



The State University
of New York

Office of General Counsel

State University Plaza
Albany, New York 12246

www.suny.edu

December 17, 2014

President James P. Klyczek
Niagara County Community College
3111 Saunders Settlement Road
Sanborn, New York 14132

Re:START-UP NY

Dear President Klyczek:

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

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

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

Best Regards,

A handwritten signature in blue ink that reads "Sandra M. Casey". The signature is fluid and cursive, with the first name "Sandra" being the most prominent.

Sandra Casey
General Counsel-in-Charge

Attachment

Copy: SUNY START-UP NY Proposal Review Team

To Learn
To Search
To Serve

the Power of The SUNY logo is a blue circle containing the letters "SUNY" in a bold, sans-serif font.



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. James P. Klyczek

Re: Niagara County Community College Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan")

Date: December 4, 2014

For campus Office of the President:
The arrangement documented in the attached Campus Plan is aligned to the academic mission of Niagara County Community College and in accordance with all SUNY policies, procedures, and guidelines.
Signature of campus President: James P. Klyczek
Print Name: Dr. James P. Klyczek

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 [approved] the attached Campus Plan:
Signature of Proposal Review Team Co-Chair: Jeffrey A. Boyce
Date: 12-8-14
Print Name: Jeffrey A. Boyce

For SUNY Office of the Chancellor:
The attached Campus Plan is hereby [approved/rejected] for campus submission to the NYS Commissioner of Economic Development.
Signature of the Chancellor or designee: Sandra M. Casey
Date: 12-17-14
Print Name: Sandra M. Casey



The State University
of New York

To: Mr. Kenneth Adams, NYS Commissioner of Economic Development
From: President Dr. James P. Klyczek of Niagara County Community College
Re: Niagara County Community College's Campus Plan for Designation of Tax-Free Area(s)
Date: November 4, 2104

I, President Klyczek of Niagara County 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 and; Niagara County Community College's Policy on Conflict of Interest, and attached copies of the polices and/or guidelines herewith; and
- c.) we comply with the Commissioner's rules and guidelines on anticompetitive behavior (NY EDL, art. 21, sect. 440); and
- d.) we are aware of the non-governmental use limitations associated with state issued tax exempt bonds and if our proposed Tax-Free NY Area was financed with tax exempt bonds, we will: 1.) make potential businesses aware of these limitations when marketing property; and 2.) take appropriate steps to ensure that non-governmental use of property funded with tax-exempt bonds will not jeopardize the tax exempt status of state issued bonds; and
- e.) we 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: Niagara County Community College
Campus Contact Name: Hal Kingsley
Campus Contact Title: Assistant Vice President for Academic Affairs, Workforce Development
Campus Contact E-mail: hkingsley@niagaracc.suny.edu
Campus Contact Phone: (716) 614-6895

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: <u>Niagara County Community College</u>
Campus Address: <u>3111 Saunders Settlement Road, Sanborn, NY 14132</u>
Address(es) of Proposed Tax-Free NY Area(s): <u>3111 Saunders Settlement Road, Sanborn, NY 14132</u>
Description of Physical Characteristics of Proposed Tax-Free NY Area(s): <u>The College's main campus, located in Sanborn, NY, is equidistant from the major Niagara County cities of Niagara Falls, Lockport, and North Tonawanda. The college complex consists of eight buildings, connected by interior and exterior walkways. The entire campus footprint consists of approximately 300 acres of land, of which 52 acres of vacant land will be dedicated to START-UP NY for the purposes of business construction and relocation. The 52 acres consists of a plot of 32 acres of land located in the southwest corner of the campus and 20 acres of land located in the northwest corner of the campus. The College will also continue to work with the Niagara County Industrial Development Agency (NCIDA) to identify vacant and/or unused properties within a 1-mile radius of the campus as they become available.</u>

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:

Fifty-two acres of campus land will be dedicated to START-UP NY for the purposes of business construction and relocation.

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.

N/A

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.

N/A

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

Selected industry sectors include:

Advanced Manufacturing: While old style mass production manufacturing has largely left the area, the region still retains significant strength in manufacturing. Industries that produce high technology goods or use advanced technologies to produce goods will be targeted. The strategy proposes to connect manufacturers to the research and expertise they need to keep their edge and to maintain a highly skilled and well-educated workforce.

Aside from a wide variety of advanced manufacturing related programs at NCCC, the College is also uniquely positioned to support this sector of industry through its current

Geographic Information System (GIS) program. The recent expansion/renovation of the Niagara Falls International Airport and the introduction of Remotely Piloted Aircraft technology as part of a new cyber security initiative for the Air National Guard at the Niagara Falls Air Reserve Station provide the College with an opportunity to foster relationships and access unique technology related to this program.

