



The State University
of New York

Office of the
Chief Financial Officer

State University Plaza
Albany, New York 12246

www.suny.edu

August 1, 2014

President Debra Thatcher
State University College of Agriculture and
Technology at Cobleskill
106 Suffolk Circle
Cobleskill, NY 12043

Re: START-UP NY

Dear President Thatcher:

Congratulations. Attached is the approved application for Cobleskill's Campus Plan for Designation of Tax-Free Area(s).

Please submit your Campus Plan to Designations@esd.ny.gov. Also, please copy program.review@suny.edu so that we know which plans have been submitted to ESDC and can monitor their progress at the agency.

Best of luck to you and SUNY College at Cobleskill in launching the START-UP NY Program.

Best regards,

A handwritten signature in blue ink, appearing to read "R. Haelen", written over a circular stamp.

Robert M. Haelen
Interim Chief Financial Officer

Attachment

Copy: SUNY START-UP NY Proposal Review Team

To Learn
To Search
To Serve

the Power of 



SUNY START-UP NY
Campus Plan for Designation of Tax-Free Area(s) Memorandum (CPM)

To: SUNY Chancellor

From: Dr. Debra Thatcher

Re: SUNY Cobleskill Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan")

Date: May 29, 2014

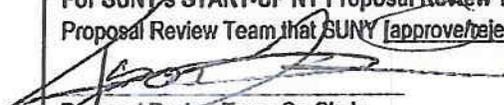
For campus Office of the President:
The arrangement documented in the attached Campus Plan is aligned to the academic mission of SUNY Cobleskill and in accordance with all SUNY policies, procedures, and guidelines.


Signature of campus President

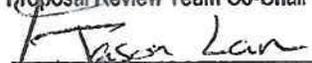
Debra H. Thatcher
Print Name

-----FOR SUNY SYSTEM ADMINISTRATION USE ONLY-----

For SUNY's START-UP NY Proposal Review Team Co-Chair: It is recommended by the SUNY START-UP NY Proposal Review Team that SUNY approve/reject the attached Campus Plan:


Proposal Review Team Co-Chair

7/30/14
Date


Print Name

For SUNY Office of the Chancellor:
The attached Campus Plan is hereby approved/rejected for campus submission to the NYS Commissioner of Economic Development


Signature of the Chancellor or designee

8/1/14
Date

Robert Hackler
Print Name



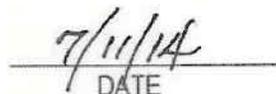
The State University
of New York

To: Mr. Kenneth Adams, NYS Commissioner of Economic Development
From: Dr. Debra Thatcher, Acting President, SUNY Cobleskill
Re: SUNY Cobleskill's Campus Plan for Designation of Tax-Free Area(s)
Date: May 29, 2014

I, Acting President Thatcher of SUNY Cobleskill hereby certify the following:

- a.) we have provided a copy of the enclosed Campus Plan for Designation of Tax-Free NY Area, to the municipality or municipalities in which the proposed Tax-Free NY Area is located, local economic development entities, the applicable faculty senate, union representatives, and student government at least 30 days prior to submitting the plan to you and attached evidence of submission herewith; and
- b.) we comply with Public Officers Law Section 74; State University of New York's Policy on Conflict of Interest and the Research Foundation's Conflict of Interest Policy and Guidelines for the Management of Conflicts of Interest and have attached copies of the policies and/or guidelines herewith; and
- c.) we comply with the Commissioner's rules and guidelines on anticompetitive behavior (NY EDL, art. 21, sect. 440); and
- d.) we are aware of the non-governmental use limitations associated with state issued tax exempt bonds and if our proposed Tax-Free NY Area was financed with tax exempt bonds, we will: 1.) make potential businesses aware of these limitations when marketing property; and 2.) take appropriate steps to ensure that non-governmental use of property funded with tax-exempt bonds will not jeopardize the tax exempt status of state issued bonds; and
- e.) we consulted with the municipality or municipalities in which such land or space is located prior to including such space or land in the proposed Tax-Free NY Area and we have given preference to underutilized properties; and
- f.) we have not relocated or eliminated any academic programs, any administrative programs, offices, housing facilities, dining facilities, athletic facilities, parking, or any other facility, space or program that actively serves students, faculty or staff in order to create vacant land or space to be designated as a Tax-Free NY Area; and
- g.) the information contained in the enclosed application is accurate and complete.


PRESIDENT'S SIGNATURE


DATE



START-UP NY CAMPUS PLAN FOR DESIGNATION OF TAX-FREE AREA(S)

Campus Name: SUNY Cobleskill
Campus Contact Name: Jason R. Evans, Ph.D.
Campus Contact Title: Associate Professor, Agricultural Business Management
Campus Contact E-mail: Evansjr@cobleskill.edu
Campus Contact Phone: 518-255-5643

THE TAX-FREE NY AREA PLAN SHALL BE DEVELOPED BY THE CAMPUS TEAM AND PROVIDE THE FOLLOWING REQUIRED INFORMATION:

- 1) Specification or identification of space or land proposed for designation as a Tax-Free NY Area identifying the following:
 - i. Provide the name and address of the SUNY, CUNY or community college seeking approval as a Sponsor, the address of the space or land proposed for designation as a Tax-Free NY Area, and a written description of the physical characteristics of the area for designation.

Name: SUNY Cobleskill
Campus Address: 106 Suffolk Circle, Cobleskill, NY 12043
Address(es) of Proposed Tax-Free NY Area(s) : <u>PROPERTY No. 1: Frederic R. Bennett Recreation Area Ski Lodge</u> Physical Address: Frederic R. Bennett Recreation Area Ski Lodge 5044 NY State Highway 10 Cobleskill, NY 12043 Mailing Address: CAS, Prentice Hall 106 Suffolk Circle Cobleskill, NY 12043
<u>PROPERTY No. 2: Guilford Mills Manufacturing/Warehouse Facility</u> Physical Address: 118 Aker Drive Cobleskill, NY 12043
<u>PROPERTY No. 3: Wood Frame Unoccupied Manufacturing/Warehousing Building</u> Property Address: 1532 State Route 7 Richmondville, NY 12149

Description of Physical Characteristics of Proposed Tax-Free NY Area(s):

PROPERTY No. 1: Frederic R. Bennett Recreation Area Ski Lodge

SUNY Cobleskill proposes to designate the entirety of the above referenced property, including land, as a Start-Up NY Tax-Free area. This property (known as the "Ski Lodge") is owned by the College's Auxiliary Service (CAS) and is comprised of 9,585 square feet of building space on 6.25 acres of land. The property was formerly used as a ski lodge for student and community use and has most recently been used as a general student activity space. Currently, the building is unoccupied and unutilized. Water, heat and electric supply are available to the building. According to a 2011 appraisal of the aforementioned property, the building's steel truss structure is in good condition. The appraiser's estimate of latest major building improvements is 1972.

The outdoor space of the proposed tax-free area is approximately 50% wooded with a small seasonal stream on the east boundary. Approximately 2.05 acres of the property were deemed by the appraiser as "topographically challenged" because of the stream bed and generally "roughed" land. Business access to the property would likely require entryway/road improvements, though the access road is currently paved and is directly accessible from NY State Route 10.

PROPERTY No. 2: Guilford Mills Manufacturing/Warehouse Facility

SUNY Cobleskill proposes to designate 125,000 square feet of the above referenced property as a Start-Up NY Tax-Free area. This property, located approximately 0.9 miles from SUNY Cobleskill's campus in the Village of Cobleskill, includes two buildings (Building One at 340,000 square feet and Building Two at 120,000 square feet) and approximately 40 acres of land (including parking for approximately 300 cars or 200 trailers). The buildings were originally constructed in 1985. Formerly a textile manufacturing mill, the property has been unoccupied for approximately 12 years and is currently owned by Schoharie County. The property is zoned "Commercial Industrial" and includes ample paved parking space.

The Guilford Mills site is located just off of Mineral Springs Road in the Village of Cobleskill with convenient access to Interstate 88. State Routes 7, 10, 20, 30 and 145 are within minutes of the property. The building can easily be partitioned for manufacturing/warehousing use by multiple enterprises.

Building One features a long configuration of approximately 1,730' X 200' and Building Two is an "L"-shaped configuration. Both are steel truss shells with municipal water/sewer access, sprinkler system, significant dock door access and 19'+ ceilings. Building one includes approximately 20,625 square feet of office and employee support space, split across two sections of the building. Building two includes approximately 1,300 square feet of office and employee support space, situated along the north wall. Building floors are comprised of 6" and 10" reinforced concrete. Building roofs are mostly insulated standing seam metal; a rubber membrane system is in place over the west end of Building One and the east end of Building Two.

Heating capacity in the west section of Building One is provided by two gas-fired Well-

McLain hot water boilers rated at 1.0 million and 1.2 million BTUs respectively and one gas-fired Peerless boiler rated at 1.0 million BTUs. That in the east section is provided by three gas-fired Rapid Air rotation units, and gas-fired ceiling suspended Reznor unit heaters (installed in 2001). Heating capacity in the west section of Building Two is provided by one gas-fired Rapid Air rotation unit while that in the east section is provided by one gas-fired Well-McLain hot water boiler rated at 1 million BTUs. For natural gas, a medium-pressure main is in place, rated at approximately 120 psi. Both buildings benefit from 100% wet system coverage for fire protection (rated at approximately 100 psi static pressure).

PROPERTY No. 3: Wood Frame Unoccupied Manufacturing/Warehousing Building
SUNY Cobleskill proposes to designate the entirety (3,600 square feet) of the above referenced property as a Start-Up NY Tax-Free area. This property, located across State Route 7 from cropland owned by the SUNY Cobleskill Auxiliary Service, includes one building of approximately 3,600 square feet sited on 3.83 acres. The property is located conveniently just off of I-88's Exit #21. The wood frame and masonry construction building is approximately 30 years old with concrete flooring and new wood siding. The one-floor building has 240V electrical service, access to municipal water supply and its own septic system. Building dimensions are approximately 60' W X 60' L.

- ii. Complete the Excel spreadsheet template provided with this document, noting the instructions on page 2. Include the official SUNY Physical Space Inventory (PSI) building number and a clear description of the spaces in the building or floor (when the entire floor is under consideration), or floor/wing (with outer rooms defining the space specifically listed). Include only properties sought to be designated now and exclude potential sites that may be considered in the future (see 2a below). Attach the completed spreadsheet to this plan.
- iii. Provide also a representation of each proposed site drawn in AutoCAD on a scaled campus map with boundaries drawn clearly. Two versions should be created; one including an imbedded layer from Google Earth or other aerial photograph of the property. The second version should exclude the photographic imagery. Each parcel under consideration must have a unique alpha numeric identifier, clearly labeled on each plan which ties to identifiers in the Excel spreadsheet. If digital files containing Polygon shapefile that delineates area for designation are available, provide these as well. Attach these materials to this plan.
- iv. Provide a campus map with each proposed building shaded. Label each building with the official building number as listed in the SUNY Physical Space Inventory (PSI) along with the building name. For each building shaded and labeled, include floor plans of all areas under consideration with the specific spaces clearly shaded and labeled with official PSI room numbers. If digital files containing Point shapefiles that provide locations of area for designation are available, provide these as well. Attach these materials to this plan.

