



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)

July 16, 2014

President Hubert Keen  
State University College of Technology at Farmingdale  
2350 Broadhollow Road  
Farmingdale, NY 11735

Re: START-UP NY

Dear President Keen:

Congratulations. Attached is the approved application for Farmingdale State College'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 Farmingdale State College in launching the START-UP NY Program.

Best regards,

A handwritten signature in blue ink, appearing to read "Haelen", enclosed in a blue circular scribble.

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, consisting of 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: SUNY Chancellor

From: Dr. Hubert Keen, President

Re: Farmingdale State College Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan")

Date: June 12, 2014

For campus Office of the President:

The arrangement documented in the attached Campus Plan is aligned to the academic mission of Farmingdale State College campus name] and in accordance with all SUNY policies, procedures, and guidelines.

[Handwritten signature of Dr. Hubert Keen]

Signature of campus President

Dr. Hubert Keen

Print Name

FOR SUNY SYSTEM ADMINISTRATION USE ONLY

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

[Handwritten signature of Jeffrey A. Boyce]

Proposal Review Team Co-Chair

7-16-14

Date

Jeffrey A. Boyce

Print Name

For SUNY Office of the Chancellor:

The attached Campus Plan is hereby [approved/rejected] for campus submission to the NYS Commissioner of Economic Development.

[Handwritten signature]

Signature of the Chancellor or designee

7/16/14

Date

[Handwritten signature]

Print Name



The State University  
of New York

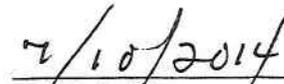
To: Mr. Kenneth Adams, NYS Commissioner of Economic Development  
From: President Keen of Farmingdale State College  
Re: Broad Hollow Bioscience Park's Campus Plan for Designation of Tax-Free Area(s)  
Date: June 12, 2014

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I, President Keen of Farmingdale State College hereby certify the following:

- a.) we have provided a copy of the enclosed Campus Plan for Designation of Tax-Free NY Area, to the municipality or municipalities in which the proposed Tax-Free NY Area is located, local economic development entities, the applicable faculty senate, union representatives, and student government at least 30 days prior to submitting the plan to you and attached evidence of submission herewith; and
- b.) we comply with Public Officers Law Section 74; State University of New York's Policy on Conflict of Interest and; and Board Trustees of Broad Hollow Bioscience Park comply with the attached Conflict of Interest and Disclosure of Certain Interest policy; 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 have not relocated or eliminated any academic programs, any administrative programs, offices, housing facilities, dining facilities, athletic facilities, parking, or any other facility, space or program that actively serves students, faculty or staff in order to created vacant land or space to be designated as a Tax-Free NY Area; and
- f.) the information contained in the enclosed application is accurate and complete.

  
PRESIDENT'S SIGNATURE

  
DATE

Attachments/Enclosures:

- 1.) Tax-Free Area Plan with Polygon shapefile of campus area (if available) and/or point data of vacant space (if available), **OR** outline and shaded delineation of proposed tax-free area on a campus aerial photo and/or campus map shaded to indicate land or building containing proposed tax-free space, and floor plans of building space with designated space clearly labeled and shaded.
- 2.) Excel spreadsheet of property to be designated
- 3.) Applicable conflict of interest policies
- 4.) Evidence of submission of Tax-Free Area Plan to interested parties



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

Campus Name: Farmingdale State College, SUNY  
Campus Contact Name: Greg Blyskal  
Campus Contact Title: Executive Director, Broad Hollow Bioscience Park  
Campus Contact E-mail: greg.blyskal@farmingdale.edu  
Campus Contact Phone: 631-420-2648

**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: Farmingdale State College
Campus Address: 2350 Broadhollow Road, Farmingdale, NY 11735
Address(es) of Proposed Tax-Free NY Area(s): Parcel "BIOSCIENCEPK" is 38.5 acres. 18.5 acres of vacant land and three (3) buildings on 20 acres comprise two facilities. 1 Bioscience Park Drive facility is 63,500 SF comprised of two connected buildings (building SU-126-1-C-00113-000-A which is 50,000 SF and building SU-126-1-C00114-000-A which is 13,500 SF). The 3 Bioscience Park Drive facility (building SU-126-1-C-00117-A) is 43,000 SF. Both facilities are currently vacant and all of the space (106,500 SF) in the three buildings will be leased as part of START-UP NY.  Broad Hollow Bioscience Park is part of the consortium for 16-V status for incubators.
Description of Physical Characteristics of Proposed Tax-Free NY Area(s):  <b>BIOSCIENCEPK:</b> A parcel of 38.5 acres of land on the college campus known as Broad Hollow Bioscience Park (BHBP). Three buildings currently exist on 20 acres of the 38.5 acres site comprising two facilities - 1 Bioscience Park Drive is comprised of the original 50,000 square foot building and a second annex building of 13,500 square feet. The second facility on the site, 3 Bioscience Park Drive, is 43,000 square feet. The three buildings, two facilities, provide 106,500 square feet of research space for bioscience companies. There are 18.5 acres of vacant land within the 38.5 acres of Broad Hollow Bioscience Park which can accommodate additional facility construction.