The following are academic programs that NCCC currently offers in support of this industry sector and/or that prepare students for employment opportunities:

- Computer Aided Drafting
- Computer Aided Drafting and Design
- Engineering Studies
- Geographic Information Systems (GIS)
- Industrial Electrical and Controls/PLC
- Mechanical Technology: Mechanical Design
- SolidWorks

Agriculture/Agriscience/Agritourism: Production of food and agriculture products is a leading industry sector in the region. However, the full potential remain unrealized and concern about local food systems provides a new opportunity. The plan calls for programs/businesses that spur innovations in products, processes, and market links through applied research; and to improve marketing and communicate the value of local food.

Uniquely supporting this initiative is NCCC's current partnerships and infrastructure. NCCC is currently a partner on a National Science Foundation grant submitted by Missouri State University on behalf of the Viticulture and Enology Science and Technology Alliance (VESTA). Through this grant, NCCC has proven to be an ideal location for viticulture and enology courses and co-operative education opportunities. The partnership has enhanced opportunities for hands-on practical skill development in both grape growing and wine making. NCCC offers numerous synergistic opportunities between existing programs such as wine and beverage management, horticulture, business management, and the sciences.

This initiative is also supported by the College's new \$26.5 million Niagara Falls Culinary Institute. The Institute includes 7 teaching kitchens/classrooms, a student-operated restaurant, culinary theatre, Barnes and Noble college bookstore and retail center, bakery, deli, wine boutique and exhibition space. The Culinary Institute has been designed to model the best practices found at top-tier culinary schools across the country. Through resources of the Culinary Institute, NCCC students will have the most unique of experiences, getting real-life, hands-on knowledge in areas such as a wine boutique and a student-run fine dining establishment.

The following are academic programs that NCCC currently offers in support of this industry sector and/or that prepare students for employment opportunities:

- Animal Management
- Enology
- Viticulture
- Wine and Beverage Management

Health and Life Sciences (not to include medical or dental practices): The region has invested heavily in both health care and life sciences, especially in the Buffalo Niagara Medical Campus (BNMC). The BNMC currently has over 8,000 employees that will grow to more than 12,000 with the move of the UB school of medicine, Millard Fillmore, and Children's Hospital, creating a critical mass of health science service, research, and commercialization. Though medical practices are not eligible to participate in START-UP NY, any health and life sciences related business found to be eligible, especially those relating to the research and development of new health and life science related technologies, will have the support of the following NCCC health and life science programs:

- Biological Technician
- Computerized Medical Billing
- Kidney Dialysis Technician
- Medical Assistant (not for medical practices – research and development related opportunities only)
- Nursing (not for medical practices – research and development related opportunities only)
- Phlebotomist
- Physical Therapist Assistant
- Radiological Technology
- Surgical Technology

Professional Services: According to the Western New York Regional Economic Development Council's Strategic Plan, "competitively priced space and a highly-qualified workforce gives WNY an advantage in this field".¹ In particular, NCCC will look to target information technology related businesses as this aligns with the commitment to technology that the College has made over the past few years. NCCC has made major investments in an effort to infuse up-to-date information technology into the educational process. The following NCCC programs align with this targeted industry sector:

- Computer Information Systems
- Computer Science
- Digital Media
- International Business
- Local Area Networks
- Public Communication

Tourism: Visitors contribute more than \$2.2 billion to the regional economy each year. Nearly 12 million people visit WNY parks each year, including 8.3 million that visit Niagara Falls State Park and Niagara Falls.² NCCC is uniquely positioned to support this industry sector due to its newly constructed Niagara Falls Culinary Institute and its position within the Niagara Wine Trail.

¹ WNY Regional Economic Development Council, *A Strategy for Prosperity in Western New York: WNY Regional Economic Development Strategic Plan*, November, 2001, p. 5.

² WNY Regional Economic Development Council, *A Strategy for Prosperity in Western New York: WNY Regional Economic Development Strategic Plan*, November, 2001, p. 5.

