any delays or the reduction in State aid by reducing expenditures, increasing revenues, appropriating other available funds on hand, and/or by any combination of the foregoing. (See also "*Market Factors Affecting Financings of the State and School Districts of the State*").

The following table sets forth General Fund revenues and State aid revenues during the last five fiscal years and the amount budgeted for the fiscal year ending June 30, 2017.

<u>FYE June 30:</u>	<u>General Fund Total Revenue</u>	<u>State Aid</u>	<u>State Aid To Revenues (%)</u>
2012	\$25,796,326	\$5,546,999	21.50
2013	26,523,545	5,638,426	21.26
2014	27,089,903	5,817,699	21.48
2015	27,997,026	6,206,248	22.17
2016	29,270,664	6,766,762	23.12
2017 (Budgeted)	30,757,827	6,981,067	22.70

a. Budgeted Revenues include the application of reserves and fund balances.

### **Expenditures**

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

### **The State Comptroller's Fiscal Stress Monitoring System and OSC Compliance Reviews**

The New York State Comptroller has reported that New York State's school districts and municipalities are facing significant fiscal challenges. As a result, the Office of the State Comptroller has developed a Fiscal Stress Monitoring System ("FSMS") to provide independent, objectively measured and quantifiable information to school districts and municipal officials, taxpayers and policy makers regarding the various levels of fiscal stress under which the State's school districts and municipalities are operating.

The fiscal stress scores are based on financial information submitted as part of each school ST-3 report filed with the State Education Department annually, and each municipality's annual report filed with the Office of the State Comptroller (OSC). Using financial indicators that include year-end fund balance, cash position and patterns of operating deficits, the system creates an overall fiscal stress score which classifies whether a school district or municipality is in "significant fiscal stress", in "moderate fiscal stress," as "susceptible to fiscal stress" or "no designation". Entities that do not accumulate the number of points that would place them in a stress category will receive a financial score but will be classified in a category of "no designation." This classification should not be interpreted to imply that the entity is completely free of fiscal stress conditions. Rather, the entity's financial information, when objectively scored according to the FSMS criteria, did not generate sufficient points to place them in one of the three established stress categories.

The most current applicable report of OSC designates the District as "No Designation" (Fiscal Score: 10.0%). More information on the FSMS may be obtained from the Office of the State Comptroller.

In addition, OSC helps local government officials manage government resources efficiently and effectively. The Comptroller oversees the fiscal affairs of local governments statewide, as well as compliance with relevant statutes and observance of good business practices. This fiscal oversight is accomplished, in part, through its audits, which identify opportunities for improving operations and governance. The most recent audit performed was released March 21, 2014. The purpose of such audit was to examine the treasurer's duties for the period July 1, 2011 through May 31, 2013. The complete report, together with the District's response, may be found on the OSC's official website. Reference to this website implies no warranty of accuracy of information therein.

### **Employee Pension System**

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

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

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

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

Due to poor performance of the investment portfolio of TRS and ERS during the recent financial crisis, the employer contribution rates for required pension payments to the TRS and ERS increased substantially. To help mitigate the impact of such increases, legislation was enacted that permitted school districts to amortize a portion of its annual employer pension payment to the ERS only. Under such legislation, school districts that choose to amortize were required to set aside and reserve funds with the ERS for certain future rate increases. The District has not amortized any of its employer pension payments pursuant to this legislation and expects to continue to pay all payments in full when due.

In addition, in Spring 2013, the State and TRS approved a Stable Contribution Option ("SCO") that gives school districts the ability to better manage the spikes in Actuarially Required Contribution rates ("ARCs"). ERS followed suit and modified its existing ERS SCO. Each plan allows school districts to pay the SCO amount in lieu of the ARC amount, which is higher, and defer the difference in payment amounts.

The TRS SCO deferral plan is available to school districts for up to 7 years. Under the TRS SCO plan, payment of the deferred amount will commence in year six of the program (2018-19) and continue for five years. School districts can elect to no longer participate in the plan at any time, resume paying the ARC and begin repayment of deferred amounts over five years. Under the ERS SCO, payment of deferred amounts begins the year immediately following the deferral and the repayment period is 12 years. Once made, the election to participate in the ERS SCO is permanent. However, the school districts can choose not to defer payment in any given year. In both plans, interest on the deferred amounts is based on the yield of 10-year U.S. Treasury securities plus 1%. The District has not amortized any of its employer pension payments as part of the SCO and expects to continue to pay all payments in full when due.

The primary purpose of participation in the SCO plans is the elimination of the uncertainty in the volatility of future pension contribution ARCs in the near term, thereby providing school districts with assistance in its ability to create a projection. However, although the SCO plan will reduce payments in the near term, it may result in much higher payments in the future. As such, the District does not intend to amortize any payments to the Retirement System in the foreseeable future.

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

<u>FYE June 30:</u>	<u>TRS</u>	<u>ERS</u>
2012	\$1,421,531	\$473,099
2013	1,501,625	692,390
2014	2,110,539	660,258
2015	2,307,102	624,587
2016	1,773,687	563,150
2017 (Budgeted)	1,511,000	607,000

Source: Audited Financial Statements.

### **Other Post Employment Benefits**

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

GASB Statement No. 45 (“GASB 45”) of the Governmental Accounting Standards Board (“GASB”), requires state and local governments to account for and report their costs associated with post-retirement healthcare benefits and other non-pension benefits (“OPEB”). GASB 45 generally requires that employers account for and report the annual cost of the OPEB and the outstanding obligations and commitments related to OPEB in essentially the same manner as they currently do for pensions. Under previous rules, these benefits have generally been administered on a pay-as-you-go basis and have not been reported as a liability on governmental financial statements. Only current payments to existing retirees were recorded as an expense.

GASB 45 requires that state and local governments adopt the actuarial methodologies to determine annual OPEB costs. Annual OPEB cost for most employers will be based on actuarially determined amounts that, if paid on an ongoing basis, generally would provide sufficient resources to pay benefits as they come due.

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

GASB 45 does not require that the unfunded liabilities actually be funded, only that the District account for its unfunded accrued liability and compliance in meeting its ARC. Actuarial valuation will be required every two years for the District.

The following table shows the components of the District annual OPEB cost for the year, the amount actually contributed to the plan, and changes in the District net OPEB obligation to the plan:

<u>Annual OPEB Cost and Net OPEB Obligation</u>	<u>FYE June 30:</u>
Annual required contribution (ARC)	\$3,150,432
Interest on net OPEB obligation	417,892
Less: Adjustments to ARC	<u>(581,051)</u>
Annual OPEB cost (expense)	2,987,273
Less: Contributions made	<u>(632,618)</u>
Increase in net OPEB obligation	2,354,655
Net OPEB obligation-beginning of year	<u>10,447,289</u>
Net OPEB obligation-end of year	<u><u>\$12,801,944</u></u>

The District’s annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation for the year ended June 30, 2016 and the two preceding years are as follows:

<u>Year Ended</u>	<u>Annual OPEB Cost</u>	<u>Annual OPEB Cost Contributed (%)</u>	<u>Net OPEB Obligation</u>
June 30, 2016	\$2,987,273	21.2	\$12,801,944
June 30, 2015	2,962,955	17.4	10,447,289
June 30, 2014	2,309,625	16.6	8,000,459

Should the District be required to fund its unfunded actuarial accrued OPEB liability, it could have a material adverse impact upon the District’s finances and could force the District to reduce services, raise taxes or both. At the present time, however, there is no current or planned requirement for the District to partially fund its actuarial accrued OPEB liability. At this time, New York State has not developed guidelines for the creation and use of irrevocable trusts for the funding of OPEB. As a result, the District has decided to continue funding the expenditure on a pay-as-you-go basis.

## **TAX INFORMATION**

### **Real Property Taxes**

The District derives its power to cause the levy an ad valorem real property tax from the State Constitution; methods and procedures to levy, collect and enforce this tax are governed by the Real Property Tax Law. Real property assessment rolls used by the District are prepared by the Town of Hempstead. Assessment valuations are determined by the Town assessor and the State Board of Real Property Services which is responsible for certain utility and railroad property. In addition, the State Board of Real Property Services annually establishes State Equalization Rates for all localities in the State, which are determined by statistical sampling of market sales/assessment studies. The equalization rates are used in the calculation and distribution of certain State aids and are used by many localities in the calculation or debt contracting and real property taxing limitations. The District is not subject to constitutional real property taxing limitations, (however see “*The Tax Levy Limit Law*” herein).

The following table sets forth total general fund revenues and real property tax revenues during the last five fiscal years and the amounts budgeted for the fiscal year ending June 30, 2017.

<u>FYE June 30:</u>	<u>Total Revenue</u>	<u>Real Property Taxes</u>	<u>Real Property Taxes to Revenues (%)</u>
2012	\$25,796,326	\$16,276,086	63.09
2013	26,523,545	16,750,811	63.15
2014	27,089,903	17,348,725	64.04
2015	27,997,026	17,747,028	63.39
2016	29,270,664	17,736,762	60.60
2017 (Budgeted)	30,757,827	21,384,450	69.53

a. Inclusive of Other Real Property Tax Items. STAR aid payments made by the state to the District are reflected above. See “STAR – School Tax Relief Reimbursement” herein.

### **Long Island Power Authority PILOT Payments**

In the 2015-2016 fiscal year, the District along with approximately 54 other school districts located in Nassau County, filed a lawsuit against Nassau County, the Long Island Power Authority (“LIPA”) and PSEG LI challenging the method by which certain payments-in-lieu-of-taxes (“PILOTS”) are calculated and implemented pursuant to New York State Public Authorities Law Section 1020-q (the “LIPA Reform Act”) which resulted in a revenue shortfall for certain Districts for the 2015-2016 school year. The participating school districts submitted a verified petition and memorandum of law in support of their position. Following the submission of same, the parties engaged in extensive settlement discussions whereby the participating school districts in Nassau County would be made whole for the 2015-2016 LIPA PILOTS, including any shortfall. The parties are in the process of finalizing a settlement which is anticipated to be fully resolved by the end of the year pursuant to the terms of a settlement. The District did not experience a shortfall in the 2015-16 fiscal year.

Notwithstanding the terms of the settlement agreement regarding the 2015-2016 LIPA PILOT payments, the implementation of the LIPA Reform Act may affect the District’s 2016-2017 fiscal year, and potentially future years. However, the District anticipates that the 2016-2017 LIPA PILOT payments will be calculated by both the County and LIPA on a calendar year basis pursuant to the settlement and, thus, anticipates that the amount of a shortfall for the 2016-2017 school year (if any) will be mitigated by the agreed upon calendar year method of calculation.

### **Tax Collection Procedure**

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

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

## **The Tax Levy Limit Law**

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

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

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

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

On February 20, 2013, the New York State United Teachers (“NYSUT”) and several individuals filed a lawsuit in State Supreme Court in Albany County seeking a declaratory judgment and a preliminary injunction that the Tax Levy Limitation Law is unconstitutional as it applies to public school districts. On September 23, 2014, a justice of the New York State Supreme Court dismissed each of NYSUT’s causes of action but granted NYSUT’s motion to amend the complaint. NYSUT subsequently served a second amended complaint seeking a preliminary injunction and challenging the Tax Levy Limitation Law as violative of the Education Article of the New York State Constitution, the Equal Protection and Due Process clauses and the First Amendment. On March 16, 2015 a New York State Supreme Court Justice denied NYSUT’s motion for a preliminary injunction and dismissed all causes of action contained in NYSUT’s second amended complaint. NYSUT appealed the decision to continue its challenge to the constitutionality of the Tax Levy Limitation Law. On May 5, 2016 the Appellate Division upheld the lower court dismissal, noting that while the State is required to provide the opportunity of a sound basic education, the Constitution “does not require that equal educational offerings be provided to every student”, and further noted “the legitimate government interest of restraining crippling property tax increases”. An appeal by NYSUT was dismissed on October 20, 2016 by the Court of Appeals, New York’s highest court, on the ground that no substantial constitutional question was directly involved and thereafter leave to appeal was denied on January 14, 2017 by the Court of Appeals. See also “State Aid” for a discussion of the *New Yorkers for Students’ Educational Rights v. State of New York* case which includes a challenge to the supermajority requirements regarding school district property tax increases.

## **STAR - School Tax Exemption**

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

Approximately 9% of the District’s 2015-2016 school tax levy was exempted by the STAR program and the District has received full reimbursement of such exempt taxes from the State. Based on information furnished to the District, approximately 9% of the District’s 2016-2017 school tax levy was exempted by the STAR program. (See “State Aid” herein).

### Valuations, Tax Levies and Tax Rates

<u>FYE June 30:</u>	<u>Assessed Valuation</u>	<u>State Equal. Rate (%)</u>	<u>Full Valuation</u>	<u>Tax Levy</u>	<u>Tax Rate Per \$1,000 Assessed Valuation</u>
2013	\$4,743,061	0.33	\$1,437,291,212	\$20,152,888	\$461.69
2014	4,603,499	0.33	1,394,999,697	20,799,737	490.41
2015	4,515,965	0.31	1,456,762,903	21,138,606	509.74
2016	4,305,771	0.29	1,484,748,621	21,100,460	530.46
2017	4,120,173	0.29	1,420,749,310	21,384,450	558.20

### Selected Listing of Large Taxable Properties 2016-17 Assessment Roll

<u>Name</u>	<u>Type</u>	<u>Assessed Valuation</u>
Keyspan	Utility	\$62,866
NY Water Service Corp.	Utility	44,934
Barclay Townhouses Merrick II	Utility	31,020
Carefree Associates	Co-Operative Apartments	26,419
New York Water Service	Utility	25,031
Janbert Realty Corp	Indoor Sports Facility	24,578
1171 Merrick LLC	Commercial	18,453
Newman Realty Co.	Shopping Center	18,182
Verizon New York Inc.	Utility	16,330
Merrick Woods Country Associates	Commercial	13,313
Total <sup>a</sup>		\$281,126

a. Represents 6.82% of the taxable full valuation of the District for 2016-17.

### Tax Certiorari Claims

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

## LITIGATION

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

## BONDHOLDERS RISKS AND MARKET FACTORS AFFECTING FINANCINGS OF THE STATE AND SCHOOL DISTRICTS OF THE STATE

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

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

In addition, if and when a holder of any of the Bonds should elect to sell a Bonds prior to its maturity, there can be no assurance that a market shall have been established, maintained and be in existence for the purchase and sale of any Bonds. The price or principal value of the Bonds is dependent on the prevailing level of interest rates. If interest rates should increase, the price of a bond may decline causing the bond to potentially incur a capital loss if such bond is sold prior to its maturity.

The financial condition of the District as well as the market for the Bonds 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, including, for example, the seeking by a municipality of remedies pursuant to the Federal Bankruptcy Act or otherwise, will not occur which might affect the market price of and the market for the Bonds. 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 Bonds, could be adversely affected.

The District is dependent in part on financial assistance from the State. If the State should for any reason delay in making State aid payments to municipalities and school districts in the State, including the District, in this year or future years, the District may be affected by such delay until such State aid payments are made. In addition, there is no assurance that such aid will be continued at current levels during the current fiscal year or in the future fiscal years. If State aid to the District does continue, any unexpected reductions or delays in the receipt thereof might temporarily delay payment by the District of its anticipated and budgeted expenditures, including the payment of debt service on outstanding bonds (see "Finances of the District" and "Revenues" herein). Should the District fail to receive State aid expected from the State in the amounts and at the times expected, occasioned by a delay in the payment of such monies or by a reduction in State aid (see "*Recent Events Affecting State Aid to New York School Districts*"), the District is authorized by the Local Finance Law to provide operating funds by borrowing in anticipation of the receipt of uncollected State aid.

Future amendments to applicable statutes affecting the treatment of interest paid on municipal bonds, including the Bonds, for income taxation purposes could have an adverse effect on the market value of the Bonds (see "*Tax Matters*" herein).

## **TAX MATTERS**

### **Opinion of Bond Counsel**

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

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

Bond Counsel expresses no opinion regarding any other Federal or state tax consequences with respect to the Bonds. Bond Counsel renders its opinion under existing statutes and court decisions as of the issue date, and assumes no obligation to update, revise or supplement its opinion after the issue date to reflect any action hereafter taken or not taken, or any facts or circumstances that may hereafter come to its attention, or changes in law or in interpretations thereof that may hereafter occur, or for any other reason. Bond Counsel expresses no opinion on the effect of any action hereafter taken or not taken in reliance upon an opinion of other counsel on the exclusion from gross income for Federal income tax purposes of interest on the Bonds, or under state and local tax law.