The two facilities have previously been leased to bioscience companies developing pharmaceutical or immunological disease treatments. The infrastructure of the buildings supports this type of R&D activity and is the target market for new tenant leases. This target market meets with the mission of Farmingdale State College and the permitted uses as stated in the SUNY – BHP Ground Lease.

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

106,500 square feet of facility space and 18.5 acres of vacant land

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

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

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

The BIOSCIENCEPK location provides 106,500 square feet of space and 18.5 acres of vacant land for bioscience or biopharma companies. Companies can locate into the facilities or develop additional space on the vacant parcel of land as approved in the SUNY – Broad Hollow Bioscience Park ground lease agreement executed May 2011. As stated in the Ground Lease agreement – Schedule C – Permitted Uses: *To develop, construct and operate, or cause or permit to be developed, constructed and operated on the Demised Premises, a biotechnology and other technology-oriented office, research and manufacturing park, and any service, business, technical and other facilities related to or ancillary to any of the foregoing, to provide an environment in which commercially related research and development can be nurtured and grown, providing employment and economic diversification to the Long Island region and to further the educational, research and public service mission of SUNY Farmingdale and consistent with the Enabling Act.*

Additionally, as stated in the Ground Lease, tenant leases may be assigned with the prior written consent of the Landlord (SUNY).

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.

Farmingdale State College (FSC) is a public comprehensive college of applied science and technology. In fulfilling its mission, the College shall, amongst other goals:

- provide students with a broad academic foundation and the interrelationships among the applied arts and sciences, technologies, and society.
- offer affordable programs to academically qualified students which support their educational aspirations, meet the needs of regional employers, and promote the economic, social and cultural development of the region.
- promote scholarship and research that addresses the Mission of the College, benefits the larger society, and enhances teaching and student learning.

Broad Hollow Bioscience Park's (BHBP) goal is to support early-stage bioscience companies thereby creating job opportunities for those students graduating from Farmingdale State College's Bioscience program. Early-stage companies require bench scientist, creating a synergy for graduating students seeking starting positions and as these companies grow a career path will also be available to newly employed graduates. Together FSC and BHBP will play a pivotal role in the economic, social and cultural development of the region.

As previously stated in the Ground Lease, tenant leases may be assigned with the prior written consent of the Landlord (SUNY).

The public-private partnerships that develop between the College and BHBP tenant companies will

provide student scholarship and faculty research opportunities to the benefit of the community and the teaching – student learning process.

Scholarships and campus activities have been supported by tenant companies both monetarily and with direct personal participation by industry representatives in various college committees. Additionally, the connection to BHBP has enabled FSC to have an arm's length relationship with other area bioscience companies and enabled the college to raise additional scholarship funds and expand its profile in the community to be viewed as a dynamic, integral part of economic and community development.

The Farmingdale Biology department has had a working relationship with industry. The relationship has been positive and beneficial to all parties. The Biology department has an advisory board which meets every other year. The advisory board is primarily comprised of people from industry in the area of Biology and Chemistry. Industry personnel have stated their appreciation that Farmingdale State College has two regulatory courses entitled Biopharmaceutical Regulation (Biology 340) and Validation/Regulatory Affairs (Biology 455). The two courses are taught by an adjunct faculty member employed in the regulatory area of industry. Two additional adjuncts, also employed in the regulatory area, are teaching several sections of the Medical Microbiology course (Bio 220). Biology scientists working in industry have also acted as outside reviewers for Farmingdale State College Biology faculty up for tenure or promotion.

Industry companies have accepted Farmingdale State College Bioscience students as interns; occasionally the intern has been offered a position at the company. In summary, the Biology students and faculty have benefited from this positive interaction with industry. Bioscience students have also received scholarships from companies. Currently Forest Laboratories and Estee Lauder are donors of scholarship money for Bioscience majors. The Biology department has also benefited from very generous equipment and supply donations from industry; most recently both ICON Laboratories as well as Forest Laboratories have made significant donations to the college.

In summary, the Biology students and faculty have benefited from this positive interaction with the industry on Long Island.

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

With the departure of OSI Pharmaceuticals from Broad Hollow Bioscience Park, the opportunity now exists to create more than 150 new well-paying jobs for Long Island. With a reported average industry salary of \$83,000 and each bioscience job creating 1.5 supporting jobs, the accepted multiplier effects for bioscience, Broad Hollow Bioscience Park's existing facilities can generate a total of 375 direct and indirect jobs for the regional economy and an annual payroll of \$21.4 million.

