



The State University  
of New York

Office of the  
Chief Financial Officer

State University Plaza  
Albany, New York 12246

[www.suny.edu](http://www.suny.edu)

October 1, 2014

President Virginia Horvath  
SUNY College at Fredonia  
280 Central Avenue  
Fredonia, NY 14063

Re: START-UP NY

Dear President Horvath:

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

Please submit your Campus Plan to [Designations@esd.ny.gov](mailto:Designations@esd.ny.gov). Also, please copy [program.review@suny.edu](mailto: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 the College at Fredonia in launching the START-UP NY Program.

Best regards,

A handwritten signature in blue ink, appearing to read "R. Haelen".

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 The SUNY logo, featuring the word "SUNY" in a bold, sans-serif font inside a blue circle.



The State University of New York

SUNY START-UP NY

Campus Plan for Designation of Tax-Free Area(s) Memorandum (CPM)

To: Dr. Nancy Zimpher, Chancellor, State University of New York
From: Kevin P. Kearns, Vice President for Engagement and Economic Development, SUNY Fredonia
Subject: SUNY Fredonia Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan")
Date: 09-09-2014

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

Virginia Horvath
Signature of campus President

Virginia Horvath
President, SUNY Fredonia

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 the Chancellor [approve/reject] the attached Campus Plan:

Jeffrey A. Boyce
Proposal Review Team Co-Chair

9-26-14
Date

Jeffrey A. Boyce
[insert Co-Chair's name]

For SUNY Office of the Chancellor:
The attached Campus Plan is hereby [approved/rejected] for campus submission to the chief executive officer of the municipality or municipalities in which the proposed Tax-Free Area is located, local economic development entities, the applicable campus governance bodies, union representatives and the and the NYS Commissioner of Economic Development.

Robert T. Hackler
Signature of the Chancellor or designee

10/6/14
Date

Robert T. Hackler
[insert Chancellor or designee name]



The State University  
of New York

To: Mr. Kenneth Adams, NYS Commissioner of Economic Development  
From: Virginia S. Horvath, President, SUNY Fredonia  
Subject: SUNY Fredonia Campus Plan for Designation of Tax-Free Area(s)  
Date: 09-09-2014

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I, Virginia Horvath, President of SUNY Fredonia 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 University Senate at SUNY Fredonia, union representatives, and Student Association 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 attached copies of the polices 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, or any other facility, space, or program that actively serves students, faculty or staff in order to created 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.

Virginia S. Horvath  
PRESIDENT'S SIGNATURE

11 September 2014  
DATE



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

Campus Name: Fredonia State University at New York  
Campus Contact Name: Kevin P. Kearns  
Campus Contact Title: Vice President, Engagement and Economic Development  
Campus Contact E-mail: Kevin.Kearns@fredonia.edu  
Campus Contact Phone: (716) 673-3758

**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:	Fredonia
Campus Address:	280 Central Avenue Fredonia, NY 14063
Address(es) of Proposed Tax-Free NY Area(s) :	1) Fredonia Technology Incubator 214 Central Avenue Dunkirk, NY 14048

Address(es) of Proposed Tax-Free NY Area(s) cont'd :

- 2) Fredonia Campus  
280 Central Avenue  
Fredonia, NY 14063
- 3) Fredonia Foundation Building (hereafter "Franklin Properties")  
60-62 Franklin Avenue  
Dunkirk, NY 14048
- 4) Dunkirk Lakefront Property Parcel  
Dunkirk, NY 14048

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

Four properties are identified in the Fredonia Campus Plan: A) The Fredonia Technology Incubator in Dunkirk, NY; B) Vacant land (4.13 acres) on the Fredonia campus; C) The Franklin Properties Office Building in Dunkirk, NY, and D) A Dunkirk NY Lakefront parcel (1.86 acres) owned by the City of Dunkirk. The locations of these properties are shown in the map of Fredonia properties (Appendix E).

**A) Fredonia Technology Incubator (FTI) (ID# SU-105-1-B-0078-000-A)**

Location/Area

The Fredonia Technology Incubator (FTI) is located in the City of Dunkirk's Downtown Waterfront Business District. Dunkirk is adjacent to the Village of Fredonia, the home of the Fredonia Campus. An FTI map, photo, and floor plans are included in the appendices (A; A.1; A.2; A.3). FTI is a partner in the WNY Innovation Hot Spot (Appendix G).

Dunkirk is located along Lake Erie, 50 miles southwest of Buffalo. The city is easily accessible by Interstate 90, and the region offers timely connections to all major metropolitan areas in the Midwest, Eastern United States, and Canada. Dunkirk harbor provides open access to Lake Erie. The city offers lakefront marinas, accommodations, lakefront parks, and beaches.

An abundance of natural resources, workers, and technological support networks provide businesses with competitive opportunities for growth. Housing and commercial properties are diverse and affordable.

#### FTI Facility

FTI is a modern, energy-efficient, 22,000 sf LEED Silver building with both shared and private client space available for occupancy. High-speed internet and wireless connectivity are available throughout the facility. The Incubator includes a state-of-the-art smart classroom/boardroom that seats 50. In addition, there are two smaller conference rooms, one on each floor, that accommodate six. Three dry labs (no chemicals or heavy machinery) are also available for use on the second floor of the building. These labs are 440, 460, and 527 sf. Each of the dry labs includes sinks, storage, offices, etc. The restrooms include a shower. Both large (420 sf) and small offices (210 sf) are available for occupancy. Larger offices are interconnected for ready expansion into office suites.

#### **B) Fredonia Campus Property (ID #: SU-105-1-L-F.1.0-000-A)**

Fredonia State University of New York, established in 1826, is a four-year, residential liberal arts and sciences university that offers over 80 major and 40 minor academic undergraduate and graduate programs. Fredonia's few academic divisions are the College of Liberal Arts and Sciences, the College of Visual and Performing Arts, the College of Education, and the School of Business (Appendix E: Fredonia Properties).

The campus is located on 250 acres in the historic village of Fredonia. All campus buildings have high-speed internet and wireless access. Current enrollment is approximately 5,300 undergraduate and graduate students. Although Fredonia is well known for its School of Music and its visual and performing arts programs, it is a comprehensive university with excellent programs in the sciences, humanities, business, and education.

The Fredonia College Lodge is owned and operated by the nonprofit Faculty Student Association (FSA). The Lodge ([www.collegelodge.com/About.aspx](http://www.collegelodge.com/About.aspx)), 11 miles from campus in Brocton, NY, is situated on 200 scenic acres and includes a nature preserve and groomed trails for hiking and cross-country skiing. Businesses affiliated with the university find the location ideal for workforce training, professional seminars, and social functions.

The property includes a gathering hall for events (with catering kitchen) and 90-bed sleeping lodge.

Vacant on-campus building space for public-private partnerships is currently very limited. However, the opening of the new Science Center in Fall 2014 will provide

an opportunity for enhancing research affiliations. The new Science Center will add 57,415 net square feet to the campus inventory. Occupants of the Science Center will include the Departments of Biology, Chemistry, and Biochemistry, as well as faculty affiliated with Environmental Studies and Science Education programs. The Science Center will enhance academic programs and provide a modern, collaborative environment for research.

#### **Designated Fredonia Campus Property**

There are 4.13 acres of campus land being designated for development with partner businesses along the western border of campus (Appendix B: Fredonia Campus Property). According to our facilities planning staff, the property can accommodate two custom buildings - 60,000 sf each - on the designated campus land.

#### **C) Franklin Properties Office Building, Dunkirk, NY (ID# SU-105-1-B-FF1.0-000-A)**

The Franklin Properties office building was recently acquired as a gift to the university through the Fredonia Foundation, following the sale of the Cliffstar corporation. This 25,290 sf office building, which was built in 1997, is located approximately a half-mile from the Fredonia Technology Incubator and 1.5 miles from the main Fredonia campus (Appendix C: Franklin Properties Office Building map; C.1: Building Photo). This "turn-key" building features a wide, attractive foyer, an elevator, ample storage, conference rooms, a lunchroom, and an alarm system. The building is currently unoccupied and immediately available.

The two-floor facility offers Class A office space with ample parking. The building, which is the former headquarters of a major corporation, housed corporate data and financial centers and is wired for high-speed internet access and data transmission. Both floors of the building have windowed offices around the periphery and an open space in the large inner core of the building. The inner core space is well suited for work cubicles or subdivision as needed (Appendix C.2: Franklin Properties Building Floor Plans).