- 2) The total square footage of the space and/or acreage of land proposed for designation as a Tax-Free NY Area is:

PROPERTY No. 1: Frederic R. Bennett Recreation Area Ski Lodge (PROPERTY ID# SU-124-1-B-0001-000-A and ID # SU-124-1-L-0011-000-A): 9,585 square feet of building space and 6.25 acres of land

PROPERTY No. 2: Guilford Mills Manufacturing/Warehouse Facility (PROPERTY ID# SU-124-2-B-0002-000-A): 125,000 square feet of building space

PROPERTY No. 3: Wood Frame Unoccupied Manufacturing/Warehousing Building (PROPERTY ID# SU-124-2-B-0004-000-A): 3,600 square feet of building space

- 2a) *If applicable:* You may include here a description of any potential space or acreage of land that you may seek to designate as a Tax-Free NY Area under the START-UP NY Program in the future. This may include campus property that may become vacant, or other properties in your community that are not currently part of your campus but may be desirable for a company partner and with which you may consider an affiliation if an appropriate partner is identified. Do not include these properties in the Excel spreadsheet.

- 2b) *If applicable:* The total square footage of the space or acreage of land that you may propose to designate as a Tax-Free Area as identified in 2a, if known.

- 3) Provide a description of the type of business or businesses that may locate in the area identified in #1.

Businesses eligible for utilization of the "Ski Lodge" property designated above under the auspices of START-UP NY shall be limited to those conducting environmental/ecological research or educational services, offering fee-based outdoor recreation opportunities or offering fee-based conference and event services.

For all other properties designated above, SUNY Cobleskill is committed to partnering with start-up or expansion enterprises that are in alignment with the agricultural and technical identity of the college and Schoharie County. These business types/functions include:

- Value-added food processing and distribution
- Dairy product and beverage manufacturing that utilizes fermentation processes
- Fruit and vegetable cultivation and processing

- On-farm and agricultural energy research, development and manufacturing
- Other manufacturing processes with sophisticated technological operating systems
- Scientific research facilities that serve pharmaceutical, food and other industries
- Entities engaged in product development research, website development and software programming for business applications
- Businesses capable of utilizing on-campus alternative energy infrastructure in research and production (Note: Businesses providing utilities and/or engaged in the generation or distribution of electricity, natural gas, etc., as prohibited by §220.6 (b)(1)(xii) and (xiii) of the program regulations, will not be sought.)
- Other businesses whose nature and processes will facilitate enhanced experiential education opportunities for students in agricultural and technical fields

- 4) Provide a description of the campus academic mission, and explain how the businesses identified in #3 will align or further the academic mission of the university or college.

With an emphasis on experiential education, SUNY Cobleskill prepares students for successful careers, advanced studies and engaged citizenship. The College has provided applied technological and agricultural education as a fully accredited, comprehensive, public undergraduate residential college for 100 years. The College's mission emphasizes the importance of experiential education that manifests in all academic programs as hands-on and project-based learning, field experiences and internships with industry partners. Problem-solving, critical thinking, teamwork and communication skills are universal learning objectives at SUNY Cobleskill and programs continually evolve to reflect current and emerging knowledge and infuse new technologies into students' academic experiences. Student success is reflected in the consistently high work force placement rate of our graduates.

Located on a 750 acre campus in Upstate New York, SUNY Cobleskill offers associate and bachelor degrees in a wide range of disciplines including environmental and energy sciences, agriculture, natural resources, animal and plant sciences, business and agricultural business, technology, early childhood, culinary arts, health sciences, biotechnology, landscape and communications. SUNY Cobleskill was founded in 1916 as the Schoharie School of Agriculture

and today offers one of the most diverse agricultural programs in the United States. The ultra-modern agricultural complex serves as a laboratory for hands-on skill building and includes a working farm, a 10-acre arboretum, a 200-cow contemporary free-stall dairy, a USDA-inspected meat processing facility, an equine complex with an indoor arena and a fully equipped agricultural engineering technology facility. In Fall, 2014, the College will open the Center for Agriculture and Natural Resources, a \$40 million project that will house Animal Science, Plant Science and Fisheries & Wildlife academic programs and includes state-of-the-art greenhouse infrastructure and the Northeast's largest fish hatchery.

It is expected that businesses eligible for START-UP NY tax-free treatment that establish operations within a SUNY Cobleskill-designated tax-free zone will provide all or a selection of the following services in partnership with College academic programs:

- Internship and post-graduate employment opportunities for students
- Collaboration with College faculty on design of novel courses and programs that leverage the educational opportunities created by proximity to START-UP NY-eligible businesses
 - For example, development of "fermentation science" or "beverage management" courses to align with beverage manufacturing companies; enhancement of food systems, plant science and agricultural business programming to align with food processing or cultivation operations
- Access to business facilities for out-of-classroom laboratory experiences for students
 - For example, intermittent use of manufacturing or processing facilities as external laboratories for operations management, processing or engineering courses
- Collaboration with College faculty on design and implementation of student research and/or class projects
- Access to professionals for guest lecture opportunities
- Initiation of professional certificate programs aligned with individual business worker-training needs
- Collaboration with College faculty and administrators to provide growth opportunities for established businesses in Schoharie County
 - For example, START-UP NY businesses working with College professionals to identify local suppliers of raw inputs or downstream marketing/distribution services

As listed above, businesses most likely to forge successful partnerships with SUNY Cobleskill under the auspices of START-UP NY are those whose operations dovetail with existing academic programs and the economic and physical infrastructure of Schoharie County, which is largely rural. Specifically, businesses that apply sophisticated management and technology in a manufacturing context and/or employ contemporary scientific principles in the development of pharmaceutical, food or energy products are desired.

Applications submitted for occupation and use of ON-CAMPUS properties should clearly address any potential adverse effects of business presence on College academic programs. Impacts of this nature will be given significant consideration during the application review process.

- 5) Provide a description of how participation by these types of businesses in the START-UP NY Program will generate positive community and economic benefits, including but not limited to:
- Increased employment opportunities;
 - Increased opportunities for internships, vocational training and experiential learning for undergraduate and graduate study;
 - Diversification of the local economy;
 - Environmental sustainability;
 - Increased entrepreneurship opportunities;
 - Positive, non-competitive and/or synergistic links to existing businesses;
 - Effect on the local economy; and
 - Opportunities as a magnet for economic and social growth.

As part of the Albany—Schenectady—Troy Metropolitan Statistical Area, Schoharie County is situated in close proximity to the population center of New York's Capital Region and is poised to serve as a hub of production for consumers therein and in New York City, which is located approximately 160 miles to the east. Schoharie County's economy is highly diversified, with significant employment in retail, education and healthcare services, construction, manufacturing and agriculture. Despite significant natural and built-infrastructure resources, the U.S. Census Bureau reports an unemployment rate of 11.6% for the county (higher than New York State). Given this, the START-UP NY initiative has considerable potential to positively affect the lives of county residents and to enhance resource utilization in the region.

Anticipated benefits of business development within the county include increased employment

opportunities, enhanced economic diversification, broadening of local tax bases and productive use of currently vacant facilities both on and off campus. Further, development of processing/manufacturing infrastructure under the auspices of START-UP NY will provide the region's agricultural and natural resource producers opportunities for high-volume product sales and enhanced ties to the state's large urban consumer populations. Of course, development of these types of economic activities and the income generated as a result will also undoubtedly spur revitalization of "Main Street" service-oriented businesses including retailers and restaurants throughout the county.

- 6) Provide a description of the process the Sponsor (campus) will follow to select participating businesses. The description should identify the membership of any group or committee that may make recommendations, the final decision-maker, and the criteria that will be used to make decisions. This group or committee must include representation from faculty governance. The criteria may include some or all of the following:

A. Academic and Research Alignment

1. Is the business in an industry aligned with current and/or developing University research, scholarly, and creative activity?
2. Does the business provide experiential learning and workforce opportunities (e.g., internships, fellowships, full-time jobs) for students and graduates?
3. Does the business provide areas for partnership and advancement for faculty and students?
4. Will the business provide access to research instrumentation, tools, and/or equipment necessary to advance the academic and research mission?
5. Will the business fund scholarships, campus facilities or other academic services or amenities?
6. Will the business and/or its employees contribute to instruction or provide student mentoring?
7. Does the business offer the use of company resources, intellectual property or expertise to support the academic mission?

B. Economic Benefit

1. How many net new jobs will be created?
2. Is the business viable in both the short- and long-term?
3. Will the business attract private financial investment?
4. Does the business plan to make capital investments (e.g., renovation, new construction)?
5. Are the new jobs in critical areas of the economy?
6. How will the University financially benefit from the terms of the lease?

C. Community Benefits

1. Does the business have the support of one or more municipal or community entities?
2. Is the business recruiting employees from the local workforce?
3. Does the business invest in underserved, economically distressed regions?
4. Will the business rely on suppliers within the local and regional economy?

Through a formal application process, businesses interested in securing START-UP NY-designated properties and partnering with SUNY Cobleskill in the furtherance of its academic mission will be assessed according to:

- Eligibility to participate in the START-UP NY initiative, as determined by parameters established by law
- Type and amount of space required
- Number of employees/new jobs to be created
- Alignment with local economic infrastructure (potential synergies and/or competition with existing businesses; feedback from municipal representatives)
- Alignment with the college's mission which emphasizes "experiential" education and preparation of students for "successful careers, advanced studies and engaged citizenship"
- Willingness and capacity to forge partnerships with academic program areas that are beneficial to students and enhance the quality of the educational experience at SUNY Cobleskill

Upon SUNY Cobleskill's receipt of a business application for occupation and use of ON-CAMPUS or OFF-CAMPUS designated properties, all application materials will be immediately forwarded to the following campus and community stakeholder groups for review:

- **The Presiding Officer of the Faculty**
In his or her role as Chair of the Faculty Governance Executive Committee, which is comprised of the Chairs of all Elected Standing Governance Committees at SUNY Cobleskill, the Presiding Officer shall distribute business application materials to all Elected Standing Governance Committee Chairs. Committee Chairs will then have a period of fourteen days (two weeks) to share application materials with their respective committee membership and to submit electronically (StartUpNY@cobleskill.edu) or in hardcopy, in summary form, their committee's feedback on the business application to the President's Economic Development Advisory Council. Though feedback from all Elected Standing Governance Committees is expected to address all facets of each proposed START-UP NY business partnership, it is especially critical that feedback emanating from the College's Curriculum Committee specifically address the academic benefits of proposed business partnerships
- **The Chair of the College Council of SUNY Cobleskill**
The College Council Chair shall disseminate business application materials to the full membership of the College Council and shall, within fourteen days (two weeks) of receipt of application materials, submit electronically (StartUpNY@cobleskill.edu) or in hardcopy a summary of the Council's feedback

on the business application to the President's Economic Development Advisory Council.

- **The Chairs of the College's eight Academic Departments**

Because of the academic implications of any and all potential business applications submitted under the auspices of START-UP NY, application materials will be forwarded to Academic Department Chairs for dissemination to their full-time faculty members. Within fourteen days (two weeks) of receipt of application materials, Department Chairs shall submit electronically (StartUpNy@cobleskill.edu) or in hardcopy a summary of their Academic Department's feedback to the President's Economic Development Advisory Council.

- **The SUNY Cobleskill Administrative Cabinet**

Comprised of all College Vice Presidents and Directors, the Administrative Cabinet shall be forwarded all application materials and will have fourteen days (two weeks) to submit electronically (StartUpNy@Cobleskill.edu) or in hardcopy a summary of their feedback on application materials to the President's Economic Development Advisory Council.

- **The SUNY Cobleskill Student Government Association**

The President of SUNY Cobleskill's Student Government Association (SGA) shall disseminate business application materials to all SGA Officers and shall, within fourteen days (two weeks) of receipt of application materials, submit electronically (StartUpNY@cobleskill.edu) or in hardcopy a summary of SGA Officers' feedback on the business application to the President's Economic Development Advisory Council.

