

## FEES AND AGENCY'S COSTS

1. Application Fee: The Agency has established an application fee of FIVE HUNDRED DOLLARS (\$500.00) to cover the anticipated costs of the Agency in processing the application. A check or money order made payable to the "*Counties of Warren and Washington Industrial Development Agency*" must accompany each application. **THE APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.**

If an extension of the time line set forth in the Inducement Resolution for a project is requested, a renewal fee of TWO HUNDRED FIFTY DOLLARS (\$250.00) must be paid at the time of the request.

2. Agency Administrative Fee: The Agency has established an administrative fee to be paid by the applicant upon successful conclusion of the sale of the bonds, procurement of substitute financing, or closing a straight lease transaction; said fee being intended to cover the indirect expenses incurred by the Agency in administering the project. The administrative fee will be calculated according to the following schedule applied to the aggregate principal amount of the bonds issued or of the entire project cost in the event of substitute financing or straight lease transactions:

<u>Amount of Bonds/Cost of Project</u>	<u>Applicable Percentage</u>
First \$10,000,000	0.75%
Next \$10,000,000	0.50%
Next \$10,000,000	0.25%
Portion Over \$30,000,000	0.125%

3. New York State Bond Issuance Charge. New York State adopted legislation in 2002 that requires the payment of a "bond issuance charge" to the State for any bonds issued by public benefit corporations, including IDAs. (See: Public Authorities Law § 2976). This bond issuance charge is typically passed on to and paid by the developer. This is in addition to the Agency's Administrative Fee cited above. The bond issuance fee charge is calculated by multiplying the principal amount of the bonds by the following schedule:

<u>Principal Amount of Bonds</u>	<u>Applicable Percentage</u>
\$1,000,000 or less	0.168%
\$1,000,001 to \$5,000,000	0.336%
\$5,000,001 to \$10,000,000	0.504%
\$10,000,001 to \$20,000,000	0.672%
More than \$20,000,000	0.84%

4. Agency's Costs: The applicant will be required to pay to the Agency all actual costs incurred in connection with the application and the project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency's bonds issued to finance the project). The costs incurred by the Agency, including the Agency's legal fees and other "soft costs" such as bond counsel and accountant fees, may be considered as a part of the costs of the project and included in the calculation of the amount of the Industrial Development Revenue Bond issue.
5. Security Deposit: To ensure that the Agency's costs are reimbursed if the project does not proceed, applicant shall pay to the Agency a security deposit equal to one-half of one percent (0.5%) of the cost of the project or \$10,000.00, whichever is greater. The maximum initial deposit is set at \$25,000.00. Payment shall be made prior to passage of an Inducement Resolution for the project.

In the event that prior to closing the actual costs incurred, or anticipated costs to be incurred, by the Agency equal or exceed the original security deposit, the Agency may require an additional security deposit before incurring any additional expense and proceeding with the project.

At the time of closing, or in the event the project is discontinued, after reimbursement of the Agency's costs, any excess funds shall be returned to the applicant. Should the Agency's costs exceed the deposit, applicant shall pay the Agency the difference between the costs and the deposit.

The Agency reserves the right to deviate from the foregoing based upon the size and nature of the project and the financial strength of the applicant.