



The State University
of New York

Office of the
Chief Financial Officer

State University Plaza
Albany, New York 12246

www.suny.edu

July 7, 2016

Cory L. Duckworth, President
Jamestown Community College
525 Falconer St.
Jamestown, NY 14702-0020

Re: START-UP NY

Dear President Duckworth:

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

After completion of the required 30-day comment period, please submit evidence of stakeholder notification, along with your complete campus plan, to Empire State Development at designations@esd.ny.gov.

Best of luck to you and Jamestown Community College in launching the START-UP NY program.

Best Regards,

A handwritten signature in black ink, appearing to read "Eileen McLoughlin".

Eileen McLoughlin
Senior Vice Chancellor for
Finance and Chief Financial
Officer

Attachment

Copy: SUNY START-UP NY Proposal Review Team

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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: Jamestown Community College
Re: Jamestown Community College Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan")
Date: 7/5/16

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

[Signature]
Signature of campus President
Cory L. Duckworth
Print Name

FOR SUNY SYSTEM ADMINISTRATION USE ONLY

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

[Signature]
Proposal Review Team Co-Chair
Date 7-6-16
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.

[Signature]
Signature of the Chancellor or designee
Date 7/7/16
Eileen McLoughlin
Print name



To: Howard Zemsky, President & CEO of Empire State Development and Commissioner of Economic Development
From: President Cory L. Duckworth, J.D. of Jamestown Community College
Re: Jamestown Community College's Campus Plan for Designation of Tax-Free Area(s)
Date: 8/8/16

I, President Duckworth of Jamestown Community 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; Jamestown Community College Conflict of Interest Policy (Amended 12/06/08); and attached copies of the policies and/or guidelines herewith; and
- c.) we comply with the Commissioner's rules and guidelines on anticompetitive behavior (NY EDL, art. 21, sect. 440); and
- d.) we are aware of the non-governmental use limitations associated with state issued tax exempt bonds and if our proposed Tax-Free NY Area was financed with tax exempt bonds, we will: 1.) make potential businesses aware of these limitations when marketing property; and 2.) take appropriate steps to ensure that non-governmental use of property funded with tax-exempt bonds will not jeopardize the tax exempt status of state issued bonds; and
- e.) we consulted with the municipality or municipalities in which such land or space is located prior to including such space or land in the proposed Tax-Free NY Area and we have given preference to underutilized properties; and
- f.) we have not relocated or eliminated any academic programs, any administrative programs, offices, housing facilities, dining facilities, athletic facilities, parking, or any other facility, space or program that actively serves students, faculty or staff in order to create vacant land or space to be designated as a Tax-Free NY Area; and
- g.) the information contained in the enclosed application is accurate and complete.


PRESIDENT'S SIGNATURE

8/8/16
DATE



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

Campus Name: Jamestown Community College
Campus Contact Name: John Sayegh
Campus Contact Title: VP, Continuing Education, External Partnerships, and Cattaraugus County Campus
Campus Contact E-mail: johnsayegh@mail.sunyicc.edu
Campus Contact Phone: 716.376.7580

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: Jamestown Community College (JCC)	
Campus Address: 525 Falconer St. Jamestown NY 14702-0020	
Address(es) of Proposed Tax-Free NY Area(s):	
<ul style="list-style-type: none"> A. JCC, Jamestown Campus 42,800 sq. ft. 525 Falconer St., Jamestown, NY 14701 B. JCC, Cattaraugus County Campus 168 sq. ft. 129 Hamilton St., Manufacturing Technology Institute, Suite 121 Olean, NY 14760 C. JCC, Cattaraugus County Campus 182 sq. ft. 129 Hamilton St., Manufacturing Technology Institute, Suite 122 Olean, NY 14760 D. 40,000 sq. ft. 255 Fluvanna Ave. Jamestown, NY 14760 	

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

Designated Tax Free NY Area:

Site A:

JCC is designating what is known as the Community Center Building. This building is owned and operated by JCC. The building is a three floor structure, for a total of 42,800 square feet of available space, sitting on 2.23 acres. JCC is hereby requesting that the building/structure ONLY be granted as a Tax Free NY area. The building is in need of renovation however JCC feels that it is ideal for businesses, new or existing, to launch their operations.

The types of businesses that we envision will locate in this building are biotechnology; research technology; biology and molecular genetics research; information technology and computer science; small, light, testing operations; and other new entrepreneurial endeavors.

Sites B and C:

JCC is designating two vacant rooms in our new Manufacturing Technology Institute which is owned, operated, and located on the Cattaraugus County Campus of JCC in Olean NY. The building is a two story structure, built to meet the manufacturing and training needs of our students and area manufacturers. We are requesting only these two vacant rooms (totaling 350 sq. ft.,) be designated tax free to serve as "makers' space" ready to serve the requirements of future, complimentary manufacturers as they seek to start, or grow, their businesses.

Site D:

Proposed space for Tax-Free Area designation is an off-campus space within a presently vacant, one-story building in an underutilized, distressed area of Jamestown NY. It is zoned Commercial- Light Industrial and will be available to attract companies specializing in light manufacturing.

We are also requesting a waiver from the one-mile rule to allow us to include this property in our 200,000 sq. ft. allotment. Its location, 1.68 miles from our Jamestown campus, and designation as commercial – light manufacturing will allow us to seamlessly partner with and sponsor businesses that can benefit our students, academic mission, and strategic renewal of the region.

JCC has not displaced or eliminated any academic programs, any administrative programs, offices, housing facilities, dining facilities, athletic facilities, parking, or any other facility space or program that actively serves students, faculty, or staff in order to create vacant land or space to be designated Tax-Free NY Area.

See amended floor plans and spreadsheet attached to campus plan.

- 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.

Attached to Campus Plan.

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

83,150 total square feet of space being comprised of 43,150 square feet of on-campus space and 40,000 square feet of off campus space.

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

JCC has compiled a list of properties that could potentially be considered for new or existing businesses. In the future, should these properties become desirable for new or existing businesses, JCC will seek amendment of our START-UP NY Plan. They are **not** part of the JCC campus footprint and as such are not part of the proposed designated Tax-Free NY Area request.

(Listed by type, location, and size of parcels available.)

Vacant Land

- Village of Brocton: 2 acres
- Cornell Grape Lab: 29.7 acres
- Town of Dunkirk: 28 acres
- Town of Ellicott: 9 acres, 44 acres, 60 acres and 66 acres
- City of Jamestown: 2.8 acres, and 3 acres
- Ripley Interstate Site: 140 acres
- Town of Sheridan: 6.5 acres, 6.6 acres, 11 acres, and 372 acres
- Village of Silver Creek: 53 acres
- Village of Westfield: 11 acres and 18 acres

Buildings

- Village of Cassadaga: former school building
- City of Dunkirk: 10,800 sq. ft., 15,000 sq. ft., and 46,000 sq. ft.
- Town of Ellicott: 6,000 sq. ft. and 22,000 sq. ft.

- City of Fredonia: East Main Complex – 25,000 sq. ft.
- City of Jamestown: 34,800 sq. ft. and 105,000 sq. ft.
- Village of Silver Creek: 7,932 sq. ft. and 10,200 sq. ft.
- Village of Westfield: former office building

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.

Not applicable.

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

Target Businesses:

The type of new and existing businesses that align with JCC's mission and which will either locate on JCC's campus or within a mile from JCC's campuses' footprints include:

- Manufacturing: all advanced manufacturing businesses, cutlery, plastics, and electronic components;
- Metal fabrication and related industries, such as machining, welding, and CNC operations;
- Value-added processing, agribusiness, and food processing;
- Chemicals & chemical-based products;
- Agribusiness, food processing, and forest & wood products;
- Glass & ceramics;
- Information technology-related businesses and telecommunications;
- Breweries, wineries, and distilleries;
- Furniture & related wood manufacturing products;
- Exporting industries provided the business manufactures a product and the majority, more than 50%, of the gross sales of their product is outside of New York;
- Biotechnology and research technologies;
- Special service sector such as back office loan centers and insurance brokerage firms. Excluding those businesses prohibited from participation under the START-UP NY program guidelines.