- **The Chair of the Schoharie County Board of Supervisors, the Director of Planning & Development for Schoharie County, the Schoharie County Chamber of Commerce and the Chief Executive Officer of the Schoharie County Industrial Development Agency (IDA)**

Business application materials shall be forwarded to the above named community stakeholders who, upon receipt, shall each have fourteen days (two weeks) to submit electronically (StartUpNy@Cobleskil.edu) or in hardcopy a summary of their agency's/organization's feedback on application materials to the President's Economic Development Advisory Council

In addition to the above stakeholder groups, review of business applications for occupation and use of ON-CAMPUS properties will also be conducted by the following entities:

- **The Director of Facilities at SUNY Cobleskill**

Upon receipt of business application materials, the Director of Facilities shall have fourteen days (two weeks) to submit, electronically (StartUpNy@cobleskill.edu) or in hardcopy, feedback on the business application materials to the President's Economic Development Advisory Council. Such feedback shall include assessment of the START-UP NY partnership's potential impact on the College's physical resources.

- **The Chief of the University Police Department at SUNY Cobleskill**

Upon receipt of business application materials, the Chief of University Police shall have fourteen days (two weeks) to submit, electronically (StartUpNy@cobleskill.edu) or in hardcopy, feedback on the business application

materials to the President's Economic Development Advisory Council. Such feedback shall include assessment of the START-UP NY partnership's potential impact on traffic patterns, student safety and security on campus.

The fourteen day (two week) period of business application review by campus and community stakeholder groups shall be relevant for applications submitted both during and outside of the academic year.

After the fourteen day (two week) period of review by the aforementioned stakeholder groups, the President's Economic Development Advisory Council shall have up to five business days to compile and synthesize all submitted feedback into a summary document for submission to the College President. This document shall reflect the input of all stakeholder groups and will include a final recommendation to the President. Upon submission to the President, this document will be published electronically to all aforementioned stakeholder groups to ensure process transparency.

The composition of the Economic Development Advisory Council is determined by the College President. The Council serves at the pleasure of the President. Currently, the Council is comprised of the Campus Liaison for START-UP NY, the College Provost, the Dean of the School of Agriculture and Natural Resources, the Director of Sponsored Programs, the Director of Facilities, the Capital Projects Manager, the Campus Construction Manager and faculty representatives from the Department of Business Administration. Other campus parties interested in serving on the President's Economic Development Advisory Council may petition the President to join.

In an advisory, ex-officio capacity, the Chief Executive Officer of Schoharie County IDA, the Director of Planning & Development for Schoharie County and district representatives from the NY State Assembly and NY State Senate participate in Economic Development Advisory Council meetings.

Upon receipt of the Economic Development Advisory Council's summary document and recommendation regarding all START-UP NY business applications, the President shall have up to five business days to make a final decision regarding the application. The President's acceptance or rejection shall constitute the campus's final decision on each business application. The President's decision must be published to all aforementioned campus and community stakeholder groups and must be accompanied by a written rationale that explicitly addresses justification for any divergence from stakeholder group recommendations.

PUBLIC OFFICERS LAW

§ 74. Code of ethics.

1. Definition. As used in this section: The term "**state agency**" shall mean any state department, or division, board, commission, or bureau of any state department or any public benefit corporation or public authority at least one of whose members is appointed by the governor or corporations closely affiliated with specific state agencies as defined by paragraph (d) of subdivision five of section fifty-three-a of the finance law or their successors.

The term "**legislative employee**" shall mean any officer or employee of the legislature but it shall not include members of the legislature.

2. Rule with respect to conflicts of interest. No officer or employee of a state agency, member of the legislature or legislative employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.

3. Standards.

- a. No officer or employee of a state agency, member of the legislature or legislative employee should accept other employment which will impair his independence of judgment in the exercise of his official duties.
- b. No officer or employee of a state agency, member of the legislature or legislative employee should accept employment or engage in any business or professional activity which will require him to disclose confidential information which he by reason of his official position or authority.
- c. No officer or employee of a state agency, member of the legislature or legislative employee should disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests.
- d. No officer or employee of a state agency, member of the legislature or legislative employee should use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself or others, including but not limited to, the misappropriation to himself, herself or to others of the property, services or other resources of the state for private business or other compensated non-governmental purposes.
- e. No officer or employee of a state agency, member of the legislature or legislative employee should engage in any transaction as representative or agent of the state with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.
- f. An officer or employee of a state agency, member of the legislature or legislative employee should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.

- g. An officer or employee of a state agency should abstain from making personal investments in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.
- h. An officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.
- i. No officer or employee of a state agency employed on a full-time basis nor any firm or association of which such an officer or employee is a member nor corporation a substantial portion of the stock of which is owned or controlled directly or indirectly by such officer or employee, should sell goods or services of any person, firm, corporation or association which is licensed or whose rates are fixed by the state agency in which such officer or employee serves or is employed.

4. Violations. In addition to any penalty contained in any other provision of law any such officer, member or employee who shall knowingly and intentionally violate any of the provisions of this section may be fined, suspended or removed from office or employment in the manner provided by law. Any such individual who knowingly and intentionally violates the provisions of paragraph b, c, d or i of subdivision three of this section shall be subject to a civil penalty in an amount not to exceed ten thousand dollars and the value of any gift, compensation or benefit received as a result of such violation. Any such individual who knowingly and intentionally violates the provisions of paragraph a, e or g of subdivision three of this section shall be subject to a civil penalty in an amount not to exceed the value of any gift, compensation or benefit received as a result of such violation.

Location	UniqueID	Owner	PropertyType	StreetAddress	City	ZipCode	ParcelID
Town of Cobleskill	SU-124-1-B-0001-000-A	SUNY Cobleskill Auxiliary Service	1	5044 State Route 10	Coblesk	12043	67.-1-5
Town of Cobleskill	SU-124-1-L-0011-000-A	SUNY Cobleskill Auxiliary Service	1	5044 State Route 10	Coblesk	12043	67.-1-5
Village of Cobleskill	SU-124-2-B-0002-000-A	Schoharie County	2	1 Aker Drive	Coblesk	12043	68.10-1-10;.9;.68.-3-16.2
Town of Richmondville	SU-124-2-B-0004-000-A	Mallard Associates	2	1532 State Route 7	Richmo	12149	79.7-3-12

* 1= on campus
 2= 1 mile off campus
 3= State Asset

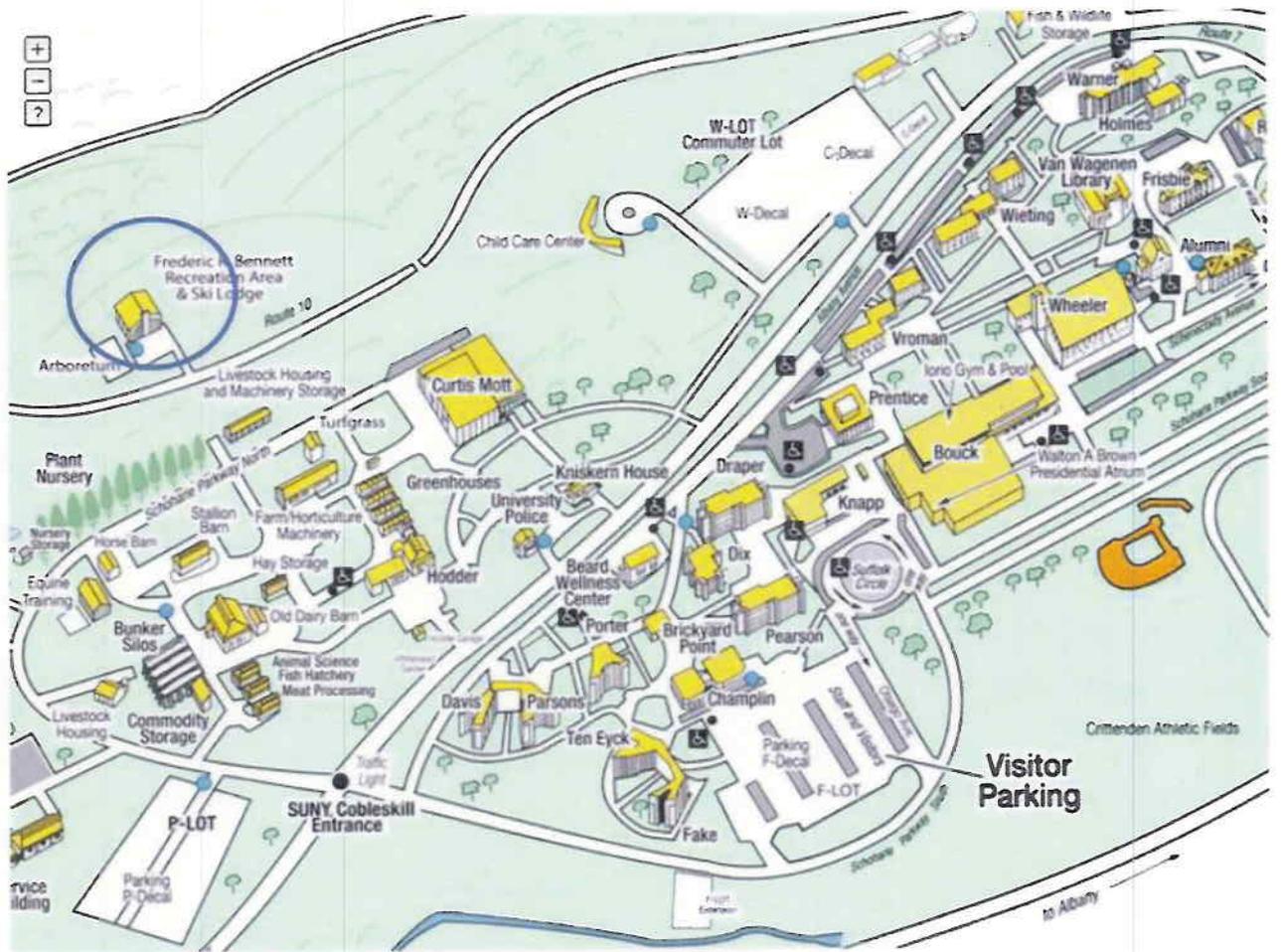
** A=entire building
 B=floor within building
 C=Room within building
 D=land on campus
 E= land off campus
 F=entire building off campus
 G=partial building off campus
 H=state asset

Designated Land or Buildings Unique ID Standard

See Sheet 2: SUNY Unique ID Codes

Building	Space Type	SqFt	Acres	Description	on Campus	Within 1 mile of Campus
Frederic R. Bennett Recreation Area A		9,585		Ski Lodge building	YES	N/A
Frederic R. Bennett Recreation Area D			6.25	6.25 acres of land immediately surrounding Ski Lodge building	YES	N/A
Former Guilford Mills Textile Manuf G		125,000		125,000 square feet of a 460,000 square foot complex	NO	YES
Wood Fram Unoccupied Manufactu F		3,600		Unoccupied older building; concrete floors; new wood siding	NO	YES

Description	onCampus	Within1mileOf Campus	Latitude	Longitude	Note
Ski Lodge building	YES	N/A	42.640757400	-74.580882000	
6.25 acres of land immediately surrounding Ski Lodge building	YES	N/A	42.640757400	-74.580882000	
125,000 square feet of a 460,000 square feet complex	NO	YES	42.671159600	-74.477068300	
Unoccupied older building; concrete floors; new wood siding; municipal water; seeking designation of entire building, comprising 3,600 square feet	NO	YES	42.656210000	-74.51139000	



The Ski Lodge property is identified on the above SUNY Cobleskill campus map with a blue circle.