Farmingdale State College will utilize its Broad Hollow Bioscience Park affiliation to develop an educational collaboration with the campuses of SUNY Old Westbury, Nassau and Suffolk County Community Colleges. Establishing collaboration amongst the biology departments of these four colleges will enhance the educational experience and ensure SUNY programs remain on the leading edge of scientific learning. It's also worth noting the students at these colleges are highly diverse; Old Westbury and Farmingdale Colleges rank first and second, respectively, in diversity within SUNY. Over 43% of Farmingdale State College's bioscience students are minorities. The collaboration among the four colleges will provide a seamless educational pipeline of opportunities for New Yorkers.

The goal of Farmingdale State College (FSC) and its collaborating partners to develop a highly-skilled workforce of entry level scientists is vital to emerging companies. Farmingdale State College will expand its substantial success in placing graduates in well-paying jobs at leading bioscience businesses. Students from its bioscience program are employed at companies and institutions such as Enzo Labs, Centocor, Estee Lauder, L'Onvie, ICON Labs, and the North Shore-LIJ Health System. Farmingdale can leverage the public-private partnership of Broad Hollow Bioscience Park to provide expanded educational opportunities for the region, as well as internships and employment for students.

Broad Hollow Bioscience Park is ideally located on Long Island to be a central point of bioscience activity connecting the Feinsein Research activities at North Shore LIJ Healthcare Systems in western Nassau County and Brookhaven National Lab in eastern Suffolk County. Located in-between are the research institutions of Stony Brook State University and Cold Spring Harbor Laboratory (CSHL). Broad Hollow Bioscience Park would strengthen industry development through a cluster of activity, create hundreds of jobs, and retain young adults for the region's workforce.

Broad Hollow Bioscience Park (BHBP) is already collaborating with the Center for Biotechnology at Stony Brook State University to develop a regional marketing campaign to attract companies. Stony Brook State University has already received its Start-Up NY designation and the BHBP program at Farmingdale State College compliments the economic development program of their Long Island High Technology Incubator (LIHTI). The Executive Directors of the respective programs meet regularly to discuss synergies and ways to accommodate the needs of developing bioscience companies along with creating an industry services plan for the region; the goals of which is to retain as many companies as possible to Long Island and create an infrastructure to support growing companies.

Broad Hollow Bioscience Park is controlled by two Member organizations – The Research

Foundation for SUNY and Cold Spring Harbor Laboratory (CSHL). CSHL is one of Long Island's leading developers of discoveries and has created about 20 bioscience / biotech companies. Farmingdale State College will work in collaboration with CSHL to identify discoveries that would potentially be incubated at Broad Hollow Bioscience Park. In fact, such companies already exist and BHBP anticipates that these early-stage companies would be among its viable tenants. The companies include Mirimus, which conducts research in pharmaceuticals, and Certerra which conducts research in imaging technology for drug discovery.

What is vital to early-stage bioscience companies is ready-to-use lab space. Companies in the bioscience industry typically accumulate operating losses in their early years making it very difficult to find specialty lab space and commercial real estate developers willing to incur the required fit-out expense for such space. These companies need ready-to-use labs such as those offered by Broad Hollow Bioscience Park and LIHTI. Because the formation of these companies is based on patented technologies, the companies are non-competitive to existing businesses. In fact, as mentioned previously, taking an industry regional view, these companies provide an opportunity to develop synergistic links to existing businesses.

Farmingdale State College's Broad Hollow Bioscience Park initiative also supports the Regional Strategies of Suffolk County Executive Steve Bellone and the Long Island Association (LIA). In April 2012 County Executive Bellone announce the Research Triangle Park initiative and hired a deputy county executive for economic development with the goal of creating the next Research Triangle on Long Island. LIA is the largest business organization in New York and the leading organization in the Long Island region.

Providing a key educational and economic link, such as Farmingdale State College (FSC) and Broad Hollow Bioscience Park, to local activities would be an out-growth of the new role that universities now increasingly play in the public-private partnership. Farmingdale State College has a history of achievement in this area, both educationally and economically. The FSC campus is home to a Small Business Center which has worked with over 24,000 clients who, in turn, have invested more than \$279 million in the Long Island economy.

Through the SUNY college collaboration, ready-to-use lab space at BHBP and the area research institutions the proposed program would position SUNY to be a leading catalyst for job growth in the region. The campus collaborations would enhance the academic mission of SUNY and strengthen its role in regional economic development, demonstrating SUNY's leadership in creating opportunities for all New Yorkers.

The local municipalities have been aware of the Broad Hollow Bioscience Park (BHBP) program and its activities since inception. BHBP and the Supervisors for the two local townships adjacent to BHBP, Huntington and Babylon, were part of the Route 110 Redevelopment Corporation. Both townships have been very supportive of the BHBP program. Today the Babylon Supervisor is the Suffolk County Executive. The CEO for the Town of Babylon IDA is also on the Farmingdale State College Council. Local leaders will be updated once Farmingdale State College's START-UP NY submission is approved.

The President and Senior VP & CFO of Farmingdale State College have met with the faculty

governance leaders, union leadership and student governance leadership and informed them of the plans for the BHBP program.

A full disclosure of the plans for BHBP as an approved STARTUP NY site would be provided to campus and community stakeholders.