Over the long term, the region's unemployment rates typically are higher than state and national levels. Per the New York State Department of Labor Local Area Unemployment Statistics Program, in 2012, Cattaraugus County's unemployment rate was 8.9%, Chautauqua County's unemployment rate was 8.5%, and New York State's unemployment rate was 8.5%; while, according to the U.S. Bureau of Labor Statistics, the U.S. unemployment rate was 8.1%.

The region has many specific infrastructure strengths at the community level. For example, communities have infrastructure capacity and service in one or more types of utility infrastructure (e.g., water, wastewater, communications, broadband, natural gas, electricity, etc.) that is adequate for the existing business community, and that also is adequate to encourage new business and investment opportunities.

Economic Development Opportunities:

- **Labor force:** Both Chautauqua and Cattaraugus Counties have a labor supply surplus of unutilized and underutilized workers and, compared to many other domestic regions, the region has a productive work force with a deeply ingrained, excellent work ethic. The region's labor force also is capable of being trained for new skills required for current and future employment opportunities.

- **Manufacturing expertise:** The presence of numerous manufacturing businesses in the region, many employing advanced and high technologies, offers certain advantages for the location and growth of additional manufacturing operations within the region.
- **Locational advantage:** The region's proximity to the eastern metro markets (home to the majority of the US and Canadian *population* base) and the Midwest (foundation of the nation's agricultural *resource* base) provide advantages for the location of businesses needing accessibility to those customers and supply chains, for business in general and agribusiness in particular. In addition, all JCC locations are conveniently situated with expedient access to interstate highway systems.
- **Broadband service:** Our rural region has been fortunate to receive ongoing investment in its broadband capacity, which has included upgrading existing capacity, establishing service in un-served and under-served areas, providing redundancy in broadband service, and ensuring competition in cost and quality of service.
- **Competitive Utility Costs:** Businesses in the JCC service area benefit from extremely competitive public utility costs, primarily electric power and water, especially in the region with oversight by the Jamestown Board of Public Utilities.

- 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.

JCC's Mission: JCC is a comprehensive, regional, open-access, student centered institution that embraces academic excellence and meets the service area's learning needs in diverse ways, including liberal arts transfer degree programs, career programs, community service, developmental education, and business and industry training. The college's partnership with the greater community contributes to the social and intellectual improvement, economic development and cultural enrichment of western New York State and northwestern Pennsylvania.

JCC's Partners - Goals and Strategies:

The long-range goal for JCC's participation in the START-UP NY program is to assist the economic development agencies in stimulating growth in the Southern Tier of Western New York, specifically in the counties of Chautauqua and Cattaraugus.

The START-UP NY program will be treated as an integral part of the region-wide renewal, requiring JCC to work with the following: Chautauqua County Workforce Investment Board (CCWIB), Cattaraugus Allegany Workforce Investment Board (CAWIB), Southern Tier West Regional Planning and Development Board (STW) – Local Development District, County of Chautauqua Industrial Development Agency (CCIDA), Chautauqua County Department of Planning & Economic Development, City of Jamestown Department of Economic Development, Jamestown Renaissance Corp., the Cities of Jamestown and Dunkirk, Jamestown Board of Public Utilities, Cattaraugus County Industrial Development Agency (IDA), Cattaraugus County Department of Development, Planning and Tourism, City of Olean Department of Development, City of Salamanca Department of Development, the Board of Cooperative Educational Services (BOCES). The JCC point person for START-UP NY consulted and coordinated the development plan with all of these agencies and organizations. All agencies' representatives and municipal officials took an active role in the creation of the JCC START-UP NY Development Plan. All agencies reviewed the JCC development plan prior to the official submission of the plan.

All information relating to the targeted industries is consistent with the various economic development strategies of the region, namely the Regional Economic Development Council of the Western New York

region, the STW Regional Development Strategy, the Downtown Feasibility Study of the Cities of Jamestown and Olean, and the comprehensive and development plans of the municipalities in JCC's service areas; Chautauqua and Cattaraugus Counties.

All agency and municipal representatives that took part in identifying the development potential in their respective communities were asked specific questions such as to identify high growth areas, identify catalytic projects, and identify where growth is encouraged. The municipalities were also asked to discuss any significant development projects which had been either formally proposed or informally discussed at the local level. These questions gave all entities mentioned above the opportunity to identify areas of the community where a particular type of development is encouraged as a function of municipal policy, as well as areas where future growth is most likely to occur, based on the best judgment of the local officials.

JCC's Experience in Education and Training & Alignment with Regional Economic Development Strategies

1. **Academic Programs:** Since the 1950's, JCC has been providing transfer programs for those seeking advanced degrees, occupational training for the career-minded, flexible schedules for working students, and specialized programs for business and industry, and professional groups. JCC offers the first two years of a bachelor's program, awarding Associate in Arts (A.A.) and Associate in Science (A.S.) degrees, which are transferable to four-year institutions. For those pursuing a career immediately after graduation from JCC, the college also awards two-year Associate in Applied Science (A.A.S.) degrees and various one-year certificates. JCC's offerings include two health related programs. The registered nurse education program is licensed by the New York State Education Department (SED) and accredited by the National League for Nursing Accrediting Commission. The Occupational Therapy Assistant (OTA) program is also licensed by SED, and is accredited by the Accreditation Council for Occupational Therapy Education.
2. **Non-Credit Continuing Education:** JCC's Center for Continuing Education maintains a presence at all four college sites including Jamestown and Dunkirk in Chautauqua County, and the Cattaraugus County Campus Center in Olean, New York. It also includes under its aegis a Small Business Development Center (SBDC). The Center for Continuing Education's initiatives evolve to meet the diverse and emerging learning needs of the region's residents by offering open access to a variety of non-credit programming. The breadth of course offerings and the ability to offer customized contract training attracts individuals and organizations. The Center for Continuing Education assumes all non-credit related training activities for the Manufacturing Training Institute (MTI). This includes specialized contract training with local companies as well as open enrollment courses designed to upgrade job skills and training.
3. **Alignment with Regional Economic Development Strategies:** Existing and new target businesses (listed above) that JCC is most likely to attract and support can be labeled as "advanced manufacturing" businesses and health care-related industries. These two align with the listed target sectors as identified in the November 2011 report ***Western New York Strategy for Prosperity***. According to the WNY Regional Economic Development Council (REDC), authors of the report, target sectors such as advanced manufacturing and health care related businesses are areas of high concentrations of employment, where the potential for job growth and increased wages is the greatest.

Also, in the *Western New York Strategy for Prosperity* report, under Advanced Manufacturing, it states that the "Regional strategy proposes initiatives to connect manufacturers to the research and expertise they

need to keep their edge and to maintain a highly skilled and well educated workforce." This highly skilled and well educated workforce can only be created and maintained through education and skills training. JCC's education and training – credit and non-credit programming – will provide employment opportunity in full time advanced manufacturing positions at existing and new businesses.

Additionally, when discussing job growth and wealth creation in the REDC report, job readiness is the first point noted to assist in a strong work force and economic prosperity. Toward that end, JCC's credit and non-credit programming will be specifically aligned to educate and train students to be prepared for hire in job openings with existing or new businesses in Chautauqua or Cattaraugus Counties.

JCC believes that the training and education of students through our academic programming is only the first step in their training and educational background. JCC's Continuing Education Centers strongly support lifelong learning of all individuals in JCC's service areas.

All five counties that make up our regional council have witnessed a decline in residents in their 20s and 30s. The **Regional Strategic Plan** reports that "strategies must seek to not only keep skilled Western New Yorkers in the region, but also to attract new talent to the region across WNY's industry sectors." JCC's education and training will provide students with the opportunity to get jobs at our area businesses. In turn, our existing businesses and the new ones that we will be able to attract will be stronger, resulting in a stronger industry base, and will thus positively impact the communities where they operate. Furthermore, the growth of these businesses will attract others to move into our region; an effort supported by REDC's vision statement, ***Vision for a Prosperous Western New York.***

The alignment of businesses with our academic mission will become an important component of our vetting process for Start Up NY businesses. We will develop an intake process that will evaluate the companies' fit with JCC's academic mission, and the ability to enhance learning inside and outside the classroom. The JCC President Advisory Committee on Economic Development (PACED) will evaluate the strength and breadth of our applicant businesses' commitment to our institution and community. Consultation with relevant stakeholders, including community leaders and business leaders, college administration, faculty, and staff will be sought. JCC faculty will be consulted on the development of relevant criteria for evaluation of business alignment with the college. Businesses accepted into the Start Up NY program must be committed to partnering with JCC in the following areas:

- 1) Businesses must demonstrate a willingness to participate in formal and informal teaching and lecturing. This may include involvement in classroom instruction, lectures and demonstrations, and possibly contributions to course development.
- 2) Businesses must demonstrate their contribution to JCC's mission through collaboration with the faculty on research projects, student participation in paid internships, sponsoring faculty and/or students to conduct field work that would benefit JCC's delivery of course work.
- 3) Businesses must provide experiential learning opportunities that may include leadership component for faculty and students. Businesses may consider providing financial support for leadership development and training.
- 4) Businesses may consider providing scholarships for students who seek majors in areas that will directly benefit the company upon the student graduating.