#### **D) City of Dunkirk Lakefront Land ( ID# SU-105-2-L-D.1.0-000-A)**

A 1.86 acre waterfront parcel owned by the City of Dunkirk has been committed as an available property for the Fredonia Startup plan (Appendix D: Dunkirk Lakefront land map).

This parcel is located directly on Dunkirk Harbor within two blocks of the Fredonia Technology Incubator. The plot has 270 feet frontage on Route 5 - a major thoroughfare between Buffalo and Pennsylvania. It is adjacent to a marina, bicycle/ walking trails, a restaurant, and a Clarion Hotel. Significant investment has been committed for ongoing upgrades to the adjacent marina and sea wall improvements. This parcel provides an ideal opportunity for public-private partnership.

Fredonia has been closely affiliated with the City of Dunkirk for the past several years. We partnered on a HUD community revitalization grant that focused on economic development and revitalization. One of the outcomes of the grant was the development of several social entrepreneurship small businesses (e.g. Spoke Folk; Meals on Two Wheels). In addition, the director of the Fredonia Technology Incubator serves on the Dunkirk Local Redevelopment Corporation (DLDC), and both the Mayor of Dunkirk and the Director of City Planning serve on the Fredonia StartUP committee. We have also collaborated on various other economic development initiatives, including for example, planning for the successful Great Lakes Experience festival on the Dunkirk waterfront which attracted approximately two thousand tourists to the area. The mayor and city council recognize the potential of our affiliation for further economic revitalization under StartUP New York.

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

**1. Building Space: 47,290 sq. ft. total**

A) Fredonia Technology Incubator: 22,000 sq. ft.

C) Franklin Properties Office Building: 25,290 sq. ft.

**2. Property: 5.99 acres total**

B) Fredonia campus property: 4.13 acres

D) Dunkirk NY Lakefront parcel: 1.86 acres

- 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.

- 1) Jewett Hall, Fredonia campus
- 2) 3213 Middle Road, Dunkirk, NY

- 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.

1) Jewett Hall, Fredonia Campus: The building is a total of 62,685 net square feet. There is a basement and two floors. The building contains offices, classrooms, a large lecture hall and teaching labs. Jewett also contains a computer lab, a greenhouse, a museum, a herbarium, six walk-in environmental chambers, instrument rooms, and a dark room.

- 2) 3213 Middle Road, Dunkirk

This is a privately owned 44,000 square foot building located on a 23 acre plot. A separate 2,000 square foot storage facility is also on the property.

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

Fredonia is a residential, comprehensive liberal arts and sciences university noted for our School of Music and programs in the Visual and Performing Arts. Fredonia has long-standing and highly regarded programs in mathematics and the sciences. Students matriculate in Applied Mathematics, Biochemistry, Biology, Chemistry, Communication, Computer Science, Computer and Information Sciences, Geochemistry, Geology, Geophysics, Environmental Sciences, Mathematics, Mathematics-Physics, and Molecular Genetics. In addition, strong complementary programs are also available through the School of Business: Finance, Management, Marketing, Accounting, and Economics. Excellent programs in the College of Education (Science Education), Social Sciences, and the Humanities are available to support local businesses.

Fredonia will be targeting four business clusters:

- 1) Agribusiness - including businesses that support the food processing industry (i.e. the supply chain).

2) Technology - particularly businesses related to visual arts, new media /social media, and communication applications.

3) Lake Erie research, development, and educational tourism business opportunities.

These clusters were identified through careful analysis of data provided by the Northern Chautauqua Community Foundation's Local Economic Development group (LED), the Western Regional Economic Development Council priorities, discussion with members of StartUp committee, community business leaders, and campus leaders.

These clusters were among the high-priority business clusters identified by LED. Their report, the Northern Chautauqua Regional Profile and Competitive Assessment ("Regional Profile," 2012), stresses, "the concentration of such entities in one area have the effect of enhancing competition by increasing productivity of associated companies, driving innovation and stimulating new businesses in the field ... such concentrations amass resources and competencies that give the geographic region or area a competitive advantage" ("Regional Profile," 37).

Fredonia's target business clusters support the academic mission and ongoing efforts to enhance academic programs. Attracting businesses in these areas will provide challenging, real-world curricular and co-curricular learning opportunities for students. The rationale for selecting these clusters was strongly influenced by Fredonia's academic strengths, faculty expertise, and desire to enhance students' classroom and experiential learning. Fredonia has a rich tradition of excellence in the arts and sciences, as well as education programs and business leadership. Strengths in the humanities and social sciences provide additional value for recruited businesses.

Fredonia emphasizes experiential education that includes significant laboratory coursework, independent research, and internships. The target business clusters will help us build and enhance core academic strengths, facilitate the development of interdisciplinary curricula, and broaden the number and types of internships, research opportunities, and experiential learning opportunities available to our students. In addition to fitting the Fredonia campus mission and goals, the target clusters align with the economic development goals of local business leaders, the county IDA, the Chamber of Commerce, and county and local municipalities.

**1) Agribusinesses, including industries that support the food-processing industry (the supply chain)**

The Northern Chautauqua Community Foundation LED report "Regional Profile and Competitive Advantage" (2012) notes that while agribusiness is shared with counties throughout Upstate NY, Chautauqua County is the leader in agriculture related to grapes and other fruits. The report identifies the following major employers in this cluster: Cott Beverages, Carriage House Foods, Nestle Purina Pet foods, Flavor's Inc., National Grape Cooperative (Welch's), Growers' Cooperative, Fieldbrook Foods, Double A Vineyards, Falcone Farms, and 23 independent wineries.

The cumulative contribution of fruit and vegetable processing to Chautauqua County is around \$719 million annually. Local grape and fruit industry operations support 659 jobs that result in an economic impact of \$141 million annually. The annual retail value of juices and wines sold in the County is estimated to be over a \$100 million.

As the LED report points out, agribusiness in the county is driven by the availability of rich land and growing conditions, and businesses are also attracted to the region's easy access to Interstate 90 and rail service, providing overnight access to over 40% of the U.S. population. The region is within driving distance (~ 500 miles) of major markets, including Buffalo, Toronto, Cleveland, Pittsburgh, Detroit, New York City, Philadelphia, Montreal, Boston, Washington, DC, and Chicago. (Buffalo Niagara Enterprise 2013 Economic Guide).

The opportunity to recruit businesses in this cluster comes, in part, from the clear strength of agribusiness which is the primary engine for the local economy. However, there is an opportunity to work collaboratively with these businesses, particularly the food processors in the area, to attract suppliers who provide packaging and other materials for their products and distribution. There is an opportunity for supply chain business relocations in support of regional food-processing businesses.

We are engaged in early discussions with an out-of-state company regarding the development of a large warehouse complex in neighboring Dunkirk NY that will include both cold and dry storage capacity. Local food processors currently truck their products to Pennsylvania and other locations for storage since there is not sufficient storage in the Dunkirk-Fredonia area. The transportation and storage of products has a substantial financial impact on major food processors. In addition, while the number of jobs created for local warehousing would provide a significant boost to the local economy, the long-term potential for job creation resulting from related initiatives is potentially even more significant.

This project, which will be built on the site of a former brown field, has received support from the IDA and the City of Dunkirk.

Another opportunity in local agribusiness focuses on the expense of disposing grape husks and other waste byproducts. As noted previously, we are in discussions with a renewable energy company that has proposed building a system that uses an anaerobic digester to produce renewable energy, heat, and soil products from organic waste. The company is working with several area food processing companies to create a centralized alternative to the current waste management system that will turn organic waste into energy.

If successful, this opportunity is likely to have ripple effects on other area businesses. Similarly, a Canadian company specializing in LED lighting and solar energy has expressed an interest in relocating office and manufacturing operations to Dunkirk. They are in contact with the principals involved in the warehouse project to explore the feasibility of providing light and heat options for the project. If negotiations are successful, they may bring office and manufacturing operations to the area.

## **2) Technology cluster (visual arts and new media, and new social media applications)**

Fredonia has attracted several business startups to the Fredonia Technology Incubator (FTI) that fit into this cluster. They will help support and attract larger companies and create a synergy with Fredonia's well-known academic programs in music, communication, and the performing arts. Businesses that allow us to scaffold our academic strengths while enhancing our academic mission are essential to our success.

FTI has attracted businesses such as Venture Productions, V3 studios, and AVtick. Each of these businesses complements and will attract other businesses in our technology/media cluster. Venture Productions is a full service provider of highly innovative entertainment that is original and affordable. They also provide high quality dramatic education for all ages. V3 studio is a full-service creative and marketing agency specializing in video productions and operational management. AVtick is an audio and voice-based social media and networking company. In general, the FTI small-business climate is rich for attracting technology businesses in the visual arts and new social media cluster, including computer gaming companies.