The Niagara Falls Culinary Institute, located in a renovated abandoned mall property in the heart of downtown Niagara Falls, reflects smart growth principles, as it reuses an existing structure to create a mixed-use facility that includes academic, retail, and community engagement space. Establishing the Institute in a renovated property overlooking Niagara Falls State Park and Niagara Falls simultaneously enriches the educational experience of students and builds upon one of the region's greatest strengths to promote economic development. The Niagara Falls Culinary Institute project has already become a major component of the City of Niagara Falls economic revitalization plan. It is located within the "Falls Precinct", identified for infill development within the Comprehensive Plan for the City of Niagara Falls (2009). Specifically, it states that the redevelopment of the former Rainbow Mall site "will provide a strong new activity node at the center of the downtown and a potential catalyst for additional private sector investment." The Niagara Falls Culinary Institute is one of the most comprehensive culinary arts and tourism related educational facilities in the United States and thus, NCCC is expertly situated to support the Tourism industry sector.

NCCC is also situated within the Niagara Wine trail, and is bookended by the Niagara-on-the-Lake and Niagara Region wineries (approximately 20 miles to the North in Ontario, Canada) and the Lake Erie Wine Country trail (approximately 55 miles to the South). The Niagara Wine trail is only thirty minutes from the City of Buffalo and twenty minutes from Niagara Falls. The trail includes 20 wineries producing native, Franco-American varietals and some European varietals on 400 acres of vineyard. Lake Erie Wine Country, located in the largest grape growing region east of the Rockies, extends roughly 40 miles from Silver Creek, New York (Chautauqua County) to North East, Pennsylvania. The Niagara Escarpment and Lake Ontario have created a unique microclimate suitable for the production of exquisite wines. Lastly, the Niagara-on-the-Lake Region in Canada consists of 27 wineries and the Niagara Region consists of 43 wineries.

NCCC will target eligible START-UP NY businesses that can provide quality area tourism venues and/or eligible visitor infrastructure. The following NCCC programs align with this targeted industry sector:

- Baking Pastry Arts
- Culinary Arts
- Event Planning
- Gaming and Casino Management (not to include lodging or short-term accommodations related businesses)
- Tourism Management and Event Planning
- Tourism Management
- Winery Operations

- 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.

The mission of Niagara County Community College is to provide a teaching and learning environment dedicated to excellence. NCCC is committed to maintaining the hallmarks of student centeredness, accessibility, comprehensiveness, collegiality, community partnership, and lifelong learning. The college nurtures and empowers its students in ways that recognize and value common humanity as well as the richness of diversity.

NCCC offers high-quality academic programs leading to degrees and certificates which are supported by outstanding student services. NCCC provides a variety of cultural, social, and international experiences, as well as community education and workforce development that supports economic development that positively impacts the quality of life. The college operates through a collegial model of shared governance and is accountable to meet the highest standards of professionalism and integrity. Through the START-UP NY program, NCCC will be a leader in providing a dynamic, high-quality environment responsive to current and emerging needs of students, businesses, and the community.

For START-UP NY, NCCC is selecting industry sectors that not only align with the College's mission, but that also capitalize on where Niagara County and Western New York are strongest. These are industry sectors where there is potential for high concentration of employment, long-term growth in jobs and wages, and where the County and/or College possess a unique asset or advantage.

NCCC 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 NCCC's expertise in curriculum development and training programs. NCCC expects targeted industries to make investments in developing the local 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 academic engagement, and career advancement pathways.

- 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.

The NCCC START-UP NY Development Plan directly aligns with the strategies and priorities of the WNY Regional Economic Development Council (REDC). The five industry sectors that NCCC is targeting have all been identified by the REDC as priority target industry sectors. According to the REDC's Strategic Plan³, the Advanced Manufacturing, Agriculture, Health and Life Sciences, Professional Services, and Tourism Industries are five of the "eight industry sectors where WNY is strongest".³ Further, the plan states that of the ten largest sectors of employment in WNY, only four (Tourism, Professional Services, Health Services, and Financial Activities) experienced job growth between May 2001 to May 2011. The plan states that WNY has placed increasing focus on health services, professional services, tourism, and financial

³ WNY Regional Economic Development Council, *A Strategy for Prosperity in Western New York: WNY Regional Economic Development Strategic Plan*, November, 2001, p. 5.

services as areas to invest in for future growth – NCCC has targeted three of these industry sectors.⁴

Further, the NCCC START-UP NY Development Plan is aligned with the REDC strategies as follows:

Advanced Manufacturing: According to the REDC, Advanced Manufacturing represents at least 10% of all jobs in the region and the industry wage is greater than the regional average wage.⁵ The REDC's Strategic Plan states that "advanced manufacturing is crucial to the future of the WNY economy. No U.S. region in decline has ever reversed its fortunes without growth in the advanced manufacturing sector".⁶ The NCCC START-UP NY Development plan supports the REDC's strategy of leveraging the capacity to attract and accelerate the development of advanced manufacturing.⁷