5) Businesses must create jobs that match local workforce qualifications. Businesses must take an active role in supporting local and regional development and job training programs. Businesses will be encouraged to take an active role with the Chambers of Commerce for both counties, Small business activities, and other groups that target job growth and regional economic and community development activities. Businesses must also interface with the faculty and students in the four areas of targeted industry clusters that directly align with JCC's academic mission.

6) Businesses must provide paid and unpaid internships for students. Businesses will work with the faculty to integrate classroom and intern experiences to ensure that JCC graduates acquire the skills needed to compete for job opportunities in their field of education. Businesses may provide opportunities for students to shadow, observe, and participate in business activities.

7) Businesses must specify the number and types of jobs that they project will become available. Businesses will also work closely with JCC faculty to understand the knowledge, skills, and abilities needed and prepare students for employment opportunities.

Business Alignment with JCC's Academic Degrees: JCC provides transfer programs for those seeking advanced degrees, occupational training for the career-minded, flexible schedules for working students, and specialized programs for business, industry, and professional groups. JCC offers the first two years of a bachelor's program, awarding Associate in Arts (A.A.) and Associate in Science (A.S.) degrees. For students pursuing a career immediately after graduation from JCC, the college awards two-year Associate in Applied Science (A.A.S.) degrees and various one-year certificates. JCC also offers a variety of non-credit continuing education courses for those who wish to acquire additional knowledge and expand their vocational proficiency.

The targeted businesses listed above align with JCC's mission. Furthermore, with its stated "comprehensive" educational offerings through certificates and associate degrees, JCC will address the education, training, and skills needs of current and anticipated additional employment opportunities.

The targeted businesses JCC has identified can be grouped into four sectors:

- a) **Manufacturing**
- b) **Biotechnology/Research Technology** (i.e. biology and molecular genetics research – excluding all types of businesses that are prohibited from becoming certified under the START-UP NY program.
- c) **Information Technology/Computer Science**
- d) **Service-related Professions** in support of Manufacturing, Biotechnology/Research Technology, and Information Technology/Computer Science – excluding all types of businesses that are prohibited from becoming certified under the START-UP NY program.

All businesses that fall under one or more of these categories, new or existing, will be accepted in JCC's START-UP NY provided that they align and enhance JCC's mission and its academic programs. In fact, prior to recommending a new or existing business for certification in the START-UP NY program, the President's Advisory Council on Economic Development (PACED), charged to recommend those businesses for certification, will ensure the alignment and connection between JCC's academic mission and the proposed project. Furthermore, PACED will also ensure that JCC's academic degrees, programs, and offerings are synergistic with the proposed projects for new and existing businesses.

JCC's current academic programs and offerings, credit or non-credit, allow for the creation of partnerships with those businesses, new or existing, that fall under one of the four categories listed above. Furthermore,

JCC's academic programs, credit or non-credit, will allow for mutually beneficial relationships between JCC and the targeted industries, new and existing.

All targeted industries under the four previously mentioned categories will be able to take advantage of the services of the Small Business Development Center (SBDC). SBDC offers its entrepreneurial services to new or existing businesses. Some of those services that the SBDC offers are: business plan development, cost analysis, small business start-ups, loan information assistance, financial planning, marketing research, and permit and licensing assistance. In addition, JCC offers a certificate in entrepreneurship education. The certificate program will provide the student an opportunity to develop entrepreneurial skills with an understanding of accounting, marketing, business law, and management as they relate to business ownership. Through electives, the student will have the opportunity to explore various areas of business and add a more in-depth level of skill to be used in becoming a successful entrepreneur.

The first targeted industry that JCC will seek to attract to the START-UP NY tax free zone program is the **manufacturing sector**. Following are the academic certificates and degrees that JCC currently offers in support of this industry sector and that prepare students for employment opportunities:

- Mechanical Technology A.A.S.
- Welding Technology A.A.S.
- Engineering Science A.S. (transfer program)
- Computer-Aided Design & Computer Numerical Control Certificate
- Machine Tool Technology Certificate
- Welding Technology Certificate
- Industrial Equipment Technology Certificate

JCC's Manufacturing Technology Institute (MTI), located adjacent to the Jamestown Campus, is the ideal venue to learn manufacturing skills. In 2001 MTI was established through a partnership of JCC, the former Private Industry Council of Chautauqua, and the former Manufacturers' Association of Jamestown (now the Manufacturers Association of the Southern Tier, MAST). JCC's MTI was created to serve the manufacturing training needs of the southern tier region. MTI provides 10,000 square feet of simulated manufacturing space where JCC students and incumbent workers gain hands-on experience. MTI is a venue for the development of credit and non-credit academic programs, always developed in response to the expressed needs of employers. Through MAST, JCC maintains very close ties with area employers, ensuring that all JCC programs meet local workforce needs, and curriculum and equipment are relevant.

Several organizations work closely with JCC and support the college's efforts to educate and train the manufacturing workforce. MAST and the Chautauqua County Chamber of Commerce are co-located with JCC at MTI. A regional Dream It Do It™ program helps raise awareness among young people and others of the opportunities in manufacturing careers and addresses the growing shortage of talented and skilled workers in the manufacturing industry. These organizations all have a regional focus that complements the college's geographic focus on creating a revitalized, competitive manufacturing base and retaining manufacturing jobs.

JCC's Cattaraugus County Campus will break ground soon for another manufacturing technology institute to educate and train technical and vocational students. Both manufacturing institutes are well positioned to serve new and existing companies looking to locate and/or expand in either Chautauqua or Cattaraugus Counties.

JCC will attract and certify those new or existing manufacturing businesses, if those companies provide promising apprenticeships and/or internships with a path to job placement opportunities and career

advancement. In turn, those companies will benefit from JCC's expertise in curriculum development and training programs. JCC will expect that those targeted industries will make investments developing the workforce by sponsoring apprentice and internship programs that go beyond what is necessary for an entry-level position. These investments include mentoring, counseling, opportunities for further academic engagement, and career advancement pathways.

Biotechnology/Research Technology is another targeted industry sector for JCC's START-UP NY program. JCC recognizes that developing and maintaining a workforce dedicated to healthcare, appropriate in skills and numbers, is critical not only for JCC but also the community. Following are the academic programs that JCC currently offers in support of this industry sector that prepare students for employment opportunities:

- Biotechnology A.S. (transfer program)

Biotechnology JCC offers an A.S. degree in Biotechnology, which provides innovative curriculum, cutting-edge equipment and supplies, and undergraduate research opportunities to connect students to the growing biotechnology sector in the region.

The Biotechnology program is located in a new science building on the Jamestown Campus that features visible green technology and cutting-edge biotechnology facilities and equipment. Students benefit from dedicated biotechnology learning spaces, including a modern tissue culture facility, dark room for fluorescence microscopy work, and undergraduate research lab spaces. The hallmark of the JCC Biotech program is that students participate in authentic research projects throughout the program. Biotechnology students perform on-site research in multiple fields, including immunology, breast cancer, mosquito evolution, and Lyme disease.

The Biotechnology program is already significantly impacting regional biotechnology workforce pipeline development. New START-UP NY life science companies locating near JCC will have a well-prepared workforce made up of students who began their postsecondary education at JCC and are committed to living and working in the Southern Tier of Western New York.

