



The State University
of New York

Office of the
Chief Financial Officer

State University Plaza
Albany, New York 12246

www.suny.edu

September 25, 2015

President Heidi Macpherson, Ph.D.
The College at Brockport SUNY
350 New Campus Drive
Brockport, NY 14420

Re: START-UP NY

Dear President Macpherson:

Congratulations. Attached is the approved application for The College at Brockport'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 The College at Brockport in launching the START-UP NY program.

Best Regards,

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

Eileen McLoughlin
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: Heidi Macpherson, Ph.D.
Re: The College at Brockport SUNY Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan")
Date: August 30, 2015

For campus Office of the President:

The arrangement documented in the attached Campus Plan is aligned to the academic mission of the College at Brockport SUNY and in accordance with all SUNY policies, procedures, and guidelines.

Heidi R. Macpherson
Signature of campus President

Heidi R. Macpherson
Print Name

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

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

Jeffrey A. Boyce
Proposal Review Team Co-Chair

9-23-15
Date

Jeffrey A. Boyce
Print Name

For SUNY Office of the Chancellor:

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

Eileen M. McLoughlin
Signature of the Chancellor, or designee

9/29/15
Date

Eileen McLoughlin
Print Name



The State University
of New York

To: Howard Zemsky, President & CEO, Empire State Development and Commissioner, NYS Department of Economic Development
From: President Heidi Macpherson, Ph.D. of The College at Brockport SUNY
Re: The College at Brockport SUNY Campus Plan for Designation of Tax-Free Area(s)
Date: August 30, 2015

I, President Macpherson of The College at Brockport hereby certify the following:

- a.) we have provided a copy of the enclosed Campus Plan for Designation of Tax-Free NY Area, to the municipality or municipalities in which the proposed Tax-Free NY Area is located, local economic development entities, the applicable faculty senate, union representatives, and student government at least 30 days prior to submitting the plan to you and attached evidence of submission herewith; and
- b.) we comply with Public Officers Law Section 74; State University of New York's Policy on Conflict of Interest and; and 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.



8/30/15



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

Campus Name: The College at Brockport
Campus Contact Name: Dr. James Willis
Campus Contact Title: Vice President of Administration and Finance
Campus Contact E-mail: jwillis@brockport.edu
Campus Contact Phone: (585) 395-2129

1. Specification of spaces and/or land proposed for designation as a Tax-Free NY Area:

Land use and space planning issues at the College at Brockport are informed by the College's Facility Master Plan and managed through a Cabinet Level, Policy and Planning Review Panel in consultation with the Campus-wide Facilities Planning Committee, which has broad faculty and staff representation.

The College has identified the following list of (a) land available on main campus property in Brockport NY, (b) campus controlled land in the Town of Sweden, NY, (c) space under campus control in the City of Rochester NY, and (d) non-affiliated properties within 1- mile of campus as suitable for inclusion in its Start-UP NY Plan. These assets were selected based on current planned use and in consideration of impact on academic and student support programs.

Property details (Attachment A), maps (Attachment B), and floor plans, where appropriate, (Attachments C) are provided.

(a) Land Available on Main Campus Property:

- **Parcel SU-102-1-L-0001-000-A** - West Campus (86 acres): College land on the main campus available for development and can be subdivided. It is adjacent to a railroad spur connecting to main transportation rail lines. Some of the available land is improved with water, natural gas, and/or electricity nearby. (Attachment B, Figure 1)

(b) Campus Controlled Land in the Town of Sweden, NY:

- **Parcel SU-102-1-L-0002-000-A** – 7111 Fourth Section Road, Sweden NY (Fourth Section Road, 3.6 acres): Undeveloped property under the control of the Brockport Foundation, a campus affiliate. (Attachment B, Figure 2)
- **Parcel SU-102-1-L-0003-000-A** – 2842 Colby Road, Sweden NY (Colby Road Parcel, 7.8 acres): Undeveloped property under the control of the Brockport Foundation, a campus affiliate. It is adjacent to the Ledgesdale Airpark. (Attachment B, Figure 3)

(c) Campus Controlled Facilities in the City of Rochester NY:

- **Parcel SU-102-1-B-0140-000-I**- 55 St. Paul Street (7,520 sf total sf): The Metro Center is an extension center of The College at Brockport's main campus in Brockport, NY and is located in the heart of downtown Rochester, NY. It is considered a Co-Location. The Metro Center is an historic George Eastman building; former home of the Chamber of

Commerce; strategically located across the street from the new public transportation hub and near the downtown Convention Center and major hotels and businesses. It is a steel and masonry structure where courses are offered in undergraduate and graduate programs. The majority of classes are held in the evenings and on weekends to accommodate working adults. It would be considered Class C space. Office / Industrial / Lab: Office and light industrial. Occupancy timeline: Currently occupied by a StartUP-NY Company. (Attachment B, Figures 4a, b and c)