Agriculture/Agriscience/Agritourism: According to the REDC's Strategic Plan, "agriculture is a vital industry sector in New York State and remains one of the WNY region's most viable enterprises".⁸ The NCCC START-UP NY Development plan supports the REDC's strategy of making agriculture more competitive through innovation.⁹

Health and Life Sciences: According to the REDC's Strategic Plan, "investments made by the State of New York in the region's life science industry have begun paying dividends in the form of job growth, increased synergies across multiple domains and sparks of entrepreneurship around cutting-edge medical technology. Western New York is home to a flourishing life sciences industry, encompassing hundreds of companies involved in research and development, the manufacturing of medical devices, and the production of pharmaceuticals and medicines".¹⁰ The NCCC START-UP NY Development plan supports the REDC's strategy of stimulating business creation and job growth in the life science industry.¹¹

Professional Services: The NCCC START-UP NY Development plan supports the REDC's strategy of leveraging existing assets and fostering synergies between industries and education.¹²

Tourism: According to the REDC's Strategic Plan, "Western New York is a unique place with offerings to visitors like nowhere else in the world. Strategies for increasing visitation to Western New York must start with the realization that the region has offerings that are competitive in a global market – natural resources and world wonders like Niagara Falls are unique to this part of New York State".¹³ The NCCC START-UP

⁴ Ibid, p. 30.

⁵ Ibid, p. 31.

⁶ Ibid, p.32.

⁷ WNY Regional Economic Development Council, *A Strategy for Prosperity in Western New York: WNY Regional Economic Development Strategic Plan*, November, 2001, p. 32.

⁸ Ibid, p. 34.

⁹ Ibid.

¹⁰ Ibid, p. 38.

¹¹ Ibid.

¹² Ibid, p. 43.

¹³ Ibid, p. 44.

NY Development plan supports the REDC's strategy of facilitating growth of a quality tourism product.¹⁴

Based on this plan, NCCC is seeking partners who will expand the regional economy, provide internships, apprenticeships, and training opportunities for the College's students, as well as jobs for graduates in a variety of career programs in advanced manufacturing, agriculture, health and life sciences (not to include medical or dental practices), professional services, and tourism. All of these sectors are part of the region's diversified economy and have been identified as priority areas by the WNY Regional Economic Development Council. As an institution that awards Associate Degrees as well as certificates and workforce related credentials, NCCC is particularly looking to partner with industries and businesses that either have or anticipate significant workforce needs in the "middle skills" tier (i.e., jobs requiring some postsecondary education and/or industry credential, but not necessarily a four year degree).

Over 88% of NCCC graduates remain in Niagara and Erie counties upon graduation (2010). This statistic is one of the reasons why NCCC has such a significant impact on the local economy. Because of the significant role NCCC plays in relation to the local economy, the College is seeking partners that will help to increase its local impact even more.

- 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?

¹⁴ Ibid, p. 45.

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?

NCCC will form a strong partnership with the Niagara County Industrial Development Agency (NCIDA) to initially review applicants and/or potential applicants. Specifically, a designated liaison from the NCIDA will work with applicants and/or potential applicants to review all available business assistance options and to determine if START-UP NY is the best option. The NCIDA liaison will assist NCCC in determining if the proposed business meets all of the eligibility criteria required to participate in the START-UP NY program. Additionally, the NCIDA liaison will assist NCCC in determining that the proposed business will not be a direct competitor to any business that is already established within the Niagara County area. If the NCIDA liaison determines that START-UP NY is the best option for the applicant, then the liaison will recommend the applicant to the NCCC START-UP NY Advisory Committee.

The NCCC President will establish the NCCC START-UP NY Advisory Committee to be comprised of, but not limited to the Vice President of Academic Affairs, the Assistant Vice President of Academic Affairs (Workforce Development), the NCCC Small Business Development Center Director, a member of faculty governance (Faculty Senator), the NCIDA Liaison (Executive Director of the NCIDA), and a liaison from the Lockport IDA (Executive Director of the Lockport IDA). The Committee will review business applications that have completed the initial NCIDA review. The Committee will then recommend appropriate applications to the President for final approval from the NCCC Board of Trustees. Upon approval by the Board of Trustees (including officer titles: Chairperson; Vice Chairperson; Secretary; and Treasurer), the application for certification will be sent to the appropriate New York State agency for their review, approval, and certification under the START-UP NY program.