Frederic R. Bennett Recreation Area Ski Lodge
Start-Up NY Property ID # SU-124-1-B-0001-000-A (Building)
and Property ID # SU-124-1-L-0011-000-A (Land)
NY State Highway 10
Cobleskill, NY 12043

I. Building Photos



View looking north at the front glass dominated façade of the Ski Lodge facility



West side wall of main ski lodge building that is approximately 50' wide X 100' long.



To the east of and adjoining the main lodge is a concrete block addition with double doors to the garage room at the rear.



The main lodge building has a center peaked metal roof with gutter system. The driveway extends around the rear where a gasoline storage shed is built into the hillside bank.



Front glass wall of main lodge banquet room with very large stone fireplace



Main banquet room with kitchen at left and pantry behind steel staircase



Smaller banquet room to the east of the main banquet room

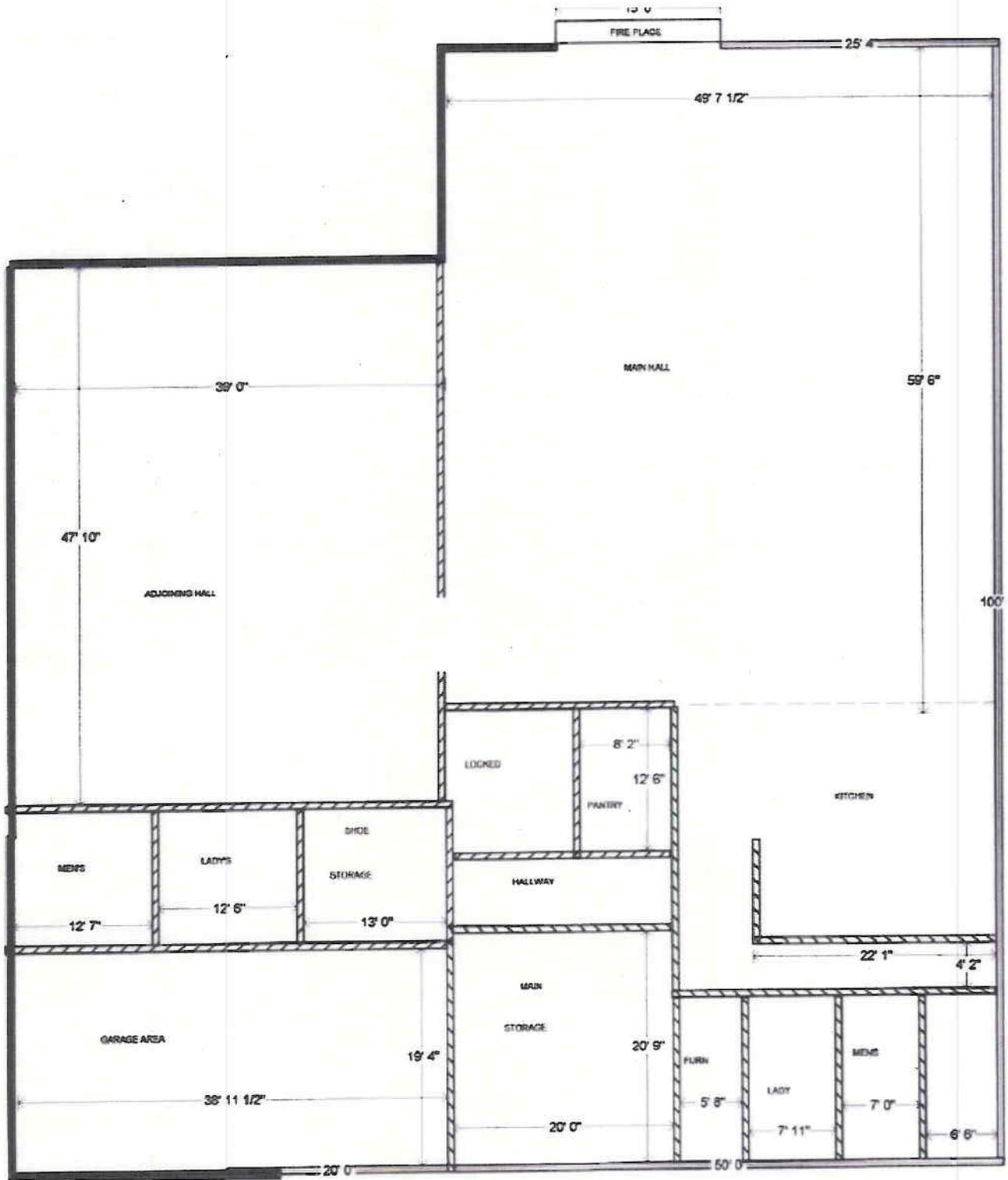
II. Property Photos





View of northwestern boundary line at base of steeper wooded hillside

III. Building Floor Plan
Start-Up NY Property ID # SU-124-1-B-0001-000-A
9,585 Square Feet



IV. Parcel/Campus Maps



The property is located on the eastern slope of an unnamed hill at approximately 1,100 ft. elevation. The property is approximately 50% wooded with a small seasonal stream on the east boundary.

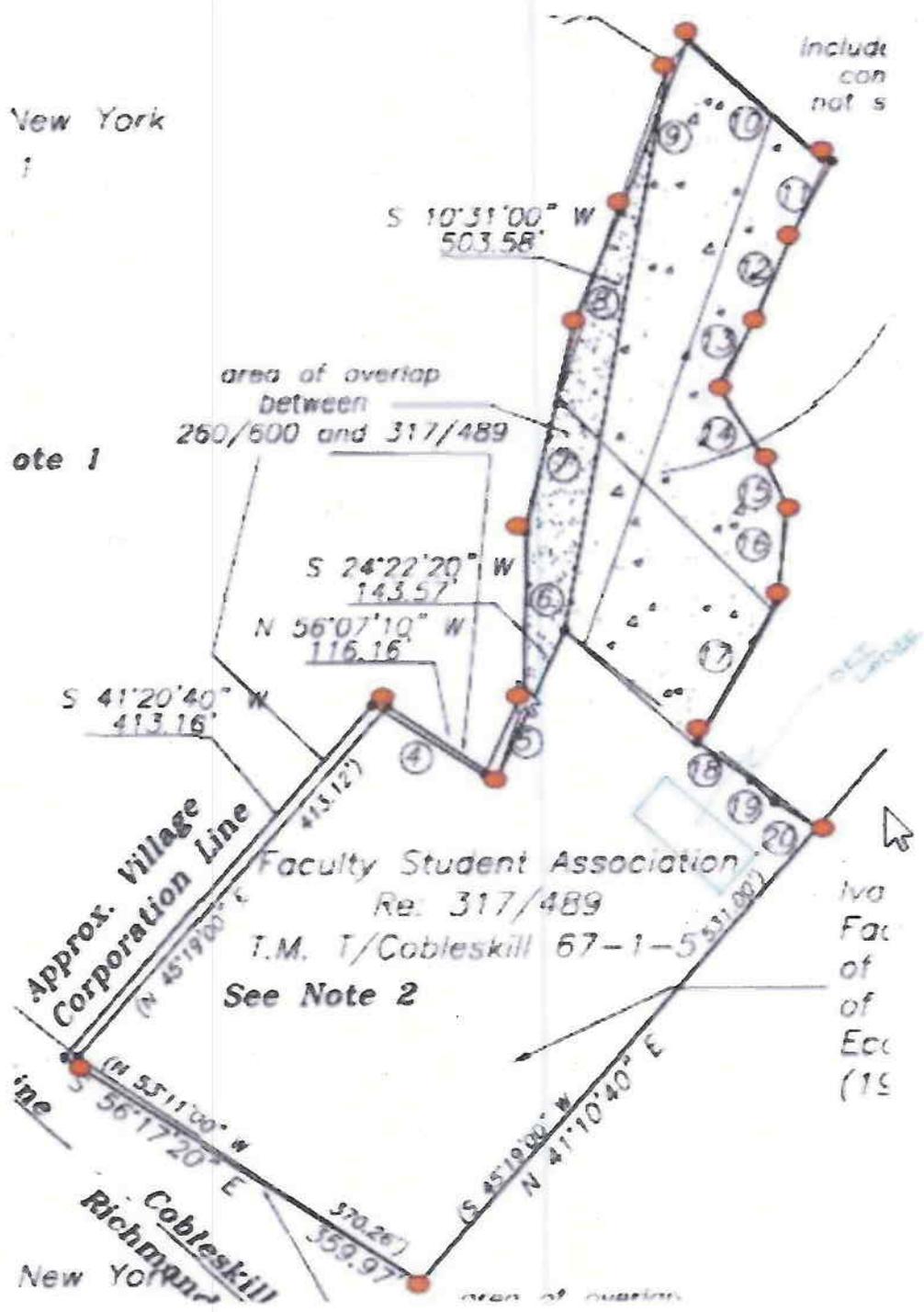


According to the Schenectady County 'parcel viewer' website, the bulk of the Ski Lodge property, 4.2 acres, is located within the Town of Cobleskill. In the map above, the Ski Lodge property is highlighted in pink and the Village of Cobleskill boundary is depicted as a heavy red line. The heavy black line represents the "town line" with Richmondville to its south and the Town of Cobleskill north of the line.

New York

1

Note 1



Survey map completed for the Ski Lodge property. Red dots highlight the main boundary points of the property and the blue line drawing indicates the location of the Ski Lodge building.

Guilford Mills Manufacturing/Warehouse Facility
Start-Up NY Property ID # SU-124-2-B-0002-000-A
118 Aker Drive
Cobleskill, NY 12043