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

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

### **Certain Collateral Federal Tax Consequences**

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

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

## **Original Issue Discount**

“Original issue discount” (“OID”) is the excess of the sum of all amounts payable at the stated maturity of a Bond (excluding certain “qualified stated interest” that is unconditionally payable at least annually at prescribed rates) over the issue price of that maturity. In general, the “issue price” of a maturity means the first price at which a substantial amount of the Bonds of that maturity was sold (excluding sales to bond houses, brokers, or similar persons acting in the capacity as underwriters, placement agents, or wholesalers). In general, the issue price for each maturity of the Bonds is expected to be the initial public offering price set forth in this Official Statement. Bond Counsel further is of the opinion that, for any Bonds having OID (a “Discount Bond”), OID that has accrued and is properly allocable to the owners of the Discount Bonds under Section 1288 of the Code is excludable from gross income for Federal income tax purposes to the same extent as other interest on the Bonds.

In general, under Section 1288 of the Code, OID on a Discount Bond accrues under a constant yield method, based on periodic compounding of interest over prescribed accrual periods using a compounding rate determined by reference to the yield on that Discount Bond. An owner’s adjusted basis in a Discount Bond is increased by accrued OID for purposes of determining gain or loss on sale, exchange, or other disposition of such Discount Bond. Accrued OID may be taken into account as an increase in the amount of tax-exempt income received or deemed to have been received for purposes of determining various other tax consequences of owning a Discount Bond even though there will not be a corresponding cash payment.

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

## **Bond Premium**

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

## **Information Reporting and Backup Withholding**

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

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

## **Miscellaneous**

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

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

## **DOCUMENTS ACCOMPANYING DELIVERY OF THE BONDS**

### **Absence of Litigation**

Upon delivery of the Bonds, the District shall furnish a certificate of the School District Attorney, dated the date of delivery of the Bonds, to the effect that there is no controversy or litigation of any nature pending or threatened to restrain or enjoin the issuance, sale, execution or delivery of the Bonds, or in any way contesting or affecting the validity of the Bonds or any of the proceedings taken with respect to the issuance and sale thereof or the application of moneys to the payment of the Bonds, and further stating that there is no controversy or litigation of any nature now pending or threatened by or against the District wherein an adverse judgment or ruling could have a material adverse impact on the financial condition of the District or adversely affect the power of the District to levy, collect and enforce the collection of taxes or other revenues for the payment of the Bonds, which has not been disclosed in this Official Statement.

### **Legal Matters**

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

### **Closing Certificates**

Upon the delivery of the Bonds, the Purchasers will be furnished with the following items: (i) a Certificate of the President of the Board of Education and the certain other District Officials to the effect that as of the date of this Official Statement and at all times subsequent thereto, up to and including the time of delivery of the Bonds, this Official Statement did not and does 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, and further stating that there has been no adverse material change in the financial condition of the District since the date of this Official Statement to the date of issuance of the Bonds; and having attached thereto a copy of this Official Statement; (ii) a Certificate signed by an officer of the District evidencing payment for the Bonds; (iii) a Signature Certificate evidencing the due execution of the Bonds, including statements that (a) no litigation of any nature is pending or, to the knowledge of the signers, threatened, restraining or enjoining the issuance and delivery of the Bonds or the levy and collection of taxes to pay the principal of and interest thereon, nor in any manner questioning the proceedings and authority under which the Bonds were authorized or affecting the validity of the Bonds thereunder, (b) neither the corporate existence or boundaries of the District nor the title of any of the officers thereof to their respective offices is being contested, and (c) no authority or proceedings for the issuance of the Bonds have been repealed, revoked or rescinded; and (iv) a Tax Certificate executed by the President of the Board of Education, as described under "*Tax Matters*," herein.

## **DISCLOSURE UNDERTAKING**

In order to assist the purchasers of the Bonds 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 District will execute a Certificate to Provide Notices of Events, substantially in the form of which is attached hereto as "APPENDIX D".



**APPENDIX A**

**FINANCIAL INFORMATION**

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

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
<b>Revenues:</b>					
Real Property Taxes	\$ 16,276,086	\$ 16,750,811	\$ 17,348,725	\$ 17,747,028	\$ 17,736,762
Other Tax Items	3,402,369	3,411,626	3,462,075	3,405,685	3,642,839
Charges for Services	270,529	241,233	309,656	460,219	936,529
Use of Money and Property	19,719	21,391	20,418	623	18,076
Sale of Property & Compensation for Loss	39,126	48,217	15,059	3,959	8,686
Miscellaneous	240,533	321,688	89,574	151,907	157,568
State Sources	5,546,999	5,638,426	5,817,699	6,206,248	6,766,762
Federal Sources	965	90,153	26,697	21,357	3,442
<b>Total Revenues</b>	<u>25,796,326</u>	<u>26,523,545</u>	<u>27,089,903</u>	<u>27,997,026</u>	<u>29,270,664</u>
<b>Expenditures:</b>					
General Support	3,784,759	4,123,166	4,240,498	4,223,547	4,447,722
Instruction	14,813,788	15,261,681	15,846,969	15,969,743	16,219,947
Pupil Transportation	326,612	307,063	344,600	476,755	450,311
Employee Benefits	6,075,401	6,483,733	7,129,337	7,527,057	7,136,802
Debt Service	0	0	0	0	0
<b>Total Expenditures</b>	<u>25,000,560</u>	<u>26,175,643</u>	<u>27,561,404</u>	<u>28,197,102</u>	<u>28,254,782</u>
<b>Excess (Deficit) Revenues Over Expenditures</b>	795,766	347,902	(471,501)	(200,076)	1,015,882
<b>Other Financing Sources (Uses)</b>					
Interfund Transfers In					
Interfund Transfers Out	<u>(1,446,654)</u>	<u>(55,667)</u>	<u>(40,124)</u>	<u>(24,297)</u>	<u>(100,033)</u>
<b>Total Other Financing Sources</b>	<u>(1,446,654)</u>	<u>(55,667)</u>	<u>(40,124)</u>	<u>(24,297)</u>	<u>(100,033)</u>
<b>Net Change In Fund Equity</b>	(650,888)	292,235	(511,625)	(224,373)	915,849
<b>Other Changes In Fund Equity</b>					
Increase: Board Authorized Transfer to Reserve For Accrued Liabilities & Employee Benefits	0	0	0	0	0
<b>Fund Balance Beginning of Fiscal Year</b>	<u>6,831,419</u>	<u>6,180,531</u>	<u>6,472,766</u>	<u>5,961,141</u>	<u>5,736,768</u>
<b>Fund Balance End of Fiscal Year</b>	<u>\$ 6,180,531</u>	<u>\$ 6,472,766</u>	<u>\$ 5,961,141</u>	<u>\$ 5,736,768</u>	<u>\$ 6,652,617</u>

Sources: Audited Annual Financial Reports of the District

Note: This Schedule is NOT audited.

## Balance Sheet - General Fund

Fiscal Year Ended June 30:

	<u>2015</u>	<u>2016</u>
<b>ASSETS:</b>		
Cash - Unrestricted	\$ 3,639,496	\$ 2,405,305
Cash - Restricted	3,654,204	4,683,337
Receivables:		
Accounts Receivable		1,300
State & Federal Aid Receivable	460,645	643,600
Taxes Receivable	826,024	762,329
Due From Other Governments	88,513	266,930
Due From Other Funds	<u>609,370</u>	<u>839,043</u>
 Total Assets	 <u>\$ 9,278,252</u>	 <u>\$ 9,601,844</u>
 <b>LIABILITIES:</b>		
Accounts Payable	335,959	391,594
Due to other governments	354,423	339,642
Accrued Liabilities	134,491	155,927
Due To Other Funds		
Due to Teachers' Retirement System	2,349,182	1,807,796
Due to Employees' Retirement System	163,158	158,336
Compensated Absences	<u>141,479</u>	<u>37,674</u>
 Total Liabilities	 <u>\$ 3,478,692</u>	 <u>\$ 2,890,969</u>
 <b>DEFERRED INFLOWS OF RESOURCES</b>		
Deferred Revenues	62,792	58,258
 <b>FUND EQUITY:</b>		
Nonspendable		
Restricted		
Unemployment Insurance	\$ 86,323	\$ 78,203
Insurance	144,054	144,054
Retirement Contributions	1,986,762	2,018,790
Employee benefit accrued liability	812,065	1,122,290
Capital	625,000	1,320,000
Assigned		
Appropriated fund balance	\$ 720,000	\$ 720,000
Unappropriated fund balance	169,043	20,492
 Unassigned	 <u>\$ 1,193,521</u>	 <u>\$ 1,228,788</u>
 Total Fund Equity	 <u>5,736,768</u>	 <u>6,652,617</u>
 Total Liabilities and Fund Equity	 <u>\$ 9,278,252</u>	 <u>\$ 9,601,844</u>

Source: Audited Annual Financial Report of the District.

Note: This Schedule is NOT audited.

## Budget Summaries

	<u>2015-16(a)</u>	<u>2016-17(b)</u>
Revenues:		
Real Property Taxes	\$ 21,100,460	\$ 21,384,450
Payments In Lieu of Taxes	273,627	253,322
Other Revenues	432,125	344,988
State Aid	6,603,788	6,981,067
Appropriation of Fund Balance	720,000	720,000
Reserves	<u>806,000</u>	<u>1,074,000</u>
Total	\$ <u><u>29,936,000</u></u>	\$ <u><u>30,757,827</u></u>
Expenditures:		
General Support	\$ 4,564,144	\$ 4,863,710
Instruction	16,718,184	17,338,872
Pupil Transportation	450,670	493,000
Interfund Transfers	95,000	100,000
Employee Benefits	8,108,002	7,922,245
Debt Service	<u>0</u>	<u>40,000</u>
Total	\$ <u><u>29,936,000</u></u>	\$ <u><u>30,757,827</u></u>

(a) Approved by the voters of the District on 5/19/15

(b) Approved by the voters of the District on 5/17/16

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**

**APPENDIX B**

**AUDITED FINANCIAL STATEMENTS  
FOR THE FISCAL YEAR ENDED JUNE 30, 2016**

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

**NORTH MERRICK UNION FREE SCHOOL DISTRICT  
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INDEPENDENT AUDITOR'S REPORT

To the Board of Education  
North Merrick Union Free School District

**Report on the Financial Statements**

We have audited the accompanying financial statements of the governmental activities, each major fund and the fiduciary funds of the North Merrick Union Free School District as of and for the fiscal year ended June 30, 2016, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

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

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

***Auditor's Responsibility***

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

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

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

## ***Opinions***

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund and the fiduciary fund of the North Merrick Union Free School District as of June 30, 2016, and the respective changes in financial position for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America.

## ***Other Matters***

### ***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, schedule of funding progress, schedule of District's proportionate share of the net pension liability, and the schedule of District's contributions on pages 3 through 14 and 46 through 50, respectively, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

### ***Other Information***

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the North Merrick Union Free School District's basic financial statements. The other supplementary financial information as listed in the table of contents is presented for the purpose of additional analysis and is not a required part of the basic financial statements.

The other supplementary financial information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the other supplementary financial information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

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

In accordance with *Government Auditing Standards*, we have also issued our report dated October 6, 2016, on our consideration of the North Merrick Union Free School District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the North Merrick Union Free School District's internal control over financial reporting and compliance.

*R. S. Abrams & Co., LLP*

R.S. Abrams & Co., LLP  
Islandia, NY  
October 6, 2016

**NORTH MERRICK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS**

---

The North Merrick Union Free School District's discussion and analysis of the financial performance provides an overall review of the District's financial activities for the fiscal year ended June 30, 2016 in comparison with the year ended June 30, 2015, with emphasis on the current year. This should be read in conjunction with the financial statements, which immediately follow this section.

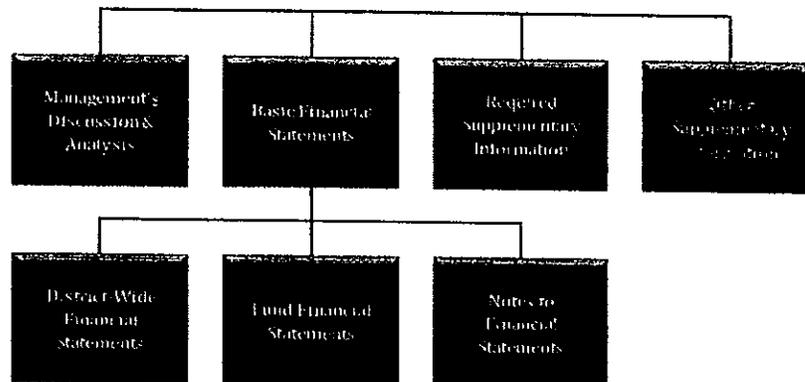
**1. FINANCIAL HIGHLIGHTS**

Key financial highlights for fiscal year 2016 are as follows:

- The District's total net position, as reflected in the district-wide financial statements, decreased by \$417,967. This was due to an excess of expenses over revenues based on the accrual basis of accounting.
- The District's expenses for the year, as reflected in the district-wide financial statements, totaled \$30,638,052. Of this amount, \$1,900,637 was offset by program charges for services and operating grants. General revenues of \$28,319,448 amount to 93.7% of total revenues, and were not adequate to cover the balance of program expenses.
- The general fund's total fund balance, as reflected in the fund financial statements, increased by \$915,849. This was due to an excess of revenues over expenditures and other uses based on the modified accrual basis of accounting.
- On May 19, 2015, the District's voters approved a bond proposition in the amount of \$14,650,000 to fund facilities improvement projects at all three elementary schools. As of June 30, 2016, work has begun, but no debt has been issued.
- The District's 2016 property tax levy of \$21,374,087 including the Nassau County PILOT adjustment of \$273,627 was a 1.11% increase over the 2015 tax levy. The District's property tax cap was 2.18%.

**2. OVERVIEW OF THE FINANCIAL STATEMENTS**

This annual report consists of four parts – management's discussion and analysis (MD&A), the basic financial statements, required supplementary information, and other supplementary information. The basic financial statements consist of district-wide financial statements, fund financial statements, and notes to the financial statements. A graphic display of the relationship of these statements follows:



**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**MANAGEMENT'S DISCUSSION AND ANALYSIS**  
(Continued)

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**A. District-Wide Financial Statements**

The district-wide financial statements present the governmental activities of the District and are organized to provide an understanding of the fiscal performance of the District as a whole in a manner similar to a private sector business. There are two district-wide financial statements - the Statement of Net Position and the Statement of Activities. These statements provide both an aggregate and long-term view of the District's finances.

These statements utilize the accrual basis of accounting. This basis of accounting recognizes the financial effects of events when they occur, without regard to the timing of cash flows related to the events.

The Statement of Net Position

The Statement of Net Position presents information on all of the District's assets and deferred outflows of resources, and liabilities and deferred inflows of resources, with the difference reported as net position. Increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The Statement of Activities

The Statement of Activities presents information showing the change in net position during the fiscal year. All changes in net position are recorded at the time the underlying financial event occurs. Revenues are recognized in the period when they are earned and expenses are recognized in the period when the liability is incurred. Therefore, revenues and expenses are reported in the statement for some items that will result in cash flow in future fiscal periods.

**B. Fund Financial Statements**

The fund financial statements provide more detailed information about the District's funds, not the District as a whole. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District also uses fund accounting to ensure compliance with finance-related legal requirements. The funds of the District are reported in the governmental funds and the fiduciary funds.

Governmental Funds

These statements utilize the modified accrual basis of accounting. This basis of accounting recognizes revenues in the period that they become measurable and available. It recognizes expenditures in the period in which the District incurs the liability, except for certain expenditures such as debt service on general long-term debt, compensated absences, pension costs and other postemployment benefits, which are recognized as expenditures to the extent the related liabilities mature each period.

Governmental funds are used to account for essentially the same functions reported as governmental activities in the district-wide financial statements. However, the governmental fund financial statements focus on shorter term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year for spending in future years. Consequently, the governmental fund statements provide a detailed short-term view of the District's operations and the services it provides.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**MANAGEMENT'S DISCUSSION AND ANALYSIS**  
(Continued)

Because the focus of governmental funds is narrower than that of district-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the district-wide financial statements. By doing so, you may better understand the long-term impact of the District's near-term financing decisions. Both the governmental fund Balance Sheet and the governmental fund Statement of Revenues, Expenditures, and Changes in Fund Balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The District maintains four individual governmental funds: general fund, special aid fund, school lunch fund and capital projects fund, each of which is considered to be a major fund and is presented separately in the fund financial statements.

