

**VILLAGE OF WESTFIELD
CHAUTAUQUA COUNTY, NEW YORK**

\$326,000 PUBLIC IMPROVEMENT SERIAL BONDS, 2011
(Book-Entry-Only) (Designated/Bank Qualified)

NOTICE OF PRIVATE COMPETITIVE BOND SALE

Telephone (585) 394-4090, Fax (585) 394-4092 or written proposals will be received and considered by the undersigned Village Treasurer of the Village of Westfield, Chautauqua County, New York, at the office of Municipal Solutions, Inc., 2528 State Route 21, Canandaigua, New York on Thursday, September 22, 2011, until 11:30 A.M., (Prevailing Time), at which time and place they will be publicly opened and announced, for the purchase, in Federal Funds, at not less than par and accrued interest of \$326,000 Public Improvement Serial Bonds, 2011 (the "Bonds"), dated October 6, 2011, and maturing in the annual principal installments each calendar year on October 1, together with the interest thereon, as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2012	\$26,000	2017	\$30,000
2013	30,000	2018	30,000
2014	30,000	2019	30,000
2015	30,000	2020	30,000
2016	30,000	2021	30,000
		2022	30,000

The Bonds will be dated October 6, 2011. The Bonds will bear interest at the rate or rates per annum specified by the successful bidder therefor in accordance herewith, payable on April 1, 2012, October 1, 2012 and semiannually thereafter on April 1 and October 1 in each year until maturity.

The Bonds will NOT be subject to redemption, in whole or in part, prior to maturity.

Interest will be calculated on the basis of thirty (30) days to the month and three hundred sixty (360) days to the year. Unless all bids are rejected, the Bonds will be awarded and sold to the bidder complying with terms of this Notice of Private Competitive Bond Sale and offering to purchase the Bonds at the lowest net interest cost. The Village reserves the right to reject any or all bids, and any bid not complying with this Notice of Private Competitive Bond Sale will be rejected.

The record date for the Bonds is the fifteenth day of the calendar month preceding an interest payment date.

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

The Bonds will be issued in registered form by means of a book-entry-only system with no physical distribution of bond certificates to the public. One bond certificate for each maturity will be registered to Cede & Co. as nominee for the Depository Trust Company, New York, New York ("DTC") and immobilized in its custody.

DTC is an automated depository for securities and clearinghouse for securities transactions, and will be responsible for establishing and maintaining a book-entry system for recording the ownership interests of individual purchasers of the Bonds. Individual purchases of beneficial ownership interests in the Bonds may only be made through book entries (without certificates being issued by the Village) made on the books and records of DTC (or a successor depository) and

its participants, in denominations of \$5,000 or integral multiples thereof, except for one necessary Bond of an odd denomination maturing October 1, 2012. Principal of and interest on the Bonds will be payable by the Village or its agent by wire transfer or in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; 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 Village 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.

The deposit of the Bonds with DTC under a book-entry system requires the assignment of CUSIP numbers prior to delivery. It shall be the responsibility of the successful bidder to obtain CUSIP numbers for the Bonds prior to delivery and the Village will not be responsible for any delay occasioned by the inability to deposit the Bonds with DTC due to the failure of the successful bidder to obtain such numbers and to supply them to the Village in a timely manner. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid for by the Village; provided, however, that the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the successful bidder.

Each proposal must be for all of the Bonds and must state in a multiple of one-hundredth of 1% or a multiple of one-eighth of 1%, the rate or rates of interest per annum which the Bonds are to bear and may state different rates of interest for Bonds maturing in different calendar years; provided, however, that (i) only one rate of interest may be bid for all Bonds maturing in any one calendar year and (ii) variations in rates of interest so bid shall be in ascending progression in order of maturity so that the rate of interest on Bonds maturing in any particular calendar year shall not be less than the rate of interest applicable to Bonds maturing any prior calendar 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 Bonds at such rate or rates of interest as will produce the lowest net interest cost computed in accordance with the net interest cost method of calculation, that being the rate or rates of interest which will produce the least interest cost over the life of the Bonds, after accounting for the premium offered, if any. If two or more such bidders offer to purchase the Bonds at the same net interest cost, computed as described above, the Bonds will be awarded to the bidder whose bid offers to purchase the Bonds at the highest premium dollar amount. If the premiums are the same, then the award shall be made by lot by the Village Treasurer. The right is reserved to reject any or all bids, and any bid not complying with this Notice of Private Competitive Bond Sale, except as provided above, will be rejected. A GOOD FAITH DEPOSIT WILL NOT BE REQUIRED.

The Bonds are issued pursuant to the Constitution and statutes of the State of New York, including among others, the Local Finance Law, and pursuant to a bond resolution adopted by the Village Board of Trustees on August 6, 2007 and amended December 7, 2009, authorizing the issuance of \$430,000 of serial bonds, for the reconstruction of and construction of improvements to the Village sewer system. The proceeds of the Bonds along with \$25,000 of available funds of the Village, will be used to redeem and retire outstanding bond anticipation notes of the Village in the amount of \$351,000.