Fredonia's Computer and Information Sciences (CIS) department has worked with local businesses and Incubator clients on a variety of media-related technology issues. They have, for example, offered new coursework (Ruby On Rails) to support Incubator businesses. CIS faculty expertise is available to assist in business areas such as database design, computer programming, software engineering and development, systems analysis, and project management.

Fredonia's renowned programs in music, arts, creative writing, and communication are available to support a media-based technology cluster. The Communication department offers a comprehensive program that includes majors in audio, video, communication studies, journalism, media management, and public relations. In addition, our programs in Music and the Performing Arts are enhanced by programs in Business Administration/Music Industry, Music/Sound Recording Technology, Visual Arts/New Media, Graphic Design, Photography, and Videography. The state-of-the-art Sound Recording Technology facilities range from labs and workshop spaces to technologically advanced studios and live rooms, and booths that rival the best in the nation. The University boasts two revolutionary music technology labs, equipped with a total of 30 Apple iMac Computers, each connected to an XP-30 multi-timbral synthesizer.

## **3) Lake Erie Research, Development and Educational Tourism**

A key to the economic revitalization of the Chautauqua region is to support and attract businesses to New York State's most precious natural resource, the Great Lakes. The Great Lakes, the largest body of fresh water in the world, are a major economic engine for communities around them. Fredonia is located approximately one mile from Dunkirk harbor, arguably the best open-water access on Lake Erie. As noted previously, the Fredonia Technology Incubator is located within two blocks of Dunkirk harbor.

#### **a) Lake Erie Research and Development**

The LED Regional Profile report notes that Lake Erie is being threatened by record algae bloom, an infestation of quagga and zebra mussels, and unprecedented pollutants. One indicator of the cumulative economic impact of these challenges is apparent in the U.S. The U.S. Fish and Wildlife Service estimated a \$5 billion impact on Great Lakes commercial fishing industry over the past five years alone. A concerted effort must be made to address the issues that are negatively impacting the Great Lakes and the regional economy.

There is currently little development along key areas on Lake Erie, including the Dunkirk and Barcelona harbors. Recognizing the essential balance between environmental concerns and appropriate commercialization, there is a pressing need to attract research and development that will contribute to the health of the Great Lakes and a vibrant local economy.

Fredonia faculty members have expertise in aquatic microbiology, airborne contaminant chemistry, trophic pathways in organic pollutants, groundwater geophysics, environmental physiology of aquatic mussels, and groundbreaking research on plastics pollution in the Great Lakes. The university recently hired a new aquatic biologist/limnologist who has done extensive work on lake ecology. Her work focuses on ecological interactions between climate change and lake habitats. Existing degree programs that support aquatic research and development include those in biology, chemistry, biochemistry, geosciences, and environmental sciences. Faculty in geosciences are developing projects in lake sedimentology, oceanography, and physical limnology. Programs in public relations, journalism, marketing, economics, communication, science education, and business administration stand ready to develop field experiences and internships with new businesses attracted in this cluster.

While plastic pollution has been an area of scientific research in the oceans for the past 10-15 years, Fredonia researchers were the first to investigate this issue in the Great Lakes. Dr. Sherri Mason has found that samples taken from Lake Erie show concentrations of microplastics higher than any oceanic sample ever recorded (see

<http://www.nytimes.com/2013/12/15/us/scientists-turn-their-gaze-toward-tiny-threats-to-great-lakes.html>).

The size of the plastic particles allows for easy ingestion by aquatic organisms, providing a new way for POPs to move into the food web.

This Lake Erie research and development cluster fits well with the StartUp NY program. Fredonia has had fruitful interactions with a rapidly growing company that manufactures biodegradable plastics. The company has locations in Canada and Sweden, but not in the United States. They have expressed interest in developing a business foothold in Western New York. Fredonia's adjacency to Lake Erie provides this company, and others, access to marine-based starting materials, as well as industrial connections for end-product users of bio-resins.

Great Lakes research, harvesting, and industrialization opportunities clearly establish the potential for job creation and workforce development in this cluster.

#### **b) Lake Erie Educational Tourism**

Although traditional hospitality and real estate businesses are prohibited under StartUp, we are committed to recruiting and fostering educational tourism. Tourism is the fifth largest employer in NYS, and this sector generated \$6.5 billion in state and local taxes in 2010. Capitalizing on the opportunities presented by New York's 84 miles of Lake Erie shoreline is key to the economic recovery of the upstate region. According to the 2011 University of Michigan report "*Vital to our Nation's Economy: Great Lakes Jobs*", Lake Erie conservatively supports 157,547 New York jobs.

The report further asserts: "Water is a huge draw for people – coastal trails, clean beaches, and waterfront businesses add tremendous value to both metropolitan and semi-rural areas. In this new economic era, growth will be less linked to traditional manufacturing and more focused on quality of life and quality of the region's natural resources. Unless we protect and restore our best environmental asset – the Great Lakes – we will not be able to retain and attract strong new businesses and great human resources."<sup>1</sup> The report states further that 14% of Great Lakes jobs relate directly to tourism. Our goal is to attract educational tourism to augment ongoing efforts to enhance tourism and ecotourism in our region.

There are few in-state educational attractions west of Buffalo, and an educational museum featuring Great Lakes exhibits would draw significant tourism dollars to the local economy. There have been ongoing discussions about the feasibility of developing a local museum that focuses on the history and issues relating to the Great Lakes. An appropriate and unique lakes museum would stimulate regional economic revitalization and job growth through tourism, stimulate training for new STEM graduates, and significantly increase research and academic collaboration between Fredonia, other colleges and universities, and federal and state agencies. We are not, of course, targeting businesses that are prohibited pursuant to §220.6 of the StartUp regulations such as traditional hospitality businesses. Rather, we are seeking public-private partnerships that will develop, for example, an interactive museum that will educate children and adults on fresh water issues that impact the quality of life and economic vitality of our area. An aquatic museum, or similar educational tourist attraction, would provide a catalyst for coalescing local, state, and federal resources as a stimulus for regional economic development. Dunkirk Harbor restoration has been identified as a WNY Regional Economic Development priority, and the harbor is the site of significant private investment.

<sup>1</sup> <http://www.fws.gov/glri/documents/11-203-Great-Lakes-Jobs-report%5B1%5D.pdf>

- 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.

**Mission:** Fredonia is a four-year, residential, comprehensive liberal arts and sciences college. The recently revised mission statement reflects the goals for all students: "Fredonia educates, challenges, and inspires students to become skilled, connected, creative, and responsible global citizens and professionals. The university enriches the world through scholarship, artistic expression, community engagement, and entrepreneurship".

Fredonia emphasizes community engagement and entrepreneurship to enhance student learning and create better communities. The Fredonia Technology Incubator was built in Dunkirk to stimulate economic recovery in the city and surrounding area. The mission of the Incubator is to nurture and support startup businesses that will, at maturity, create jobs in the region. The campus is also committed to providing real-world experiences for students through internships and structured interactions entrepreneurs. Ultimately, we strive to contribute to a vibrant regional economy that will attract and retain Fredonia graduates.

**Alignment/ Enhancement of Mission:** The campus vetting process for StartUp will ensure alignment of businesses with the campus mission. The intake process will evaluate how well businesses fit Fredonia values and strategic directions. The Fredonia StartUp NY committee, with participation from the broader community, will evaluate the strength and breadth of applicants' commitment to the campus and region. Consultation with relevant stakeholders - including business and community leaders, university administrators, faculty, staff, governance, and union representatives - will strengthen the intake process.

StartUp businesses must be aligned with Fredonia's in the following areas:

**1. Support for undergraduate, graduate, and professional education:**

Businesses must demonstrate a willingness to participate in formal and informal instruction. This may include classroom and co-curricular teaching, lectures, demonstrations, and contributions to course and curricular development. Other means of sharing expertise with faculty and students will also be a way for businesses to contribute to the learning environment. Alignment with a particular academic program, while desirable, may not be necessary, a business can show its ability to contribute in other areas.

Businesses that fund scholarships, campus facilities or other academic services or amenities will be valued and recruited.

**2. Research:**

Support for the university's research mission may be demonstrated through research

collaborations, student involvement in business research and development, support for acquiring research equipment, and funding for faculty and/or student research. Alignment with our faculty research and scholarship are important.

The ability to provide research instrumentation, tools, and/or equipment necessary to advance academic and research mission will be evaluated in our screening of applicant companies.