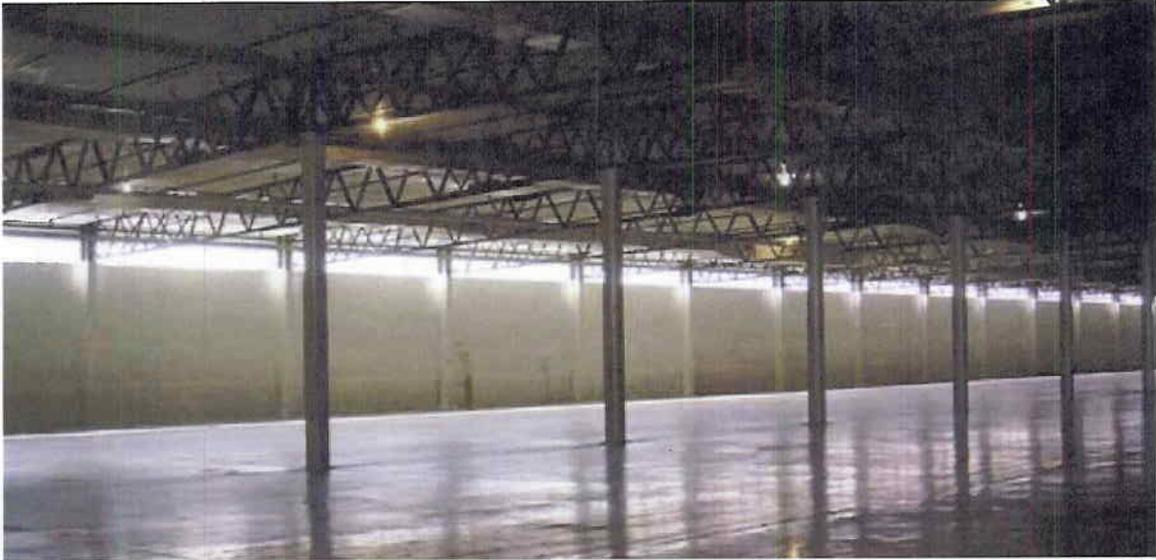
I. Building Photos



Aerial view of property



Second aerial view of property showing proximity to Interstate 88



View inside Building One

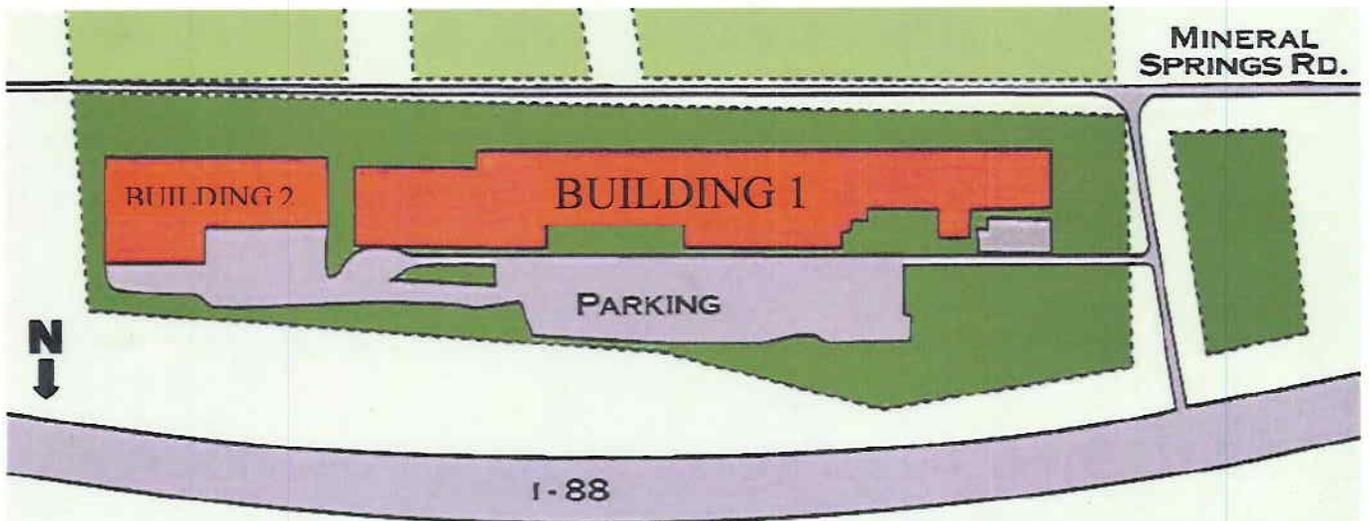


View from second floor office core, Building One

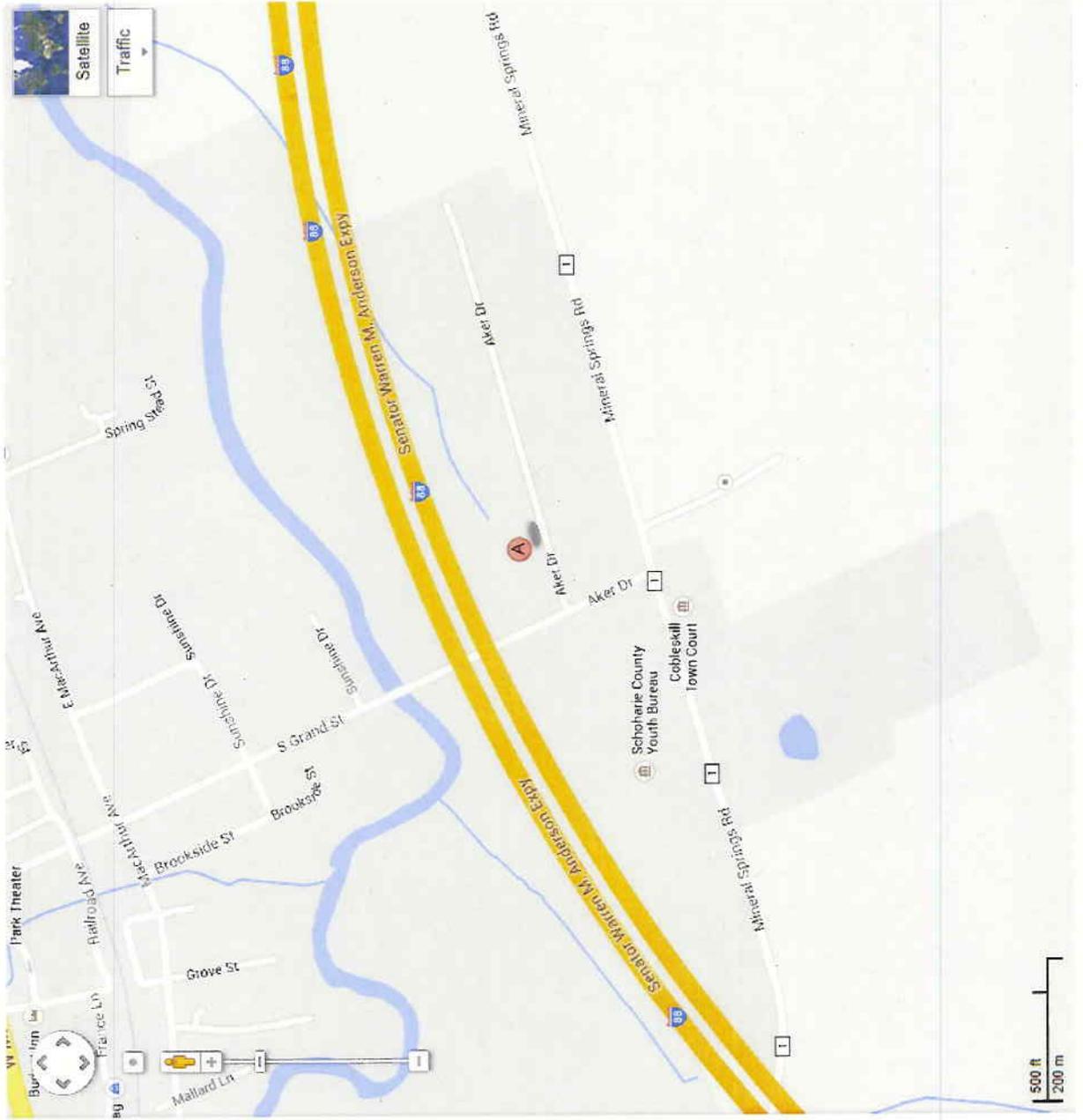


Office space area, Building Two

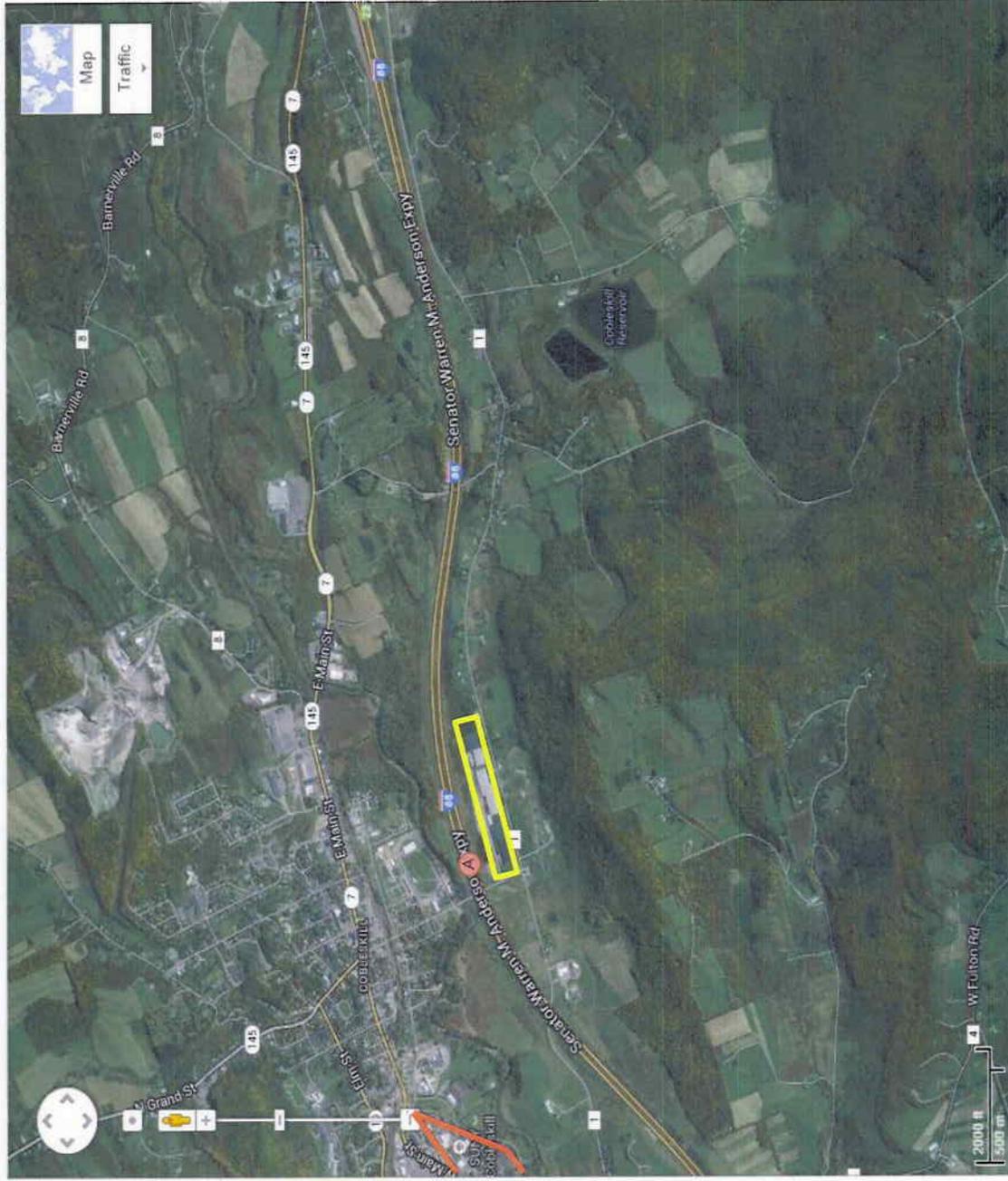
II. Property Sketch



**IV. Property Location (Google Maps)
Property ID #SU-124-2-B-0002-000-A (identified as "A" in the map below)**



**V. Aerial View and Geographical Relationship to SUNY Cobleskill-owned Property
Property ID# SU-124-B-0002-000-A**



Note: The red border above denotes the boundary of property owned by SUNY Cobleskill; Marker "A" and the yellow border above denote the location of off-campus property proposed for Start-Up NY designation (ID # SU-124-B-0002-000-A)