The purpose of the Advisory Committee is to have a group of experienced individuals that act in an advisory capacity to the NCCC Board of Trustees and its sponsor agencies in Niagara County. The NCCC START-UP NY Advisory Committee will strive to improve the Niagara Region's economy by facilitating and encouraging economic development opportunities that help to create a stable, healthy, and diversified economy and employment base. Since the NCCC START-UP NY Advisory Committee is advisory in nature, the NCCC Board of Trustees will be the ultimate body to approve and forward the certification application to the appropriate New York State agency. The NCCC START-UP NY Advisory Committee's mission is outlined as follows:

- Encourage education, economic, and community development within the NCCC service area;
- Encourage private investment and serve as an advocate for advancing public and private interests within the NCCC service area;
- Enhance the well-being of the community by creating a healthy economy through attraction of new business, and retention and expansion of existing businesses; and
- Review, approve, and recommend projects that will stimulate economic

growth within the NCCC service area.

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

- 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 of the potential for export outside of 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 Businesses – New businesses eligible for START-UP NY tax incentives and other benefits should meet the following criteria:

- Be a new business or startup company to New York State, or be a company from out-of-state relocating to New York State;
- Align with and further NCCC's academic mission;
- Create positive economic and/or commercial benefits;
- Create internship and experiential learning opportunities in partnership with academic programs that integrate classroom instruction, pair work experiences, and may lead to full-time employment for NCCC students; and
- Create net new employment opportunities for the residents of NCCC's service areas.

Existing Businesses – Businesses that are currently operating within New York State may also be eligible for START-UP NY tax incentives and other benefits provided they meet the following criteria:

- Introduce a new or expanded line of business;
- Align with and further NCCC's academic mission;
- Do not shift jobs from an existing New York location;
- Create internship and experiential learning opportunities in partnership with academic programs that integrate classroom instruction, pair work experiences, and may lead to full-time employment for NCCC students; and
- Create net new employment opportunities for the residents of NCCC's service areas.

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.

Conflict of Interest Policy

 <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.

CODE OF ETHICS

The Niagara County Community College Code of Ethics is established pursuant to Article 18 of the General Municipal Law and incorporates the standards set forth in sections 800 through 805-a of Article 18 as well as the Niagara County Code of Ethics. By incorporating the standards established by Article 18 of the General Municipal Law and the Niagara County Code of Ethics, Niagara County Community College is ensuring that the highest level of ethical conduct becomes the standard for College officers, including all members of the Board of Trustees, and College employees which, in turn, assures public confidence in the operation of the college.

Scope of the Code of Ethics

The scope of this Code shall be in addition to all other legal restrictions, standards, and provisions pertaining to the conduct of the college officers and employees. Every provision of this Code, except as expressly limited, shall apply to every College officer, including all members of the Board of Trustees, and employee, whether paid or unpaid.

Standards of the Code of Ethics

Except as provided in section 802 of Article 18 General Municipal Law, no college officer or employee shall have an interest in any contract with the college 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 there under, (b) audit bills or claims under the contract, or (c) appoint an officer or employee who has the powers or duties set forth above.

Except as provided in section 802 of Article 18 General Municipal Law, no chief fiscal officer, treasurer, or his or her 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 college.

Gifts: No College officer or employee shall, directly or indirectly, solicit any gift, 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 her, 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. In the absence of clear and convincing evidence to the contrary, it shall be presumed that any gift less than seventy five dollars (\$75.00) (*the County Code of Ethics and Article 18 of General Municipal Law*) in value is not a violation of this section.

Representation Before College Agencies, Committees, or Boards: No College officer or employee shall receive or enter into any agreement expressed or implied for compensation for services to be rendered in relation to any matter before any College agency provided, however, that this section shall not be applicable to any College officer or employee who does not receive compensation by reason of his or her College position, nor to any matter before a College agency which does not possess substantial discretion in the matter.

Use of Position

- a. No College officer or employee shall accept any employment or acquire any investment under circumstances in which an impression may reasonably be created that he or she will thereby be influenced in the conduct of his or her office but nothing contained herein shall prohibit any officer or employee from holding any position of employment with any other governmental body or authority not otherwise incompatible with State Law. No College officer or employee shall use or attempt to use his or her official position to secure unwarranted benefits, privileges or exemptions for themselves or others.
- b. No College officer or employee shall take, or refrain from taking, any action on any matter before the college in order to obtain a pecuniary or material benefit or which gives the impression of favoritism in their official duties and which is based on kinship, rank, position, or influence for: (1) himself or herself; (2) a family member; (3) any partnership or unincorporated association of which the college officer or employee is a member or employee or in which he or she has a proprietary interest; (4) any corporation of which the college officer or employee is an officer or director or of which he or she legally or beneficially owns or controls more than 5% of the outstanding stock; (5) any person with whom the college officer or employee or his or her family member has an employment, professional, business, or financial relationship; or (6) any person from whom the college officer or employee, or his or her spouse, has received a pecuniary or material benefit having an aggregate value greater than \$1,000 per year.