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

**A. Academic and Research Alignment**

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

**B. Economic Benefit**

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

**C. Community Benefits**

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

Participating businesses will be selected based on the science, management team and company financials. A company's research activities will be evaluated with respect to other companies in the Bioscience Park. It is also a goal of the program, in collaboration with the Stony Brook State University, to be mindful of early-stage companies providing patented product services to the bioscience industry as this will help create a regional ecosystem supporting other leading edge biopharmaceutical company development.

Companies that can illustrate interest from the venture capital community, the potential to create a growing number of jobs and a business plan that illustrates a profitable future will

be considered for tenancy. Additionally, companies with R&D activity that align with the Farmingdale State College faculty research will be favorably considered as this will meet both the economic development and educational mission of the program. Five of the 10 Broad Hollow Bioscience Park (BHBP) Board Trustees represent Farmingdale State College and are appointed by The Research Foundation for SUNY; Trustees that will also be part of the tenant selection committee.

Broad Hollow Bioscience Park (BHBP) has two Member Organizations – The Research Foundation for the State University of New York (RF) and Cold Spring Harbor Laboratory (CSHL). The RF and CSHL each independently appoint five (5) Broad Trustees. For tenant selections through the summer of 2014 two Board Trustees from each of the Member Organizations will comprise the Tenant Selection Committee:

- 1) Chair of BHBP, RF affiliate
- 2) Secretary and Vice-Chair of BHBP, CSHL affiliate
- 3) Treasurer of BHBP, RF affiliate
- 4) Board Trustee of BHBP, CSHL affiliate

The Broad Hollow Bioscience Park Board of Trustees have decided to form a Tenant Selection Committee comprised of business and academic people. A member of Farmingdale State College's faculty governance will be part of the selection committee. The President and Senior Vice President / CFO of the college will also approve the tenant companies to ensure the interests of Farmingdale State College and BHBP's mission to the college are satisfied.

#### Academic & Research Alignment

Academically the goal of the program is to support the educational mission of the SUNY colleges, in this case namely Farmingdale State College which is developing a highly-skilled workforce of entry level scientists vital to developing companies. To align the educational mission associated with BHBP, Farmingdale State College's biology department began a bioscience baccalaureate degree in the fall of 2003 designed to produce versatile graduates prepared for a wide range of positions in the field. Farmingdale State College's bioscience program has shown remarkable growth, with enrollment increasing from 38 in the fall of 2003 to over 300 students in the spring of 2010.

Faculty at Farmingdale State College (FSC) have provided a cell sorting fee-for-service to tenant companies in the Bioscience Park and students have both interned and become employees of companies. With the bioscience research activity of the college expanding and new early-stage companies ready to start tenancy at BHBP a scholarly and creative environment is greatly anticipated at the campus. It is the goal of the BHBP program to align the needs of companies and faculty and to create cost effective opportunities with equipment and expertise which can be made available across academic – industry lines.

Companies in Broad Hollow Bioscience Park (BHBP) have been an active part of the college's internship program and students that have interned with companies have been hired as full-time employees.

As the BHBP program expands a goal is to acquire instrumentation that will be available to both faculty and companies. This will also ensure the educational program remains on the leading edge of scientific training making graduates of the program more valuable to a growing industry.

#### Economic Benefit

BHBP has recently completed a lease termination with its anchor tenant OSI Pharmaceuticals since the parent company of OSI, Astellas Pharma, a Japanese company, experienced a global restructuring in May 2013 whereby Astellas terminated research operations in the U.S. and Europe. The lease termination with Astellas provides funding for BHBP to be viable in both the short and long term. Once the two current buildings are leased BHBP will develop plans to construction an additional facility and expand the collaboration between faculty and companies as well as the area research institutions of Stony Brook State University, Brookhaven National Lab, Cold Spring Harbor Laboratory and Feinstein Research Institute of North Shore LIJ Healthcare Systems.

About 150 net new jobs are anticipated as Broad Hollow Bioscience Park (BHBP) begins leasing its facilities to new tenant companies. BHBP is actively recruiting early-stage companies for its 3 Bioscience Park facility; companies typically started with venture capital and private financial investments. BHBP will utilize the remainder of 2014 to recruit a new anchor tenant for its 1 Bioscience Park facility as it takes the long-term view to further expand the program into 2020 and ensure its financial stability.

Bioscience jobs have an average annual salary of \$83,000 and they create another 1.5 support jobs for each bioscience job created. Combined the program will contribute \$21.4 million annually to the region's payroll, while helping to retain educated young-adults. Creation of these technology related jobs is vital to the future of Long Island and the region's high cost of living. The support jobs also created an opportunity for students of the community colleges to begin a career path in this promising field.

Farmingdale State College (FSC) will benefit monetarily from tenant companies contributing to academic scholarships and other fund raising activities. It will also continue to benefit through an improved image as a college that plays a key role in both the economic and academic vitality for the region.