Fiduciary Funds

Fiduciary funds are used to account for assets held by the District in its capacity as agent or trustee and utilize the accrual basis of accounting. All of the District's fiduciary activities are reported in a separate statement. The fiduciary activities have been excluded from the District's district-wide financial statements because the District cannot use these assets to finance its operations.

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

**A. Net Position**

The District's total net position decreased by \$417,967 between fiscal year 2016 and 2015. The decrease is due to expenses in excess of revenues based on the accrual basis of accounting. A summary of the District's Statements of Net Position follows:

	<u>2016</u>	<u>2015</u>	<u>Increase (Decrease)</u>	<u>Percentage Change</u>
Current and Other Assets	\$ 9,718,103	\$ 9,678,725	\$ 39,378	0.41 %
Capital Assets, Net	6,017,254	5,856,853	160,401	2.74 %
Net Pension Asset - Proportionate Share	<u>9,095,733</u>	<u>9,792,385</u>	<u>(696,652)</u>	<u>(7.11)%</u>
Total Assets	<u>24,831,090</u>	<u>25,327,963</u>	<u>(496,873)</u>	<u>(1.96)%</u>
Deferred Outflows of Resources	<u>3,554,931</u>	<u>2,625,717</u>	<u>929,214</u>	<u>35.39 %</u>
Current and Other Liabilities	2,914,907	3,510,414	(595,507)	(16.96)%
Long-Term Liabilities	3,395,933	2,252,984	1,142,949	50.73 %
Net Other Postemployment Benefits Obligation	12,801,944	10,447,289	2,354,655	22.54 %
Net Pension Liability - Proportionate Share	<u>1,689,322</u>	<u>362,364</u>	<u>1,326,958</u>	<u>366.19 %</u>
Total Liabilities	<u>20,802,106</u>	<u>16,573,051</u>	<u>4,229,055</u>	<u>25.52 %</u>

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**MANAGEMENT'S DISCUSSION AND ANALYSIS**  
(Continued)

	<u>2016</u>	<u>2015</u>	<u>Increase (Decrease)</u>	<u>Percentage Change</u>
Deferred Inflows of Resources	\$ 3,348,868	\$ 6,727,615	\$ (3,378,747)	(50.22)%
Net Investment in Capital Assets	6,017,254	5,856,853	160,401	2.74 %
Restricted	4,683,337	3,654,204	1,029,133	28.16 %
Unrestricted (Deficit)	(6,465,544)	(4,858,043)	(1,607,501)	(33.09)%
Total Net Position	<u>\$ 4,235,047</u>	<u>\$ 4,653,014</u>	<u>\$ (417,967)</u>	(8.98)%

Current and other assets increased by \$39,378, as compared to the prior year. The increase is primarily related to increases in amounts due from state, federal and other governments offset by a decrease in cash.

Capital assets, net increased by \$160,401, as compared to the prior year. This increase is due to capital asset additions in excess of depreciation expense. The accompanying Notes to Financial Statements, Note 8 "Capital Assets" provides additional information.

Net pension asset - proportionate share decreased by \$696,652, as compared to the prior year. This asset represents the District's share of the New York State Teachers' Retirement System's collective net pension asset at the measurement date of the respective year.

Deferred outflows of resources represents contributions to the retirement plans subsequent to the measurement dates and actuarial adjustments at the plan level that will be amortized in future years.

Current and other liabilities decreased by \$595,507, as compared to the prior year. This decrease is due to decreases in the District's liability to the teachers' retirement system for the current year at decreased contribution rates and compensated absences liability.

Long-term liabilities increased by \$1,142,949, as compared to the prior year. This increase is the result of an increase in compensated absences payable.

Net other postemployment benefits (OPEB) obligation increased by \$2,354,655, as compared to the prior year. This increase is the result of the current year OPEB costs on the full accrual basis of accounting in excess of the amount reflected in the governmental funds on the modified accrual basis (pay as you go). The accompanying Notes to Financial Statements, Note 13 "Postemployment Healthcare Benefits", provides additional information.

Net pension liability - proportionate share increased by \$1,326,958 in the current year. This liability represents the District's share of the New York State and Local Employees' Retirement System's collective net pension liability at the measurement date of the respective year.

Deferred inflows of resources decreased by \$3,378,747 in the current year to \$3,348,868. This primarily represents actuarial adjustments at the pension plan level that will be amortized in future years.

The net investment in capital assets is the investment in capital assets at cost such as land; construction in progress; buildings and improvements; site improvements; and, furniture and equipment, net of depreciation and related outstanding debt. This number increased over the prior year as follows:

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**MANAGEMENT'S DISCUSSION AND ANALYSIS**  
(Continued)

	Increase (Decrease)
Capital asset additions - total	\$ 483,583
Depreciation expense	(323,182)
	\$ 160,401

The restricted amount of \$4,683,337 relates to the District's reserves. This number increased over the prior year by \$1,029,133 principally due to the transfer into the reserves in the amount of \$1,695,000 net of appropriated reserves in the amount of \$665,867 to fund current year expenses.

The unrestricted deficit amount of \$6,465,544 relates to the balance of the District's net position. This balance does not include the District's reserves, which are classified as restricted. Additionally, in accordance with state guidelines, the District is only permitted to fund OPEB on a "pay as you go" basis, and is not permitted to accumulate funds for the net OPEB obligation.

The District's total net position decreased by \$417,967 or 8.98%; \$4,235,047 at June 30, 2016, compared to \$4,653,014 at June 30, 2015.

**B. Changes in Net Position**

The results of this year's operations as a whole are reported in the Statement of Activities in a programmatic format. In the accompanying financial statements STAR (school tax relief) revenue is included in the other tax items line. However, in this MD&A, STAR revenue has been combined with property taxes. A summary of this statement for the years ended June 30, 2016 and 2015 is as follows:

	2016	2015	Increase (Decrease)	Percentage Change
<b>Revenues</b>				
Program Revenues				
Charges for Services	\$ 1,156,710	\$ 673,810	\$ 482,900	71.67 %
Operating Grants	743,927	741,477	2,450	0.33 %
General Revenues				
Property Taxes and STAR	21,114,022	21,150,692	(36,670)	(0.17)%
State Sources	6,767,075	6,206,248	560,827	9.04 %
Other	438,351	194,872	243,479	124.94 %
Total Revenues	30,220,085	28,967,099	1,252,986	4.33 %
<b>Expenses</b>				
General Support	5,571,485	5,228,929	342,556	6.55 %
Instruction	24,291,904	22,803,019	1,488,885	6.53 %
Pupil Transportation	485,611	529,678	(44,067)	(8.32)%
Food Service Program	289,052	325,977	(36,925)	(11.33)%
Total Expenses	30,638,052	28,887,603	1,750,449	6.06 %
Increase/(Decrease) in Net Position	\$ (417,967)	\$ 79,496	\$ (497,463)	(625.77)%

**NORTH MERRICK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
(Continued)**

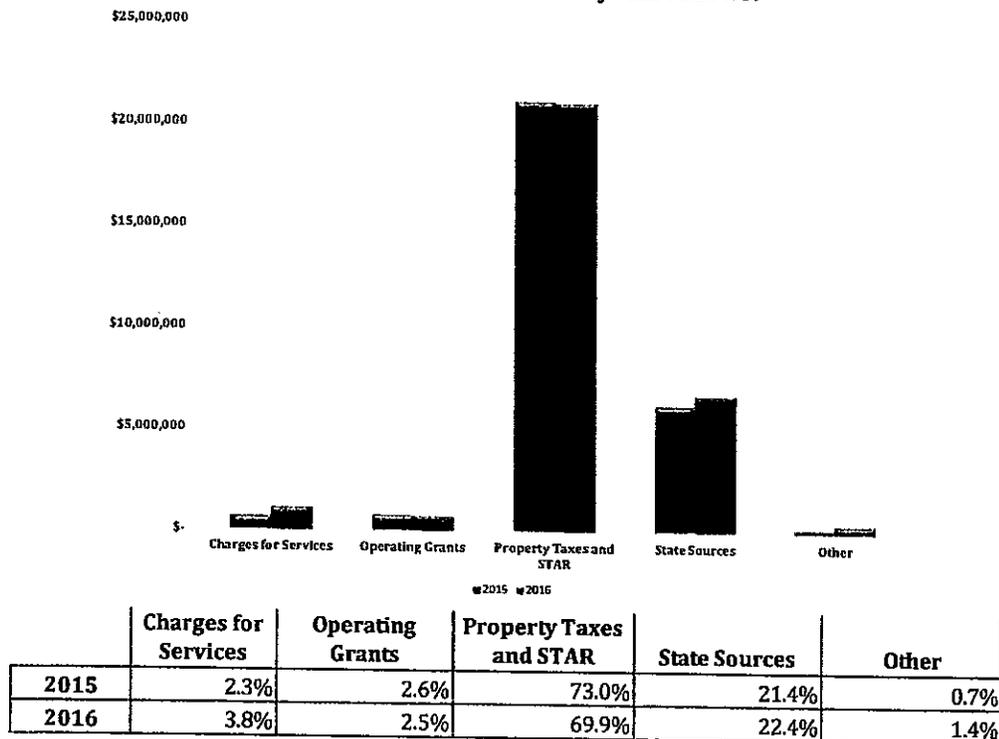
The District's net position decreased by \$417,967 and increased \$79,496 for the years ended June 30, 2016 and 2015, respectively.

The District's revenues increased by \$1,252,986 or 4.33%. The major factors that contributed to the increase were charges for services, state sources and other revenues. The increase in charges for services is due to an increase in tuition revenue as a result of an increase in services provided and rates. The increase in state sources is due to the District receiving more state aid than in prior years. During 2016, the County removed certain properties from the tax rolls and entered into agreements with these properties to make payments in lieu of taxes, causing a shift between property tax revenues and PILOT (\$263,474). In total, property taxes and STAR and PILOT (included in other revenues) increased over 2015 amounts.

The District's expenses for the year increased by \$1,750,449 or 6.06%. This increase was due to increases in general support and instruction as a result of increases in employee benefits on the full accrual basis.

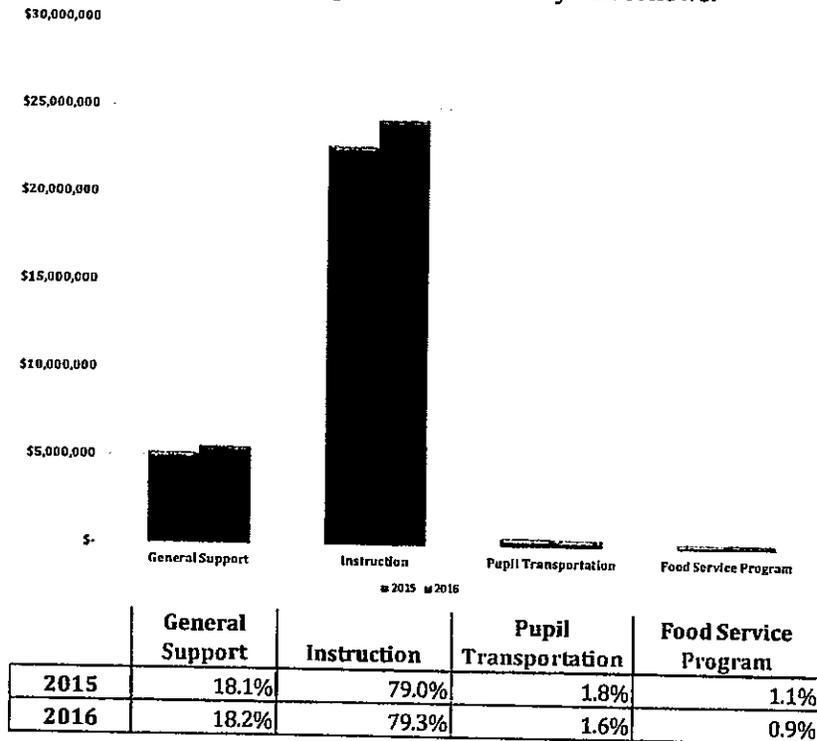
As indicated on the graphs that follow, real property taxes and STAR is the largest component of revenues recognized (i.e., 69.9% and 73.0% of the total for the years 2016 and 2015, respectively). Instruction expenses is the largest category of expenses incurred (i.e., 79.3% and 79.0% of the total for the years 2016 and 2015, respectively).

A graphic display of the distribution of revenues for the two years follows:



**NORTH MERRICK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
(Continued)**

A graphic display of the distribution of expenses for the two years follows:



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

At June 30, 2016, the District's governmental funds reported a combined fund balance of \$6,744,938, which is an increase of \$639,419 over the prior year. This increase is due to an excess of revenues over expenditures based upon the modified accrual basis of accounting. A summary of the change in fund balance by fund is as follows:

	2016	2015	Increase (Decrease)
<b>General Fund</b>			
Restricted			
Unemployment insurance	\$ 78,203	\$ 86,323	\$ (8,120)
Retirement contribution	2,018,790	1,986,762	32,028
Insurance	144,054	144,054	-
Employee benefit accrued liability	1,122,290	812,065	310,225
Capital	1,320,000	625,000	695,000
Assigned:			
Appropriated fund balance	720,000	720,000	-
Unappropriated fund balance	20,492	169,043	(148,551)
Unassigned: Fund balance	1,228,788	1,193,521	35,267
	<u>6,652,617</u>	<u>5,736,768</u>	<u>915,849</u>

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**MANAGEMENT'S DISCUSSION AND ANALYSIS**  
(Continued)

	2016	2015	Increase (Decrease)
<b>School Lunch Fund</b>			
Nonspendable: Inventory	\$ 10,509	\$ 9,933	\$ 576
Assigned: Unappropriated fund balance	<u>158,517</u>	<u>140,406</u>	<u>18,111</u>
	<u>169,026</u>	<u>150,339</u>	<u>18,687</u>
<b>Capital Projects Fund</b>			
Assigned: Unappropriated fund balance		218,412	(218,412)
Unassigned: Fund balance (deficit)	<u>(76,705)</u>	<u>(76,705)</u>	<u>(76,705)</u>
	<u>(76,705)</u>	<u>218,412</u>	<u>(295,117)</u>
 Total Fund Balance	 <u>\$ 6,744,938</u>	 <u>\$ 6,105,519</u>	 <u>\$ 639,419</u>

**A. General Fund**

The net change in the general fund – fund balance is an increase of \$915,849 compared to a decrease of \$224,373 in 2015. This resulted from revenues of \$29,270,664 in excess of expenditures and other uses of \$28,354,815. Revenues increased by \$1,273,638 (4.55%) over the prior year revenues. This increase was primarily due to increases in property taxes, STAR and other tax items, charges for services and other state aid. A \$226,888 combined increase in property taxes, STAR and other taxes items is due to the District increasing the levy to fund increases in appropriations in the 2015-16 budget. However, during the year, the County removed certain properties from the tax roll and entered into agreements with LIPA, the owner of those properties to make payments in lieu of taxes. This caused a shift between property taxes and PILOT. A \$560,514 increase in state sources is due to the reduction in the GAP elimination adjustment, a deduction to the District's basic state aid, as well as an increase in BOCES aid. A \$476,310 increase in charges for services is due to an increase in services provided and rates.

Expenditures and other uses increased by \$133,416 (0.47%) over the prior year. This increase was primarily due to an increase in central services as a result of settling employment contracts and an increase in costs for programs for students with disabilities, due to an increase in services provided offset by a decrease in employee benefits on the modified accrual basis of accounting. The decrease in employee benefits is due to a decrease in contribution rates to the retirement systems offset by an increase in medical costs.

As part of the 2015-16 budget the District anticipated appropriating \$30,000 from the unemployment reserve, \$656,000 from the retirement contribution reserve and \$120,000 from the employee benefit accrued liability reserve. Actual costs were less than anticipated and the District appropriated \$8,120 from the unemployment reserve, \$567,972 from the retirement contribution reserve, and \$89,775 from the employee benefit accrued liability reserve. In addition, at the end of the fiscal year the District funded \$600,000 to the retirement contribution reserve to fund future retirement contribution costs and \$400,000 the employee benefit accrued liability reserve to fund future payments of unused accumulated sick and vacation time. The District expects to appropriate \$30,000 from unemployment reserve, \$589,000 from the retirement contribution reserve and \$455,000 employee benefit accrued liability reserve during 2016-17.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**MANAGEMENT'S DISCUSSION AND ANALYSIS**  
(Continued)

In May 2015, the voters of the District authorized the creation of a capital reserve for \$3,000,000 to be funded for a period of 5 years. As of June 30, 2016, \$1,320,000 of funding has been provided to the reserve and it had a balance of \$1,320,000.