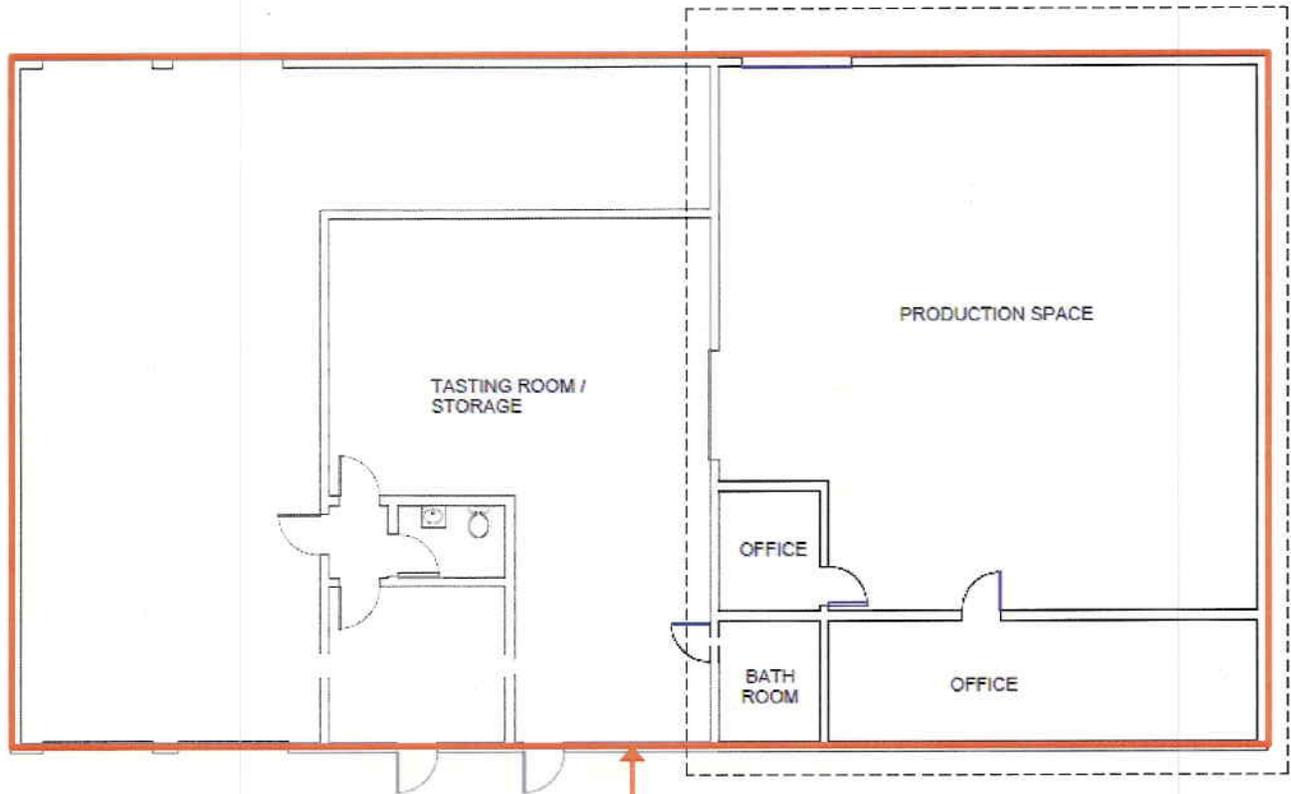
Wood Frame Unoccupied Manufacturing/Warehousing Building
Start-Up NY Property ID # SU-124-2-B-0004-000-A
1532 State Route 7
Richmondville, NY 12149

I. Building Photos





II. Building Floor Plan

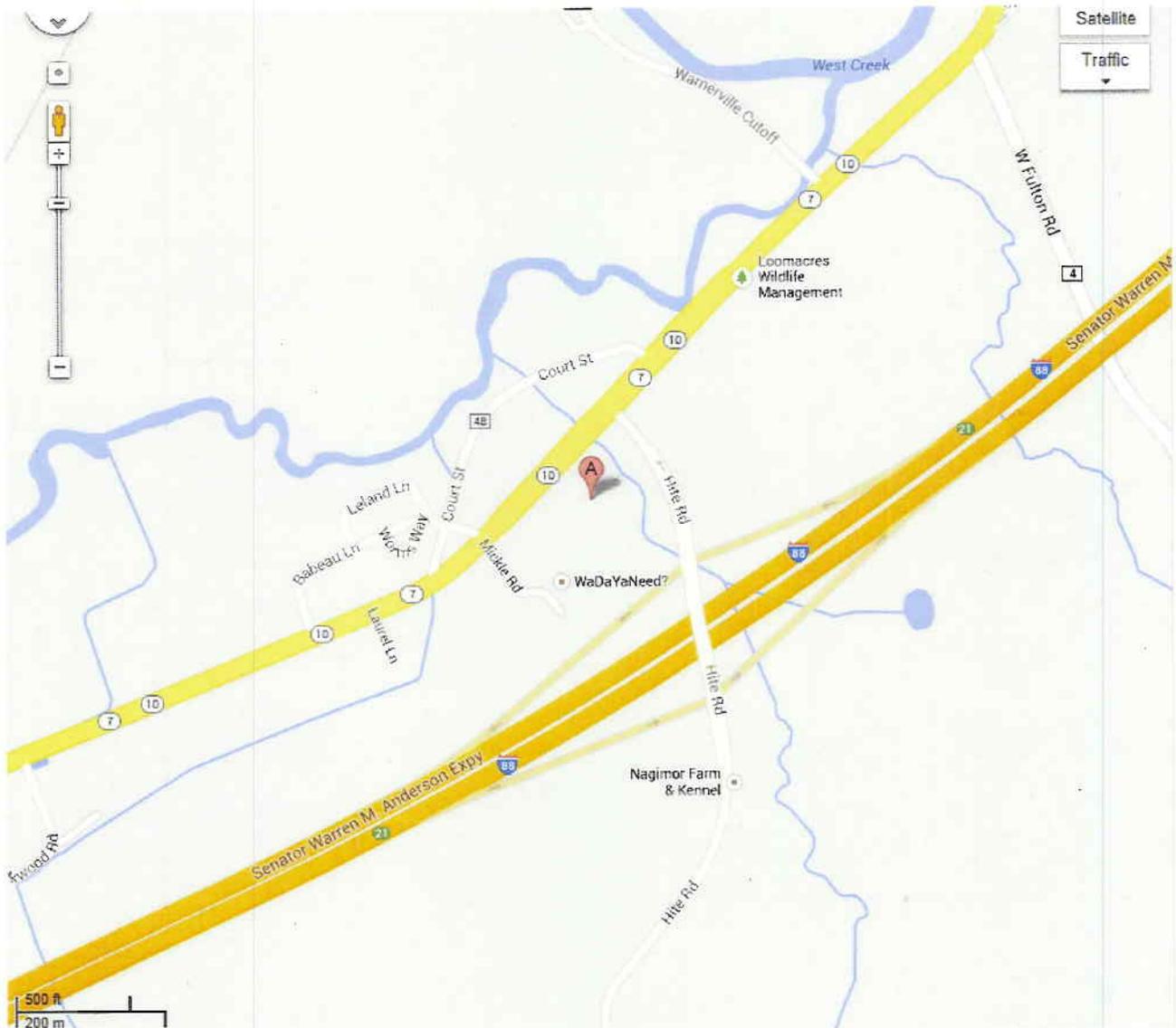


Proposed Off-Campus Square Footage for
Start-Up NY Designation

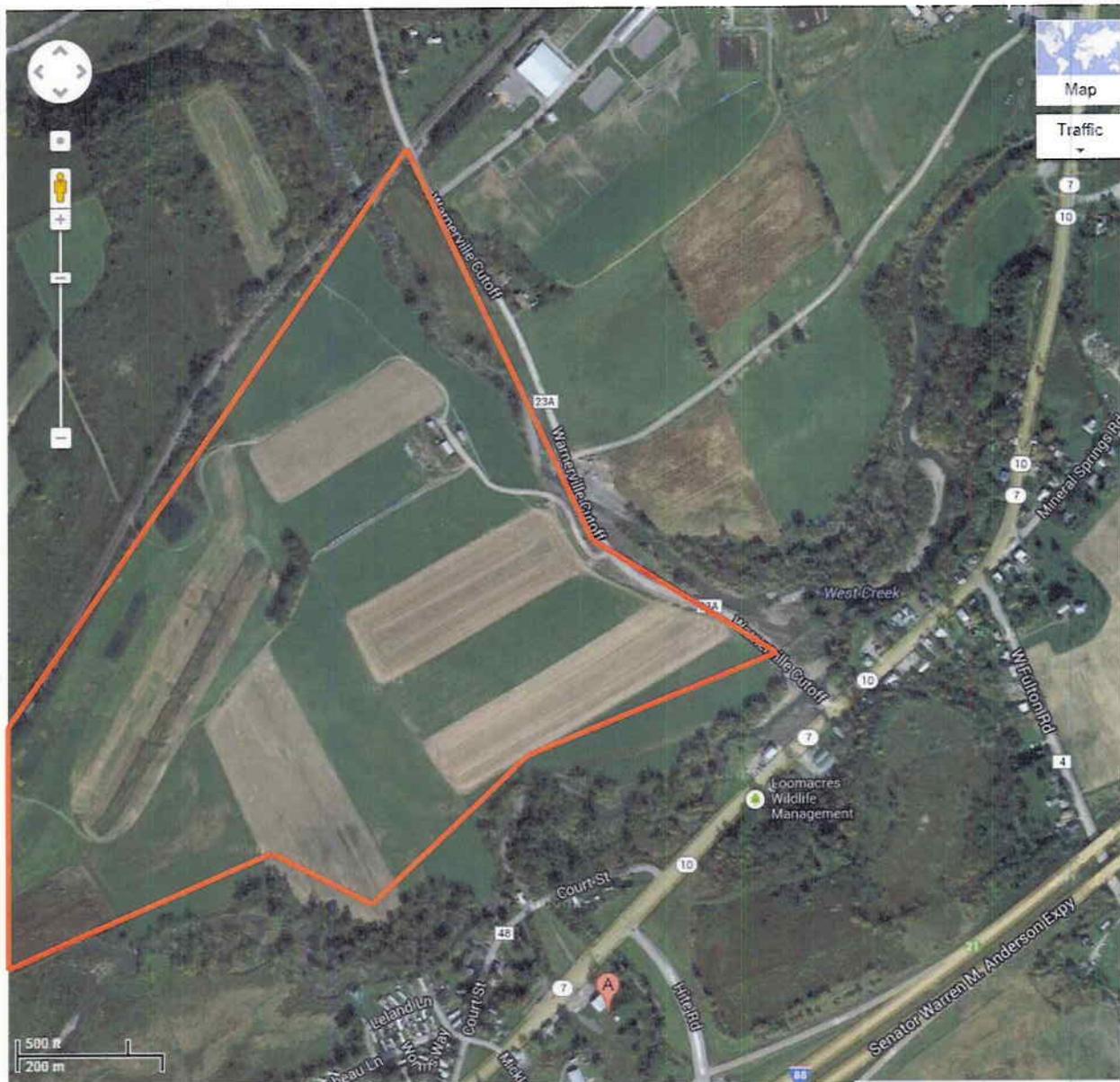
ID # SU-124-2-B-0004-000-A

3,600 Square Feet

III. Property Location (Google Maps)



IV. Aerial View and Geographical Relationship to SUNY Cobleskill-owned Property
Property ID# SU-124-B-0004-000-A



Note: The red border above denotes the boundary of property owned by SUNY Cobleskill Auxiliary Service (SUNY Cobleskill CAS); Marker "A" denotes the location of off-campus property proposed for Start-Up NY designation (ID # SU-124-B-0004-000-A)

 <p>Category: HR / Labor Relations Legal and Compliance</p> <p>Responsible Office: <u>University Counsel</u></p>	<p>Policy Title: Conflict of Interest Document Number: 6001</p> <p>Effective Date: October 01, 1995</p> <p>This policy item applies to: State-Operated Campuses</p>
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Summary

Faculty and staff of the State University of New York (University) are encouraged to foster an atmosphere of academic freedom by promoting the open and timely exchange of scholarly knowledge independent of personal interests and are required to avoid conflicts of interest. Where potential or actual conflicts exist, faculty and staff are expected to consult with appropriate University officers and abide by University policy. This policy represents a restatement of existing University policy and pertinent state and federal law and regulations.