(d) Non-affiliated Properties within 1-mile of Campus:

- **Parcel SU-102-2-L-0004-000-A (Lot A)** – 4599 Redman Rd, Sweden, NY (McLean Development LLC, owner). Shovel ready lot (0.35 acres) adjacent to the western edge of the main College at Brockport campus. Infrastructure improvements include roads, sewer system, electric and water main. It is adjacent to a railroad spur that connects to main transportation rail lines (Attachment B, Figure 5)
- **Parcel SU-102-2-L-0005-000-A (Lot B)** – 4599 Redman Rd, Sweden, NY (McLean Development LLC, owner). Shovel ready lot (0.24 acres) adjacent to the western edge of the main College at Brockport campus. Infrastructure improvements include roads, sewer system, electric and water main. It is adjacent to a railroad spur that connects to main transportation rail lines (Attachment B, Figure 5)
- **Parcel SU-102-2-L-0006-000-A (Lot C)** – 4599 Redman Rd, Sweden, NY (McLean Development LLC, owner). Shovel ready lot (0.21) adjacent to the western edge of the main College at Brockport campus. Infrastructure improvements include roads, sewer system, electric and water main. It is adjacent to a railroad spur that connects to main transportation rail lines (Attachment B, Figure 5)
- **Parcel SU-102-2-L-0007-000-A (Lot D)** – 4599 Redman Rd, Sweden, NY (McLean Development LLC, owner). Shovel ready lot (0.15 acres) adjacent to the western edge of the main College at Brockport campus. Infrastructure improvements include roads, sewer system, electric and water main. It is adjacent to a railroad spur that connects to main transportation rail lines (Attachment B, Figure 5)
- **Parcel SU-102-2-L-0008-000-A (Lot E)** – 4599 Redman Rd, Sweden, NY (McLean Development LLC, owner). Shovel ready lot (0.17 acres) adjacent to the western edge of the main College at Brockport campus. Infrastructure improvements include roads, sewer system, electric and water main. It is adjacent to a railroad spur that connects to main transportation rail lines (Attachment B, Figure 5)
- **Parcel SU-102-2-B-00009-000-A** – 43 Market St, The Village at Brockport, NY (Ross Gates, owner). Vacant one-story (with basement), 2,040 sq. ft. office building located approximately 1,800 feet from the northeast corner of the main Brockport Campus (Attachment B, Figures 6a and b).
- **Parcel SU-102-2-B-0010-000-A** – 85 Clinton St, The Village at Brockport, NY (85 Clinton St LLC, owner). Partial office building (currently vacant), 4,425 sq. ft. located approximately 1,000 feet from the northeast corner of the main Brockport Campus (Attachment B, Figures 7a and b).
- **Parcel SU-102-2-B-0011-000-A** – 80 Clinton St, The Village at Brockport, NY (Vulcan Ventures, S Corp, owner). Vacant two-story office building, 6,490 sq. ft. located

approximately 1,500 feet from the northeast corner of the main Brockport Campus (Attachment B, Figures 8a and b).

As specified in the Start-UP NY regulations, these off-campus properties are located within a one-mile perimeter of the college, fall within the College's 200,000 sq. ft. allotment, and would be subject to local property taxes or negotiated payments in lieu of taxes (PILOTs).

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

Campus Controlled:

Space: 7,520 square feet
Land: 97.4 acres

Non-affiliated property within 1-mile radius of the campus:

Space: 12,955 square feet
Land: 1.12 acres

2. Description of the types of businesses that may be located in the area(s) identified in #1:

Eligible businesses must be either a (1) new company/start-up, (2) an out-of-state company relocating to New York, or (3) an expanding business currently based in New York. The prospective business must demonstrate that it is creating net new jobs, aligns and advances the College's mission, and provides positive economic and community benefits.

Prospective businesses cannot compete with existing local business (defined by census tract.)

Businesses not eligible for Start-UP NY designation include retail/wholesale businesses, restaurants, real estate brokers, law firms, medical or dental practices, real estate management companies, hospitality, finance and financial services, accounting firms, businesses providing utilities, or energy production or distribution companies.

Additional information regarding business eligibility can be found at www.startup.ny.gov

As specified in the [Start-UP NY SUNY Campus Guide to Getting Started](#), additional criteria by which to assess how a tax-free business aligns with the mission of the College in knowledge creation, knowledge diffusion, and formation of values, the College may consider the following factors or a combination thereof in its consideration to sponsor the tax-free business:

- i. Comprehensive undergraduate, graduate education and professional education
- ii. Research
- iii. Leadership
- iv. Diversity
- v. Culture
- vi. Regional economic development
- vii. Internship and training opportunities
- viii. Direct job opportunities for campus graduates
- ix. Internationalization
- x. Specific area specialization of the campus (human services, IT, environmental science business education, professional postsecondary programs etc.)