Note: Board of Trustee members shall recuse themselves from voting on employment actions (e.g. union contracts, promotions, appointments, reappointments, leaves of absence, sabbaticals, awards, tenure) that affect family members or relatives.

- c. No College officer or employee who, or whose spouse, owns or controls 5% or more stock in a firm and no partnership or unincorporated association as defined in paragraph 5b above may do business with the College unless: (1) the value of the goods or services does not exceed \$500 per year; or (2) the goods or services are provided after public notice and competitive bidding.
- d. Nothing in this paragraph 5 shall be construed to prohibit a College officer or employee or any other person from receiving a College service or benefit or using a College facility, which is generally available to employees or to the general public.

Disclosure of Information

No College Officer or employee shall disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interests.

Duty to Report: Every College officer or employee shall report to the President and the Board any action, which may reasonably be interpreted as an improper attempt to influence him or her in the conduct of his or her office.

Future Employment: After the termination of service or employment with the College or its agencies, no College officer or employee shall appear or practice before any board or agency of the college, except on his or her own behalf, for a period of one (1) year after termination of his or her service or employment. In relation to any case, proceeding, or application in which that person personally participated during the period of service or employment, or which was under the person's active consideration, the prohibition against any such appearance or practice shall be permanent.

Nothing in the Code of Ethics shall be deemed to bar or prevent the timely filing by a present or former College officer or employee of any claim, account, demand, or suit against the college on behalf of himself or any member of his or her family arising out of personal injury or property damage or for any lawful benefit authorized or permitted by law.

Disclosures Required by the Code of Ethics

1. Disclosure of Interests Regardless of Conflict - Every College officer, including every member of the Board of Trustees, or employee, who is authorized in the usual course of duties to exercise a substantial degree of discretion in financial or regulatory transactions with private entities shall, within thirty (30) days after taking office and within thirty (30) days after any change in the status of the matters hereinafter enumerated, provide to the Board or their designee a statement in writing identifying:
 - a. The name of any business, company, and/or corporation for profit which he or she and/or his or her spouse, and/or any of his or her children hold five (5) percent or more of the interest or stock.
 - b. Self-employment or employment by or membership in or on the board of directors of any corporation, partnership, association, person or other entity from which he or she derives gross income in excess of five hundred (\$500.00) dollars per year.

Members of the Board of Trustees appointed by the County Legislature who do not have any such interest shall so provide a statement to that effect to the Executive Secretary to the Board of Trustees (Appendix A).

Such statements of disclosure shall be matters of public record and shall be made available to the public through the minutes of the regularly scheduled meetings of the Board.

2. Disclosure of Interest in College Business - To the extent that he or she knows thereof, any officer or employee of the college, whether paid or unpaid, who participates in the discussion or gives an official opinion to the Board shall disclose the nature and extent of any direct or indirect financial or other private interest he or she has in such matter in a concise written statement to the Chairman of the Board, who shall direct such statement be part of the official record of the meeting of the Board.
3. When an officer or employee must take official action on a matter in which he or she has a substantial economic interest distinct from that of the general College, he or she should consider divesting him or herself of that interest, if he or she feasibly can do so without undue hardship. His or her decision in that regard shall be conclusive.
 - a. If he or she does not divest himself of such interest, he or she shall disclose it in a concise written statement to the Chairman of the Board, who shall direct such

statement be part of the official record of the meeting of the Board. Considering both the seriousness of any possible inference of impropriety and the seriousness of the affirmative College need for his or her participation in the action under consideration, he or she may abstain from participation in such action. His or her decision in that regard shall be conclusive.

- b. Having made fair disclosure, his or her decision not to abstain shall not be deemed unethical.

Violations of the Code of Ethics

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any provisions of this Code or that of Article 18 of the General Municipal Law may be fined, suspended or removed from office or employment as the case may be, in the manner provided by law.

Distribution of Code of Ethics

The President shall cause a copy of this Code of Ethics to be compiled with Article 18, sections 800 – 805a, of the General Municipal Law and such other matter as he or she shall deem relevant and shall cause a copy of such compilation to be distributed to every officer and employee of the college within 30 days after formal adoption of this policy or as soon as may be practicable. Every officer and employee elected or appointed thereafter shall be furnished a copy of such compilation within 10 days after entering upon the duties of his or her office or employment. All persons so furnished shall acknowledge receipt of this compilation by signing the Code of Ethics Acknowledgement Form (Appendix B).

