



NOTICE OF SALE

**CITY OF DUNKIRK
CHAUTAUQUA COUNTY, NEW YORK**

**\$800,000 BOND ANTICIPATION NOTES, 2009A (FEDERALLY TAXABLE)
(Book-Entry-Only)**

RENEWAL ISSUE

*In the opinion of Bond Counsel, interest on the Notes is **not** excludable, under existing statutes and court decisions, from gross income of the recipients thereof for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986 (the "Code"). However, interest on the Notes is exempt from New York State and New York City personal income taxes.*

*The Notes **will not** be designated by the City as "qualified tax-exempt obligations" pursuant to Section 265 (b) (3) of the Code.*

Sale Date:	November 24, 2009	Notes Dated:	December 10, 2009
Time:	11:30 a.m. Prevailing Time	Notes Due:	December 9, 2010
Place of Sale:	Municipal Solutions, Inc. 2528 State Route 21 Canandaigua, New York 14424		

Written proposals, telephone bids (telephone number: 585-394-4090) and facsimile transmission (FAX) bids (FAX number: 585-394-4092) will be received at the offices of Municipal Solutions, Inc., 2528 State Route 21, Canandaigua, NY 14424 until 11:30 A.M. Prevailing Time on the 24th day of November, 2009 at which time and place the bids will be opened for the purchase at not less than par and accrued interest of \$800,000 Bond Anticipation Notes, 2009A (Federally Taxable) (the "Notes") of the City of Dunkirk, Chautauqua County, New York, dated December 10, 2009 and maturing on December 9, 2010, with interest payable at maturity. The Notes are to be issued without option of redemption prior to maturity.

The Notes are being issued pursuant to the Constitution and the statutes of the State of New York, including among others, the City Law and the Local Finance Law, and a bond resolution adopted on July 2, 2007 authorizing the construction of the Boardwalk Market Building in a maximum amount not to exceed \$1,000,000. Proceeds of the Note, along with available funds of the City will be used to redeem and renew (in part) a bond anticipation note issued on December 11, 2008 in the amount of \$927,260.

The Notes will be valid and legally binding general obligations of the City, all the taxable real property within which will be subject to the levy of *ad valorem* taxes to pay the Notes and interest thereon, without limitation as to rate or amount. The City will pledge its faith and credit for the payment of the principal of the Notes and interest thereon.

Principal of and interest on the Notes are payable at maturity in lawful money of the United States of America (Federal Funds).

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

The purchaser(s) shall have the option of having the Notes issued as registered notes in the name of the purchaser(s), or, at the option of the purchaser(s), may be registered to The Depository Trust Company, New York, New York ("DTC"). The purchaser must notify Bond Counsel by 2:00 P.M., Prevailing Time, on the date of sale whether the Notes will be issued in non-book-entry form or book-entry form.

Denominations, in multiples of \$5,000, may be determined by the purchaser(s).

If the Notes are issued in non-book-entry form, they will be issued as registered obligations, registered in the name of the purchaser(s). Principal of and interest on the Notes will be payable at maturity at such bank or trust company located and authorized to do business in the State of New York or at such other office as may be designated by the purchaser(s). The paying agent on the Notes may be designated by the purchaser(s). Paying agent fees, if any, shall be paid by the purchaser(s).

If the Notes are issued in book-entry-only form, the Notes will be (i) registered in the name of Cede & Co., as nominee of DTC, and (ii) deposited with DTC to be held in trust until maturity. DTC is an automated depository for securities and a clearinghouse for securities transactions, and will be responsible for establishing and maintaining a book-entry system for recording the ownership interest of its participants, which include certain banks, trust companies and securities dealers, and the transfer of the interests among its participants. The DTC participants will be responsible for establishing and maintaining records with respect to the Notes. Individual purchases of beneficial ownership interest in the Notes may be made only through book entries made on the books and records of DTC (or a successor depository) and its nominee as registered owner of the Notes. Transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. The District will not be responsible or liable for payments by DTC to its participants or by DTC participants to beneficial owners or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

Each bid must be for all of the Notes and must state a single rate of interest therefore in a multiple of one hundredth (1/100th) or one eighth (1/8th) of one per centum (1%) per annum. Interest will be calculated on the basis of 30 days to the month and 360-days to the year. Unless all bids are rejected, the award will be made to the bidder complying with the terms of sale and offering to purchase the Notes at the lowest aggregate interest cost, net of any premium bid. If there is more than one bid at the same lowest net interest cost, the winner will be selected by the City. The right is reserved by said City to reject all bids.