Information Technology/Computer Science is another targeted industry sector for JCC's START-UP NY program. JCC has made major investments in new technologies due to the college's belief in the importance of infusing up-to-date information technology into the educational process. Following are the academic programs that JCC currently offers in support of this industry sector that prepare students for employment opportunities:

- Information Technology A.A.S.
- Information Technology Certificate
- Computer Science A.S. (transfer program)
- Computer Information Systems A.A.S.
- Network Administration Certificate
- Web Design Certificate
- Office Technology A.A.S.
- Office Technology Certificate

Several of the college's A.A.S. and certificate programs as well as the A.S. degree may be completed online.

The programs listed above are diverse, but generally prepare students to meet their technology-related career goals or transfer to a four-year college to pursue a bachelor's degree. Programs range from

certificates that prepare graduates for entry-level jobs in information processing, help desk assistant, and general office work to associate degrees that provide in-depth understanding of computing technology fundamentals and skills to perform installation, configuration, maintenance, or troubleshooting.

New START-UP NY companies locating near JCC that have an information technology focus will have a well-prepared workforce. Opportunities for heightened student learning will be available through traditional classroom experiences or online venues, further increasing access to higher education. The college may be willing to use startup companies as sites for internships for students who choose to pursue an internship experience.

Service-related Professions only as they pertain to their support of Manufacturing, Biotechnology/Research Technology, and Information Technology/Computer Science target businesses. Those types of businesses will need to hire the personnel or consultant support for marketing, webpage design, accounting, business administration, financial management, and human resource management. JCC will exclude all types of businesses that are prohibited from becoming certified under the START-UP NY program.

Following are the academic programs that JCC currently offers in support of service-related businesses that prepare students for a variety of employment opportunities:

- Business: Business Administration A.S. (transfer program)
- Business: Accounting A.A.S.
- Business: Business Administration A.A.S.
- Communication A.S. (transfer program)
- Media Arts A.S. (transfer or entry level employment)
- Digital Graphic Design & Publishing Certificate
- Entrepreneurship Certificate

New START-UP NY companies locating near JCC that are in need of general business services will have a prepared workforce as well as opportunities for heightened student learning because of the college's business and communications program offerings. The college may be willing to use startup companies as sites for internships for students who choose to pursue an internship experience.

The targeted industry sectors listed above align with JCC's academic mission, "to prepare students for successful employment, transfer, and life-long learning. We equip students with the knowledge, skills, and attitudes necessary to succeed in their professional endeavors, and to lead in service to their communities."

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.

Generation of Positive Community & Economic Benefits

Businesses must generate positive community and economic benefits such as:

- Average payroll wages equal to or higher than the national industry average.

- High potential to generate tax revenues for the host municipality and New York State.
- Export products or the potential for export outside New York and the nation.
- Potential for import substitution (i.e. an industry that fills a need currently being supplied from outside New York State).
- Industry multiplier (the amount of money generated in the regional economy for each dollar spent by the company; or similarly, the additional jobs generated as a result of employment of a worker in the industry).
- New business attraction to JCC service area brings new dollars to the local economy;
- Certified businesses will create employment opportunities and may attract new people to the community, both actions will have the effect of reducing the Southern Tier's high unemployment rate. Employment generated from new and existing businesses will help our residents to reduce dependency on government benefits and, at the same time, increase tax revenues.
- Having more businesses in the local economy can boost tax income for local governments, bringing in more money to repair roads, develop schools, and improve public services.
- New entrepreneurs can serve as mentors for JCC and high school students.
- Businesses, new and existing, will be encouraged to invest in underserved and economically distressed areas of our community.
- Businesses, new and existing, will rely and support suppliers within the local and regional area.
- Businesses, new and existing, will be encouraged to contribute to endow scholarships in support of high school students seeking higher education opportunities at JCC.

- 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?

Criteria for Targeted Business Selection

The criteria for selecting targeted companies for START-UP NY program may include a combination of the following:

1. *New* businesses eligible for START-UP NY tax incentives and other benefits should meet the following criteria:
 - Be a new business to New York State;
 - Align with and further JCC's academic mission;
 - Create positive economic and/or community benefits;
 - Create internship and experiential learning opportunities in partnership with academic programs that integrate classroom instruction, paid work experiences, and may lead to full time employment for JCC students;
 - Create net new employment opportunities for the residents of JCC's service areas;
 - Be a new startup company to New York;
 - Be a company from out-of-state relocating to New York.

2. *Existing* businesses, who are currently operating in New York in JCC's service areas, or contemplating moving from another location in New York into JCC's service area, may also be eligible for START-UP NY tax incentives and other benefits provided that they meet the following criteria:
 - Introduce a new line of business;
 - Align with JCC's academic mission;
 - Do not move from an existing New York location;
 - Do not shift jobs from an existing New York location;
 - Offer internship and experiential learning opportunities to JCC students;
 - Create net new employment opportunities for the residents of JCC's service areas.

3. Both new and existing businesses will be reviewed based on their ability to meet some or all of the following criteria:
 - A. Academic and Research Alignment**
 - Is the business in an industry aligned with current and/or developing JCC research, scholarly, and creative activity?
 - Does the business provide experiential learning and workforce opportunities (e.g., internships, fellowships, full-time jobs) for students and graduates?
 - Does the business provide areas for partnership and advancement for faculty and students?
 - Will the business provide access to research instrumentation, tools, and/or equipment necessary to advance the academic and research mission?
 - Will the business fund scholarships, campus facilities or other academic services or amenities?
 - Will the business and/or its employees contribute to instruction or provide student mentoring?

- Does the business offer the use of company resources, intellectual property or expertise to support the academic mission?

B. Economic Benefit

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

C. Community Benefits

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

Certification of businesses who qualify for START-UP NY – President's Advisory Council on Economic Development (PACED):

JCC President will establish the President's Advisory Council on Economic Development (PACED). Membership of PACED will be comprised of public and private partners (see list below) in addition to members of the JCC Faculty Association (often known at other higher education institutions as Faculty Senate). The council will work with the president to review business applications and recommend approval to JCC's Board of Trustees (BOT). JCC's BOT will approve and forward the application for certification to the appropriate New York State agencies for their review, approval, and certification under the START-UP NY Program.

PACED serves in an advisory capacity to JCC president. Other members of the committee may include: Chautauqua County IDA, Cattaraugus County IDA, Development Director of the Cities of Jamestown and Olean, representatives from our NY State Senate and Assembly, Director of the Small Business Development Center, business representatives, and members of JCC faculty and staff.

The purpose of PACED is to have a council which acts in an advisory capacity to JCC's BOT and its sponsor agencies in both Chautauqua and Cattaraugus Counties. PACED will strive to improve the Southern Tier of Western New York State's economy by facilitating and encouraging the development of economic opportunities in the industrial and commercial business districts and to create a stable, healthy, and diversified economy and employment base. Since PACED is advisory in nature, JCC's BOT will be the ultimate body to approve and forward the certification application to the appropriate New York State agency. PACED's mission and purpose are outlined below:

- Encourage and inspire education, economic, and community development in JCC's service areas in both Chautauqua and Cattaraugus Counties
- Encourage and inspire private investment and serve as an advocate for JCC's service areas' public and private interests
- Drive the well-being of the community by creating a healthy economy through attraction of new business, and retention and expansion of existing businesses

- Inspire, initiate, review, approve, and recommend projects that will stimulate economic growth in JCC's service areas.

Once approved, JCC may conduct periodic reviews of approved businesses as they relate to the business alignment with the academic mission of JCC as listed in the *BUSINESS MISSION* section of the Sponsor Application, and, after consultation with the business, JCC reserves the right to recommend to the Commissioner the removal of a business determined by JCC to be noncompliant.

APPENDICES

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: University Counsel</p>	<p>Policy Title: Conflict of Interest Document Number: 6001</p> <p>Effective Date: October 01, 1995</p> <p>This policy item applies to: State-Operated Campuses</p>	
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Summary

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

Policy

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

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

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

1. University faculty and staff may not engage in other employment which interferes with the performance of their professional obligation.
2. University faculty and staff are expected to comply with the New York State Public Officers Law provisions on conflict of interest and ethical conduct.
3. University faculty and staff, to the extent required by law or regulation, shall disclose at minimum whether they (and their spouses and dependent children) have employment or financial interests or hold significant offices, in external organizations that may affect, or appear to affect, the discharge of professional obligations to the University.
4. University campuses shall ensure that all faculty and staff subject to pertinent laws and regulations disclose financial interests in accordance with procedures to be established by the Chancellor or designee. Campuses shall retain the reported information as required, identify actual or apparent conflicts of interest and seek resolution of such conflicts.
5. Each campus president shall submit to the chancellor's designee the name and title of the person or persons designated as financial disclosure designee(s) and shall further notify the chancellor's designee when a change in that assignment occurs. The chancellor's designee shall also be notified of any reports regarding conflict of interest that are forwarded to state or federal agencies.