**B. School Lunch Fund**

The net change in the school lunch fund – fund balance is an increase of \$18,687, which was the operating surplus of the school lunch fund.

**C. Capital Projects Fund**

The net change in the capital projects fund – fund balance is a decrease of \$295,117, due to expenditures incurred during the year on capital projects.

**5. GENERAL FUND BUDGETARY HIGHLIGHTS**

**A. 2015-16 Budget**

The District's general fund adopted budget for the year ended June 30, 2016 was \$29,936,000. This amount was increased by encumbrances carried forward from the prior year in the amount of \$169,042 for a total final budget of \$30,105,042.

The budget was funded through a combination of estimated revenues and appropriated fund balance. The majority of this funding source was \$21,100,460 in estimated property taxes and STAR.

**B. Change in General Fund's Unassigned Fund Balance (Budget to Actual)**

The general fund's unassigned fund balance is the component of total fund balance that is the residual of prior years' excess revenues over expenditures, net of transfers to reserves, appropriations to fund the subsequent year's budget and encumbrances. The change in this balance demonstrated through a comparison of the actual revenues and expenditures for the year compared to budget follows:

Opening, Unassigned Fund Balance	\$ 1,193,521
Revenues Over Budget	860,664
Expenditures and Encumbrances Under Budget	1,729,735
Unused Appropriated Reserves	(140,132)
Allocation to Reserves	(1,695,000)
Appropriated for the 2016-17 Budget	<u>(720,000)</u>
Closing, Unassigned Fund Balance	<u>\$ 1,228,788</u>

**Opening, Unassigned Fund Balance**

The \$1,193,521 shown in the table is the portion of the District's June 30, 2015 fund balance that was retained as unassigned.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**MANAGEMENT'S DISCUSSION AND ANALYSIS**  
(Continued)

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Revenues Over Budget

The 2015-16 final budget for revenues was \$28,410,000. Actual revenues received for the year were \$29,270,664. The excess of actual revenue over estimated or budgeted revenue was \$860,664. This change contributes directly to the change to the general fund unassigned fund balance from June 30, 2015 to June 30, 2016.

Expenditures and Encumbrances Under Budget

The 2015-16 final budget for expenditures was \$30,105,042. Actual expenditures as of June 30, 2016 were \$28,354,815 and outstanding encumbrances were \$20,492. Combined, the expenditures plus encumbrances for 2015-16 were \$28,375,307. The final budget was under expended by \$1,729,735. This under expenditure contributes directly to the change to the general fund unassigned fund balance from June 30, 2015 to June 30, 2016.

Unused Appropriated Reserves

In the 2015-16 budget, \$806,000 of reserves were appropriated to reduce the tax levy. Due to lower than anticipated expenditures, \$140,132 of this funding was not needed and, therefore, it was returned to the reserves for future use.

Allocation to Reserves

Monies transferred into authorized reserves do not affect the total fund balance unless, and until these monies are actually expended. The transfers do, however, reduce the District's discretion regarding the use of these transferred monies, and thus, reduce the unassigned fund balance by the amount of the transfers.

The \$(1,695,000) shown in the above table is due to transfers to fund reserves; \$600,000 retirement contribution reserve, \$400,000 employee benefit accrued liability reserve and \$695,000 capital reserve.

Appropriated Fund Balance

The District has chosen to use \$720,000 of the available June 30, 2016 unassigned fund balance to partially fund the 2016-17 approved operating budget. As such, the June 30, 2016 unassigned fund balance must be reduced by this amount.

Closing, Unassigned Fund Balance

Based upon the summary changes shown in the above table, the unassigned fund balance at June 30, 2016 was \$1,228,788. This amount equals 4.0% of the 2016-17 budget and is at the statutory limit.

**6. CAPITAL ASSETS AND DEBT ADMINISTRATION**

**A. Capital Assets**

At June 30, 2016, the District had invested in a broad range of capital assets, as indicated in the table below. The net increase in capital assets is due to capital additions of \$483,583 less depreciation of

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**MANAGEMENT'S DISCUSSION AND ANALYSIS**  
(Continued)

\$323,182 recorded for the year ended June 30, 2016. A summary of the District's capital assets, net of depreciation at June 30, 2016 and 2015 is as follows:

	2016	2015	Increase (Decrease)
Land	\$ 120,104	\$ 120,104	\$ -
Construction in progress	628,855	258,738	370,117
Buildings & building improvements	4,201,646	4,334,317	(132,671)
Site improvements	804,658	875,461	(70,803)
Furniture & equipment	221,370	259,649	(38,279)
Vehicles	40,621	8,584	32,037
Capital assets, net	<u>\$ 6,017,254</u>	<u>\$ 5,856,853</u>	<u>\$ 160,401</u>

**B. Debt Administration**

On May 19, 2015, the voters approved a bond issue not to exceed \$14,650,000 for facilities improvement projects at all three elementary schools. As of June 30, 2016, no debt has been issued, but work has commenced and expenditures are recorded in the capital projects fund.

**7. ECONOMIC FACTORS AND NEXT YEAR'S BUDGET**

**A. Subsequent Year's Budget**

The general fund budget, the only fund with a legally adopted budget, as approved by the voters on May 17, 2016, for the year ending June 30, 2017, is \$30,757,827. This is an increase of \$821,827 or 2.75% over the previous year's budget. The increase is principally in the instructional program (\$494,512) and administrative (\$332,139) areas of the budget.

The District budgeted revenues other than property taxes and STAR at a \$269,837 increase over the prior year's estimate, which is principally due to an estimated increase in state aid. The assigned, appropriated fund balance applied to the budget in the amount of \$720,000 is the same as the previous year. Additionally, the District has elected to appropriate \$1,074,000 of reserves towards the next year's budget, which is an increase of \$268,000 over the previous year. A property tax increase of \$283,990 (1.35%), levy to levy, was needed to meet the funding shortfall and cover the increase in projected expenditures.

**B. Future Budgets**

Significant increases in costs of health insurance, the property tax cap, and uncertainty in state aid and federal funds will greatly impact the District's future budgets.

**C. Tax Cap**

New York State law limits the increase in the property tax levy of school districts to the lesser of 2% or the rate of inflation to June 15, 2020. There are additional statutory adjustments in the law. School districts may override the tax levy limit by presenting to the voters a budget that requires a tax levy that exceeds the statutory limit. However, that budget must be approved by 60% of the votes cast. Based on

**NORTH MERRICK UNION FREE SCHOOL DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
(Continued)**

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the law, the District's tax levy cap for 2016-17 is 1.61%. The District's 2016-17 property tax increase of 1.35% was less than the tax cap and did not require an override vote.

**D. Property Tax Freeze Credit and Property Tax Relief Credit**

New York State law provides a "Property Tax Freeze Credit" that effectively "freezes" property taxes for two years on the primary residences of homeowners with annual incomes at or below \$500,000 in school districts and local governments that stay within the tax cap. Qualifying homeowners receive a credit, which is distributed in the form of a check from New York State, up to the calculated amount of the tax cap. The program also requires the school districts and local governments, in the second year, to develop or participate in the development of a state approved government efficiency plan that will achieve savings for taxpayers. The program ends for school districts with the 2015-16 school year.

New York State enacted a new law that provides a "Property Tax Relief Credit" to eligible taxpayers for the 2016-17 through 2019-20 school years. To be eligible, a taxpayer, based on income tax return filings for the taxable two years prior, must be a New York State resident, owned and primarily resided in real property receiving the STAR exemption, and had adjusted gross income no greater than \$275,000. A taxpayer is ineligible for the tax credit if the real property is located in a school district that adopted a budget in excess of the tax levy limit. Eligible District taxpayers will receive a tax credit in the form of a check in the amount of \$130 in the first year. In subsequent years, the amount of the credit is a function of the basic STAR savings and the taxpayer's income.

These property tax credit programs provide an incentive for the District to be tax cap compliant.

**8. CONTACTING THE DISTRICT**

This financial report is designed to provide the reader with a general overview of the District's finances and to demonstrate the District's accountability for the funds it receives. Requests for additional information can be directed to:

Mr. Thomas McDaid  
Assistant Superintendent Business & Operations  
North Merrick Union Free School District  
1057 Merrick Avenue  
North Merrick, New York 11566

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Statement of Net Position**  
June 30, 2016

<b>ASSETS</b>	
Cash	
Unrestricted	\$ 2,806,363
Restricted	4,683,337
Receivables	
Accounts receivable	1,303
Taxes receivable	762,329
Due from fiduciary funds	22,967
Due from state and federal	1,164,365
Due from other governments	266,930
Inventory	10,509
Capital assets:	
Not being depreciated	748,959
Being depreciated, net of accumulated depreciation	5,268,295
Net pension asset - proportionate share	<u>9,095,733</u>
 Total Assets	 <u>24,831,090</u>
 <b>DEFERRED OUTFLOWS OF RESOURCES</b>	
Pensions	<u>3,554,931</u>
 <b>LIABILITIES</b>	
Payables	
Accounts payable	395,530
Accrued liabilities	165,206
Due to other governments	339,897
Due to teachers' retirement system	1,807,796
Due to employees' retirement system	158,336
Compensated absences payable	37,674
Unearned credits	
Collections in advance	10,468
Long-term liabilities	
Due and payable within one year	
Compensated absences payable	303,512
Due and payable after one year	
Compensated absences payable	3,092,421
Net other postemployment benefits obligation	12,801,944
Net pension liability - proportionate share	<u>1,689,322</u>
 Total Liabilities	 <u>20,802,106</u>
 <b>DEFERRED INFLOWS OF RESOURCES</b>	
Deferred revenue	10,153
Pensions	<u>3,338,715</u>
 Total Deferred Inflows of Resources	 <u>3,348,868</u>
 <b>NET POSITION</b>	
Net investment in capital assets	<u>6,017,254</u>
Restricted:	
Unemployment insurance	78,203
Retirement contribution	2,018,790
Insurance	144,054
Employee benefit accrued liability	1,122,290
Capital	<u>1,320,000</u>
	<u>4,683,337</u>
Unrestricted (deficit)	<u>(6,465,544)</u>
 Total Net Position	 <u>\$ 4,235,047</u>

See Notes to Financial Statements

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Statement of Activities**  
For The Year Ended June 30, 2016

	Expenses	Program Revenues		Net (Expense) Revenue and Changes in Net Position
		Charges for Services	Operating Grants	
<b>FUNCTIONS/PROGRAMS</b>				
General support	\$ 5,571,485	\$	\$	\$ (5,571,485)
Instruction	24,291,904	936,529	656,643	(22,698,732)
Pupil transportation	485,611			(485,611)
Food service program	289,052	220,181	87,284	18,413
<b>Total Functions and Programs</b>	<b>\$ 30,638,052</b>	<b>\$ 1,156,710</b>	<b>\$ 743,927</b>	<b>(28,737,415)</b>
<b>GENERAL REVENUES</b>				
Real property taxes				17,736,762
Other tax items				3,642,839
Use of money and property				18,076
Forfeitures				100
Sale of property and compensation for loss				8,686
Miscellaneous				142,468
State sources				6,767,075
Medicaid reimbursement				3,442
<b>Total General Revenues</b>				<b>28,319,448</b>
<b>Change in Net Position (Deficit)</b>				<b>(417,967)</b>
<b>Total Net Position - Beginning of Year</b>				<b>4,653,014</b>
<b>Total Net Position - End of Year</b>				<b>\$ 4,235,047</b>

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Balance Sheet - Governmental Funds**  
June 30, 2016

	General	Special Aid	School Lunch	Capital Projects	Total Governmental Funds
<b>ASSETS</b>					
Cash					
Unrestricted	\$ 2,405,305	\$ 84,878	\$ 162,887	\$ 153,293	\$ 2,806,363
Restricted	4,683,337				4,683,337
Receivables					
Accounts receivable	1,300		3		1,303
Taxes receivable	762,329				762,329
Due from other funds	839,043				839,043
Due from state and federal	643,600	515,305	5,460		1,164,365
Due from other governments	266,930				266,930
Inventory			10,509		10,509
Total Assets	<u>\$ 9,601,844</u>	<u>\$ 600,183</u>	<u>\$ 178,859</u>	<u>\$ 153,293</u>	<u>\$ 10,534,179</u>
<b>LIABILITIES</b>					
Payables					
Accounts payable	\$ 391,594	\$ 2,550	\$ 1,386		\$ 395,530
Accrued liabilities	155,927	9,279			165,206
Due to other funds		586,078		229,998	816,076
Due to other governments	339,642	255			339,897
Due to teachers' retirement system	1,807,796				1,807,796
Due to employees' retirement system	158,336				158,336
Compensated absences payable	37,674				37,674
Unearned credits					
Collections in advance		2,021	8,447		10,468
Total Liabilities	<u>2,890,969</u>	<u>600,183</u>	<u>9,833</u>	<u>229,998</u>	<u>3,730,983</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>					
Unavailable revenue	48,105				48,105
Deferred revenue	10,153				10,153
Total Deferred Inflows of Resources	<u>58,258</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>58,258</u>
<b>FUND BALANCES (DEFICIT)</b>					
Nonspendable: Inventory			10,509		10,509
Restricted:					
Unemployment insurance	78,203				78,203
Retirement contribution	2,018,790				2,018,790
Insurance	144,054				144,054
Employee benefit accrued liability	1,122,290				1,122,290
Capital	1,320,000				1,320,000
Assigned:					
Appropriated fund balance	720,000				720,000
Unappropriated fund balance	20,492		158,517		179,009
Unassigned: Fund balance (deficit)	1,228,788			(76,705)	1,152,083
Total Fund Balances (Deficit)	<u>6,652,617</u>	<u>-</u>	<u>169,026</u>	<u>(76,705)</u>	<u>6,744,938</u>
Total Liabilities, Deferred Inflows of Resources and Fund Balances	<u>\$ 9,601,844</u>	<u>\$ 600,183</u>	<u>\$ 178,859</u>	<u>\$ 153,293</u>	<u>\$ 10,534,179</u>

See Notes to Financial Statements

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Reconciliation of the Governmental Funds Balance Sheet**  
**to the Statement of Net Position**  
June 30, 2016

Total Governmental Fund Balances		\$ 6,744,938
Amounts reported for governmental activities in the Statement of Net Position are different because:		
<p>The cost of building and acquiring capital assets (land, buildings, equipment) financed from the governmental funds are reported as expenditures in the year they are incurred, and the assets do not appear on the Balance Sheet. However, the Statement of Net Position includes those capital assets among the assets of the District as a whole, and their original costs are expensed annually over their useful lives.</p>		
Original cost of capital assets		\$ 11,490,667
Accumulated depreciation		<u>(5,473,413)</u>
		6,017,254
<p>Proportionate share of long-term asset and liability, and deferred outflows and inflows associated with participation in the state retirement systems are not current financial resources or obligations and are not reported in the funds.</p>		
Net pension asset - teachers' retirement system		9,095,733
Deferred outflows of resources		3,554,931
Net pension liability - employees' retirement system		(1,689,322)
Deferred inflows of resources		<u>(3,338,715)</u>
		7,622,627
<p>Some of the District's revenues will be collected after the year end, but are not available soon enough to pay for the current period's expenditures and, therefore, are deferred in the governmental funds, but are not deferred on the Statement of Net Position.</p>		
		48,105
<p>Long-term liabilities are not due and payable in the current period and, therefore, are not reported as liabilities in the governmental funds. Long-term liabilities at year end consist of:</p>		
Compensated absences payable		(3,395,933)
Net other postemployment benefits obligation		<u>(12,801,944)</u>
		(16,197,877)
Total Net Position		<u>\$ 4,235,047</u>

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Statement of Revenues, Expenditures**  
**and Changes in Fund Balances - Governmental Funds**  
For The Year Ended June 30, 2016

	General	Special Aid	School Lunch	Capital Projects	Total Governmental Funds
<b>REVENUES</b>					
Real property taxes	\$ 17,736,762	\$	\$	\$	\$ 17,736,762
Other tax items	3,642,839				3,642,839
Charges for services	936,529				936,529
Use of money and property	18,076				18,076
Forfeitures	100				100
Sale of property and compensation for loss	8,686				8,686
Miscellaneous	157,468				157,468
State sources	6,766,762	133,726	5,265		6,905,753
Medicaid reimbursement	3,442				3,442
Federal sources		522,917	56,090		579,007
Surplus food			25,929		25,929
Sales - school lunch			220,181		220,181
<b>Total Revenues</b>	<b>29,270,664</b>	<b>656,643</b>	<b>307,465</b>	<b>-</b>	<b>30,234,772</b>
<b>EXPENDITURES</b>					
General support	4,447,722				4,447,722
Instruction	16,219,947	658,128			16,878,075
Pupil transportation	450,311	23,548			473,859
Employee benefits	7,136,802				7,136,802
Cost of sales			288,778		288,778
Capital outlay				370,117	370,117
<b>Total Expenditures</b>	<b>28,254,782</b>	<b>681,676</b>	<b>288,778</b>	<b>370,117</b>	<b>29,595,353</b>
Excess (Deficiency) of Revenues Over Expenditures	1,015,882	(25,033)	18,687	(370,117)	639,419
<b>OTHER FINANCING SOURCES AND (USES)</b>					
Operating transfers in		25,033		75,000	100,033
Operating transfers (out)	(100,033)				(100,033)
<b>Total Other Financing Sources and (Uses)</b>	<b>(100,033)</b>	<b>25,033</b>	<b>-</b>	<b>75,000</b>	<b>-</b>
<b>Net Change in Fund Balances</b>	<b>915,849</b>	<b>-</b>	<b>18,687</b>	<b>(295,117)</b>	<b>639,419</b>
<b>Fund Balances (Deficit) - Beginning of Year</b>	<b>5,736,768</b>		<b>150,339</b>	<b>218,412</b>	<b>6,105,519</b>
<b>End of Year</b>	<b>\$ 6,652,617</b>	<b>\$ -</b>	<b>\$ 169,026</b>	<b>\$ (76,705)</b>	<b>\$ 6,744,938</b>

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Reconciliation of the Governmental Funds Statement of Revenues, Expenditures and**  
**Changes in Fund Balances to the Statement of Activities**  
**For The Year Ended June 30, 2016**

Net Change in Fund Balances \$ 639,419

Amounts reported for governmental activities in the Statement of Activities are different because:

Long-Term Revenue and Expense Differences

Certain revenues are recognized in the governmental funds when they provide current financial resources. However, these revenues were recognized in the Statement of Activities in prior years when they were earned.