**3. Leadership:**

Businesses may contribute to Fredonia's leadership goals by providing training and/or experiential learning activities for faculty, staff, and students, participating in university leadership training, and providing financial support for leadership development and training.

**4. Diversity/Culture:**

Supporting Fredonia's mission means valuing experiences that lead to greater cultural competency. Businesses can contribute by committing to hire a diverse workforce and supporting cultural awareness and sensitivity in the community. Support for scholarships and programs that offer opportunities for all students to succeed is especially welcome, as is support for global connections and study abroad opportunities.

**5. Regional economic development:**

Fredonia hopes to partner with companies that create jobs that match local workforce needs, support local and regional economic development and job training programs, participate in groups that target job growth and regional economic vitality, and purchase materials and products locally.

Efforts that enhance the entrepreneurial culture and support university initiatives (such as the Fredonia Technology Incubator) will also be especially welcome.

**6. Internship and training opportunities:**

Businesses may demonstrate their alignment with our mission by providing internships, integrating classroom and internship experiences, and enhancing student learning through structured observations and participation in business activities.

**7. Job opportunities for campus graduates:**

Applicant businesses should specify the anticipated number and types of jobs that will become available.

A willingness to work closely with Fredonia faculty and staff, especially the Career Development Office, to facilitate a mutual understanding of the knowledge, skills, and abilities needed to prepare students for graduation and employment will be highly valued.

**8. Internationalization:**

Alignment with Fredonia's goal of preparing responsible global citizens may be demonstrated by providing support for international travel, hosting international visitors, and providing opportunities for students to learn about a company's international business practices.

**9. Other methods of supporting our academic mission:**

Businesses may contribute to Fredonia's academic mission in other ways that enhance the learning community. They may, for example, provide support for the creative and performing arts, sponsor activities that enhance quality of life on campus and in the community, and support programs in local schools and service agencies.

**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:**

Chautauqua County, which includes the Village of Fredonia and the city of Dunkirk, NY, has been ravaged by job loss, out migration, and extensive, long-term poverty. The Dunkirk School District has the highest poverty rate in the county, the fifth highest in western NYS, and was recently ranked 420 out of 429 public school districts in all of Upstate New York by *Business First* for its academic performance. The 2010 Census cited a 4.9 percent decline in the overall population of Chautauqua County from 2000, with the 25 – 34 year age group showing a 33.1 percent decrease, resulting in the median age increase from 34.3 years in 1990 to 40.9 years in 2010. According to the Chautauqua County Department of Planning an Economic Development the decline in younger populations "could lead to difficulties in attracting or a decline in the future area workforce.

This, in turn, could make the attraction and retention of businesses more difficult. Further declines in the 'preschool' and 'school age' age groups may urge education officials to seriously consider

merging schools. Having seen a decline in the young population of Chautauqua County already, some concerns may be raised about the county's ability to retain and attract young persons to live and work here."

The StartUp program represents a significant opportunity to attract businesses that can help reverse the decades-long economic decline in Northern Chautauqua County.

We anticipate the following community benefits from the types of businesses that we are targeting for the program: increased employment opportunities, increased opportunities for experiential learning for students, diversification of the local economy, environmental sustainability, increased entrepreneurship opportunities, positive, non-competitive, synergistic links to existing businesses, positive impact on the local economy.

**1. Increased employment opportunities:**

According to the US Bureau of Labor Statistics and the NYS Department of Labor, Chautauqua County experienced an 8.3% decline in total jobs between 2000 and 2010, with a 32% decline in the manufacturing sector during the same period. The bleak employment prospects was recently underscored by the announcement that Conagra (Carriage House) is closing their food processing operations in the Dunkirk-Fredonia area with a resultant loss of over 400 jobs. Overall, an average of 64,200 individuals was employed in Chautauqua County in 2000, and that number has declined to 56,800 in 2013.

Given our recent loss of jobs and the availability of skilled and experienced workers who are currently unemployed or underemployed, we will strongly support prospective businesses that recruit employees from the local workforce. Relatedly, those businesses that, like Fredonia, attempt to purchase supplies locally and regionally will be valued.

Companies in Fredonia's targeted business clusters will *only* be sponsored by the college if the application demonstrates a strong potential for net new jobs. We will also assess the viability of businesses in both the short and long term and those that are sustainable will be supported.

**2. Increased opportunities for internships, vocational training, and experiential learning for undergraduate and graduate study:**

As noted above, businesses can demonstrate their alignment with our mission by providing internships, integrating classroom and internship experiences, and enhancing student learning through structured observations and participation in business activities. Our Power of Fredonia Strategic Plan emphasizes the centrality of experiential learning and community engagement, and StartUP businesses will facilitate our ability to provide real world educational opportunities

for our students.

### **3. Diversification of the local economy:**

The decline of our local economy is directly related to an historical overreliance on jobs in the manufacturing and agriculture areas. The Fredonia StartUP plan business clusters will build on the success of FTI and our renowned academic programs to help attract technology businesses that utilize faculty expertise in the visual arts and new media.

Similarly, by capitalizing on our proximity to Lake Erie and other natural assets in the community, as well as our expertise in the sciences, our Great Lakes cluster will also help to diversify our regional economy.

### **4. Environmental sustainability:**

Our Lake Erie research and research and development cluster directly targets issues relating to environmental sustainability. This StartUP direction supports Fredonia's commitment to sustainability, which is outlined in the Power of Fredonia strategic plan ([http://www.fredonia.edu/president/strategicplan2011/Power of Fredonia February Senate Approved.pdf](http://www.fredonia.edu/president/strategicplan2011/Power%20of%20Fredonia%20February%20Senate%20Approved.pdf)). Existing degree programs that support aquatic research and development include those in biology, chemistry, biochemistry, geosciences, and environmental sciences. Faculty in geosciences is developing projects in lake sedimentology, oceanography, and physical limnology. Finally, as mentioned above, we are in discussions with environmentally responsible businesses in areas such as those involved in production of biodegradable plastics, anaerobic digestion of food waste, and solar energy.

### **5. Increased entrepreneurship opportunities:**

Fredonia has invested in the development and support of the Fredonia Technology Incubator, and created a new division of Engagement and Economic Development, in part, to support the growth of entrepreneurship opportunities for our students and in the community.

In support of our StartUP efforts we will be housing the Chautauqua Co. IDA, including the executive Director and its economic planning staff, in FTI. In addition, we are working with the Small Business Administration to support a county wide business competition in the fall. From a student perspective, we work closely with our student business club, ENACTUS, and professor Susan McNamara, who teaches entrepreneurship at Fredonia, and is a member of our StartUp committee. Finally, we are developing student internships that foster entrepreneurship, and we anticipate that our StartUP businesses will provide additional opportunities for experiential learning and exposure to real world entrepreneurs.

**6. Positive, non-competitive and/or synergistic links to existing businesses:**

The StartUp legislation prohibits sponsorship of companies that compete with existing businesses. In addition, we are actively recruiting businesses that build on existing business opportunities in agribusiness, technology, video production, and the visual and performing arts, aquatics research, and companies that support and enhance Fredonia's mission.

These business clusters were selected precisely because they build on existing strengths at the university and in our business community. Support of the local community and municipalities is essential, and the level of commitment to and investment in our underserved, economically distressed area will be critically evaluated.

**7. Effect on the local economy:**

The decline in population in Chautauqua County is reflective of the sparse job opportunities in the County and the region: The net out-migration rate for all ages in Chautauqua County is - 6.07%, a staggering figure when compared to the NYS rate of 1.86%, a figure largely attributed to the lack of job opportunities in the region. However, another figure not yet updated for the 2010 Census is also staggering: a US Census report released in 2004 reported the Jamestown-Dunkirk-Fredonia Metropolitan Statistical Area, formerly the Jamestown Metropolitan Statistical Area (MSA). Chautauqua County, had the greatest out-migration rate for the 'Young, Single, and College Educated' in NYS (-344.8 compared to NYS -11.3); nationally this represented the 34th highest net out-migration rate for this population out of the 198 MSA's experiencing negative growth. The decline in population in Chautauqua County reflects the startling lack of job prospects in the County and the region.

The StartUP program provides the incentives needed to attract net new jobs to our region, which has been devastated by job loss.

Every job that we are able to retain, growth, or recruit into our region will have an immediate positive impact on our economy. Based on labor force comparisons for Chautauqua County (Jamestown-Dunkirk-Fredonia micropolitan statistical area) and the Buffalo Niagara Region, the creation of 100 jobs in Chautauqua Co. is equivalent to creating nearly 1,000 jobs in the Buffalo – Niagara region. Obviously, if the Fredonia StartUP program is moderately successful it will significantly impact our local economy.