Policy

Faculty and staff of the State University of New York (University) are encouraged to foster an atmosphere of academic freedom by promoting the open and timely exchange of scholarly knowledge independent of personal interests. In keeping with this obligation, they are also required to avoid conflicts of interest.

In instances where potential or actual conflicts exist, faculty and staff are expected to consult with appropriate University officers and abide by this University policy. It is the responsibility of campus officials charged with implementing this policy to identify potential or actual conflicts of interest and take appropriate steps to manage, reduce, or eliminate them.

This policy represents a restatement of existing University policy and pertinent state and federal law and regulations.

1. University faculty and staff may not engage in other employment which interferes with the performance of their professional obligation.
2. University faculty and staff are expected to comply with the New York State Public Officers Law provisions on conflict of interest and ethical conduct.
3. University faculty and staff, to the extent required by law or regulation, shall disclose at minimum whether they (and their spouses and dependent children) have employment or financial interests or hold significant offices, in external organizations that may affect, or appear to affect, the discharge of professional obligations to the University.
4. University campuses shall ensure that all faculty and staff subject to pertinent laws and regulations disclose financial interests in accordance with procedures to be established by the Chancellor or designee. Campuses shall retain the reported information as required, identify actual or apparent conflicts of interest and seek resolution of such conflicts.

5. Each campus president shall submit to the chancellor's designee the name and title of the person or persons designated as financial disclosure designee(s) and shall further notify the chancellor's designee when a change in that assignment occurs. The chancellor's designee shall also be notified of any reports regarding conflict of interest that are forwarded to state or federal agencies.

Definitions

Conflict of interest — any interest, financial or otherwise, direct or indirect; participation in any business, transaction or professional activity; or incurring of any obligation of any nature, which is or appears to be in substantial conflict with the proper discharge of an employee's duties in the 'public interest. A conflict of interest is also any financial interest that will, or may be reasonably expected to, bias the design, conduct or reporting of sponsored research.

Other Related Information

[Outside Activities of University Policy Makers](#)

[Ethics in State Government - A Guide for New York State Employees](#)

[National Science Foundation, Grant Policy Manual](#)

Procedures

There are no procedures relevant to this policy.

Forms

There are no forms relevant to this policy.

Authority

[42 CFR 50, Subpart F](#)

The following link to FindLaw's [New York State Laws](#) is provided for users' convenience; it is not the official site for the State of New York laws.

[NYS Public Officers Law, Section 73-a, and 73 and 74](#)

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of [New York State Consolidated](#).

[Board of Trustees Policies - Appointment of Employees \(8 NYCRR Part 335\)](#)

State University of New York Board of Trustees Resolution adopted June 27, 1995

History

Memorandum to presidents from the office of the University provost, dated June 30, 1995 regarding revision to University conflict of interest policy to bring it in conformity with federal guidelines issued by the National Science Foundation and the Public Health Service.

Appendices

There are no appendices relevant to this policy.

 <p>Category: Academic Affairs Community Colleges Legal and Compliance Research</p> <p>Responsible Office: <u>Academic Affairs</u></p>	<p>Policy Title: START-UP NY Program Participation Policy</p> <p>Document Number: 6800</p> <p>Effective Date: February 10, 2014</p> <p>This policy item applies to: Community Colleges State-Operated Campuses</p>
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Table of Contents

[Summary](#)
[Policy](#)
[Definitions](#)
[Other Related Information](#)
[Procedures](#)
[Forms](#)
[Authority](#)
[History](#)
[Appendices](#)

Summary

START-UP NY is a state economic development program that positions SUNY campuses as magnets for entrepreneurs and businesses from around the globe. START-UP NY aligns with SUNY's mission of teaching, research and public service; enabling engagement with industry, knowledge acceleration, translation of research into practical applications, and delivering the 21st century workforce businesses need to grow and thrive. START-UP NY will transform university communities to deliver unprecedented economic benefits to New York. To participate in the program, all campuses must comply with this policy and any applicable rules and regulations issued by the NYS Commissioner of Economic Development.

This policy governs the review process that all participating campuses must follow to secure SUNY's approval of the plans, applications, and other documents required by the NYS Commissioner of Economic Development to participate in the START-UP NY program. It also prescribes special requirements for the disclosure and management of actual or potential conflicts of interest in matters pertaining to the campus' START-UP NY program. Any conflict between this policy and any other applicable Conflict of Interest policy shall be resolved in favor of disclosure of any potential, actual, or perceived conflict of interest relating to the campus' START-UP NY program to the President or Chief Executive Officer of the sponsoring campus.

Policy

- A. Campus Plans for Designation of Tax-Free Area(s):** Any campus intending to submit a Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan") to the NYS Commissioner of Economic Development must first have it reviewed and approved by the Chancellor or designee. The Chancellor or designee shall approve or reject all Campus Plans within fifteen (15) business days of receipt. Any rejected Campus Plan shall be accompanied by an explanation of the basis for rejection. Once approved by the Chancellor or designee a campus may submit its Campus Plan to the NYS Commissioner of Economic Development in accordance with the Commissioner's rules and regulations. Any Campus Plan that is rejected can be resubmitted for Chancellor

or designee approval and will be reviewed in accordance with this policy and related procedures. Any amendments to approved Campus Plans must be submitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures.

- B. Sponsoring University or College Applications for Business Participation:** Any campus intending to submit a Sponsoring University or College Application for Business Participation ("Sponsor Application") to the NYS Commissioner of Economic Development must first have it reviewed and approved by the Chancellor or designee. The Chancellor or designee shall approve or reject all Sponsor Applications within thirty (30) business days of receipt. Any rejected Sponsor Application shall be accompanied by an explanation of the basis for rejection. Once approved the campus may submit the Sponsor Application to the NYS Commissioner of Economic Development in accordance with the Commissioner's rules and regulations. Any Sponsor Application that is rejected can be resubmitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures. Any amendments to approved Sponsor Applications must be submitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures.
- C. Delegations:** The Chancellor or designee may charge a group of individuals, collectively called the SUNY START-UP NY Proposal Review Team, to evaluate all submitted Campus Plans and Sponsor Applications prior to accepting or rejecting them.
- D. Conflicts of Interest:** Service as an Official shall not be used as a means for private benefit or inurement for any Official, a Relative thereof, or any entity in which the Official or Relative thereof has a Business Interest. A conflict of interest exists whenever an Official has a Business Interest or other interest or activity outside of the university that has the possibility, whether potential, actual, or perceived, of (a) compromising the Official's judgment, (b) influencing the Official's decision or behavior with respect to the START-UP NY Program, or (c) resulting in personal or a Relative's gain or advancement. Any Official who is an owner or employee of an entity that is the subject of any matter pertaining to the university's START-UP NY Program, or who has a Business Interest in any entity that is the subject of any matter pertaining to the university's START-UP NY Program, or whose Relative has such a Business Interest, shall not vote on or otherwise participate in the administration by the university of any START-UP NY matter involving such entity. Any Official or other campus representative who becomes aware of a potential, actual or apparent conflict of interest, either their own or that of another Official, related to a sponsoring university or college's START-UP NY program must disclose that interest to the President or Chief Executive Officer of the sponsoring college or university. Each such President or Chief Executive Officer shall maintain a written record of all disclosures of actual or potential conflicts of interest made pursuant to this policy, and shall report such disclosures on a calendar year basis, by January 31st of each year, to the University Auditor or to the Chancellor's designee, in which case the University Auditor shall be copied on the correspondence to such designee. SUNY shall then forward such reports to the Commissioner of Economic Development for the State of New York, who shall make public such reports.
- E. Exceptions:** There are no exceptions to this policy.

Definitions

Business Interest means that an individual (1) owns or controls 10% or more of the stock of an entity (or 1% in the case of an entity the stock of which is regularly traded on an established securities exchange); or (2) serves as an officer, director or partner of an entity.

Official means an employee at the level of dean and above as well as any other person with decision-making authority over a campus' START-UP NY Program, including any member of any panel or committee that recommends businesses for acceptance into the START-UP NY program.

Relative means any person living in the same household as another individual and any person who is a direct descendant of that individual's grandparents or the spouse of such descendant.

Sponsoring College or University means any entity defined or described in NYS Education Law Sec. 352 and Article 126.

START-UP NY Program means the SUNY Tax-free Areas to Revitalize and Transform Upstate New York Program established by Article 21 of the Economic Development Law.

Tax-Free NY Area means vacant land or space designated by the Commissioner of Economic Development Article

21 of the Economic Development Law that is eligible to receive benefits under the START-UP NY program.

Other Related Information

Start-Up NY Regulations: available at the [Start-Up NY Website](#).

At least thirty days before submitting the Campus Plan to the Commissioner of Economic Development the campus must provide a copy of the Plan to the chief executive officer of the municipality or municipalities in which the proposed Tax-free NY Area is located, local economic development entities, the applicable university or college faculty senate, union representatives and the campus student government. The campus shall include in their submission to the Commissioner of Economic Development certification of such notification, as well as a copy of any written response from chief executive officer of the municipality or municipalities in which the proposed Tax-free NY Area is located, local economic development entities, the applicable campus or college faculty senate, union representatives and the campus student government.

[StartUp-NY.gov](#) website and program information.

Procedures

[START-UP NY Program Participation, Procedures for](#)

Forms

[SUNY START-UP NY Campus Plan for Designation of Tax-Free Area\(s\) Memorandum](#)

[SUNY START-UP NY Campus Plan for Designation of Tax-Free Area\(s\) Template](#)

[START-UP NY Sponsoring University or College Application for Business Participation Memorandum](#)

[ESD START-UP NY Sponsoring University or College Application for Business Participation](#)

[ESD START-UP NY Business Application Instructions](#)

[ESD START-UP Business Application](#)

Authority

[State University of New York Board of Trustees Resolution 14-\(\)](#), START-UP New York Program Administration, adopted January 14, 2014

[Law, New York Economic Development Law Article 21 \(Start-Up NY Program\)](#)

[Start-Up NY Regulations](#)

History

Enacted into law in June 2013, START-UP NY is a groundbreaking new initiative from Governor Andrew M. Cuomo that provides major incentives for businesses to relocate, start up or significantly expand in New York State through affiliations with public and private universities, colleges and community colleges. Businesses will have the opportunity to operate state and local tax-free on or near academic campuses, and their employees will pay no state or local personal income taxes.

Appendices

There are no appendices relevant to this policy.

responsibilities.

Conflicts of Interest Posed By Outside Employment, Investments, or Other Business Activities

As a Research Foundation Board Member, Officer or Employee, you must not make personal investments in enterprises that you have reason to believe may be directly involved in decisions to be made by you or will otherwise create substantial conflict between your duty on behalf of the Research Foundation and your private interest.

If you or a Related Party has a Financial or Other Interest in any business entity, you may not represent the Research Foundation in any transaction with that entity and must disclose the interest in accordance with this policy and the Procedure for Managing Conflicts of Interest.

Procurement of goods or services by the Research Foundation shall be conducted consistent with the Foundation's established procurement policy.

You may not accept employment or engage in any business or professional activity that will impair the independence of your judgment in the exercise of your duties for the Research Foundation or require you to disclose confidential information that you gained by reason of your affiliation with the Research Foundation.

Prohibition Against Disclosure or Use of Confidential Material for Personal Gain

The Research Foundation prohibits disclosure of information that is confidential to the Research Foundation, acquired by any Board Member, Officer, or Employee in the course of his/her duties, except as required by law or as expressly authorized in writing by an Officer or other designated representative of the Research Foundation.

Board Members, Officers, and Employees may only use such confidential information in furtherance of their duties as a representative of the Research Foundation and shall not use such confidential information to further their personal interests or that of a Related Party.