Decrease in unavailable revenue \$ (14,687)

Certain operating expenses do not require the use of current financial resources and, therefore, are not reported as expenditures in the governmental funds, but are expensed in the Statement of Activities.

Increase in compensated absences payable (1,142,949)  
 Increase in net other postemployment benefits obligation (2,354,655) (3,512,291)

Capital Related Differences

Capital outlays to purchase or build capital assets are reported in governmental funds as expenditures. However, for governmental activities those costs are capitalized and shown in the Statement of Net Position and allocated over their useful lives as annual depreciation expenses in the Statement of Activities. This is the amount by which, capital outlays exceeded depreciation in the period.

Capital outlays 483,583  
 Depreciation expense (323,182) 160,401

Pension Differences

The decrease in the proportionate share of the collective pension expense of the state retirement plans reported in the Statement of Activities did not affect current financial resources and, therefore, is not reported in the governmental funds.

Teachers' retirement system 2,376,377  
 Employees' retirement system (81,873) 2,294,504

Change in Net Position of Governmental Activities \$ (417,967)

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Statement of Fiduciary Net Position -**  
**Fiduciary Funds**  
June 30, 2016

	<u>Agency</u>
<b>ASSETS</b>	
Cash	\$ 178,428
<b>Total Assets</b>	<u>\$ 178,428</u>
<b>LIABILITIES</b>	
Due to governmental funds	\$ 22,967
Other liabilities	<u>155,461</u>
<b>Total Liabilities</b>	<u>\$ 178,428</u>

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**

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**1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The financial statements of the North Merrick Union Free School District (District) have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) for governmental units. The Governmental Accounting Standards Board (GASB) is the standard-setting body for establishing governmental accounting and financial reporting principles. Significant accounting principles and policies used by the District are as follows:

**A. Reporting Entity**

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

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

The accompanying financial statements present the activities of the District. The District is not a component unit of another reporting entity. The decision to include a potential component unit in the District's reporting entity is based on several criteria including legal standing, fiscal dependency, and financial accountability. Based on the application of these criteria, there are no other entities that would be included in the District's financial statements.

**B. Joint Venture**

The District is a component district in the Board of Cooperative Educational Services of Nassau (BOCES). A BOCES is a voluntary, cooperative association of school districts in a geographic area that share planning, services, and programs which provide educational and support activities. BOCES are organized under Section §1950 of the Education Law. A BOCES Board is considered a corporate body. Members of a BOCES Board are nominated and elected by their component member boards in accordance with provisions of Section §1950 of the Education Law. All BOCES property is held by the BOCES Board as a corporation under Section §1950(6). In addition, BOCES Boards also are considered municipal corporations to permit them to contract with other municipalities on a cooperative basis under Section §119-n(a) of the General Municipal Law. A BOCES budget is comprised of separate budgets for administrative, program, and capital costs. Each component district's share of administrative and capital

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

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cost is determined by resident public school district enrollment as defined in Education Law, Section §1950(4)(b)(7). There is no authority or process by which a school district can terminate its status as a BOCES component. In addition, component school districts pay tuition or a service fee for programs in which its students participate.

**C. Basis of Presentation**

District-Wide Financial Statements

The Statement of Net Position and the Statement of Activities present information about the overall governmental financial activities of the District, except for fiduciary activities. Eliminations have been made to minimize the double counting of interfund transactions. Governmental activities generally are financed through taxes, state aid, intergovernmental revenues, and other exchange and nonexchange transactions. Operating grants include operating-specific and discretionary (either operating or capital) grants, while capital grants reflect capital-specific grants, if applicable.

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

Fund Financial Statements

The fund financial statements provide information about the District's funds, including fiduciary funds. Separate statements for each fund type, governmental and fiduciary, are presented. The District's financial statements present the following fund types:

**Governmental Funds** - are those through which most governmental functions are financed. The acquisition, use and balances of expendable financial resources and the related liabilities are accounted for through governmental funds. The emphasis of governmental fund financial statements is on major funds as defined by GASB, each displayed in a separate column. The following are the District's major governmental funds:

**General Fund** - is the general operating fund and is used to account for all financial transactions except those required to be accounted for in another fund.

**Special Aid Fund** - is used to account for the proceeds of specific revenue sources such as federal and state grants that are legally restricted to expenditures for specified purposes. These legal restrictions may be imposed by either governments that provide the funds or outside parties.

**School Lunch Fund** - is used to account for the activities of the food service program.

**Capital Projects Fund** - is used to account for the financial resources used for acquisition, construction, renovation or major repair of capital facilities and other capital assets, such as equipment.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

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***Fiduciary Funds*** – are used to account for activities in which the District acts as trustee or agent for resources that belong to others. These activities are not included in the district-wide financial statements, because their resources do not belong to the District, and are not available to be used. The following is the District's fiduciary fund:

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

**D. Measurement Focus and Basis of Accounting**

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

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

The governmental fund statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized when measurable and available. The District considers all revenues reported in the governmental funds to be available if the revenues are collected within 180 days after the end of the fiscal year, except for real property taxes, which are considered to be available if they are collected within 60 days after the end of the fiscal year. Expenditures are recorded when the related fund liability is incurred, except for principal and interest on general long-term debt, compensated absences, pension costs and other postemployment benefits, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt are reported as other financing sources.

**E. Real Property Taxes**

Calendar

Real property taxes are levied annually by the Board no later than August 15<sup>th</sup> and become a lien on October 1<sup>st</sup> and April 1<sup>st</sup>. Taxes are collected by the Town of Hempstead and remitted to the District from October through June.

Enforcement

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

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

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**F. Restricted Resources**

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

**G. Interfund Transactions**

The operations of the District include transactions between funds. These transactions may be temporary in nature, such as with interfund borrowings. The District typically loans resources between funds for the purpose of providing cash flow. These interfund receivables and payables are expected to be repaid within one year. Permanent transfers of funds include transfers to provide financing or other services. This includes the transfer of unrestricted general fund revenues to finance various programs that the District must account for in other funds in accordance with budgetary authorizations.

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

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

A detailed disclosure by individual fund for interfund receivables, payables, transfers in and transfers out activity is provided subsequently in these Notes to Financial Statements.

**H. Use of Estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amount of assets, deferred outflow of resources, liabilities, deferred inflows of resources, and disclosure of contingent assets and liabilities at the date of the financial statements and the reported revenues and expenses/expenditures during the reporting period. Accordingly, actual results could differ from those estimates. Estimates and assumptions are made in a variety of areas, including compensated absences, other postemployment benefits, workers' compensation liabilities, potential contingent liabilities and useful lives of long-lived assets.

**I. Cash and Cash Equivalents**

Cash and cash equivalents consist of cash on hand, bank deposits and investments with a maturity date of three months or less from date of acquisition.

Certain cash balances are restricted by various legal and contractual obligations, such as legal reserves and debt agreements.

**J. Receivables**

Receivables are shown net of an allowance for uncollectibles, if any. However, no allowance for uncollectibles has been provided since it is believed that such allowance would not be material.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

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**K. Inventory**

Inventory of food in the school lunch fund is recorded at cost on a first-in, first-out basis or in the case of surplus food donated by the U.S. Department of Agriculture, at the Government's assigned value, which approximates market. Inventory is accounted for on the consumption method. Under the consumption method, a current asset for the inventory is recorded at the time of receipt and/or purchase and an expense/expenditure is reported in the year the goods or services are consumed.

Purchases of inventoriable items in other funds are recorded as expenditures at the time of purchase, and are considered immaterial in amount.

A portion of fund balance has been classified as nonspendable to indicate that inventory does not constitute available spendable resources.

**L. Capital Assets**

Capital assets are reflected in the district-wide financial statements. Capital assets are reported at actual cost, when the information is available, or estimated historical cost based on professional third-party information. Donated assets are reported at estimated fair market value at the date of donation.

All capital assets, except land and construction in progress, are depreciated on a straight line basis over their estimated useful lives. Capitalization thresholds, the dollar value above which asset acquisitions are added to the capital asset accounts, and estimated useful lives of capital assets as reported in the district-wide statements are as follows:

	<u>Capitalization Threshold</u>	<u>Estimated Useful Life</u>
Buildings & building improvements	\$ 15,000	50 years
Site improvements	15,000	20 years
Furniture & equipment	1,000	5-20 years
Vehicles	1,000	8 years

**M. Deferred Outflows of Resources**

Deferred outflows of resources, reported in the Statement of Net Position, represents a consumptions of net position that applies to a future reporting period and so will not be recognized as an outflow of resources (expense) until that time. The deferred outflows of resources reported in the Statement of Net Position relates to pensions and consists of the District's proportionate share of changes in the collective net pension asset or liability not included in collective pension expense, and District contributions to the pension systems (TRS and ERS) subsequent to the measurement date.

**N. Collections in Advance**

Collections in advance arise when resources are received by the District before it has a legal claim to them, as when grant monies are received prior to the incurrence of qualifying expenditures or when charges for services monies are received in advance from payers prior to the services being rendered by the District, such as prepaid lunch amounts. These amounts are recorded as liabilities in the financial statements. The liabilities are removed and revenues are recognized in subsequent periods when the District has legal claim to the resources.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

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**O. Deferred Inflows of Resources**

Deferred inflows of resources represents an acquisition of net position that applies to a future reporting period and so will not be recognized as an inflow of resources (revenue) until that time. The District has two items that qualify for reporting in this category. First is PILOT monies recorded before the period in which the resources are collected. The amounts are reclassified as revenue in the period for which they are collected. The second item, reported in the Statement of Net Position, is related to pensions and consists of the District's proportionate share of changes in the collective net pension asset or liability not included in collective pension expense.

**P. Employee Benefits - Compensated Absences**

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

Sick leave eligibility and accumulation is specified in collective bargaining agreements and in individual employment contracts. Upon retirement, resignation or death, employees may contractually receive a payment based on unused accumulated sick leave. Certain collectively bargained agreements require these termination payments to be paid in the form of non-elective contributions into the employee's 403(b) plan.

Vacation eligibility and accumulation is specified in collective bargaining agreements and in individual employment contracts. Some earned benefits may be forfeited if not taken within varying time periods. Employees are compensated for unused accumulated vacation leave through paid time off or cash payment upon retirement, termination or death.

The liability for compensated absences has been calculated using the vesting method and an accrual for that liability is included in the district-wide financial statements. The compensated absences liability is calculated based on the pay rates in effect at year-end.

In the fund financial statements, a liability is reported only for payments due for unused compensated absences for those employees that have obligated themselves to separate from service with the District by June 30<sup>th</sup>.

**Q. Other Benefits**

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

District employees may choose to participate in the District's elective deferred compensation plan established under Internal Revenue Code Section 403(b).

The District provides health insurance coverage for active employees pursuant to collective bargaining agreements and individual employment contracts.

In addition to providing these benefits, the District provides postemployment health insurance coverage and survivor benefits for most retired employees and their survivors. Collective bargaining agreements and individual employment contracts determine if District employees are eligible for these benefits if they reach normal retirement age while working for the District. Health care benefits are provided through plans whose premiums are based on the benefits paid during the year. The cost of providing post-

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

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retirement benefits is shared between the District and the retired employee. The District recognizes the cost of providing health insurance by recording its share of insurance premiums as an expenditure in the governmental funds as the liabilities for premiums mature (come due for payment). In the district-wide statements, the cost of postemployment health insurance coverage is recognized on the accrual basis of accounting in accordance with GASB Statement No. 45.

**R. Short-Term Debt**

The District may issue revenue anticipation notes (RAN) and tax anticipation notes (TAN), in anticipation of the receipt of revenues. These notes are recorded as a liability of the fund that will actually receive the proceeds from the issuance of the notes. The RANs and TANs represent a liability that will be extinguished by the use of expendable, available resources of the fund.

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

No short-term debt was issued during the year ended June 30, 2016.

**S. Equity Classifications**

District-Wide Statements

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

*Net investment in capital assets* – Consists of net capital assets (cost less accumulated depreciation) reduced by outstanding balances of related debt obligations from the acquisitions, construction and improvements of those assets.

*Restricted* – Reports net position when constraints placed on the assets or deferred outflows of resources are either externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments, or imposed by law through constitutional provisions or enabling legislation.

*Unrestricted* – Reports the balance of net position that does not meet the definition of the above two classifications.

Fund Statements

The fund statements report fund balance classifications according to the relative strength of spending constraints placed on the purpose for which resources can be used, as follows:

*Nonspendable* – Consists of amounts that are inherently nonspendable in the current period either because of their form or because they must be maintained intact. Nonspendable fund balance includes the inventory recorded in the school lunch fund of \$10,509.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

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*Restricted* – Consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation. The District has established the following restricted fund balances:

*Unemployment Insurance Reserve*

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

*Retirement Contribution Reserve*

Retirement Contribution Reserve (GML §6-r) is used for the purpose of financing retirement contributions payable to the New York State and Local Employees' Retirement System. The Board, by resolution, may establish the reserve and authorize expenditures from the reserve. The reserve is funded by budgetary appropriations or taxes raised for the reserve, revenues that are not required by law to be paid into any other fund or account, transfers from reserves and other funds that may legally be appropriated. The reserve is accounted for in the general fund.

*Insurance Reserve*

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

*Employee Benefit Accrued Liability Reserve*

Employee Benefit Accrued Liability Reserve (GML §6-p) is used to reserve funds for the payment of accrued employee benefit primarily based on unused and unpaid sick leave, personal leave, holiday leave or vacation time due an employee upon termination of the employee's service. This reserve may be established by a majority vote of the Board, and is funded by budgetary appropriations and such other reserves and funds that may be legally appropriated. The reserve is accounted for in the general fund.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

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*Capital Reserve*

Capital Reserve (Education Law §3651) is used to pay the cost of any object or purpose for which bonds may be issued. The creation of a capital reserve fund requires authorization by a majority of the voters establishing the purpose of the reserve; the ultimate amount, its probable term and the source of the funds. Expenditure may be made from the reserve only for a specific purpose further authorized by the voters. The form for the required legal notice for the vote on establishing and funding the reserve and the form of the proposition to be placed on the ballot are set forth in §3651 of the Education Law. The reserve is accounted for in the general fund.

*Assigned* – Consists of amounts that are subject to a purpose constraint that represents an intended use established by the District's Board of Education. The purpose of the assignment must be narrower than the purpose of the general fund, and in funds other than the general fund, assigned fund balance represents the residual amount of fund balance. Assigned fund balance also includes an amount appropriated to partially fund the subsequent year's budget, as well as encumbrances not classified as restricted at the end of the fiscal year.