BOARD OF TRUSTEES
NIAGARA COUNTY COMMUNITY COLLEGE
CONFLICT OF INTEREST

BOARD OF TRUSTEE MEMBER
CONFLICT OF INTEREST FORM

Please complete the following and return this form in the envelope provided.

I, _____, am a member of the Board of Trustees or an Officer of Niagara County Community College. I state that the following is true and complete to the best of my knowledge, knowing that Niagara County Community College will rely upon it in meeting its legal and governmental obligations.

The information in this statement is true for the period of one year preceding _____.

- 1. I understand that I must disclose to the Board whether I am related by blood or marriage to, or share the same household with, any other member of the Board of Trustees or to any Officer, faculty, staff or administrator of Niagara County Community College.

_____ No relationship to any employee

_____ I am not

_____ I am related to the following:

- 2. I understand that I must disclose to the Board any contract, agreement or business dealing that I have with Niagara County Community College, either directly or through a business which I, my spouse or family member own, control or make business decisions for, (other than a publicly traded company in which I have no management role).

_____ I have not had any such contract, agreement or business with Niagara County Community College.

_____ I have had the following contract, agreement or business with Niagara County Community College:

- 3. I understand that I must disclose to the Board whether any member of my immediate family has had any contract, agreement or business relationship with Niagara County Community College, either directly or through a business (other than a publicly traded company in which that person has no management role);

_____ No member of my family has had any such contract, agreement or business with Niagara County Community College.

_____ Family members have had the following contracts, agreements or business

with Niagara County Community College;

**BOARD OF TRUSTEES
NIAGARA COUNTY COMMUNITY COLLEGE
CONFLICT OF INTEREST**

4. I understand that I must disclose to the Board whether any person who has a business or professional relationship with me also has had a contract, agreement or business relationship with Niagara County Community College, either directly or through a business (other than a publicly traded company in which that person has no management role).

_____ No one who has a business or professional relationship with me has also had a contract, agreement or business with Niagara County Community College.

_____ Following is a brief description of any contract, agreement or business between Niagara County Community College and a person who has had a business or professional relationship with me:

5. Are you aware of any relationships with the College between yourself or a member of your family as defined by the letter or spirit of this policy that may represent a conflict of interest?

_____ I am unaware of any relationships with the College between myself or a member of my family as defined by the letter or spirit of this policy that may represent a conflict of interest.

_____ Following is a description of such relationships and the details of annual or potential financial benefit as best I can estimate them:

6. Did you or a member of your family receive, during the past 12 months, any gifts or loans from any source which the College buys goods or services or otherwise has a significant business relationship?

_____ Not I or anyone in my family has received any such gifts or loans during the past 12 months.

_____ The following approximates the value of such gifts or loans that have been received by the following sources: (Please list all sources and

their approximate value and the individual receiving such gift or loan).

**BOARD OF TRUSTEES
NIAGARA COUNTY COMMUNITY COLLEGE
CONFLICT OF INTEREST**

7. I understand that a conflict of interest or the appearance of a conflict exists if I do business or propose to do business with Niagara County Community College. A conflict or the appearance of a conflict also exists if anyone with a familial, business or professional relationship with me does business or proposes to do business with Niagara County Community College. I know that these conflicts must be fully disclosed to the Board of Trustees in writing.
8. During this year, I have disclosed every actual or apparent conflict of interest, as defined by state law or the Conflict of Interest Policy for Members of the Board of Trustees of Niagara County Community College, to the Board of Trustees in writing.

I have read the College's policy on conflicts of interest, and, to the best of my knowledge, made all the required disclosures. I agree to comply with this policy. Should my financial or managerial interest or those of my spouse or family members as defined previously change, I agree to submit a revised disclosure form.

Name

Date

 <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 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

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

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

Definitions

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

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

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

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

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

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

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

Other Related Information

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

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

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

Procedures

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

Forms

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

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

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

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

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

[ESD START-UP Business Application](#)

Authority

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

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

[Start-Up NY Regulations](#)

History

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

Appendices

There are no appendices relevant to this policy.