Businesses that are critical to the local economy and have the potential to facilitate additional job growth will be evaluated highly. Similarly, those that invest in the community, including capital investment, are particularly desirable. We will also evaluate potential financial benefits to the University as we determine how strongly we support an applicant business.

**8. Opportunities as a magnet for economic and social growth:**

As one of the largest employers in the county Fredonia is vital to the local economy. The college also serves as the hub of social and cultural activities in the area.

Given that businesses accepted into the Fredonia program must support our mission, new businesses attracted through StartUP will enhance our social and economic centrality and impact. In addition to providing much needed jobs, our partner companies will support our mission and enhance academic programs and student learning in the visual and performing arts, business, and the natural and social sciences. In addition, contributions to our public programs will also enhance the quality of life in our community.

- 5) 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.

6)

**StartUp NY Committee:**

Fredonia's StartUp NY Committee has been charged with developing an objective vetting process for rating business proposals submitted for the StartUP program. The committee serves in an advisory capacity to the President and Cabinet. The Vice President for Engagement and Economic Development chairs the committee.

Other members of the Fredonia StartUP Committee include:

- Fredonia VP for University Advancement
- Exec. Dir. of the Fredonia College Foundation
- Fredonia VP for Finance and Administration
- Director of the Fredonia Technology Incubator
- Director of Fredonia Facilities Planning
- Asst. Professor of Business Administration - Entrepreneurship
- Fredonia United University Professionals Rep.
- Fredonia Professor of Economics
- Fredonia Univ. Senate Planning and Budget Comm.
- Director of Chautauqua County Industrial Development Agency
- Former CC IDA Director
- Fredonia College Council member
- Mayor, City of Dunkirk
- Emeritus professor and community development leader
- Mayor, Village of Fredonia
- Assistant to Sen. Cathy Young
- City of Dunkirk Director of Planning & Development
- Fredonia Student representative

The Committee has reviewed program guidelines, examined opportunities for business development, discussed clusters of businesses that align with the

university, and drafted a process for reviewing proposals. The Committee has modified and will be using existing business evaluation processes adopted from the county IDA and the Fredonia Technology Incubator. Consistent with the StartUp NY business application process, prospective businesses must demonstrate financial stability, a plan for creating jobs, and fit with the campus and community. Proposals will be evaluated for alignment with Fredonia's Academic and Research mission, Economic Benefits, and Community Benefits.

The following criteria will be used to judge StartUp business applications:

**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?

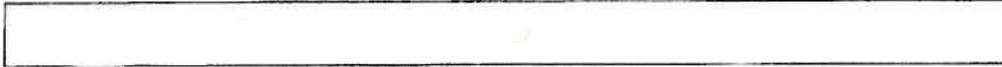
**C. Community Benefits**

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?

Based on these criteria, committee members will rate the strength of each applicant business. Not all criteria need be addressed by each applicant. Rather, a strong commitment to one or more factors, may, in some instances be sufficient to result in an endorsement. Each proposal will be read, critiqued, and rated by assigned lead reviewers. Lead reviewers from the committee will be asked to assign an overall rating of from 1 (low level of support) to 5 (high level of support).

All committee members will be asked to read and be prepared to discuss each proposal.

Following the group discussion, the business proposals will receive an overall rating indicating: a) Strong support; b) Support with minor reservations; c) Insufficient information available; d) Not appropriate/not recommended. Committee ratings, and a summary of member's comments, will be presented to the President and her Cabinet for input and further discussion. (The Cabinet includes the President and the Vice Presidents for Engagement and Economic Development, Academic Affairs and Provost, Student Affairs, Finance and Administration, and University Advancement.) The President will make the final decision regarding whether or not to endorse an application. The results of the president's decision will be communicated to the applicants by the chair of the StartUp committee, the Vice President for Engagement and Economic Development.



**7) Distribution of draft Campus Plan to interested parties.**

The Fredonia StartUP Committee includes broad representation from the campus and community, and the campus plan has been widely distributed and discussed since early January 2014. The mayors of the Village of Fredonia and the City of Dunkirk, the Director of Chautauqua County IDA, and a representative from our State Senator's office are active members of our StartUP committee. Their participation and ongoing feedback have been critical to the development of the plan. Committee members have shared drafts of the plan with their constituents, and their feedback has been incorporated. In addition, the campus plan has been discussed with the Chautauqua County Legislature's Planning and Economic Development Committee, the County Executive, local business leaders, the Fredonia Rotary International, and the Lions Club.

The campus plan was also presented and discussed in meetings of the Fredonia Technology Incubator Board of Directors, and at the Fredonia College Council, both of which include representatives from the local business community. The Fredonia plan was also presented and discussed at two open community forums at different locations across Chautauqua County. A handout distributed at these community forums is attached (Appendix F; Fredonia Campus Plan Handout).

The Fredonia Plan has also been widely distributed and discussed on campus. The StartUP Committee includes members from the School of Business, the University Senate Planning and Budget Committee, and the College Council. The draft plan was shared with University Senate Executive, the Senate Planning and Budget Committee, and campus union leadership (2/19/14). The University Senate Chair distributed the Campus Plan to faculty and staff (2/28/14), and it was presented and discussed at meetings of the University Senate throughout the spring semester (2/3/14; 3/3/14; 4/4/14).

Student leaders also had an opportunity to review and discuss the plan at a meeting of the Student Cabinet (3/21/14). Our draft plan has also been posted for university and community input (2/28/14 - <http://www.fredonia.edu/engagement/startup.asp>).

The President and Cabinet have also been involved in the development of the Fredonia campus plan. The Vice President for Finance and Administration and the Vice President for University Advancement are members of the StartUp Committee. In addition, the campus plan was discussed at a retreat of the President's Cabinet (1/3/14), and at weekly meetings of the president's Cabinet.

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**Enclosures:**

- 1.) POL§74
  - 2.) SUNY Conflict of Interest Policy
  - 3.) RF Conflict of Interest Policy
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## 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 to 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.



**Category:**

HR / Labor Relations  
Legal and Compliance

**Responsible Office:**

University Counsel

**Policy Title:**

Conflict of Interest

**Document Number:**

6001

**Effective Date:**

October 01, 1995

**This policy item applies to:**

State-Operated Campuses

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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.

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**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.

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## 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.

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## 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](#)

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**Procedures**

There are no procedures relevant to this policy.

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**Forms**

There are no forms relevant to this policy.

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**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

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**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.

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**Appendices**

There are no appendices relevant to this policy.





Category:  
Academic Affairs

Community Colleges  
Legal and Compliance  
Research

**Policy Title:**

START-UP NY Program Participation Policy

Document Number:

Effective Date:

February 10, 2014

This policy item applies to: Community  
Colleges

State-Operated Campuses

Responsible Office:  
[Academic Affairs](#)

## Table of Contents

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## 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 21<sup>st</sup> 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.

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## 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)

## **6800 - START-UP NY Program Participation Policy**

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 31<sup>st</sup> 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.

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## **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

**6800 - START-UP NY Program Participation Policy**

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

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**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.

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**Procedures**

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

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**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

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## **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.

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## **Appendices**

There are no appendices relevant to this policy.



## Conflict of Interest Policy

**Effective Date:** March 15, 2013  
**Supersedes:** Conflicts of Interest Policy pursuant to 95-5 Resolution and the Procedure of Investigating Conflict of Interest Policy  
**Policy Review Date:** February 2016  
**Issuing Authority:** Research Foundation President  
**Responsible Party:** Chief Compliance Officer  
**Contact Information:** (518) 434-7145  
[rftcompliance@rfsuny.org](mailto:rftcompliance@rfsuny.org)

### Reason for Policy

As Research Foundation Board Members, Officers, and Employees, we hold positions of trust and must act in the best interests of the Research Foundation. We must avoid any activity that impairs or would reasonably appear to impair the ability to perform our duties with independence and objectivity. A conflict of interest arises if our personal relationships, activities, or finances interfere, or appear to interfere, with our ability to act in the best interests of the Research Foundation.

Research Foundation Board Members, Officers, and Employees must incorporate, where necessary and possible, the following rules into their services on behalf of the Research Foundation. Research Foundation Officers and Employees must adhere to the standards outlined in the New York State Public Officers Law Section 74. This policy incorporates the key standards outlined in Section 74.