You must not accept employment or engage in any business or professional activity that will require you to disclose confidential information that you gained by reason of your official position or affiliation with the Research Foundation.

Use of Research Foundation or State Resources

You may not misappropriate the property, services or other resources of the Research Foundation, SUNY, or others, whether for yourself or someone else.

Avoiding the Appearance of Impropriety

Board Members, Officers, and Employees shall not, by their conduct, give reasonable basis for the impression that any person can improperly influence them or unduly enjoy their favor in performance of their duties, or that they are affected by the kinship, rank, position, or influence of any party or person.

You may not use, or attempt to use, your position to secure unwarranted privileges or exemptions for yourself or others.

Similarly, bribery, extortion, and other attempts to exert undue influence are strictly prohibited. The Research Foundation expects Research Foundation Board Members, Officers, and Employees to avoid any conduct that may give the appearance of engaging in acts that are in violation of their trust.

Disclosing a Real, Apparent, or Potential Conflict of Interest

Board Members, Officers, and Employees must disclose all real, apparent, or potential conflicts of interest for review as described below. At an Operating

Location, those disclosures should be made to the operations manager or his/her designee in accordance with this policy and the Procedure for Managing Conflicts of Interest. Disclosures are required in three instances:

1. **Annual Disclosures By Research Foundation Board Members, Officers, and Key Employees.** Board Members, Officers, and Key Employees must report Direct or Indirect Financial or other Interests that pose or may pose a real, apparent, or potential conflict of interest on an annual basis. These disclosures must be updated both annually and as new reportable interests are obtained or as new reportable activities occur.
2. **Grant-Related Disclosures.** Principal investigators must follow the policy at their respective campus locations.
3. **Situational Disclosures.** Board Members, Officers, and Employees must report any Direct or Indirect Financial Interest or other activity that may pose a conflict of interest under this policy. Such situational disclosures must be made as soon as practicable after the individual learns of the potential conflict.

When a disclosure is made under this policy, the actual, apparent, or potential conflict of interest will be reviewed pursuant to Procedure for Managing Conflicts of Interest. If a conflict of interest is found to exist, the Research Foundation must take steps to manage, reduce, or eliminate the conflict of interest. Individuals may appeal determinations with which they disagree. Please consult the Procedure for Managing Conflicts of Interest for more information.

Violation

In addition to any penalty contained in any provision of law or federal or state policy, individuals who knowingly and intentionally violate any of these provisions may be subject to action by the Research Foundation. For employees, this may include action under the Research Foundation's progressive discipline policy, including suspension or termination from employment.

Recordkeeping

The operating location operations manager must designate an appropriate office of record and must ensure that records related to the disclosure, review, and management of a potential, apparent, or actual conflict of interest are retained and documented. In addition to any recordkeeping process established by the operations manager, all final determinations or management plans must be included in the personnel file of the individual with potential, apparent, or actual conflict of interest.

At the central office, the chief compliance officer must ensure that records related to the disclosure, review, and management of a potential, apparent, or actual conflict of interest for all disclosures, at the central office or otherwise brought to the attention of the chief compliance officer, are retained and documented. In addition to any recordkeeping process established by the chief compliance officer, all final determinations or management plans must be included in the personnel file of the individual with potential, apparent, or actual conflict of interest.

Campus Policy

An Operating Location may adopt a policy no less restrictive than this Policy. If a local policy is adopted, then a copy of that policy must be filed with the RF's chief compliance officer.

Staffing Services

Employees employed by the RF under an agreement or contract, other than the 1977 Agreement between the RF and SUNY must adhere to the conflicts of interest policy in place by the entity the employees are employed to support. In the absence of a policy, the conflicts of interest policy effective at the associated operating location must govern.

Responsibilities

The following table outlines the responsibilities for compliance with this policy:

Responsible Party	Responsibility
Board Members, Officers, and Key Employees	Annual Disclosures
Principal Investigators	Grant-Related Disclosures
Employees	Situational Disclosures as needed

Definitions

Board Member: A member of the Research Foundation's board of directors.

Direct or Indirect Financial or Other Interests: Financial or Other Interests held by the Research Foundation Employee or by their spouse, domestic partner, significant other, family member, dependent, member of household, or business partner.

Employee: Officers, Key Employees, and any individual compensated employee of the Research Foundation.

Financial or Other Interests: Shall include, but are not limited to, the following:

- ownership or investment in any outside enterprise;
- serving as a director, officer, partner, consultant, broker, agent, or representatives of any outside enterprise;
- outside professional activity; or
- outside employment.

Key Employee: A "Key Employee" for purposes of this Policy includes:

1. Vice presidents;
2. Operations managers;
3. Deputy operations managers;
4. Chief research officers;
5. Technology transfer directors;
6. Sponsored program office directors or equivalent;
7. Other appointed officers
8. At the central office:
 - a. Vice presidents
 - b. Senior directors;
 - c. Assistant Vice-Presidents; and
 - d. Directors;
 - e. Other appointed officers; and
9. Any other persons who have procurement authority equal to or

exceeding \$100,000 per transaction.

Officer: An officer elected under the Research Foundation's bylaws, including the Research Foundation's president, general counsel, secretary, and chief financial officer and those appointed pursuant to Article IV Section 13 of the RF's bylaws as appointed officers.

Operating Location: Research Foundation office located at a SUNY campus location or other SUNY location supporting the Research Foundation mission and SUNY operations overseen by an operations manager.

Operations Manager: An individual appointed to the position of operations manager by the Research Foundation.

Principal Investigator: Primary individual(s) in charge of a research grant or other project administered by the Research Foundation. The term "Principal Investigator" includes those individuals serving as co-principal investigators.

Related Party: A Research Foundation Employee's spouse, domestic partner, significant other, family member, dependent, member of household, or business partner.

Research Foundation (or Foundation or RF): The Research Foundation for The State University of New York.

Related Information

[Management of Conflicts of Interest Procedure](#)

[NYS Public Officer's Law Sections 73 & 74](#)

[Conflicts of Interest in Public Health Service Sponsored Programs](#)

[Nepotism Policy](#)

[Gifts to Employees from Non-RF Sources Policy](#)

Forms

[Conflict of Interest Annual Disclosure Statement](#)

[Conflict of Interest Situational Disclosure Statement](#)

Change History

Date	Summary of Change
December 7, 2012	Clarifies who is required to disclose conflicts, how, and when. Also allows for locations to use their own conflicts of interest policies and procedures, provided the policy is submitted to the compliance office and is no less restrictive than RF policy. Effective 3/15/2013



Management of Conflicts of Interest

Effective Date: March 15, 2013
 Function: Compliance Office
 Contact: Chief Compliance Officer

Basis for Procedure

Research Foundation Board Members, Officers and Employees must avoid any activity that impairs or would reasonably appear to impair the ability to perform our duties with independence and objectivity.

Accountable Parties

The Operations Manager shall ensure that the Operating Location complies with Research Foundation policies and procedures for disclosing, reviewing and managing conflicts of interest and maintaining records of disclosures and determinations. The Operations Manager may choose to utilize the local conflict of interest policy in force at his/her campus operating location. If the Operations Manager uses the local policy, they must file a copy of that policy with the RF's Compliance Office and this procedure may serve as a guide. The Chief Compliance Officer shall ensure that Central Office complies with Research Foundation policies and procedures for disclosing, reviewing and managing conflicts of interest and maintaining records of Central Office disclosures and determinations and other documents submitted for review.

Procedure Steps

Step	Role or Responsibility
1a. Using the Situational Disclosure Form, disclose any interest that may have a Financial or Other Interest that may affect your independent and objective performance of your duties to the Research Foundation.	All
1b. Complete an Annual Disclosure Statement.	RF Board Members Officers and Key Employees
1c. Comply with local policy.	Principal Investigators
2a. File the completed Annual Disclosure and/or Situational Disclosure with your Operations Manager.	Operating Location based Key Employees
2b. File the completed Annual Disclosure and/or Situational Disclosure with the RF's Chief Compliance Officer.	Operating Location based Employees.
3a. If the report is filed with an Operations Manager, an Operating Location may choose one of the following two methods of dealing with an actual, apparent, or potential conflict of interest: <ul style="list-style-type: none"> The Operations Manager or designee shall establish an impartial panel for the review of disclosures, complaints, or inquiries. In the event of a real, apparent, or potential conflict, the impartial panel will determine whether a conflict of interest exists and, if so, what actions will be taken to manage, reduce, or eliminate the conflict of interest or appearance thereof. 	Board Members, Officers, Operations Managers, Central Office Employees

<p>or</p> <ul style="list-style-type: none"> The Operations Manager or designee shall review the disclosure, complaint, or inquiry and determine whether a conflict of interest or appearance of conflict of interest exists and, if so, what actions will be taken to manage, reduce, or eliminate the conflict of interest or appearance thereof. 	
<p>3b. If the report is filed with the RF Chief Compliance Officer, The Chief Compliance Officer may choose one of the following two methods of dealing with an actual, apparent, or potential conflict of interest:</p> <ul style="list-style-type: none"> The Chief Compliance Officer or designee shall establish an impartial panel for the review of disclosures, complaints, or inquiries. In the event of a real, apparent, or potential conflict, the impartial panel will determine whether a conflict of interest exists and, if so, what actions will be taken to manage, reduce, or eliminate the conflict of interest or appearance thereof; or The Chief Compliance Officer or designee, in consultation with the shall review the disclosure, complaint, or inquiry and determine whether a conflict of interest or appearance of conflict of interest exists and, if so, what actions will be taken to manage, reduce, or eliminate the conflict of interest or appearance thereof. 	<p>Operations Manager or designee</p>
<p>4. Where a conflict of interest is discovered that was not previously disclosed appropriate steps must be taken to manage, reduce, or eliminate such conflict of interest. These steps may include, but are not limited to:</p> <ul style="list-style-type: none"> disqualification for participation in the portion of the sponsored research that would be affected by significant financial interests; divestiture of significant financial interests; recusal from related Research Foundation activity; or severance of relationships that create actual or potential conflicts. 	<p>Chief Compliance Officer</p>
<p>5. Undisclosed Conflicts of Interest may be reviewed consistent with the Procedure for Investigating Fraud and Misconduct when it appears that the non-disclosure was intended to circumvent RF Policy</p>	<p>Operations Manager or Chief Compliance Officer, as appropriate</p>
<p>6. Appeal: A Research Foundation Representative or Employee who disagrees with the Operating Location Operations Manager's or the Chief Compliance Officer's determination may appeal to the Foundation President, or the President's designee, for reconsideration of such determination.</p>	<p>RF President or designee</p>
<p>7. Determination of Appeal: The RF President will make a final determination on the appeal. The President's determination shall be final and binding.</p>	<p>RF President</p>
<p>8. Maintain appropriate records related to the disclosure, review, and management of potential, actual, or apparent conflicts of interest.</p>	<p>RF Compliance Office and Operations Managers</p>

Definitions

Please refer to the definitions in the Conflict of Interest Policy

Related Information

[NYS Public Officers Law Section 74](#)

[Conflict of Interest Policy](#)

[Gifts to Employees from Non-RF Sources Policy](#)

[Officer and Senior Executive Accountability Policy](#)

[Nepotism Policy](#)

[COI Guidelines](#)

[Gifts Guidelines](#)

[Policy on Conflicts of Interest in Public Health Service Sponsored Programs](#)

Forms

[Conflict of Interest Annual Disclosure Statement](#)

[Conflict of Interest Situational Disclosure Statement](#)

Change History

Date	Summary of Change
March 15, 2013	New

Feedback

Was this document clear and easy to follow? Please send your feedback to webfeedback@rfsuny.org.

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