Definitions

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

Other Related Information

[Outside Activities of University Policy Makers](#)

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

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

Procedures

There are no procedures relevant to this policy.

Forms

There are no forms relevant to this policy.

Authority

[42 CFR 50, Subpart F](#)

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

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

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

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

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

History

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

Appendices

There are no appendices relevant to this policy.

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MEMORANDUM

TO: JCC Administrative Employees
FROM: Stephen M. Abdella, Counsel
DATE: December 3, 2008
RE: Conflicts of Interest/Ethics

Article 18 of the New York State General Municipal Law sets forth rules regulating conflicts of interest for municipal officers and employees. Both the New York State Attorney General and the New York State Comptroller have rendered opinions that Article 18 applies to community colleges. The provisions of Article 18 focus on three primary areas relevant to JCC: (1) contracts; (2) gifts; and (3) confidential information.

I. Contracts

Article 18 prohibits a JCC employee from having an "interest" in contracts with JCC if the employee has some power or duty with respect to the contract, has authority to audit or administer the contract, or appoints an official who has such powers. The prohibition applies whether or not the power is exercised. Even if an employee has no power, duty, or authority over a contract in which he or she has an interest, Article 18 still requires the filing of a disclosure statement if an employee or his or her spouse has an interest in the contract as described below.

An "interest" in a contract for purposes of Article 18 includes a "direct or indirect pecuniary or material benefit accruing to the municipal officer or employee or his or her spouse as the result of a contract with the entity which such officer or employee or his or her spouse serves." Please note that under the law JCC employees are deemed to have an interest in the contract of related entities such as his or her (1) spouse, minor children and dependents; (2) a firm, partnership, or association of which such officer or employee or spouse is a member or employee; (3) a corporation of which such officer or employee or spouse is an officer; and (4) a corporation which is owned or controlled directly or indirectly by such officer or employee or spouse.

ABDELLA & ABDELLA

JCC Administrative Employees
December 3, 2008
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Based on the broad definitions described above, there are theoretically many contracts that could be prohibited or require disclosure, especially given the small town environment we live in where many local employers do business with JCC. However, there are several statutory exceptions to the prohibition rules that exempt certain types of contracts entirely, or only require that the employee annually disclose the relationship and/or recuse themselves from participation in the approval, audit, or review of the contract. Examples of some of the exceptions include: (1) an employee's spouse or dependents are not prohibited from being employees of the College; (2) contracts with non-profit organizations and other governmental entities are not prohibited; and (3) contracts in which an employee's spouse has an interest must be disclosed but are not prohibited.

If you are aware that you, your spouse, dependents, their employers, or any other related entity as defined above has a contract with JCC, please contact me and we can analyze what steps may need to be taken as far as disclosure, recusal, or other disposition of the contract. If you are unsure whether another employer, your spouse's employer, or other related entity has a contract with JCC, college staff can do a search from time-to-time on your behalf to determine whether such is the case.

II. Gifts

In the circumstances described below, Article 18 prohibits municipal officers or employees from directly or indirectly soliciting gifts, regardless of the gift's value. It also prohibits the receipt of gifts worth seventy-five dollars (\$75.00) or more. "Gifts" include not only money but also "service[s], loan[s], travel, entertainment, hospitality, thing[s] or promise[s] in any other form." The circumstances under which receipt of a gift is prohibited are those in which it could be reasonably inferred that the gift was intended to influence the officer or employee, or could reasonably be expected to influence him or her, in the performance of his or her official duties or was intended as a reward for any official action on his or her part.

III. Confidential Information

Article 18 also prohibits disclosure or use of confidential information. That prohibition extends to all confidential information acquired by the official in the course of his or her official duties." The prohibition would cover disclosure of the information to anyone not entitled to it, whether or not the municipal officer or employee derives a benefit from the disclosure, as well as use of the information by the official "to further his personal interests," whether or not the official discloses the information to anyone else.

Feel free to contact me if you have any questions or need clarification regarding the need to file a disclosure statement regarding a JCC contract.

cc. JCC Board of Trustees

McKinney's Consolidated Laws of New York Annotated
General Municipal Law
Chapter 24. Of the Consolidated Laws
➤ Article 18. Conflicts of Interest of Municipal Officers and Employees

§ 800. Definitions

When used in this article and unless otherwise expressly stated or unless the context otherwise requires:

1. "Chief fiscal officer" means a comptroller, commissioner of finance, director of finance or other officer possessing similar powers and duties, except that in a school district the term shall not mean a member of the board of education or a trustee thereof.

2. "Contract" means any claim, account or demand against or agreement with a municipality, express or implied, and shall include the designation of a depository of public funds and the designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance, or other proceeding where such publication is required or authorized by law.

3. "Interest" means a direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For the purposes of this article a municipal officer or employee shall be deemed to have an interest in the contract of (a) his spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves, (b) a firm, partnership or association of which such officer or employee is a member or employee, (c) a corporation of which such officer or employee is an officer, director or employee and (d) a corporation any stock of which is owned or controlled directly or indirectly by such officer or employee.

4. "Municipality" means a county, city, town, village, school district, consolidated health district, county vocational education and extension board, public library, board of cooperative educational services, urban renewal agency, a joint water works system established pursuant to chapter six hundred fifty-four of the laws of nineteen hundred twenty-seven, or a town or county improvement district, district corporation, or other district or a joint service established for the purpose of carrying on, performing or financing one or more improvements or services intended to benefit the health, welfare, safety or convenience of the inhabitants of such governmental units or to benefit the real property within such units, an industrial development agency but shall have no application to a city having a population of one million or more or to a county, school district, or other public agency or facility therein.

5. "Municipal officer or employee" means an officer or employee of a municipality, whether paid or unpaid, including members of any administrative board, commission or other agency thereof and in the case of a county, shall be deemed to also include any officer or employee paid from county funds. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a fire chief or assistant fire chief.

6. "Treasurer" means a county treasurer, city treasurer, town supervisor, village treasurer, school district treasurer, fire district treasurer, improvement district treasurer, president of a board of health of a consolidated health district, county vocational educational and extension board treasurer, treasurer of a board of cooperative educational services, public general hospital treasurer, or other officer possessing similar powers and duties.

§ 801. Conflicts of interest prohibited

Except as provided in section eight hundred two of this chapter, (1) no municipal officer or employee shall have an interest in any contract with the municipality of which he is an officer or employee, when such officer or employee, individually or as a member of a board, has the power or duty to (a) negotiate, prepare, authorize or approve the contract or authorize or approve payment thereunder (b) audit bills or claims under the contract, or (c) appoint an officer or employee who has any of the powers or duties set forth above and (2) no chief fiscal officer, treasurer, or his deputy or employee, shall have an interest in a bank or trust company designated as a depository, paying agent, registration agent or for investment of funds of the municipality of which he is an officer or employee. The provisions of this section shall in no event be construed to preclude the payment of lawful compensation and necessary expenses of any municipal officer or employee in one or more positions of public employment, the holding of which is not prohibited by law.