#### Community Benefits

Bioscience companies require multiple support operations. For every bioscience job created, 1.5 support jobs are also created and these jobs are often provided by regional businesses. Creating jobs for the region is especially important for Long Island since the area's high cost of living makes out-of-state recruiting difficult. However, Long Island provides an opportunity to combine its excellent educational system with its world-renowned research institutions. This will enable the bioscience program to capture both developing companies and a youthful population that has been leaving the area - the Long Island Index reports that while the U.S. population of 25-34 year olds grew by 4% between 2000 and

2010, on Long Island that age group declined 12% during the same period. BHBP is viewed as a valuable program to help retain this sector of the workforce.

Employers desire the quality of students graduating from the SUNY system and the employment stability they can provide to growing companies. Bioscience companies have multiple service needs and region suppliers will be the beneficiaries of providing these services or indirect jobs as they are known.

**PROPOSED PARCEL**  
**+/- 39.534 ACRES**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Towns of Huntington and Babylon, County of Suffolk and State of New York, known and distinguished as part of the State University of New York at Farmingdale Campus and shown on a survey map dated 5/18/2009 by Robert T. Bolton, L.S. and being more particularly bounded and described as follows:

Beginning at a point on the westerly right of way of New York State Route 110 per NYSDOT Map 3T Parcel 3 at the southeast corner of a NYSDOT detention pond shown on Map 289T Parcel 324;

Thence South 00 deg. 22 min. 45 sec. East along said westerly right of way, 573.44 ft. to a point;

Thence through the lands now or formerly of the People of The State of New York for the State University of New York at Farmingdale Campus the following seven(7)courses 1)South 11 deg. 37 min. 49 sec. West 211.11 ft. to a point of curvature; thence 2) along the arc of a tangent curve to the right of radius 390.49 ft. and length of 422.88 ft. to a point; thence 3) North 45 deg. 00 min. 49 sec. West 964.56 ft. to a point of curvature; thence 4) along the arc of a tangent curve to the left of radius 462.83 ft. and length of 724.84 ft. to a point; thence 5) North 44 deg. 41 min. 38 sec. West 60.00 ft. to a point; thence 6) North 45 deg. 15 min. 20 sec. East 184.68 ft. to a point; and 7) North 27 deg. 04 min. 59 sec. East 1,274.60 ft. to its intersection with the division line between the lands now or formerly of Long Island Power Authority on the northeast and the lands now or formerly of the People of The State of New York for the State University of New York at Farmingdale Campus on the southwest;

Thence along said division line the following two (2) courses: 1)South 63 deg. 20 min. 42 sec. East 300.00 ft. to a point; and 2)South 60 deg. 51 min. 31 sec. East 300.28 ft. to its intersection with the division line between the lands now or formerly of Long Island Power Authority on the northeast and WRD Melville, LLC, in part by each, on the northeast, and the lands now or formerly of the People of The State of New York for the State University of New York at Farmingdale Campus on the southwest;

Thence South 67 deg. 16 min. 36 sec. East along said division line, 336.05 ft. to its intersection with the division line between the lands now or formerly of WRD Melville, LLC on the east and lands now or formerly of the People of The State of New York for the State University of New York at Farmingdale Campus on the west;

Thence South 14 deg. 59 min. 39 sec. East along said division line, 150.00 ft. to its intersection with the NYSDOT detention pond shown on Map 289T Parcel 324;

Thence around the NYSDOT detention pond shown on Map 289T Parcel 324 the following three (3) courses: 1)North 66 deg. 52 min. 02 sec. West 160.84 ft. to a point; thence 2)South 00 deg. 25 min. 27 sec. East 424.00 ft. to a point; And 3) North 89 deg. 34 min. 33 sec. East 243.06 ft. to the point of beginning, containing 39.534 acres, being the same, more or less.

Being part of the same premises conveyed to the People of The State of New York  
for the State University of New York at Farmingdale Campus by the following  
Deeds recorded in the Suffolk County Clerk's Office:

Liber 865 Page 327 from Ruland and filed 12/10/1913  
Liber 893 Page 159 from Lazarus and filed 12/14/1914  
Liber 897 Page 367 from Seamon and filed 3/6/1915  
Liber 865 Page 325 from Mott and filed .12/10/1913



Location	UniqueID	Owner	PropertyType	StreetAddress	City	ZipCode	ParcelID	Building	SpaceType
BioPark	SU-126-1-C-00113-000-A	SUNY	1	1 Bioscience Park Dr	Farmingdale	11735	00002	1 BioPark	A
BioPark	SU-126-1-C-00114-000-A	SUNY	1	1 Bioscience Park Dr	Farmingdale	11735	00003	1 BioPark	A
BioPark	SU-126-1-C-00117-000-A	SUNY	1	3 Bioscience Park Dr	Farmingdale	11735	00004	3 BioPark	A
BioPark	SU-126-1-L-biopk-000-A	SUNY	1	Bioscience Park Dr	Farmingdale	11735	00005		D