The right is reserved by the City to award to any bidder(s) all or any part of the Notes which such bidder(s) offers to purchase and, in such event, the premium, if any, specified by such bidder(s) will be pro-rated. In any event, award of the Notes will be made on the basis of the bid or combination of bids offering to purchase the Notes on terms most favorable to the City.

CUSIP identification numbers will be printed on the Notes if Bond Counsel is provided with such numbers by the close of business on the date of the sale of the Notes, but neither the failure to print such number on any Note nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the Notes in accordance with the terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the Notes shall be paid for by the City; provided, however, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the purchaser.

The Notes will be delivered in New York, New York or at such other place as may be agreed with the purchaser on or about December 10, 2009. The purchase price of the Notes, in accordance with the purchaser's bid, shall be paid in Federal Funds or other funds available for immediate credit on such delivery date.

As a condition to the purchaser's obligation to accept delivery of and pay for the Notes, such purchaser will be furnished, without cost, the following, dated as of the date of the delivery of and payment for the Notes: (i) a Closing Certificate of the City Treasurer evidencing payment for the Notes (ii) a Signature Certificate evidencing the due execution of the Notes, including statements that (a) no litigation of any nature is pending or, to the knowledge of the signors, threatened, restraining or enjoining the issuance and delivery of the Notes 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 Notes were authorized or affecting the validity of the Notes thereunder, (b) neither the corporate existence or boundaries of the City nor the title of the signors to their respective offices is being contested, (c) no authority or proceedings for the issuance of the Notes have been repealed, revoked or rescinded. and (iii) the approving opinion of the law firm of Hodgson Russ LLP, Bond Counsel, of Buffalo, New York to the effect that the Notes are valid and legally binding general obligations of the City for which the City has validly pledged its faith and credit and, unless paid from other sources, all the taxable real property within the City is subject to the levy of *ad valorem* real estate taxes to pay the Notes and interest thereon, without limitation of rate or amount.

Following the sale of the Notes, the successful bidder shall be obligated to furnish to the City, when and if requested, prior to the delivery of the Notes such information requested by the City as shall be necessary to enable the City to determine the "issue price" of the Notes as defined in Sections 1273 or 1274 of the Internal Revenue Code.

There is no offering document which accompanies this Notice of Sale.

Dated: November 17, 2009
Dunkirk, New York

MARK A. WOODS
City Treasurer and Chief Fiscal Officer

Additional copies of the Notice of Sale and Official Statement may be obtained upon request
from the Office of Municipal Solutions, Inc., 2528 State Route 21,
Canandaigua, New York 14424, telephone (585) 394-4090.
Website: www.municipalsolution.com

**PROPOSAL FOR \$800,000 BOND ANTICIPATION NOTES, 2009A (FEDERALLY TAXABLE)
City of Dunkirk, Chautauqua County, New York**

Mark Woods, City Treasurer
City of Dunkirk, Chautauqua County, NY
c/o Municipal Solutions, Inc.
2528 State Route 21
Canandaigua, New York 14424
Telephone: 585-394-4090
Fax: 585-394-4092

Sale Date: November 24, 2009 (Tuesday)
11:30 a.m. EST – Prevailing Time

Dated: December 10, 2009

Maturity Date: December 9, 2010

Dear Mr. Woods:

For the **\$800,000 Bond Anticipation Notes, 2009A (Federally Taxable) (the “Notes”)** of the City of **Dunkirk, Chautauqua County, New York**, that are the subject of the annexed Notice of Sale, which is hereby made a part of this bid, we will pay \$800,000 and a premium of \$_____ at the rate of _____% per annum expressed in a multiple of one-eighth or one-hundredth of one per centum.

The following is our computation of the net interest cost, made as provided in the above - mentioned Notice of Sale, but not constituting any part of the foregoing proposal for the purchase of the Notes therein described

Interest Rate.....	_____	%
Gross Interest Cost.....	\$_____	
Less Premium Bid Over Par.....	\$_____	
Net Interest Cost	\$_____	
Effective Net Interest Cost Rate.....	_____	% (Four Decimals)

Please Specify Form of Note:

Book-Entry _____

or

“Local” Closing _____

Signature

Name of Bidder

Address of Bidder

Telephone

Fax No

E-Mail Address