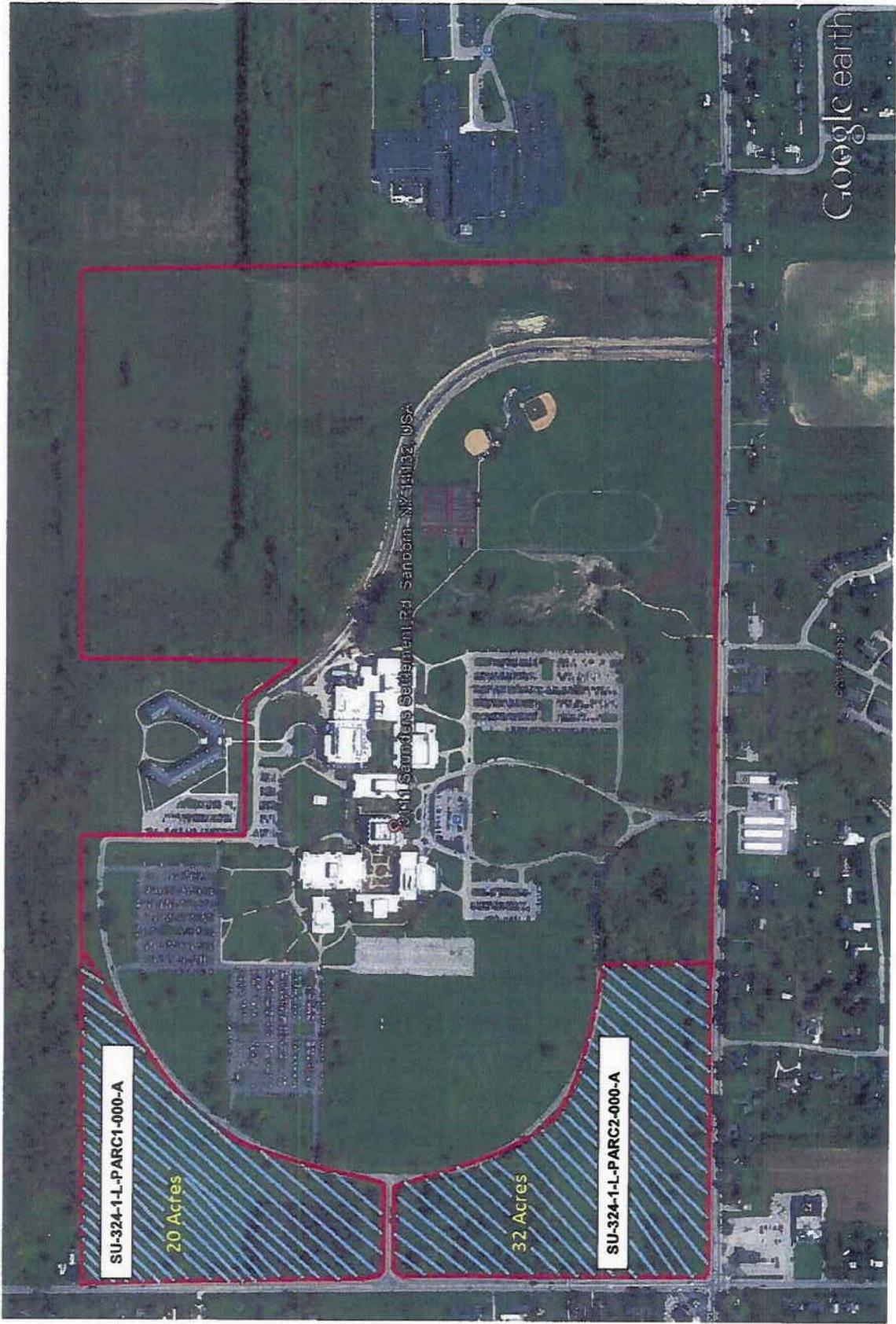
Excel File Listing START-UP NY Properties

Location	UniqueID	Owner	PropertyType	StreetAddress	City	ZipCode	ParcelID	Building	SpaceType	SqFt	Acres	Description	onCampus	Within1mileOfCampus	Latitude	Longitude	Notes
Sanborn, NY	SU-324-1-L-PARC1-000-A	Niagara County Community College	1	3111 Saunders Settlement Rd.	Sanborn	14132	119.00-1-50.1	N/A	D	N/A	20	Parcel 1	Yes	N/A	43.1485770	-78.8835630	N/A
Sanborn, NY	SU-324-1-L-PARC2-000-A	Niagara County Community College	1	3111 Saunders Settlement Rd.	Sanborn	14132	119.00-1-50.1	N/A	D	N/A	32	Parcel 2	Yes	N/A	43.1485770	-78.8835420	N/A

* 1= on campus
 2= 1 mile off campus
 3= State Asset
 ** Asentire 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 Building Unique ID Standard
 See Sheet 2 - SUNY Unique ID Codes

Map



SU-324-1-L-PARC1-000-A

20 Acres

SU-324-1-L-PARC2-000-A

32 Acres

Google earth