\*\* 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

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

**Designated Land or Buildings Unique ID Standard**

See Sheet 2: SUNY Unique ID Codes

SqFt	Acres	Description	On Campus	Within1	Latitude	Longitude	Note
50,000		Original Building	Yes		40.7557900	73.4234970	
13,500		Annex to orig building	Yes		40.7558800	73.4242380	
43,000		Add'l incubator bldg	Yes		40.7581070	73.4242380	
	18.5	Vacant Land	Yes		40.7590130	73.4256180	

# Farmingdale State CAMPUS

- Bioscience Park, 38.5 acres
- Farmingdale State College

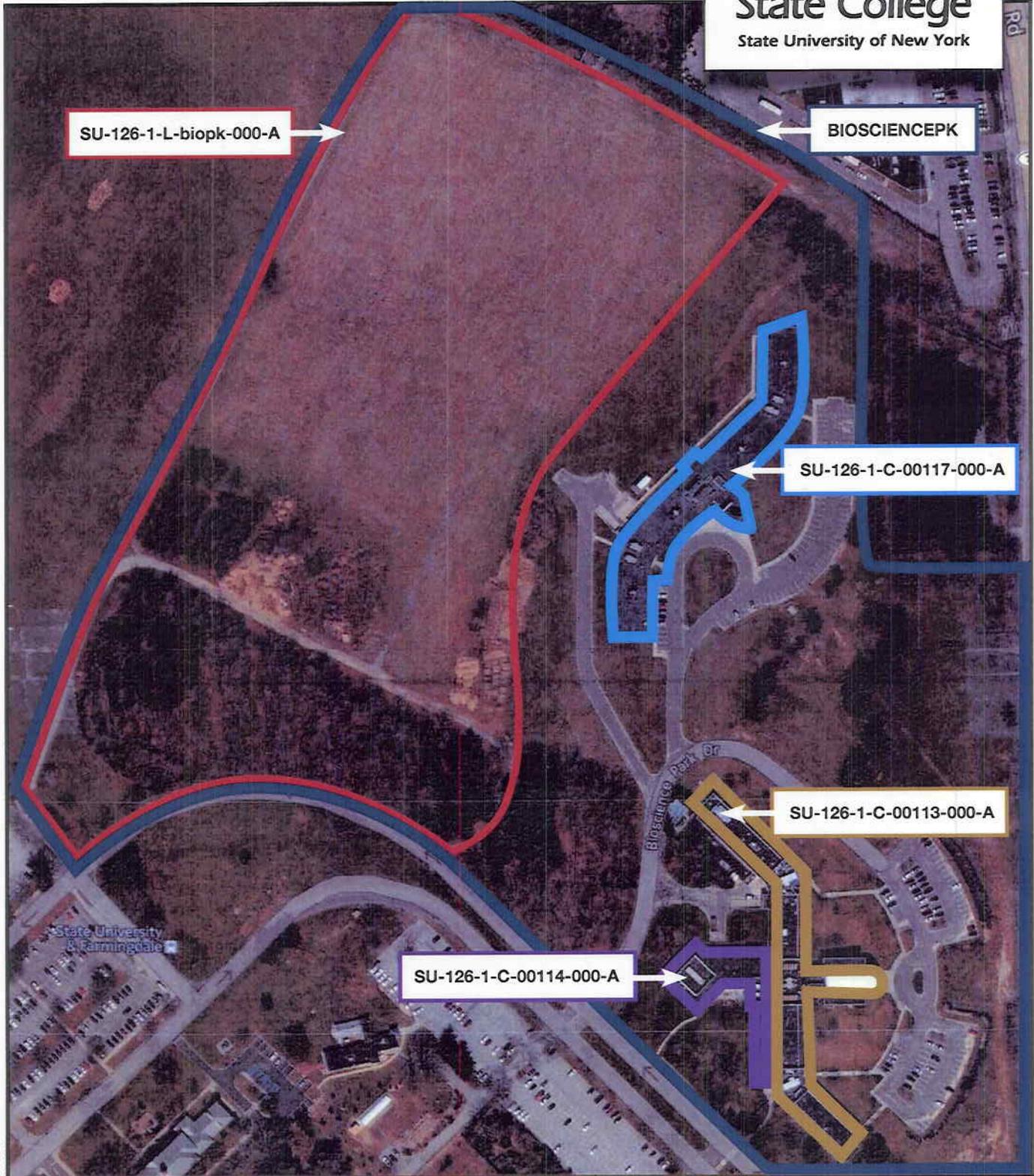
**Farmingdale  
State College**  
State University of New York