The Bonds are general obligations of the Village. There is no limitation, either as to rate or amount, upon *ad valorem* taxes levied upon taxable real property in the Village which may be required to pay the Bonds and the interest thereon, (subject to certain statutory limitations imposed by Chapter 97 of the 2011 Laws of New York). The State Constitution requires the Village to pledge its faith and credit for the payment of the principal of the Bonds and the interest thereon and to make annual appropriations for the amounts required for the payment of such interest and the redemption of the Bonds. The State Constitution also provides that if at any time the appropriating authorities fail to make the required appropriations for the annual debt service on the Bonds and certain other obligations of the Village, a sufficient sum shall be set apart from the first revenues thereafter received and shall be applied for such purposes, and also that the fiscal officer of the Village may be required to set apart and apply such revenues as aforesaid at the suit of any holder of the Bonds.

As a condition to the purchaser's obligation to accept delivery of and pay for the Bonds, such purchaser will be furnished, without cost, the following, dated as of the date of the delivery of and payment for the Bonds: (i) a Closing Certificate, constituting a receipt for the Bond proceeds and a signature certificate, which will include a statement that no litigation is pending, or to the knowledge of the signers, threatened affecting the Bonds, (ii) an arbitrage certificate executed on behalf of the Village which will include, among other things, covenants, relating to compliance with the

Internal Revenue Code of 1986, as amended (the "Code"), with the owners of the Bonds that the Village will, among other things, (a) take all actions on its part necessary to cause interest on the Bonds not to be includable in the gross income of the owners thereof for federal income tax purposes, including without limitation, restricting, to the extent necessary, the yield on investments made with the proceeds of the Bonds and investment earnings thereon, making required payments to the Federal Government, if any, and maintaining books and records in a specified manner, where appropriate, and (b) refrain from taking any action which would cause interest on the Bonds to be includable in the gross income of the owners thereof for federal income tax purposes, including, without limitation, refraining from spending the proceeds of the Bonds and investment earnings thereon on certain specified purposes, and (iii) the approving opinion of the law firm of Hodgson Russ LLP to the effect that the Bonds are valid and legally binding general obligations of the Village for which the Village has validly pledged its faith and credit and, unless paid from other sources, all the taxable real property within the Village is subject to the levy of *ad valorem* real estate taxes to pay the Bonds and interest thereon (subject to certain statutory limitations imposed by Chapter 97 of the 2011 Laws of New York).

The successful bidder may, at its option, refuse to accept the Bonds if prior to delivery of the Bonds any income tax law shall provide that the interest of such Bonds is taxable, or shall be taxable at a future date for federal income tax purposes.

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

Copies of the Notice of Private Competitive Bond Sale may be obtained upon request from the offices of Municipal Solutions, Inc., 2528 State Route 21, Canandaigua, New York 14424, telephone number (585) 394-4090.

No official statement accompanies this Notice of Private Competitive Bond Sale.

September 13, 2011
Westfield, New York

Rebecca Betts-Paternosh
Treasurer and Chief Fiscal Officer

Additional copies of the Notice of Sale 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 \$326,000 PUBLIC IMPROVEMENT SERIAL BONDS, 2011
Village of Westfield, Chautauqua County, New York**

Rebecca Betts-Paternosh, Treasurer
Village of Westfield
c/o Municipal Solutions, Inc.
2528 State Route 21
Canandaigua, New York 14424
Telephone: 585-394-4090
Fax: 585-394-4092

Sale Date: September 22, 2011
11:30 A.M., Prevailing Time

Dated: October 6, 2011

Maturity Dates: October 1, 2012/2022

Dear Ms. Betts-Paternosh:

For the **\$326,000 Public Improvement Serial Bonds, 2011 (the "Bonds") of the Village of Westfield, Chautauqua County, New York**, that are the subject of the annexed Notice of Private Competitive Bond Sale, which is hereby made a part of this bid, we will pay \$326,000 plus a premium of \$_____ and accrued interest to date of delivery, provided that the Bonds maturing as set forth below shall bear interest in the indicated multiple(s) of 1/8th or 1/100th of one per centum (1%), from their dated date until maturity at the respective rates per annum stated in the following table:

<u>Year of Maturity</u>	<u>Interest Rate</u>	<u>Year of Maturity</u>	<u>Interest Rate</u>
2012	_____ %	2017	_____ %
2013	_____ %	2018	_____ %
2014	_____ %	2019	_____ %
2015	_____ %	2020	_____ %
2016	_____ %	2021	_____ %
		2022	_____ %

The following is our computation of the net interest cost, made as provided in the above-mentioned Notice of Private Competitive Bond Sale, but not constituting any part of the foregoing proposal for the purchase of the Bonds.

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

(Four Decimals)

Signature

Name of Financial Institution

Address

Telephone

Fax No.

Email Address