### Statement of Policy

Research Foundation Board Members, Officers, and Employees may not have any interest or engage in any outside activity which results in an unmanaged conflict of interest. To this end, Board Members, Officers, and Employees must disclose their interests and outside activities, and those of a Related Party, which may affect their ability to perform their duties with independence and objectivity. A conflict of interest must be managed so the conflict is reduced or eliminated, and compliance with conflict of interest management plans should be monitored where necessary.

### Prohibited Conflicts of Interest

A conflict of interest exists if you or a Related Party has a Financial or Other Interest that will or may reasonably be expected to:

## **6800 - START-UP NY Program Participation Policy**

- substantially conflict with the proper discharge of your duties in the Research Foundation's best interests;
- result in the disclosure of the Research Foundation's information that you have gained by reason of your position or authority; or
- impair your ability to exercise independent judgment in the performance of your duties and 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**

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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,

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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:

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- 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:
  1. Vice presidents
  2. Senior directors;
  3. Assistant Vice-Presidents; and
  4. Directors;
  5. 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**

6800 - START-UP NY Program Participation Policy

Management of Conflicts of Interest Procedure

Managing Conflicts of Interest Guidelines

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

**Feedback**

Was this document clear and easy to follow? Please send your feedback to [webfeedback@rfsuny.org](mailto:webfeedback@rfsuny.org).

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Location	UniqueID	Owner	PropertyType	StreetAddress	City	ZipCode	ParcelID	Building	SpaceType	Sqft	Acres	Description	onCampus	Within1mileOfCampus	Latitude	Longitude	Note
Dunkirk, NY	SU-105-1-B-0078-000-A	Fredonia Technology Incubator	1	214 Central Avenue	Dunkirk	14048	See Zip Files: Appendix C	Fredonia Technology Incubator	A	22,000		FTI houses start up businesses; space available for anchor tenant; modern Class A office space w high speed internet access, dry labs, conference room and meeting space	Yes		42.4855490	-79.3345930	16V
Fredonia, NY	SU-105-1-F-1.0-000-A	Fredonia Campus	1	280 Central Avenue	Fredonia	14063	Appendix E	Turn Key office space	D		4.13	Available for (2) 60,000 sq buildings	Yes		42.4526260	-79.3395710	
Dunkirk, NY	SU-105-1-B-F1.0-000-A	Franklin Properties Office Bldg	1	60-62 Franklin Avenue	Dunkirk	14048	Appendix C		A	25,290		Class A office space	Yes		42.4839900	-79.3252590	
Dunkirk, NY	SU-105-2-L-D.1.0-000-A	Dunkirk Lakefront Land	2	Lake Shore Drive	Dunkirk	14048	Appendix C		E		1.86	Lakefront property available for building	No	Yes	42.4883790	-79.3317070	Tax Map Numbers 79.11-1-11 through 79.11-1-18

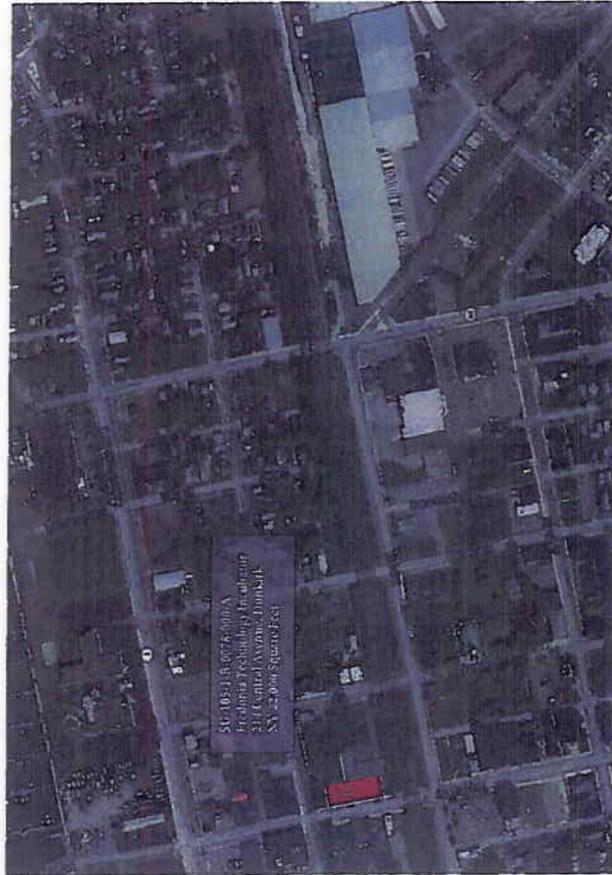
\* 1= on campus  
 2= 1 mile off campus  
 3= State Asset

\*\* 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

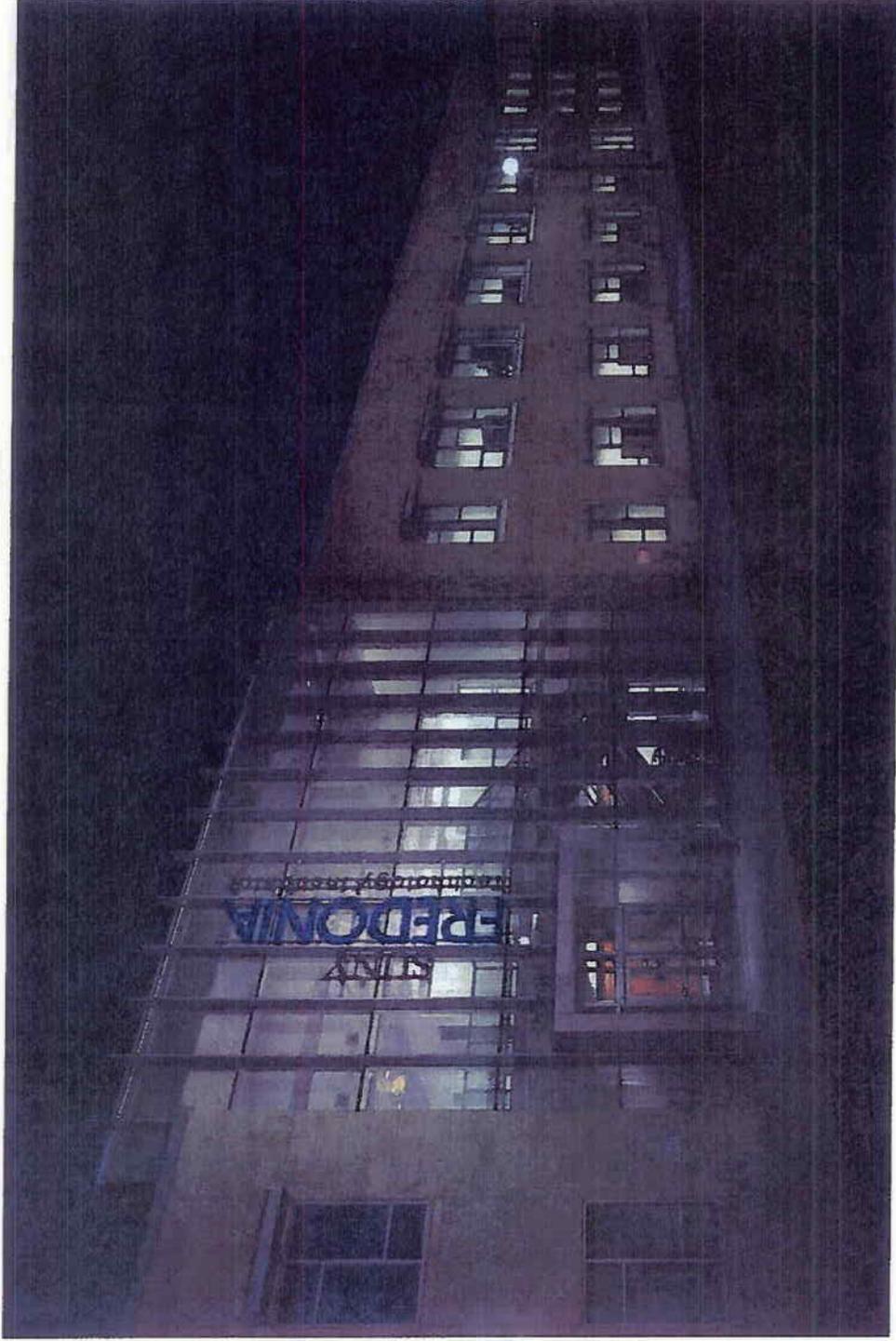
Designated Land or Buildings Unique ID Standard.  
 See Sheet 2: SUNY Unique ID Codes