§ 802. Exceptions

The provisions of section eight hundred one of this chapter shall not apply to:

1. a. The designation of a bank or trust company as a depository, paying agent, registration agent or for investment of funds of a municipality except when the chief fiscal officer, treasurer, or his deputy or employee, has an interest in such bank or trust company; provided, however, that where designation of a bank or trust company outside the municipality would be required because of the foregoing restriction, a bank or trust company within the municipality may nevertheless be so designated;
- b. A contract with a person, firm, corporation or association in which a municipal officer or employee has an interest which is prohibited solely by reason of employment as an officer or employee thereof, if the remuneration of such employment will not be directly affected as a result of such contract and the duties of such employment do not directly involve the procurement, preparation or performance of any part of such contract;
- c. The designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance or other proceeding where such publication is required or authorized by law;
- d. The purchase by a municipality of real property or an interest therein, provided the purchase and the consideration therefor is approved by order of the supreme court upon petition of the governing board;
- e. The acquisition of real property or an interest therein, through condemnation proceedings according to law;
- f. A contract with a membership corporation or other voluntary non-profit corporation or association including, but not limited to, rural electric cooperatives. For purposes of this paragraph, the term "rural electric cooperative" shall have the same meaning as the term "cooperative" as defined in subdivision (a) of section two of the rural electric cooperative law;
- g. The sale of bonds and notes pursuant to section 60.10 of the local finance law;
- h. A contract in which a municipal officer or employee has an interest if such contract was entered into prior to the time he was elected or appointed as such officer or employee, but this paragraph shall in no event authorize a renewal of any such contract;

- i. Employment of a duly licensed physician as school physician for a school district upon authorization by a two-thirds vote of the board of education of such school district, notwithstanding the fact that such physician shall have an interest, as defined in section eight hundred one of this chapter, in such employment.
- j. Purchases or public work by a municipality, other than a county, located wholly or partly within a county with a population of two hundred thousand or less pursuant to a contract in which a member of the governing body or board has a prohibited interest, where:
- (1) the member of the governing body or board is elected and serves without salary;
 - (2) the purchases, in the aggregate, are less than five thousand dollars in one fiscal year and the governing body or board has followed its procurement policies and procedures adopted in accordance with the provisions of section one hundred four-b of this chapter and the procurement process indicates that the contract is with the lowest dollar offer;
 - (3) the contract for the purchases or public work is approved by resolution of the body or board by the affirmative vote of each member of the body or board except the interested member who shall abstain.
2. a. A contract with a corporation in which a municipal officer or employee has an interest by reason of stockholdings when less than five per centum of the outstanding stock of the corporation is owned or controlled directly or indirectly by such officer or employee;
- b. A contract for the furnishing of public utility services when the rates or charges therefor are fixed or regulated by the public service commission;
- c. A contract for the payment of a reasonable rental of a room or rooms owned or leased by an officer or employee when the same are used in the performance of his official duties and are so designated as an office or chamber;
- d. A contract for the payment of a portion of the compensation of a private employee of an officer when such employee performs part time service in the official duties of the office;
- e. A contract in which a municipal officer or employee has an interest if the total consideration payable thereunder, when added to the aggregate amount of all consideration payable under contracts in which such person had an interest during the fiscal year, does not exceed the sum of seven hundred fifty dollars.
- f. A contract with a member of a private industry council established in accordance with the federal job training partnership act [FN1] or any firm, corporation or association in which such member holds an interest, provided the member discloses such interest to the council and the member does not vote on the contract.

§ 803. Disclosure of interest

1. Any municipal officer or employee who has, will have, or later acquires an interest in or whose spouse has, will have, or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the municipality of which he or she is an officer or employee, shall publicly disclose the nature and extent of such interest in writing to his or her immediate supervisor and to the governing body thereof as soon as he or she has knowledge of such actual or prospective interest. Such written disclosure shall be made part of and set forth in the official record of the proceedings of such body.

2. Notwithstanding the provisions of subdivision one of this section, disclosure shall not be required in the case of an interest in a contract described in subdivision two of section eight hundred two hereof.

§ 804. Contracts void

Any contract willfully entered into by or with a municipality in which there is an interest prohibited by this article shall be null, void and wholly unenforceable.

§ 805. Violations

Any municipal officer or employee who willfully and knowingly violates the foregoing provisions of this article shall be guilty of a misdemeanor.

§ 805-a. Certain action prohibited

1. No municipal officer or employee shall: a. directly or indirectly, solicit any gift, or accept or receive any gift having a value of seventy-five dollars or more, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him, or could reasonably be expected to influence him, in the performance of his official duties or was intended as a reward for any official action on his part;

b. disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interests;

c. receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he is an officer, member or employee or of any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee; or

d. receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

2. In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate this section may be fined, suspended or removed from office or employment in the manner provided by law.

§ 809. Disclosure in certain applications

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them

(a) is the applicant, or

(b) is an officer, director, partner or employee of the applicant, or

(c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or

(d) is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

3. In the county of Nassau the provisions of subdivisions one and two of this section shall also apply to a party officer. "Party officer" shall mean any person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision four of section two of the election law. [FN1]

4. Ownership of less than five per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

5. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

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

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

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

Policy

- A. **Campus Plans for Designation of Tax-Free Area(s):** Any campus intending to submit a Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan") to the NYS Commissioner of Economic Development must first have it reviewed and approved by the Chancellor or designee. The Chancellor or designee shall approve or reject all Campus Plans within fifteen (15) business days of receipt. Any rejected Campus Plan shall be accompanied by an explanation of the basis for rejection. Once approved by the Chancellor or designee a campus may submit its Campus Plan to the NYS Commissioner of Economic Development in accordance with the Commissioner's rules and regulations. Any Campus Plan that is rejected can be resubmitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures. Any amendments to approved Campus Plans must be submitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures.
- B. **Sponsoring University or College Applications for Business Participation:** After a campus is notified by the Commissioner of Economic Development that its Campus Plan or any amendment(s) to an approved Campus Plan has been approved, it may submit a Sponsoring University or College Application for Business Participation

("Sponsor Application") to the NYS Commissioner of Economic Development and to the Chancellor or designee for concurrent review and approval. Only Commissioner of Economic Development approval is required.

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

Definitions

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

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

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

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

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

Tax-Free NY Area means vacant land or space designated by the Commissioner of Economic Development Article 21 of the Economic Development Law that is eligible to receive benefits under the START-UP NY program.

Other Related Information

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

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

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

Procedures

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

Forms

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

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

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

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

[ESD START-UP Business Application](#)

Authority

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

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

[Start-Up NY Regulations](#)

History

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

Appendices

There are no appendices relevant to this policy.

Location	Unique ID	Owner	Property Type	Street Address	City	Zip Code	Parcel ID	Building	Space Type	Sq Ft	Acres	Description	on Campus	Within 1 mile of Campus	Latitude	Longitude	Note
City of Jamestown	SU-316-1B-625-000-A	Jamestown Community College	*1	525 Falconer Street	Jamestown	14702-0020	370-16-3-16	Community Services	**A	42,800	n/a	First, Second, and third Floors	Yes		N 42.56	W 79.13.9	
City of Olean	SU-316-1B-M1121-000-A	Jamestown Community College	*1	129 Hamilton St	Olean	14760	94,965-3-9	Manufacturing Technology Institute	C	168	n/a	room on first floor of two-story bldg.	yes		42.0802830	-78.426282	
City of Olean	SU-316-1B-M1122-000-A	Jamestown Community College	*1	129 Hamilton St	Olean	14760	94,965-3-9	Manufacturing Technology Institute	C	162	n/a	room on first floor of two-story bldg.	yes		42.0802830	-78.426282	
City of Jamestown	SU-316-2B-255-000-A	Stulis Real Estate, LLC.	*2	255 Fluvanna Ave.	Jamestown	14760	370.09-2-21	New Flyer	**G	40,000	n/a	portion of one-story building in distressed, commercially zoned area of city	no	no	42.1146630	-79.251668	