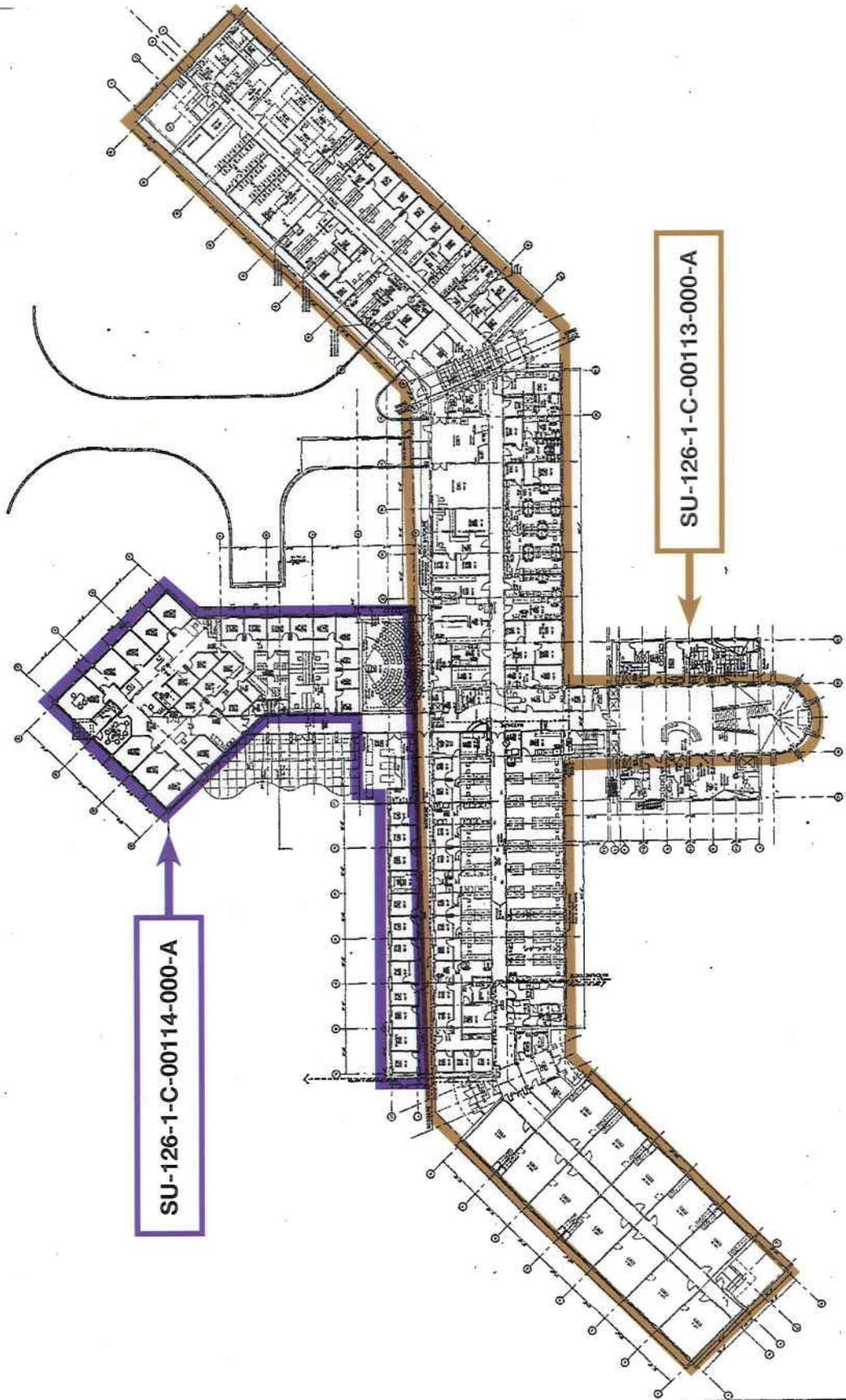
# Bioscience Park ON CAMPUS

- Bioscience Park
- SU-126-1-C-00113-000-A
- SU-126-1-C-00117-000-A
- SU-126-1-C-00114-000-A
- SU-126-1-L-biopk-000-A

**Farmingdale  
State College**  
State University of New York







SU-126-1-C-00114-000-A

SU-126-1-C-00113-000-A

**PROFESSIONAL AND EXPANSION OF ARCHITECTURAL WORKSHOP FACILITY**  
 Main University Campus at Philadelphia  
 Philadelphia, PA

**FLOOR PLAN**  
 Project No. 5000011  
 Drawn by [Name]  
 Checked by [Name]  
 Date 06/08/09

**KEY PLAN**  
 [Diagram showing building location on campus]

**WORKING & CONSULTING, P.C.**  
 100 UNIVERSITY AVENUE, SUITE 200  
 PHILADELPHIA, PA 19106  
 PHILADELPHIA, PA  
 TEL: 215-381-1000  
 FAX: 215-381-1001  
 WWW: WWW.WORKINGPC.COM

**Eniron Valley Prescott**

**A101**

## SECTION 4: ELIGIBILITY FOR TAX-EXEMPT FINANCING

### 4.2. Previously Received Funding

Broad Hollow Bioscience Park has received funding from the sale of tax-exempt bonds since 1999. To date the funds have been used for the construction and fit-out of two facilities on the campus of Farmingdale State College. The facilities support a bioscience economic development program and the educational mission of college.