Fredonia Startup Property



A: Fredonia Technology Incubator Map



**A.1: Fredonia Technology Incubator**

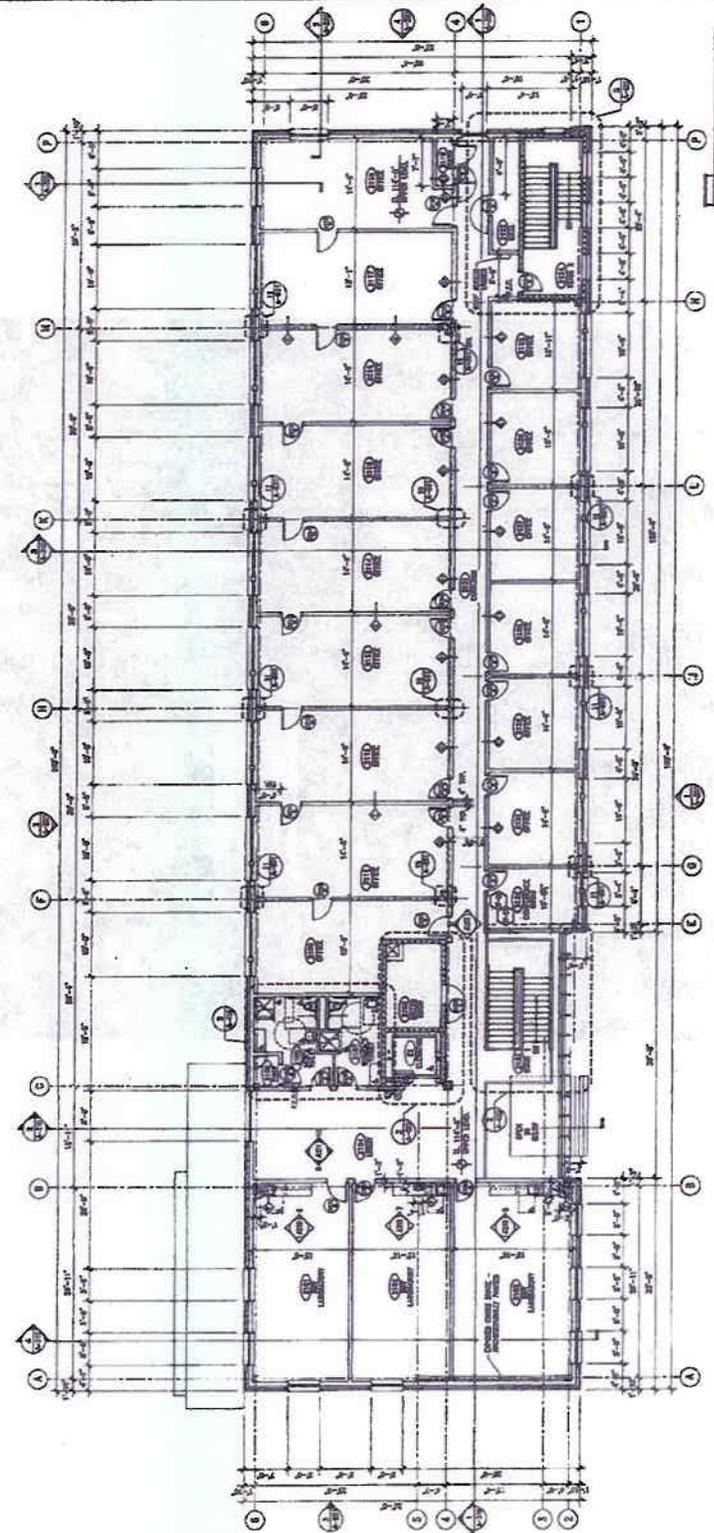
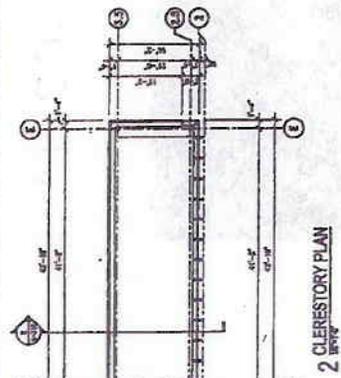


**GENERAL NOTES:**

1. REFER TO DRAWING A-121 FOR TYPICAL WALLS.
2. REFER TO DRAWING A-121 FOR TYPICAL DOOR AND WINDOW SCHEDULES.
3. REFER TO DRAWING A-121 FOR TYPICAL FLOOR FINISHES.
4. REFER TO DRAWING A-121 FOR TYPICAL CEILING FINISHES.
5. REFER TO DRAWING A-121 FOR TYPICAL LIGHT FIXTURE SCHEDULES.
6. REFER TO DRAWING A-121 FOR TYPICAL MECHANICAL SCHEDULES.
7. REFER TO DRAWING A-121 FOR TYPICAL ELECTRICAL SCHEDULES.
8. REFER TO DRAWING A-121 FOR TYPICAL PLUMBING SCHEDULES.
9. REFER TO DRAWING A-121 FOR TYPICAL FIRE PROTECTION SCHEDULES.
10. REFER TO DRAWING A-121 FOR TYPICAL FINISHES.
11. REFER TO DRAWING A-121 FOR TYPICAL MATERIALS.
12. REFER TO DRAWING A-121 FOR TYPICAL CONSTRUCTION DETAILS.
13. REFER TO DRAWING A-121 FOR TYPICAL NOTES.
14. REFER TO DRAWING A-121 FOR TYPICAL SPECIFICATIONS.
15. REFER TO DRAWING A-121 FOR TYPICAL CONTRACT DOCUMENTS.

**A.3: Fredonia Technology Incubator  
Floor Plans - 2nd Floor**

SU-105-1-B-0078-000-A (10,545 square feet)