*Unassigned* – Represents the residual classification for the District's general fund and could report a surplus or deficit. In funds other than the general fund, the unassigned classification is used to report a deficit fund balance resulting from overspending for specific purposes for which amounts had been restricted or assigned. NYS Real Property Tax Law §1318, restricts the unassigned fund balance of the general fund to an amount not greater than 4% of the subsequent year's budget.

Fund Balance Classification

Any portion of fund balance may be applied or transferred for a specific purpose by law, voter approval if required by law or by formal action of the Board of Education if voter approval is not required. Amendments or modification to the applied or transferred fund balance must also be approved by formal action of the Board of Education.

The Board of Education shall delegate the authority to assign fund balance, for encumbrance purposes, to the person(s) to whom it has delegated the authority to sign purchase orders.

In circumstances where an expenditure is incurred for a purpose for which amounts are available in multiple fund balance classifications (that is restricted, assigned or unassigned) the expenditure is to be spent first from the restricted fund balance to the extent appropriated by either budget vote or board approved budget revision and then from the assigned fund balance to the extent that there is an assignment and then from the unassigned fund balance.

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

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

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

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**A. Total Fund Balances of Governmental Funds vs. Net Position of Governmental Activities**

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

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

Differences between the Statement of Revenues, Expenditures and Changes in Fund Balances and the Statement of Activities fall into any of four broad categories.

Long-Term Revenue and Expense Differences

Long-term revenue differences arise because governmental funds report revenues only when they are considered "available", whereas the Statement of Activities reports revenues when earned. Differences in long-term expenses arise because governmental funds report on a modified accrual basis, whereas the accrual basis of accounting is used on the Statement of Activities, thereby affecting expenses such as compensated absences and other postemployment benefits.

Capital Related Differences

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

Long-Term Debt Transaction Differences

Long-term debt transaction differences occur because the issuance of long-term debt provides current financial resources to governmental funds, but is recorded as a liability in the Statement of Net Position. In addition, both interest and principal are recorded as expenditures in the fund statements when due and payable, whereas interest expense is recorded in the Statement of Activities as it accrues, and principal payments are recorded as a reduction of liabilities in the Statement of Net Position. The District does not have any long-term debt transaction differences for the year ended June 30, 2016.

Pension Differences

Pension differences occur as a result of changes in the District's proportion of the collective net pension asset/liability, not included in the collective pension expense and District contributions to the pension systems subsequent to the measurement date.

**3. STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY**

**A. Budgets**

The District administration prepares a proposed budget for approval by the Board of Education for the general fund, the only fund with a legally adopted budget.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

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The voters of the District approved the proposed appropriation budget for the general fund.

Appropriations are adopted at the program line item level.

Appropriations established by the adoption of the budget constitute a limitation on expenditures (and encumbrances) that may be incurred. Appropriations authorized for the year are increased by the amount of encumbrances carried forward from the prior year. Appropriations lapse at the end of the fiscal year unless expended or encumbered. Encumbrances will lapse if not expended in the subsequent year. Appropriations authorized for the current year can be funded by the planned use of specific reserves, and can be increased by budget amendments approved by the Board of Education as a result of selected new revenue sources not included in the original budget (when permitted by law) and appropriation of fund balances. These supplemental appropriations may occur subject to legal restrictions, if the Board approves them because of a need that exists which was not determined at the time the budget was adopted. No supplemental appropriations occurred during the year.

Budgets are adopted annually on a basis consistent with GAAP.

Budgets are established and used for individual capital projects based on authorized funding. The maximum project amount authorized is based upon the estimated cost of the project. These budgets do not lapse and are carried over to subsequent fiscal years until the completion of the projects.

**B. Encumbrances**

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

**C. Capital Projects Fund**

The capital projects fund has an unassigned fund balance deficit of \$76,705. This will be funded when the District obtains permanent financing for its current construction projects.

**4. DEPOSITS WITH FINANCIAL INSTITUTIONS AND INVESTMENTS**

The District's investment policies are governed by state statutes and District policy. Resources must be deposited in Federal Deposit Insurance Corporation (FDIC) insured commercial banks or trust companies located within the state. Permissible investments include obligations of the U.S. Treasury and U.S. Agencies, repurchase agreements and obligations of New York State or its localities. Collateral is required for demand and time deposits and certificates of deposit not covered by FDIC insurance. Obligations that may be pledged as collateral are obligations of the United States and its Agencies and obligations of New York State and its municipalities. Investments are stated at fair value.

Custodial credit risk is the risk that in the event of a bank failure, the District may be unable to recover deposits or collateral securities that are in possession of an outside agency. GASB directs that deposits be disclosed as exposed to custodial credit risk if they are not covered by depository insurance and the deposits are as follows:

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
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- A. Uncollateralized,
- B. Collateralized by securities held by the pledging financial institution, or
- C. Collateralized by securities held by the pledging financial institution's trust department or agent but not in the District's name.

The District's aggregate bank balances were covered by FDIC insurance or fully collateralized by pledged on the District's behalf at year end.

**5. PARTICIPATION IN BOCES**

During the year ended June 30, 2016, the District was billed \$1,261,354 for BOCES administrative and program costs. The District's share of BOCES aid amounted to \$539,420. Financial statements for the BOCES are available from the BOCES administrative offices at 71 Clinton Road, P.O. Box 9195, Garden City, New York 11530-9195.

**6. DUE FROM STATE AND FEDERAL**

Due from state and federal at June 30, 2016 consisted of:

General Fund	
New York State - excess cost aid	\$ 225,868
BOCES aid	417,732
	643,600
Special Aid Fund	
Federal and state grants	515,305
School Lunch Fund	
Federal and state food service program reimbursements	5,460
	5,460
	\$ 1,164,365

District management has deemed these amounts to be fully collectible.

**7. DUE FROM OTHER GOVERNMENTS**

Due from other governments at June 30, 2016 consisted of:

General Fund	
Nassau County	\$ 23,845
Other districts - tuition	217,480
Other districts - health services	19,664
Other	5,941
	5,941
	\$ 266,930

District management has deemed these amounts to be fully collectible.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
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**8. CAPITAL ASSETS**

Capital asset balances and activity for the year ended June 30, 2016 were as follows:

	Balance June 30, 2015	Additions	Reductions	Balance June 30, 2016
<b>Governmental activities</b>				
Capital assets not being depreciated				
Land	\$ 120,104	\$	\$	\$ 120,104
Construction in progress	258,738	370,117		628,855
Total capital assets not being depreciated	<u>378,842</u>	<u>370,117</u>	<u>-</u>	<u>748,959</u>
Capital assets being depreciated				
Buildings & building improvements	8,172,694	59,238		8,231,932
Site improvements	1,565,306			1,565,306
Furniture & equipment	802,371	16,809		819,180
Vehicles	100,881	37,419	(13,010)	125,290
Total capital assets being depreciated	<u>10,641,252</u>	<u>113,466</u>	<u>(13,010)</u>	<u>10,741,708</u>
Less accumulated depreciation for:				
Buildings & building improvements	3,838,377	191,909		4,030,286
Site improvements	689,845	70,803		760,648
Furniture & equipment	542,722	55,088		597,810
Vehicles	92,297	5,382	(13,010)	84,669
Total accumulated depreciation	<u>5,163,241</u>	<u>323,182</u>	<u>(13,010)</u>	<u>5,473,413</u>
Total capital assets, being depreciated, net	<u>5,478,011</u>	<u>(209,716)</u>	<u>-</u>	<u>5,268,295</u>
Capital assets, net	<u>\$ 5,856,853</u>	<u>\$ 160,401</u>	<u>\$ -</u>	<u>\$ 6,017,254</u>

Depreciation expense was charged to governmental functions as follows:

General support	\$ 9,824
Instruction	313,084
Food service program	274
Total depreciation expense	<u>\$ 323,182</u>

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

**9. INTERFUND TRANSACTIONS**

Interfund balances and activities at June 30, 2016, are as follows:

	Interfund			
	Receivable	Payable	Transfers In	Transfers Out
General Fund	\$ 839,043	\$	\$	\$ 100,033
Special Aid Fund		586,078	25,033	
Capital Projects Fund		229,998	75,000	
Total Governmental Funds	<u>839,043</u>	<u>816,076</u>	<u>100,033</u>	<u>100,033</u>
Fiduciary Funds		22,967		
Total	<u>\$ 839,043</u>	<u>\$ 839,043</u>	<u>\$ 100,033</u>	<u>\$ 100,033</u>

The District typically transfers from the general fund to the special aid fund for the District's share of the costs for the summer program for students with disabilities and the state-supported Section 4201 schools, and the capital projects fund in accordance with the general fund budget.

**10. LONG-TERM LIABILITIES**

**A. Changes**

Long-term liability balances and activity, excluding pension and other postemployment benefits obligations, for the year are summarized below:

	Balance	Additions	Reductions	Balance	Amounts
	June 30, 2015			June 30, 2016	Due Within
					One Year
Compensated absences	<u>\$ 2,252,984</u>	<u>\$ 1,180,623</u>	<u>\$ (37,674)</u>	<u>\$ 3,395,933</u>	<u>\$ 303,512</u>

The general fund has typically been used to liquidate other long-term liabilities.

**B. Unissued Debt**

On May 19, 2015, the voters approved a bond issue not to exceed \$14,650,000 for facilities improvement projects at all three elementary schools. As of June 30, 2016, no debt has been issued, but work has commenced and expenditures are recorded in the capital projects fund.

**11. PENSION PLANS - NEW YORK STATE**

**A. General Information**

The District participates in the New York State Teachers' Retirement System (TRS) and the New York State and Local Employees' Retirement System (ERS). These are cost-sharing multiple employer, public employee retirement systems. The systems provide retirement, disability, withdrawal and death benefits to plan members and beneficiaries related to years of service and final average salary.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
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**B. Provisions and Administration**

Teachers' Retirement System

The TRS is administered by the New York State Teachers' Retirement Board. The TRS provides benefits to plan members and beneficiaries as authorized by the Education Law and the New York State Retirement and Social Security Law (NYSRSSL). Membership is mandatory and automatic for all full-time teachers, teaching assistants, guidance counselors and administrators employed in New York Public Schools and BOCES who elected to participate in the TRS. Once a public employer elects to participate in the TRS, the election is irrevocable. The New York State Constitution provides that pension membership is a contractual relationship and plan benefits cannot be diminished or impaired. Benefits can be changed for future members only by enactment of a State statute. Additional information regarding the TRS may be found on the TRS website at [www.nystrs.org](http://www.nystrs.org) or obtained by writing to the New York State Teachers' Retirement System, 10 Corporate Woods Drive, Albany, NY 12211-2395.

Employees' Retirement System

Obligations of employers and employees to contribute and benefits to employees are governed by the New York State Retirement and Social Security Law. The net position of the ERS is held in the New York State Common Retirement Fund (the Fund), which was established to hold all net assets and record changes in plan net position allocated to the ERS. As set forth in the NYSRSSL, the Comptroller of the State of New York (Comptroller) serves as the trustee of the fund and is the administrative head of the ERS. The Comptroller shall adopt and may amend rules and regulations for the administration and transaction of the business of the ERS and for the custody and control of its funds. Once a public employer elects to participate in the ERS, the election is irrevocable. The New York State Constitution provides that pension membership is a contractual relationship and plan benefits cannot be diminished or impaired. Benefits can be changed for future members only by enactment of a State statute. The District also participates in the Public Employees' Group Life Insurance Plan (GLIP), which provides death benefits in the form of life insurance. The ERS is included in the State's financial report as a pension trust fund. That report, including information with regard to benefits provided may be found on the NYS Comptroller's website at [www.osc.state.ny.us/retire/publications/index.php](http://www.osc.state.ny.us/retire/publications/index.php) or obtained by writing to the New York State and Local Employees' Retirement System, 110 State Street, Albany, NY 12244.

**C. Funding Policies**

Plan members who joined the systems before July 27, 1976, are not required to make contributions. Those joining on or after July 27, 1976, and before January 1, 2010, with less than ten years of credited services are required to contribute 3% of their salary. Those joining on or after January 1, 2010 and before April 1, 2012, are required to contribute 3% of their salary to ERS or 3.5% of their salary to TRS throughout active membership. Those joining on or after April 1, 2012, are required to contribute between 3% and 6% dependent on their salary throughout active membership. Employers are required to contribute at an actuarially determined rate based on covered salaries paid. For the TRS, the employers' contribution rate is established annually by the New York State Teachers' Retirement Board for the TRS' fiscal year ended June 30<sup>th</sup>, and employer contributions are deducted from state aid in the subsequent months of September, October and November. For the ERS, the Comptroller annually certifies the actuarially determined rates expressly used in computing the employers' contributions for the ERS' fiscal year ended March 31<sup>st</sup>, and employer contributions are either paid by the prior December 15<sup>th</sup> less a 1% discount or by the prior February 1<sup>st</sup>. The District paid 100% of the required contributions as billed by the TRS and ERS for the current year and each of the two preceding years.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
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The District's share of the required contributions, based on covered payroll paid for the District's year ended June 30<sup>th</sup>, for the current year and two preceding years was:

Contributions	TRS	ERS
2016	\$ 1,773,687	\$ 563,150
2015	2,305,932	624,587
2014	2,110,120	660,258

**D. Pension Assets/Liabilities, Pension Expense, Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions**

At June 30, 2016, the District reported the following asset/(liability) for its proportionate share of the net pension asset/(liability) for each of the Systems. The net pension asset/(liability) was measured as of June 30, 2015, for TRS and March 31, 2016 for ERS. The total pension asset/(liability) used to calculate the net pension asset/(liability) was determined by an actuarial valuation. The District's proportion of the net pension asset/(liability) was based on a projection of the District's long-term share of contributions to the Systems relative to the projected contributions of all participating members, actuarially determined. This information was provided by the TRS and ERS Systems in reports provided to the District.

	TRS	ERS
Measurement date	June 30, 2015	March 31, 2016
District's proportionate share of the net pension asset/(liability)	\$ 9,095,733	\$ (1,689,322)
District's portion of the Plan's total net pension asset/(liability)	0.0875700%	0.0105252%
Change in proportion since the prior measurement date	(0.0003380)	(0.0002012)

For the year ended June 30, 2016, the District recognized pension expense (credit) of \$(602,690) for TRS and \$645,023 for ERS. At June 30, 2016, the District reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

	<u>Deferred Outflows of Resources</u>		<u>Deferred Inflows of Resources</u>	
	<u>TRS</u>	<u>ERS</u>	<u>TRS</u>	<u>ERS</u>
Differences between expected and actual experience	\$	\$ 8,537	\$ 252,082	\$ 200,241
Changes of assumptions		450,491		
Net difference between projected and actual earnings on pension plan investments		1,002,198	2,875,208	
Changes in proportion and differences between the District's contributions and proportionate share of contributions	10,552	149,868	6,865	4,319
District's contributions subsequent to the measurement date	<u>1,774,949</u>	<u>158,336</u>		
Total	<u>\$ 1,785,501</u>	<u>\$ 1,769,430</u>	<u>\$ 3,134,155</u>	<u>\$ 204,560</u>

District contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending June 30, 2017. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year Ended</u>	<u>TRS</u>	<u>ERS</u>
2017	\$ (1,159,500)	\$ 361,335
2018	(1,159,500)	361,335
2019	(1,159,500)	361,335
2020	478,344	322,529
2021	(31,237)	
Thereafter	<u>(92,210)</u>	
	<u>\$ (3,123,603)</u>	<u>\$ 1,406,534</u>

Actuarial Assumptions

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

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

	TRS	ERS
Measurement date	June 30, 2015	March 31, 2016
Actuarial valuation date	June 30, 2014	April 1, 2015
Interest rate	8.0%	7.0%
Salary scale	4.01-10.91%	3.8%
Decrement tables	July 1, 2005 - June 30, 2010 System's Experience	April 1, 2010 - March 31, 2015 System's Experience
Inflation rate	3.0%	2.5%

For TRS, annuitant mortality rates are based on July 1, 2005 – June 30, 2010 System's experience with adjustments for mortality improvements based on the Society of Actuaries' Scale AA. For ERS, annuitant mortality rates are based on April 1, 2010 – March 31, 2015 System's experience with adjustments for mortality improvements based on the Society of Actuaries' Scale MP-2014.

For TRS, the actuarial assumptions used in the June 30, 2014 valuation are based on the results of an actuarial experience study for the period July 1, 2005 – June 30, 2010. For ERS, the actuarial assumptions used in the April 1, 2015 valuation are based on the results of an actuarial experience study for the period April 1, 2010 – March 31, 2015.