<u>Year</u>	<u>Funding</u>	<u>Detail</u>
1999	\$15 million	State capital appropriation for the construction of a 50,000 square foot incubator facility on the Farmingdale State College campus. SUCF Project No. 26240
1999	\$100,000	Line item in the New York State 1999 - 2000 Budget for Community Enhancement Facilities Program Application to be used to enhance the incubator portion of Building-I for early-stage tenant companies.
2000	\$350,000	Empire State Development Corporation (ESDC) Project # J601 provided initial operating funds for the program while tenants were
2000	\$8 million	State capital appropriation of \$8.0 million for the fit-out and addition of 13,500 square feet for Building-I associated with the tenancy of OSI Pharmaceuticals; total facility would become 63,500 square feet. Appropriation enabled the signing of a 20-year lease with OSI to become the anchor tenant for the program. SUCF Project No. E26001.
2005	\$15 million	State capital appropriation for the shell-construction of a 43,000 square foot incubator facility, Building-II, on the Farmingdale State College campus. Building II would be the expansion space for additional tenant companies. SUCF No. 26268.
2006	\$2.5 million	GEN*NY*SIS Grant for the fit-out of Building II to make the facility lab ready for early-stage bioscience companie. SUCF Project No. 26280.

# 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.

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

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

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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.

**Broad Hollow Bioscience Park  
Conflict of Interest Policy**

**January 16, 2014**

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**ARTICLE I**

**Purpose**

The purpose of this conflict of interest policy is to protect the interests of Broad Hollow Bioscience Park, Inc. (the "Corporation") when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Corporation or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations and to provide guidance to Trustees, Officers and employees of the Corporation regarding their role in the identification, disclosure and management of a potential conflict. Many of the terms contained in this policy are those as defined by the Internal Revenue Service ("IRS") and the Internal Revenue Code of 1986, as amended ("IRC").

**ARTICLE II**

**Definitions**

Section 1. Interested Person. Any trustee, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect Financial Interest, as defined below, is an Interested Person.

Section 2. Financial Interest. A person has a Financial Interest if the person has, directly or indirectly, through business, investment, or family: (a) an ownership or investment interest in any entity with which the Corporation has a transaction or arrangement; (b) a compensation arrangement with the Corporation or with any entity or individual with which the Corporation has a transaction or arrangement; or (c) a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Corporation is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A Financial Interest is not necessarily a conflict of interest. Under ARTICLE III, Section 2, a person who has a Financial Interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

**ARTICLE III**

**Procedures**

Section 1. Duty to Disclose. In connection with any actual or possible conflict of interest, an Interested Person must disclose the existence of the Financial Interest and be given the opportunity to

disclose all material facts to the trustees and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

Section 2. Determining Whether a Conflict of Interest Exists. After disclosure of the Financial Interest and all material facts, and after any discussion with the Interested Person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

Section 3. Procedures for Addressing the Conflict of Interest.

(a) The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

(b) After exercising due diligence, the governing board or committee shall determine whether the Corporation can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest. Any and all discussions pertaining to conflict of interest shall take place in Executive Session of the governing board at the prerogative of the Chair.

(c) If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Corporation's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

Section 4. Violations of the Conflicts of Interest Policy.

(a) If the governing board or committee has reasonable cause to believe an Interested Person has failed to disclose actual or possible conflicts of interest, it shall inform the Interested Person of the basis for such belief and afford the Interested Person an opportunity to explain the alleged failure to disclose.

(b) If, after hearing the Interested Person's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the Interested Person has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

## ARTICLE IV

### Records of Proceedings

The minutes of the governing board and all committees with board delegated powers shall contain: (a) the names of the persons who disclosed or otherwise were found to have a Financial Interest in connection with an actual or possible conflict of interest, the nature of the Financial Interest, any action taken to determine whether a conflict of interest was present, and the governing board or committee decision as to whether a conflict of interest in fact existed; (b) the names of the persons who

were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

## **ARTICLE V**

### **Compensation**

(a) A voting member of the governing board who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.

(b) A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.

(c) No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

## **ARTICLE VI**

### **Annual Statements**

Each trustee, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person: (a) has received a copy of the conflicts of interest policy; (b) has read and understands the policy; (c) has agreed to comply with the policy; and (d) understands the Corporation is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

## **ARTICLE VII**

### **Periodic Reviews**

To ensure the Corporation operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects: (a) whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining; (b) whether partnerships, joint ventures, and arrangements with management organizations conform to the Corporation's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.



Category:  
Academic Affairs  
Community Colleges  
Legal and Compliance  
Research

Responsible Office:  
Academic Affairs

**Policy Title:**  
START-UP NY Program Participation Policy

Document Number:  
6800

Effective Date:  
February 10, 2014

This policy item applies to:  
Community Colleges  
State-Operated Campuses

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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) 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

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](#)

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### **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.