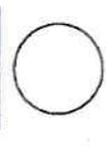
SUNY  
**FREDONIA**  
 STATE UNIVERSITY OF NEW YORK  
 FREDONIA, NEW YORK



**SUNY**  
 FREDONIA  
 STATE UNIVERSITY OF NEW YORK  
 FREDONIA, NEW YORK

**Technology Incubator**

ARCHITECTURE  
 CONSULTANTS

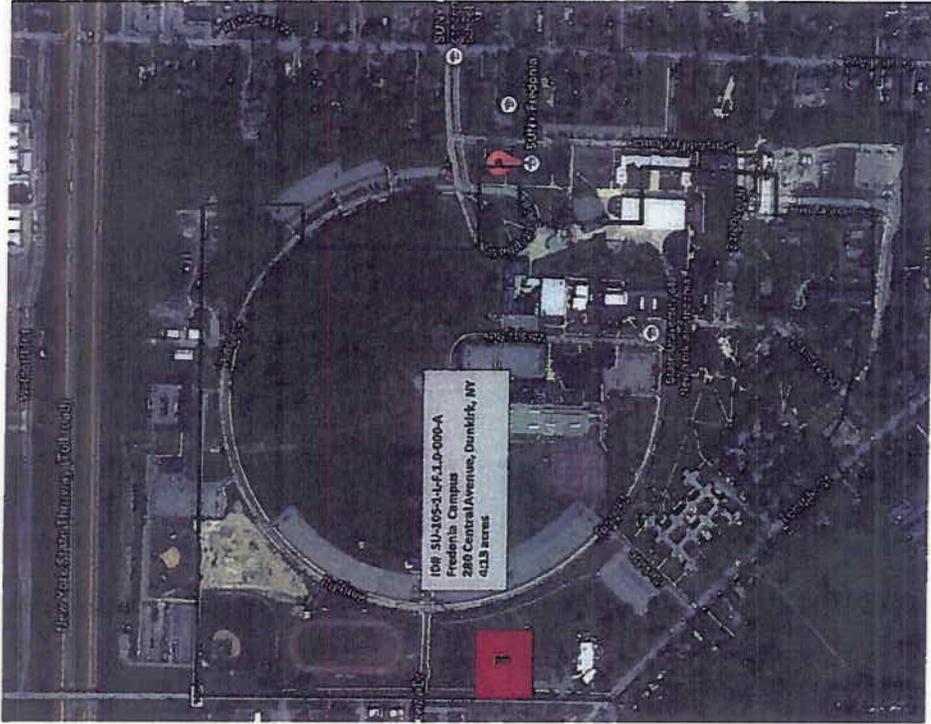


UPPER LEVEL  
 FLOOR PLAN



Fredonia StartUP Property

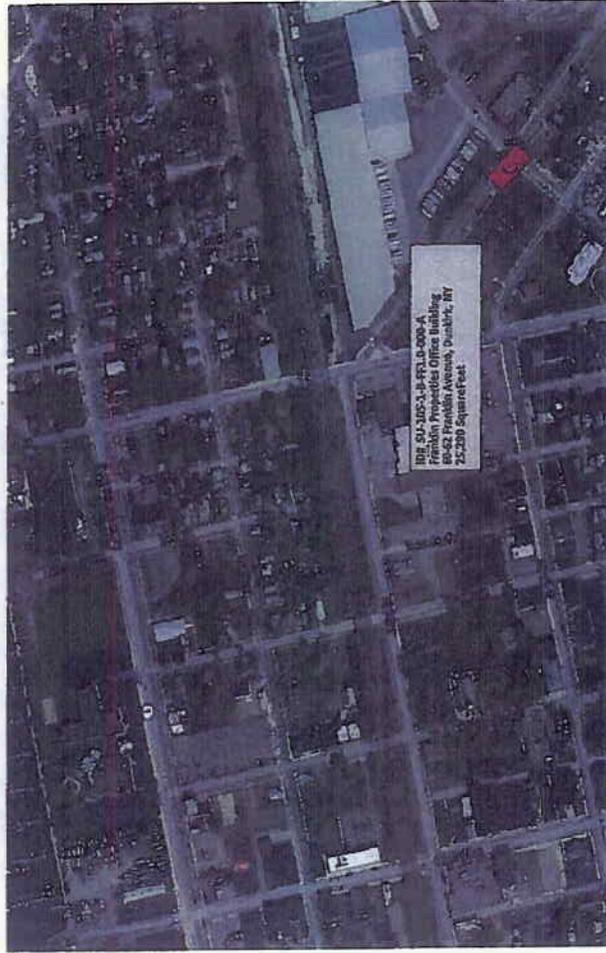
STARTUP ANY



B: Fredonia Campus Property



Fredonia Startup Property

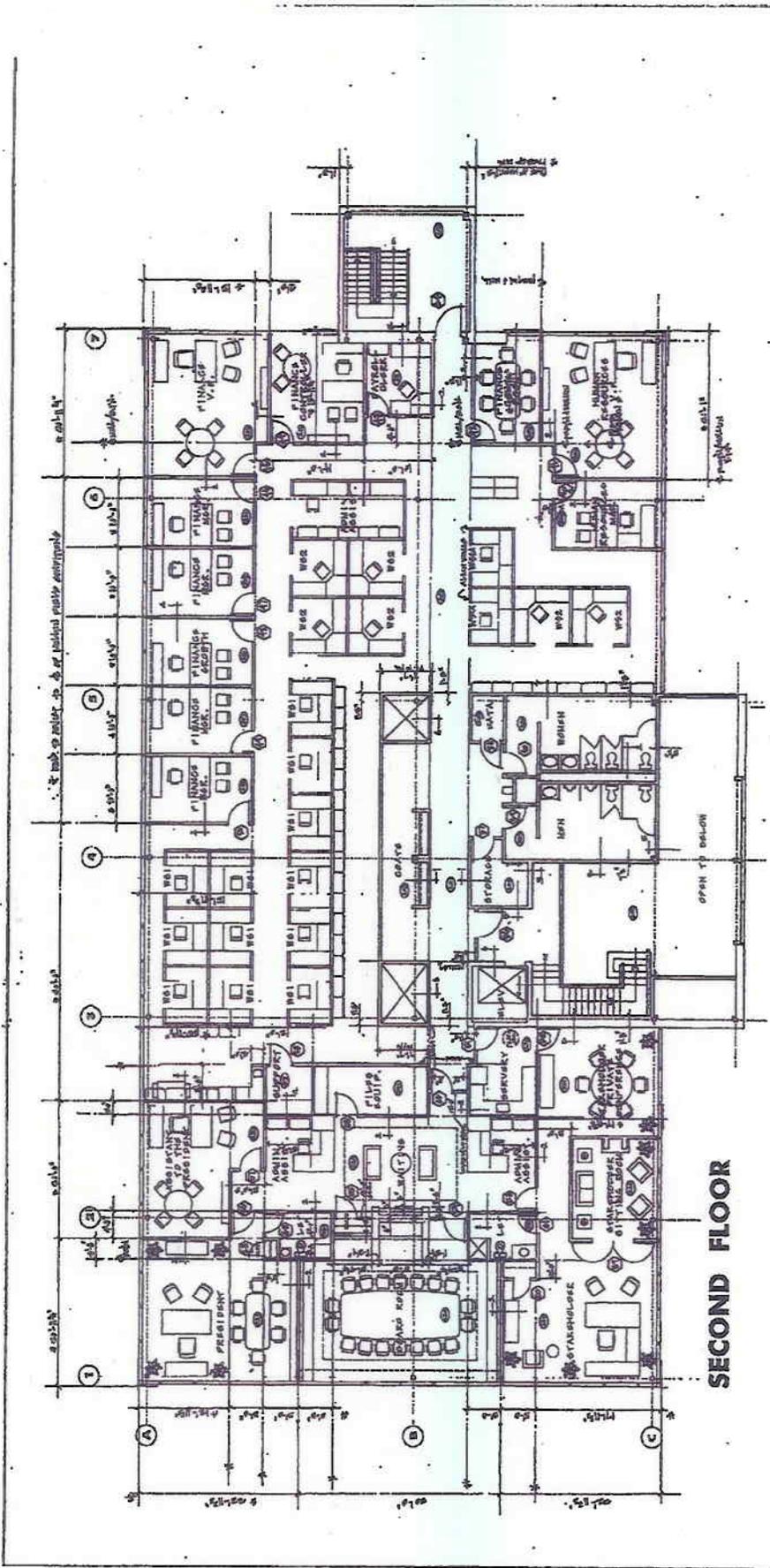


C: Franklin Properties Office Building Map

## C.1: Franklin Properties Office Building



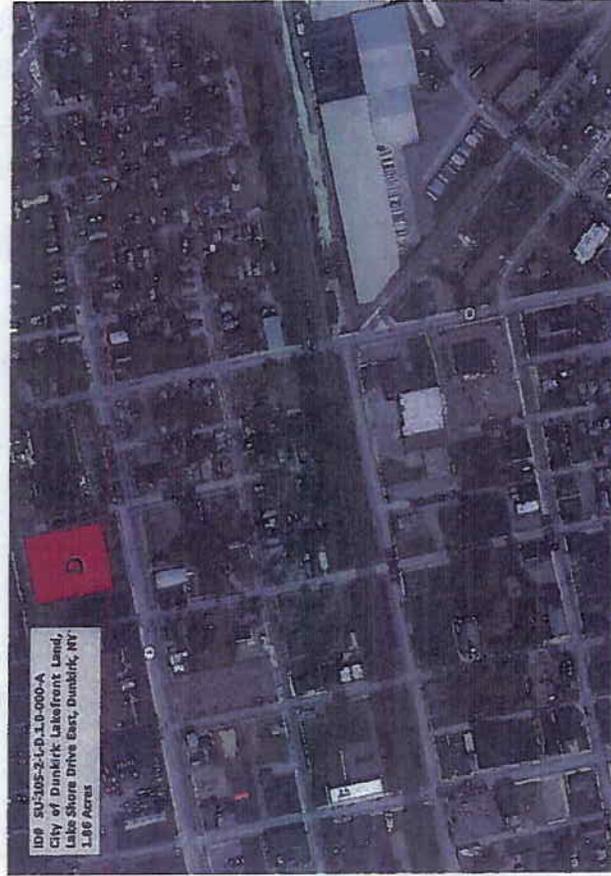




**C.3: Franklin Properties Building Floor Plans - 2nd floor**  
**SU-105-1-B-FF1.0-000-A (12,552 square feet)**



Fredonia StartUP Property



ID# SU505-2-1-D-1.0-000-A  
City of Dunkirk Lakefront Land,  
Labe Shore Drive East, Dunkirk, NY  
1.86 Acres

D: Dunkirk Lakefront Property Map

- A** ID#SU-105-1-B-0078-000-A  
Fredonia Technology Incubator  
214 Central Avenue, Dunkirk, NY  
22,000 square feet
- B** ID#SU-105-1-L-F.1.0-000-A  
Fredonia Campus  
280 Central Avenue, Dunkirk, NY  
4.13 acres
- C** ID# SU-105-1-B-FF1.0-000-A  
Franklin Properties Office Building  
60-62 Franklin Avenue, Dunkirk, NY  
25,290 square feet
- D** ID#SU-105-2-L-D.1.0-000-A  
Dunkirk Lakefront Land  
Lake Shore Drive East, Dunkirk, NY  
1.86 acres

 Fredonia Campus

0 1000 2000 feet

N 