The long-term expected rate of return on pension plan investments was determined in accordance with Actuarial Standard of Practice (ASOP) No. 27, *Selection of Economic Assumptions for Measuring Pension Obligations*. ASOP No. 27 provides guidance on the selection of an appropriate assumed investment rate of return. Consideration was given to expected future real rates of return (expected returns, net of pension plan investment expense and inflation) for each major asset class, as well as historical investment data and plan performance.

The target allocation and best estimates of the arithmetic real rates of return for each major asset class are summarized below:

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

	TRS		ERS	
	Target Allocation	Long-term Expected Rate of Return	Target Allocation	Long-term Expected Rate of Return
Measurement date		June 30, 2015		March 31, 2016
Asset type				
Domestic equity	37.0%	6.50%	38.0%	7.30%
International equity	18.0%	7.70%	13.0%	8.55%
Real estate	10.0%	4.60%	8.0%	8.25%
Alternative investments	7.0%	9.90%	19.0%	6.75-11.00%
Domestic fixed income securities	17.0%	2.10%		
Global fixed income securities	2.0%	1.90%		
Bonds and mortgages	8.0%	3.40%	18.0%	4.00%
Short-term	1.0%	1.20%		
Cash			2.0%	2.25%
Inflation indexed bonds			2.0%	4.00%
	100.0%		100.0%	

**Discount Rate**

The discount rate used to calculate the total pension liability was 8.0% for TRS and 7.0% for ERS (the discount rate used by the ERS at the prior year's measurement date of March 31, 2015, was 7.5%). The projection of cash flows used to determine the discount rate assumes that contributions from plan members will be made at the current contribution rates and that contributions from employers will be made at statutorily required rates, actuarially determined. Based upon the assumptions, the Systems' fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

**Sensitivity of the Proportionate Share of the Net Pension Asset/Liability to the Discount Rate Assumption**

The following presents the District's proportionate share of the net pension liability calculated using the discount rate of 8.0% for TRS and 7.0% for ERS, as well as what the District's proportionate share of the net pension asset/(liability) would be if it were calculated using a discount rate that is 1 percentage point lower (7.0% for TRS and 6.0% for ERS) or 1 percentage point higher (9.0% for TRS and 8.0% for ERS) than the current rate:

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

TRS	1% Decrease (7.00)%	Current Assumption (8.00)%	1% Increase (9.00)%
District's proportionate share of the net pension asset (liability)	\$ (620,446)	\$ 9,095,733	\$ 17,381,593
ERS	1% Decrease (6.00)%	Current Assumption (7.00)%	1% Increase (8.00)%
District's proportionate share of the net pension asset (liability)	\$ (3,809,298)	\$ (1,689,322)	\$ 101,967

Pension Plan Fiduciary Net Position

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

	TRS	ERS
	<i>(Dollars in Thousands)</i>	
Measurement date	June 30, 2015	March 31, 2016
Employers' total pension liability	\$ (99,332,104)	\$ (172,303,544)
Plan fiduciary net position	109,718,917	156,253,265
Employers' net pension asset/(liability)	\$ 10,386,813	\$ (16,050,279)
Ratio of plan fiduciary net position to the employers' total pension liability	110.46%	90.68%

Payables to the Pension Plan

For TRS, employer and employee contributions for the fiscal year ended June 30, 2016, are paid to the System in September, October and November 2016 through a state aid intercept. Accrued retirement contributions as of June 30, 2016, represent employer and employee contributions for the fiscal year ended June 30, 2016, based on paid TRS covered wages multiplied by the employer's contribution rate and employee contributions for the fiscal year as reported to the TRS System. Accrued retirement contributions as of June 30, 2016 amounted to \$1,774,949 of employer contributions and \$32,847 of employee contributions.

For ERS, employer contributions are paid annually based on the System's fiscal year, which ends on March 31<sup>st</sup>. Accrued retirement contributions as of June 30, 2016, represent the projected employer contribution for the period of April 1, 2016 through June 30, 2016 based on paid ERS covered wages multiplied by the employer's contribution rate, by tier. Accrued retirement contributions as of June 30, 2016 amounted to \$158,336 of employer contributions. Employee contributions are remitted monthly.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

**12. PENSION PLANS - OTHER**

**Tax Sheltered Annuities**

The District has adopted a 403(b) plan covering all eligible employees. Employees may defer up to 100% of their compensation subject to Internal Revenue Code elective deferral limitations. The District may also make non-elective contributions of certain termination payments based on collectively bargained agreements. Contributions made by the District and the employees for the year ended June 30, 2016, totaled \$94,940 and \$866,102, respectively.

**13. POSTEMPLOYMENT HEALTHCARE BENEFITS**

**A. Plan Description**

The District provides medical and Medicare part B reimbursement coverage (the healthcare plan) to retired employees in accordance with employment contracts. The plan is a single-employer defined benefit healthcare plan primarily administered through the New York State Health Insurance Program - Empire Plan. The plan does not issue a stand-alone financial report.

**B. Funding Policy**

The District assumes its share of the cost of the premiums and recognizes the cost of the healthcare plan annually as expenditures in the general fund of the fund financial statements as the liabilities for premiums mature (come due for payment). For the year ended June 30, 2016, the District recognized a general fund expenditure of \$632,618 for insurance premiums for 91 currently enrolled retirees. Currently, there is no provision in the law to permit the District to fund other postemployment benefits by any means other than the "pay as you go" method.

**C. Annual OPEB Cost and Net OPEB Obligation**

The District's annual other postemployment benefit (OPEB) cost (expense) is calculated based on the annual required contribution of the employer (ARC), an amount actuarially determined in accordance with parameters of GASB Statement No. 45. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal costs each year and amortize any unfunded actuarial liabilities over a period not to exceed 30 years. The following table shows the components of the District's annual OPEB cost for the year, the amount actually contributed to the plan, and changes in the District's net OPEB obligation.

Annual required contribution (ARC)	\$ 3,150,432
Interest on net OPEB obligation	417,892
Adjustment to ARC	<u>(581,051)</u>
Annual OPEB cost (expense)	2,987,273
Contributions made	<u>(632,618)</u>
Increase in net OPEB obligation	2,354,655
Net OPEB obligation - beginning of year	<u>10,447,289</u>
Net OPEB obligation - end of year	<u>\$ 12,801,944</u>

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

The District's annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation for the year ended June 30, 2016 and the two preceding years are as follows:

Fiscal Year Ended	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Obligation
June 30, 2016	\$ 2,987,273	21.2%	\$ 12,801,944
June 30, 2015	2,962,955	17.4%	10,447,289
June 30, 2014	2,309,625	16.6%	8,000,459

**D. Funded Status and Funding Progress**

As of July 1, 2014, the most recent actuarial valuation date, the plan was 0% funded. The actuarial accrued liability for benefits was \$26,838,510 and the actuarial value of assets was \$-0-, resulting in an unfunded actuarial accrued liability (UAAL) of \$26,838,510. The covered payroll (annual payroll of active employees covered by the plan) was \$16,457,558, and the ratio of the UAAL to the covered payroll was 163.1%.

Actuarial valuations of an ongoing plan involved estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The required schedule of funding progress following the notes to the financial statements presents multi-year trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits.

**E. Actuarial Methods and Assumptions**

The valuation of June 30, 2016, is an update derived from estimates from the previous valuation dated June 30, 2014, based on the fact that there were no material changes to any of the benefit packages, the cost sharing, structures or the census.

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and the plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing of benefit costs between the employer and plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations.

In the July 1, 2014, actuarial valuation, the projected unit credit actuarial cost method was used. The actuarial assumptions included a 4.0% discount rate and an annual healthcare cost trend rate of 9.0% (pre 65) and 4.50% (post 65) reduced by decrements to an ultimate rate of 5.0% after 8 years and a 5.0% inflation rate. The UAAL is being amortized as a level dollar amount.

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
(Continued)

**14. RISK MANAGEMENT**

**A. General Information**

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

**15. RESTRICTED FUND BALANCE - APPROPRIATED RESERVES**

The District expects to appropriate the following amounts from reserves, which are reported in the June 30, 2016 restricted fund balances, to fund the budget and reduce taxes for the year ending June 30, 2017:

Unemployment Insurance	\$ 30,000
Retirement Contributions	589,000
Employee Benefit Accrued Liability	<u>455,000</u>
	<u>\$ 1,074,000</u>

**16. ASSIGNED: APPROPRIATED FUND BALANCE**

The amount of \$720,000 has been appropriated to reduce taxes for the year ending June 30, 2017.

**17. COMMITMENTS AND CONTINGENCIES**

**A. Encumbrances**

All encumbrances are classified as either restricted or assigned fund balance. At June 30, 2016, the District encumbered the following significant amounts:

Assigned: Unappropriated Fund Balance:	
General Fund	
General Support	\$ 3,588
Instruction	<u>16,904</u>
	20,492
School Lunch Fund	
Equipment	<u>54,162</u>
	<u>\$ 74,654</u>

**B. Grants**

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

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**NOTES TO FINANCIAL STATEMENTS**  
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**C. Litigation**

The District is involved in lawsuits arising from the normal conduct of its affairs. Management believes that the outcome of any matters will not have a material effect on these financial statements.

**D. Operating Leases**

The District leases various equipment under non-cancelable operating leases. Rental expense for the year was \$39,031. The minimum remaining operating lease payments are as follows:

<u>Fiscal Year Ending June 30,</u>	<u>Amount</u>
2017	\$ 34,372
2018	11,458
	<u>\$ 45,830</u>

**18. SUBSEQUENT EVENTS**

The District has evaluated subsequent events through September 23, 2016, which is the date the financial statements were available to be issued. No significant events were identified that would require adjustment of or disclosure in the financial statements.

**SUPPLEMENTARY INFORMATION**

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Schedule of Revenues, Expenditures and Changes in Fund Balance**  
**Budget and Actual - General Fund**  
**For The Year Ended June 30, 2016**

	Original Budget	Final Budget	Actual	Final Budget Variance with Actual
<b>REVENUES</b>				
<b>Local Sources</b>				
Real property taxes	\$ 17,723,200	\$ 17,723,200	\$ 17,736,762	\$ 13,562
Other tax items	3,652,887	3,652,887	3,642,839	(10,048)
Charges for services	335,000	335,000	936,529	601,529
Use of money and property	20,125	20,125	18,076	(2,049)
Forfeiture			100	100
Sale of property and compensation for loss			8,686	8,686
Miscellaneous	65,000	65,000	157,468	92,468
<b>Total Local Sources</b>	<b>21,796,212</b>	<b>21,796,212</b>	<b>22,500,460</b>	<b>704,248</b>
State Sources	6,603,788	6,603,788	6,766,762	162,974
Medicaid Reimbursement	10,000	10,000	3,442	(6,558)
<b>Total Revenues</b>	<b>28,410,000</b>	<b>28,410,000</b>	<b>29,270,664</b>	<b>\$ 860,664</b>
<b>APPROPRIATED FUND BALANCE</b>				
Prior Years' Surplus	720,000	720,000		
Prior Year's Encumbrances	169,042	169,042		
Appropriated Reserves	806,000	806,000		
<b>Total Appropriated Fund Balance</b>	<b>1,695,042</b>	<b>1,695,042</b>		
<b>Total Revenues and Appropriated Fund Balance</b>	<b>\$ 30,105,042</b>	<b>\$ 30,105,042</b>		

**Note to Required Supplementary Information**

**Budget Basis of Accounting**

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

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Schedule of Revenues, Expenditures and Changes in Fund Balance**  
**Budget and Actual - General Fund (Continued)**  
For The Year Ended June 30, 2016

	Original Budget	Final Budget	Actual	Year End Encumbrances	Final Budget Variance with Actual & Encumbrances
<b>EXPENDITURES</b>					
<b>General Support</b>					
Board of education	\$ 85,412	\$ 90,014	\$ 85,580	\$	\$ 4,434
Central administration	570,086	637,132	631,538		5,594
Finance	555,440	626,310	608,921		17,389
Staff	91,995	165,060	139,203		25,857
Central services	3,030,247	3,088,105	2,641,579	3,588	442,938
Special items	338,856	341,149	340,901		248
<b>Total General Support</b>	<b>4,672,036</b>	<b>4,947,770</b>	<b>4,447,722</b>	<b>3,588</b>	<b>496,460</b>
<b>Instruction</b>					
Administration & improvement	977,346	1,034,534	922,107		112,427
Teaching - regular school	9,725,859	9,600,154	9,440,868	15,584	143,702
Programs for students with disabilities	4,630,300	4,741,181	4,569,380	604	171,197
Teaching - special schools	19,000	19,307	18,316		991
Instructional media	465,651	443,700	358,684	716	84,300
Pupil services	961,180	988,923	910,592		78,331
<b>Total Instruction</b>	<b>16,779,336</b>	<b>16,827,799</b>	<b>16,219,947</b>	<b>16,904</b>	<b>590,948</b>
Pupil Transportation	450,670	463,743	450,311		13,432
Employee Benefits	8,108,000	7,765,697	7,136,802		628,895
<b>Total Expenditures</b>	<b>30,010,042</b>	<b>30,005,009</b>	<b>28,254,782</b>	<b>20,492</b>	<b>1,729,735</b>
<b>OTHER USES</b>					
Operating transfers out	95,000	100,033	100,033		-
<b>Total Expenditures and Other Uses</b>	<b>\$ 30,105,042</b>	<b>\$ 30,105,042</b>	<b>28,354,815</b>	<b>\$ 20,492</b>	<b>\$ 1,729,735</b>
<b>Net Change in Fund Balance</b>			<b>915,849</b>		
<b>Fund Balance - Beginning of Year</b>			<b>5,736,768</b>		
<b>Fund Balance - End of Year</b>			<b>\$ 6,652,617</b>		

**Note to Required Supplementary Information**

Budget Basis of Accounting

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

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Schedule of Funding Progress - Other Postemployment Benefits**  
 June 30, 2016

Valuation Date	Actuarial Value of Assets	Accrued Liability	Unfunded Actuarial Accrued Liability (UAAL)	Funded Ratio	Covered Payroll	UAAL as a Percentage of Covered Payroll
July 1, 2014	\$ -	\$ 26,838,510	\$ 26,838,510	0%	\$ 16,457,558	163.1%
July 1, 2012	-	23,206,485	23,206,485	0%	14,874,867	156.0%
July 1, 2010	-	16,991,046	16,991,046	0%	14,984,514	113.4%

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Schedule of the District's Proportionate Share of the Net Pension Asset/Liability**  
June 30, 2016

*Teachers' Retirement System*

	2016	2015	2014
District's proportion of the net pension asset	0.0875700%	0.0879080%	0.0865900%
District's proportionate share of the net pension asset	\$ 9,095,733	\$ 9,792,385	\$ 569,985
District's covered payroll	\$ 13,540,447	\$ 13,299,079	\$ 13,076,288
District's proportionate share of the net pension asset as a percentage of its covered payroll	67.17 %	73.63 %	4.36 %
Plan fiduciary net position as a percentage of the total pension liability	110.46%	111.48%	100.70%

*Employees' Retirement System*

	2016	2015	2014
District's proportion of the net pension liability	0.0105252%	0.0107264%	0.0107264%
District's proportionate share of the net pension liability	\$ 1,689,322	\$ 362,364	\$ 484,710
District's covered payroll	\$ 3,468,990	\$ 3,412,328	\$ 3,399,625
District's proportionate share of the net pension liability as a percentage of its covered payroll	48.70 %	10.62 %	14.26 %
Plan fiduciary net position as a percentage of the total pension liability	90.68%	97.95%	97.20%

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Schedule of District Contributions**  
 June 30, 2016

*Teachers' Retirement System*

	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007
Contractually required contribution	\$ 1,773,687	\$ 2,305,932	\$ 2,110,120	\$ 1,501,742	\$ 1,420,941	\$ 1,076,361	\$ 747,149	\$ 862,432	\$ 898,111	\$ 878,052
Contributions in relation to the contractually required contribution	1,773,687	2,305,932	2,110,120	1,501,742	1,420,941	1,076,361	747,149	862,432	898,111	878,052
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
District's covered payroll	\$ 13,669,218	\$ 13,540,447	\$ 13,299,079	\$ 13,076,288	\$ 13,046,042	\$ 12,730,464	\$ 12,310,616	\$ 11,553,010	\$ 11,286,748	\$ 10,308,766
Contributions as a percentage of covered payroll	13%	17%	16%	11%	11%	8%	6%	7%	8%	9%