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

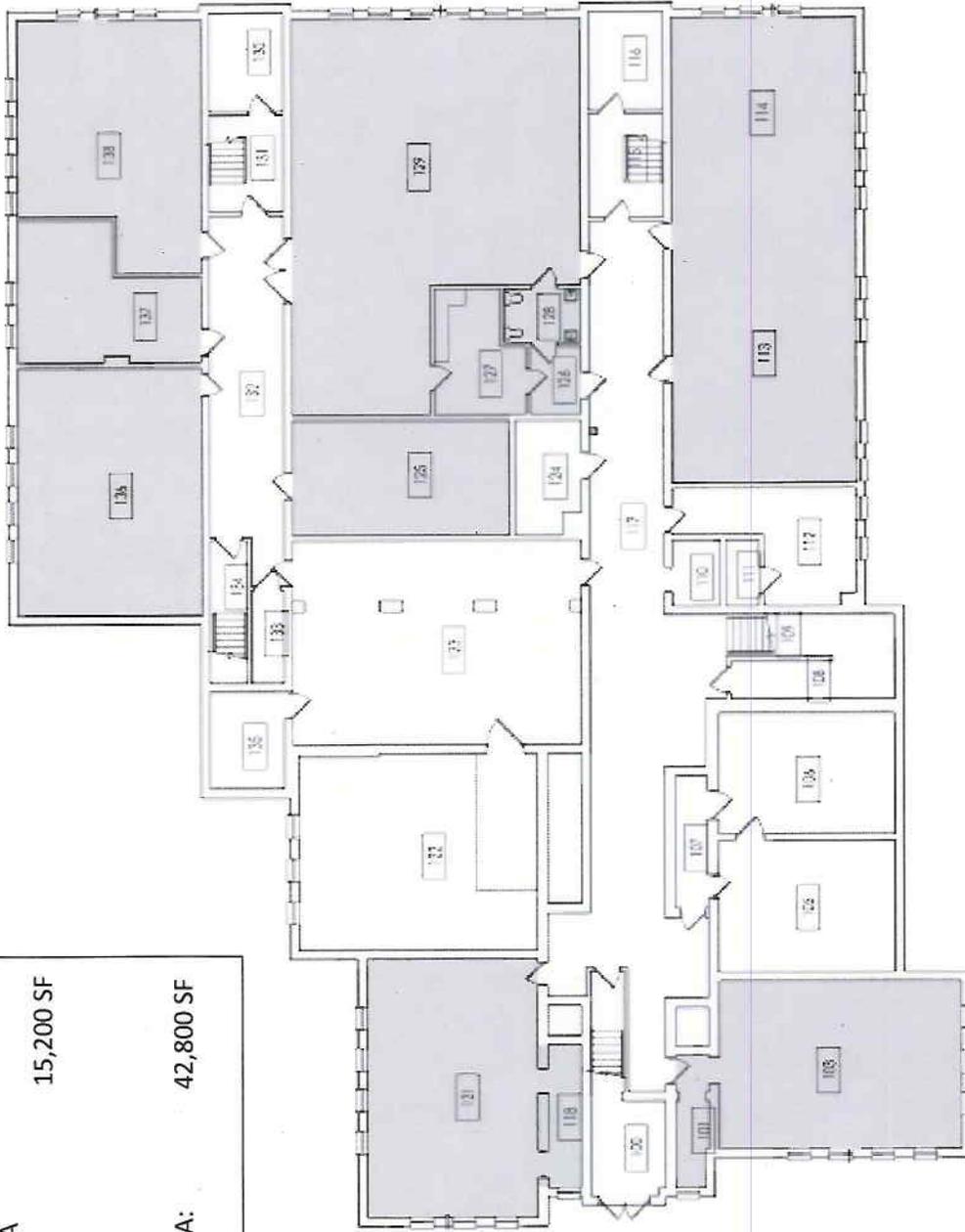
** A=entire building
 B=floor within building
 C=Room within building
 D=land on campus
 E= land off campus
 F=entire building off campus
 G=partial building off campus
 H=state asset

Designated Land or Buildings Unique ID Standard
 See Sheet 7. SUNY Unique ID Codes

SU-316-1-B-525-000-A
 FIRST FLOOR
 525 FALCONER ST.
 JAMESTOWN NY

15,200 SF

TOTAL BUILDING AREA: 42,800 SF



Clark Patterson Lee
 ARCHITECTS

JAMESTOWN COMMUNITY COLLEGE - CSCE

Location: New York

FIRST FLOOR PLAN
 Scale: 1/16"=1'-0"

SU-316-1-B-525-000-A

14,300 SF

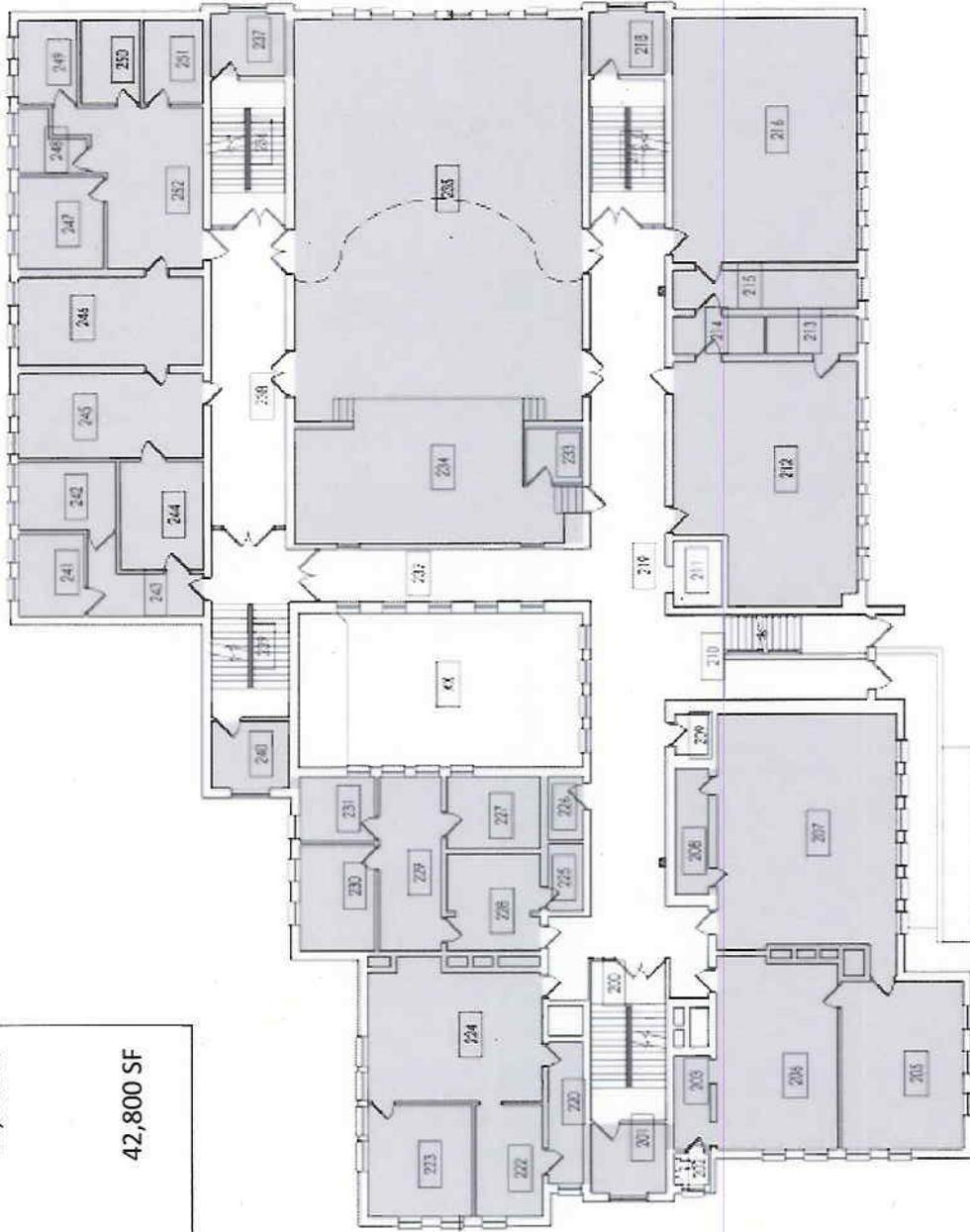
SECOND FLOOR

525 FALCONER ST.

JAMESTOWN NY

TOTAL BUILDING AREA:

42,800 SF



Clark Patterson Lee
DESIGN PROFESSIONALS

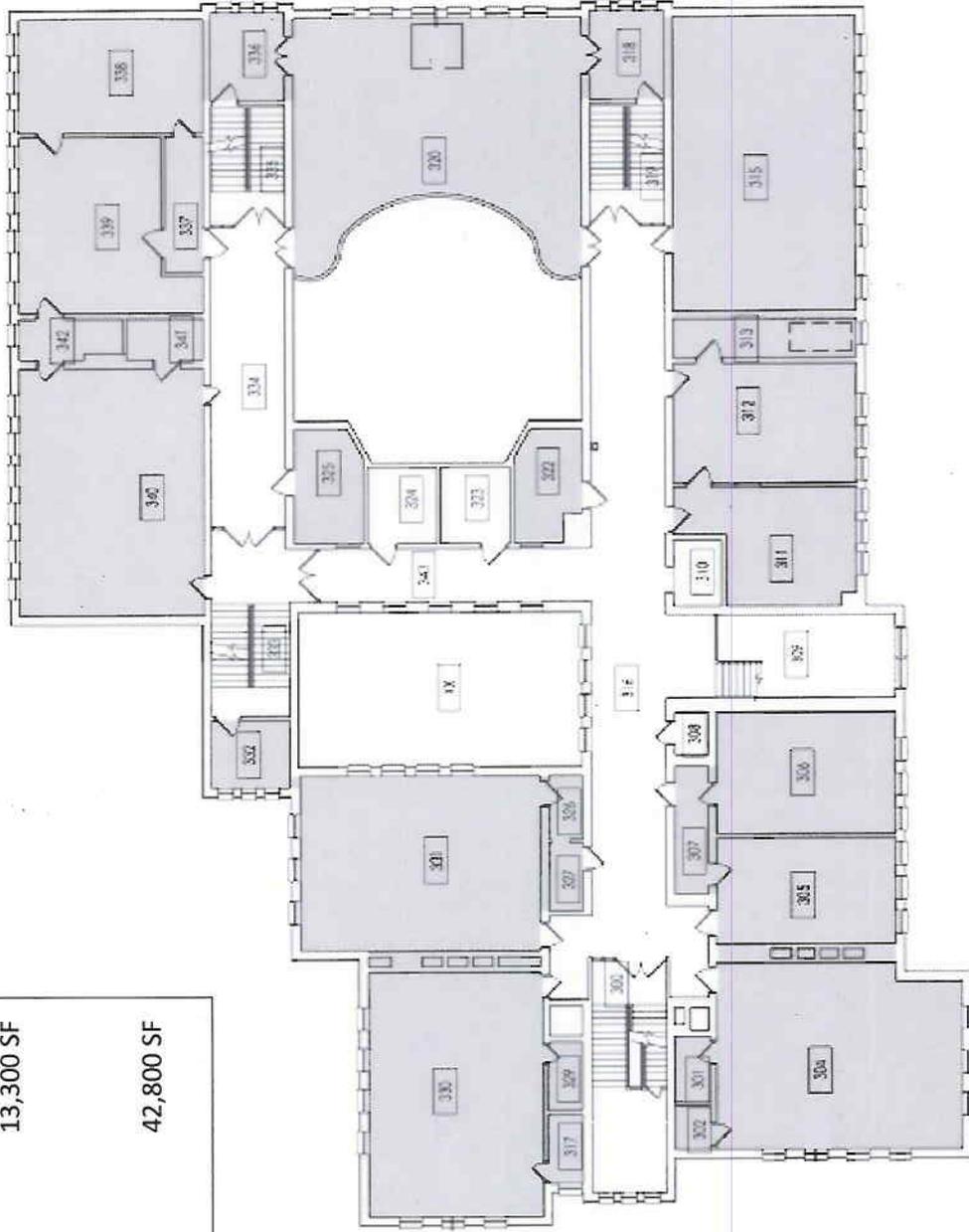
JAMESTOWN COMMUNITY COLLEGE - CSCE
Jamestown, New York

SECOND FLOOR PLAN
Scale: 1/8"=1'-0"

SU-316-1-B-525-000-A
 THIRD FLOOR
 525 FALCONER ST.
 JAMESTOWN NY

13,300 SF

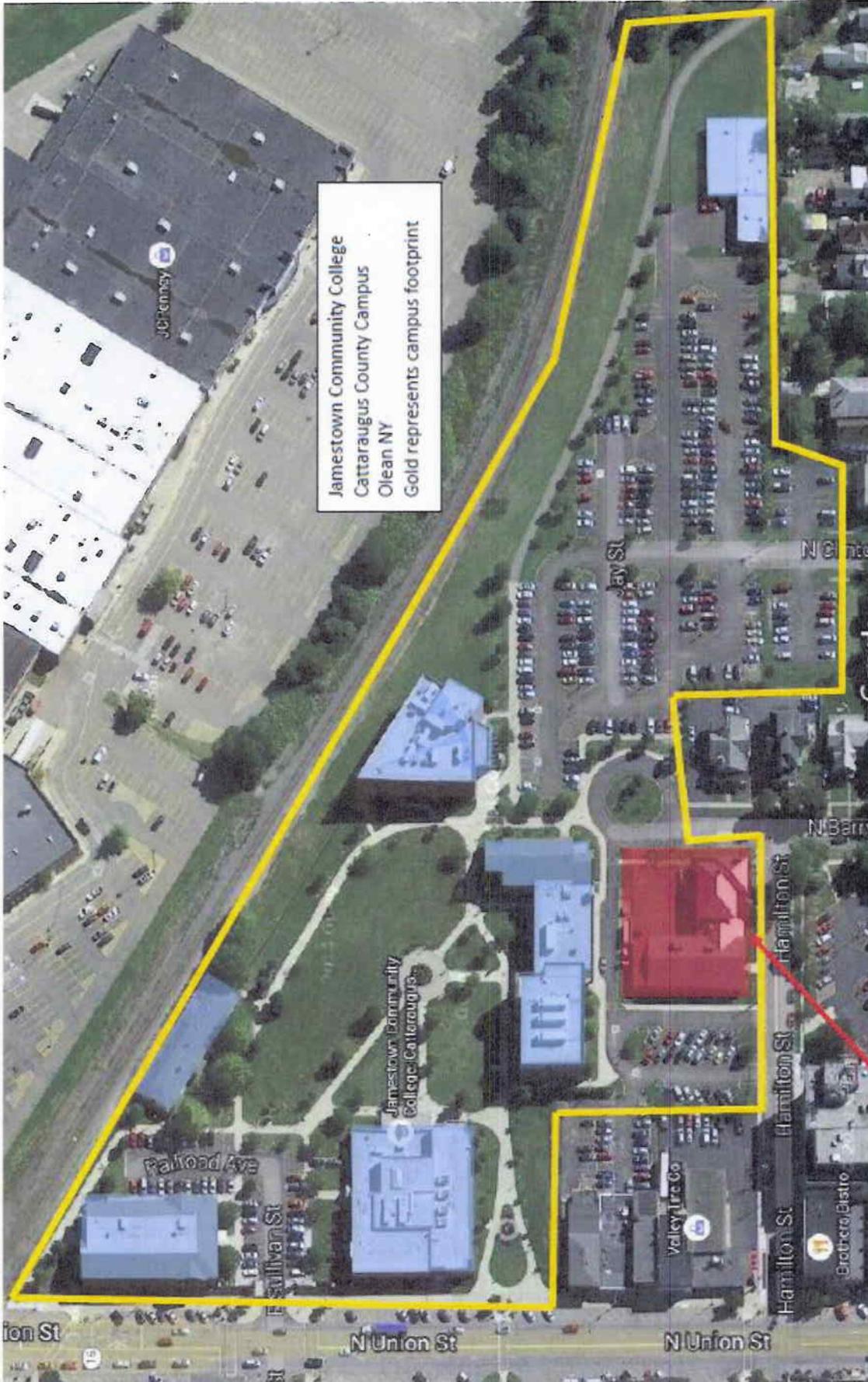
TOTAL BUILDING AREA:
 42,800 SF



Clark Patterson Lee
 DESIGN PROFESSIONALS

JAMESTOWN COMMUNITY COLLEGE - CSOE
 Jamestown, New York

THIRD FLOOR PLAN
 Scale: 1/8" = 1'-0"



Jamestown Community College
 Cattaraugus County Campus
 Olean NY
 Gold represents campus footprint

Please note that the Manufacturing Technology Institute (MTI) on JCC's Olean campus is scheduled to open August 2016.

This photo is of the buildings of the former owners of the site as no current aerial photos exist showing our new construction. The same location was used however for MTI.

SU-316-1-B-MTI121-000-A and SU-316-B-MTI122-000-A
 168 sq. ft. 182 sq. ft.
 129 Hamilton St. 129 Hamilton St.
 JCC - MTI bldg. JCC MTI bldg.
 Olean NY Olean NY