*Employees' Retirement System*

	2016	2015	2014	2013	2012	2011	2010	2009	2008	2007
Contractually required contribution	\$ 563,150	\$ 624,587	\$ 660,258	\$ 692,390	\$ 473,099	\$ 347,192	\$ 262,101	\$ 261,727	\$ 287,756	\$ 474,666
Contributions in relation to the contractually required contribution	563,150	624,587	660,258	692,390	473,099	347,192	262,101	261,727	287,756	474,666
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
District's covered payroll	\$ 3,614,593	\$ 3,473,662	\$ 3,410,183	\$ 3,325,573	\$ 3,286,350	\$ 2,946,070	\$ 3,031,616	\$ 3,120,501	\$ 2,700,615	\$ 2,739,509
Contributions as a percentage of covered payroll	16%	18%	19%	21%	14%	12%	9%	8%	11%	17%

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Schedules of Change from Adopted Budget to Final Budget**  
**and the Real Property Tax Limit - General Fund**  
**For The Year Ended June 30, 2016**

**CHANGE FROM ADOPTED BUDGET TO FINAL BUDGET**

Adopted Budget		\$ 29,936,000
Additions:		
Prior year's encumbrances		169,042
Original Budget		30,105,042
Budget revision		-
Final Budget		\$ 30,105,042

**SECTION 1318 OF REAL PROPERTY TAX LAW LIMIT CALCULATION**

2016-17 voter-approved expenditure budget		\$ 30,757,827
Maximum allowed (4% of 2016-17 budget)		\$ 1,230,313
<b>General Fund Fund Balance Subject to § 1318 of Real Property Tax Law:</b>		
Unrestricted fund balance:		
Assigned fund balance	\$ 740,492	
Unassigned fund balance	1,228,788	\$ 1,969,280
Less:		
Appropriated fund balance	720,000	
Encumbrances	20,492	740,492
Total adjustments		
General Fund Fund Balance Subject to § 1318 of Real Property Tax Law:		\$ 1,228,788
Actual Percentage		4.00%

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Schedule of Project Expenditures -**  
**Capital Projects Fund**  
**For The Year Ended June 30, 2016**

PROJECT TITLE	Budget		Expenditures		Unexpended Balance	Methods of Financing			Fund Balance June 30, 2016
	June 30, 2015	June 30, 2016	Prior Years	Current Year		Total	Proceeds of Obligations	State Aid	
Restrooms	\$ 453,306	\$ 453,306	\$ 453,213	\$ -	\$ 93	\$ -	\$ -	\$ 453,306	\$ 93
Camp Ave bus loop	727,708	727,708	727,507	-	201	-	-	727,708	201
HDF solar panels	73,157	73,157	1,820	780	70,557	-	-	73,157	70,557
OMR garage roof	72,200	72,200	59,238	-	12,962	-	-	72,200	12,962
School security	480,934	480,934	273,958	174,074	32,902	-	-	480,934	32,902
OMR HVAC		45,000	369	369	44,631	-	-	45,000	44,631
HDF hot water heater		30,000	246	246	29,754	-	-	30,000	29,754
HDF HVAC		2,398,291	51,816	51,816	2,346,475	2,398,291	-	2,398,291	2,346,475
HDF windows & doors		1,774,325	29,174	29,174	1,745,151	1,774,325	-	1,774,325	1,745,151
OMR HVAC		227,700	51,816	51,816	175,884	227,700	-	227,700	175,884
OMR windows & doors		3,743,671	61,842	61,842	3,681,829	3,743,671	-	3,743,671	3,681,829
Camp HVAC, windows & doors		6,506,013	-	-	6,506,013	6,506,013	-	6,506,013	6,506,013
<b>Totals</b>	<b>\$ 1,807,305</b>	<b>\$ 16,532,305</b>	<b>\$ 1,515,736</b>	<b>\$ 370,117</b>	<b>\$ 1,885,853</b>	<b>\$ 14,650,000</b>	<b>\$ -</b>	<b>\$ 1,882,305</b>	<b>\$ 14,646,452</b>

Less: Unissued debt (14,650,000)  
Grant funds not realized (73,157)  
**\$ (76,705)**

**NORTH MERRICK UNION FREE SCHOOL DISTRICT**  
**Net Investment in Capital Assets**  
June 30, 2016

Capital assets, net	<u>\$ 6,017,254</u>
Net Investment in Capital Assets	<u><u>\$ 6,017,254</u></u>

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

To the Board of Education  
North Merrick Union Free School District

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, and the fiduciary funds of the North Merrick Union Free School District, as of and for the fiscal year ended June 30, 2016, and the related notes to the financial statements, which collectively comprise the North Merrick Union Free School District's basic financial statements, and have issued our report thereon dated October 6, 2016.

**Internal Control over Financial Reporting**

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

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

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

## **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the North Merrick Union Free School District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

## **Purpose of this Report**

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

*R. S. Abrams & Co., LLP*

R.S. Abrams & Co., LLP  
Islandia, NY  
October 6, 2016

**APPENDIX C**

**FORM OF BOND COUNSEL OPINION**

Hawkins Delafield & Wood LLP  
28 Liberty Street  
New York, New York 10005

May 18, 2017

The Board of Education of  
North Merrick Union Free School District,  
in the County of Nassau, New York

Ladies and Gentlemen:

We have acted as Bond Counsel to North Merrick Union Free School District, in the County of Nassau (the "School District"), a school district of the State of New York, and have examined a record of proceedings relating to the authorization, sale and issuance of the \$14,650,000 School District Serial Bonds-2017 (the "Bonds"), dated and delivered the date hereof.

We have examined a record of proceedings relating to the Bonds for purposes of this opinion. In such examination, we have assumed the genuineness of all signatures, the authenticity of all documents submitted to us as originals and the conformity with originals of all documents submitted to us as copies thereof.

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

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

2. Under existing statutes and court decisions and assuming continuing compliance with certain tax certifications described herein, (i) interest on the Bonds is excluded from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), and (ii) interest on the Bonds is not treated as a preference item in calculating the alternative minimum tax imposed on individuals and corporations under the Code; such interest, however, is included in the adjusted current earnings of certain corporations for purposes of calculating the alternative minimum tax imposed on such corporations.

The Code establishes certain requirements that must be met subsequent to the issuance of the Bonds in order that the interest on the Bonds be and remain excludable from gross income under Section 103 of the Code. These requirements include, but are not limited to, requirements relating to the use and expenditure of proceeds of the Bonds, restrictions on the

investment of proceeds of the Bonds prior to expenditure and the requirement that certain earnings be rebated to the federal government. Noncompliance with such requirements may cause the interest on the Bonds to become subject to federal income taxation retroactive to the date of issuance thereof, irrespective of the date on which such noncompliance occurs or is ascertained.

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

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

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

Except as stated in paragraphs 2 and 3 above, we express no opinion as to any other federal, state or local tax consequences with respect to the Bonds or the ownership or disposition thereof. Further, we express no opinion herein as to the effect of any action hereafter taken or not taken in reliance upon an opinion of other counsel on the exclusion from gross income for federal income tax purposes of the interest on the Bonds, or under state and local tax law.

We render our opinion under existing statutes and court decisions as of the date of issuance of the Bonds, and we assume no obligation to update, revise or supplement this opinion after the issue date to reflect any action hereafter taken or not taken, or any facts or circumstances, or any change in law or in interpretations thereof, or otherwise, that may hereafter arise or occur, or for any other reason.

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

Very truly yours,

/s/ Hawkins Delafield & Wood LLP

**APPENDIX D**

**FORM OF CONTINUING DISCLOSURE**

## UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE

### Section 1. Definitions

“Annual Information” shall mean the information specified in Section 3 hereof.

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

“GAAP” shall mean generally accepted accounting principles as in effect from time to time in the United States.

“Holder” shall mean any registered owner of the Securities and any beneficial owner of Securities within the meaning of Rule 13d-3 under the Securities Exchange Act of 1934.

“Issuer” shall mean the **North Merrick Union Free School District**, in the County of Nassau, a school district of the State of New York.

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

“Purchaser” shall mean the financial institution referred to in the Certificate of Award, executed by the President of the Board of Education as of May 18, 2017.

“Rule” shall mean Rule 15c2-12 promulgated by the SEC under the Securities Exchange Act of 1934 (17 CFR Part 240, §240.15c2-12), as amended, as in effect on the date of this Undertaking, including any official interpretations thereof issued either before or after the effective date of this Undertaking which are applicable to this Undertaking.

“Securities” shall mean the Issuer’s **\$14,650,000 School District Serial Bonds-2017**, dated May 18, 2017, maturing in various principal amounts on May 1 in each of the years 2019 to 2034, inclusive, and delivered on the date hereof.

Section 2. Obligation to Provide Continuing Disclosure. (a) The Issuer hereby undertakes, for the benefit of Holders of the Securities, to provide or cause to be provided to the EMMA System:

- (i) (A) no later than six months after the end of each fiscal year, commencing with the fiscal year ending June 30, 2017, the Annual Information relating to such fiscal year, and (B) no later than six months after the end of each fiscal year, commencing with the fiscal year ending June 30, 2017, the audited financial statements of the Issuer for each fiscal year, if audited financial statements are prepared by the Issuer and then available; provided, however, that if audited financial statements are not prepared or are not then available, unaudited financial statements shall be provided and audited financial statements, if any, shall be delivered to the EMMA

System within sixty (60) days after they become available and in no event later than one year after the end of each fiscal year; provided further, however, that the unaudited financial statement shall be provided for any fiscal year only if the District has made a determination that providing such unaudited financial statement would be compliant with federal securities laws, including Rule 10b-5 of the Securities Exchange Act of 1934 and Rule 17 (a)(2) of the Securities Act of 1933; and

- (ii) in a timely manner, not in excess of ten (10) business days after the occurrence of such event, notice of any of the following events with respect to the Securities:
  - (1) principal and interest payment delinquencies;
  - (2) non-payment related defaults, if material;
  - (3) unscheduled draws on debt service reserves reflecting financial difficulties;
  - (4) unscheduled draws on credit enhancements reflecting financial difficulties;
  - (5) substitution of credit or liquidity providers, or their failure to perform;
  - (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices of determinations with respect to the tax status of the Securities, or other events affecting the tax status of the Securities;
  - (7) modifications to rights of Securities holders, if material;
  - (8) Bond calls, if material, and tender offers;
  - (9) defeasances;
  - (10) release, substitution, or sale of property securing repayment of the Securities, if material;
  - (11) rating changes;
  - (12) bankruptcy, insolvency, receivership or similar event of the Issuer;

Note to clause (12): For the purposes of the event identified in clause (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Issuer in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or

government authority has assumed jurisdiction over substantially all of the assets or business of the Issuer, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer;

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

- (iii) in a timely manner, not in excess of ten (10) business days after the occurrence of such event, notice of a failure to provide by the date set forth in Section 2(a)(i) hereof any Annual Information required by Section 3 hereof.

(b) Nothing herein shall be deemed to prevent the Issuer from disseminating any other information in addition to that required hereby in the manner set forth herein or in any other manner. If the Issuer disseminates any such additional information, the Issuer shall have no obligation to update such information or include it in any future materials disseminated hereunder.

(c) Nothing herein shall be deemed to prevent the Issuer from providing notice of the occurrence of certain other events, in addition to those listed above, if the Issuer determines that any such other event is material with respect to the Securities; but the Issuer does not undertake to commit to provide any such notice of the occurrence of any event except those events listed above.

Section 3. Annual Information. (a) The required Annual Information shall consist of the financial information and operating data for the preceding fiscal year, in a form generally consistent with the information contained or cross-referenced in the Issuer's final official statement relating to the Securities under the headings: "The District," "Economic and Demographic Information," "Indebtedness of the District," "Finances of the District," "Tax Information" and "Litigation" and Appendix A.

(b) All or any portion of the Annual Information may be incorporated in the Annual Information by cross reference to any other documents which are (i) available to the public on the EMMA System or (ii) filed with the SEC. If such a document is a final official statement, it also must be available from the EMMA System.

(c) Annual Information for any fiscal year containing any modified operating data or financial information (as contemplated by Section 7(e) hereof) for such fiscal year shall explain, in narrative form, the reasons for such modification and the effect of such modification on the Annual Information being provided for such fiscal year. If a change in accounting principles is included in any such modification, such Annual Information shall present a comparison between the financial statements or information prepared on the basis of the modified accounting principles and those prepared on the basis of the former accounting principles.

Section 4. Financial Statements. The Issuer's annual financial statements for each fiscal year, if prepared, shall be prepared in accordance with GAAP or New York State regulatory requirements as in effect from time to time. Such financial statements, if prepared, shall be audited by an independent accounting firm. The Issuer's Annual Financial Report Update Document prepared by the Issuer and filed annually with New York State in accordance with applicable law, shall not be subject to the foregoing requirements.

Section 5. Remedies. If the Issuer shall fail to comply with any provision of this Undertaking, then any Holder of Securities may enforce, for the equal benefit and protection of all Holders similarly situated, by mandamus or other suit or proceeding at law or in equity, this Undertaking against the Issuer and any of the officers, agents and employees of the Issuer, and may compel the Issuer or any such officers, agents or employees to perform and carry out their duties under this Undertaking; provided that the sole and exclusive remedy for breach of this Undertaking shall be an action to compel specific performance of the obligations of the Issuer hereunder and no person or entity shall be entitled to recover monetary damages hereunder under any circumstances. Failure to comply with any provision of this Undertaking shall not constitute an event of default on the Securities.

Section 6. Parties in Interest. This Undertaking is executed to assist the Purchaser to comply with paragraph (b)(5) of the Rule and is delivered for the benefit of the Holders. No other person shall have any right to enforce the provisions hereof or any other rights hereunder.

Section 7. Amendments. Without the consent of any holders of Securities, the Issuer at any time and from time to time may enter into any amendments or changes to this Undertaking for any of the following purposes:

- (a) to comply with or conform to any changes in Rule 15c2-12 (whether required or optional);
- (b) to add a dissemination agent for the information required to be provided hereby and to make any necessary or desirable provisions with respect thereto;
- (c) to evidence the succession of another person to the Issuer and the assumption of any such successor of the duties of the Issuer hereunder;
- (d) to add to the duties of the Issuer for the benefit of the Holders, or to surrender any right or power herein conferred upon the Issuer;

- (e) to modify the contents, presentation and format of the Annual Information from time to time to conform to changes in accounting or disclosure principles or practices and legal requirements followed by or applicable to the Issuer or to reflect changes in the identity, nature or status of the Issuer or in the business, structure or operations of the Issuer or any mergers, consolidations, acquisitions or dispositions made by or affecting any such person; provided that any such modifications shall comply with the requirements of Rule 15c2-12 or Rule 15c2-12 as in effect at the time of such modification; or
- (f) to cure any ambiguity, to correct or supplement any provision hereof which may be inconsistent with any other provision hereof, or to make any other provisions with respect to matters or questions arising under this Undertaking which, in each case, comply with Rule 15c2-12 or Rule 15c2-12 as in effect at the time of such amendment or change;

provided that no such action pursuant to this Section 7 shall adversely affect the interests of the Holders in any material respect. In making such determination, the Issuer shall rely upon an opinion of nationally recognized bond counsel.

Section 8. Termination. This Undertaking shall remain in full force and effect until such time as all principal, redemption premiums, if any, and interest on the Securities shall have been paid in full or the Securities shall have otherwise been paid or legally defeased pursuant to the their terms. Upon any such legal defeasance, the Issuer shall provide notice of such defeasance to the EMMA System. Such notice shall state whether the Securities have been defeased to maturity or to redemption and the timing of such maturity or redemption.

In addition, this Agreement, or any provision hereof, shall be null and void in the event that those portions of the Rule which require this Agreement, or such provision, as the case may be, do not or no longer apply to the Securities, whether because such portions of the Rule are invalid, have been repealed, or otherwise.

Section 9. Undertaking to Constitute Written Agreement or Contract. This Undertaking shall constitute the written agreement or contract for the benefit of Holders of Securities, as contemplated under Rule 15c2-12.

Section 10. Governing Law. This Undertaking shall be governed by the laws of the State of New York determined without regard to principles of conflict of law.

IN WITNESS WHEREOF, the undersigned has duly authorized, executed and delivered this Undertaking as of May 18, 2017.

**NORTH MERRICK UNION FREE SCHOOL  
DISTRICT**

By \_\_\_\_\_  
President of the Board of Education and Chief Fiscal Officer