- xi. Any other factors which the college or campus deems to be appropriate in determining the alignment of mission to the business.

Potential industries of interest to the College at Brockport include those with a focus on:

- Light manufacturing (adaptive/assistive/kinesiology technologies, in particular)
- Mobile, wireless, and personal area networks and related technology
- Digital Media
- Energy innovation/green technology
- Public Health and Human Services
- Biotech/Analytical Chemistry
- Environmental monitoring/watershed management/remediation
- Aquaculture
- Education

4. Alignment with the academic mission of the college:

The College at Brockport seeks Start-UP NY partners that align with and enhance the academic mission of the college and its academic programs. This can be realized in multiple ways, including:

- Sharing of expertise with the college (e.g. research opportunities for our faculty, instructional contributions, executive-in-residence)
- Quality high impact educational opportunities for our students (e.g. research opportunities, internships, co-op experiences)
- Support for scholarships, fellowships, etc.
- Development of physical assets and support for campus facilities and/or other institutional services/amenities

Part of the State University of New York (SUNY) system of higher education, The College at Brockport is a comprehensive master's institution offering 50 undergraduate major programs and 48 master's programs through its Schools of Business Administration and Economics, Mathematics and Sciences, Education and Human Services, Health and Human Performance and the Arts, Humanities and Social Sciences.

The institution's primary commitment is to student success, achieved through a combination of major and General Education requirements and co-curricular programs to which students have broad access and participation. Student success at Brockport is multifaceted, involving academic quality and engagement, co-curricular and support programs, each of which reflects our commitment to students functioning in a culturally diverse world.

The College mission reflects long-term commitments to excellence in both liberal arts and professional education at the undergraduate and graduate levels. These commitments advance the development of the whole student through attention to the highest quality scholarship, civic engagement, and environments for learning and student life

The College is particularly focused on developing partnerships with eligible Start-UP NY companies of small to medium size that would benefit from the expertise of our School of Business Administration and Finance as they develop and grow.

As a partner to a Start-UP NY company, the College can:

- Provide just in time advice, consulting and specialized expertise through our faculty and students
- Organize interest group training best practice sessions at convenient times and delivered on demand
- Provide interns for short duration projects (with faculty guidance) or as part of a transition plan to permanent employment growth
- Conduct market and technical research and studies on a confidential basis that will help provide timely information for our business partners
- Serve as a match maker and facilitate networks for clients facing similar challenges
- Host conferences and meetings facilitated by state of the art technology
- Offer a punctuated residency programs designed specifically for the challenges of growing a small to medium sized entrepreneurial firm
- Provide the services of our Small Business Development Center

In short the College can be the intellectual partner of a Start-UP NY enterprise as they grow their business.

Start-UP NY partners can further derive benefit from the core academic competencies of the College:

Accounting	Water Resources	Finance
Art	Geology	Accounting (Forensic)
Biochemistry	Health Science	Communication
Biology	Marketing	Educational
Business Administration	Medical Technology	Administration
Chemistry	Nursing	Public Administration
Communications	Physics	Education
Computer Science and	Recreation and Leisure	Human Development
Information Systems	Social Work	Health Science
Earth Sciences	Teacher Certification	Environmental Science
		Theater

5. How Start-UP NY businesses will generate positive community & economic benefits.

The host community of the College of Brockport is composed of the Village of Brockport and the Town of Sweden and can be defined as rural, agricultural, and “small town”. According to the 2010 U.S. Census and New York State Department of Labor data, 7.0 percent of the civilian labor force in the Brockport/Sweden area is unemployed, and 14.9 percent of all people who reside in the Brockport/Sweden area have had an income reported below the poverty level in the past 12 months with the median household income being \$42,636.

Eligible Start-UP NY businesses that align with the academic mission under the College’s Start-UP NY plan will contribute to the improvement and economic well-being of the residents of the greater Brockport/Sweden community and the Rochester area by:

- Increasing employment opportunities

- Diversifying the local economy
- Reducing office vacancies
- Improving the tax base
- Creating positive linkages to existing businesses

The current available inventory of commercial space within 1 mile radius of the College at Brockport's campus easily exceeds 300,000 square feet. Furthermore, while the population of the community has remained relatively static over the past five-years, the local school district has seen a 12% decrease in enrollments over this period, with projections for an additional 7% decline in the next five year period. In these regards, the Village of Brockport and the Town of Sweden are typical of many small communities in Upstate New York.

The College's Start-UP NY plan targets industries that will both increase the availability of highly skilled, high paying jobs (e.g., biotech, energy innovation and green technologies, etc.), as well as increase and diversify employment opportunities (e.g. light manufacturing, environmental monitoring, public health and human services, etc.) in the community. Expanded employment opportunities in the local community will likely provide a vehicle for growth as new people are attracted to the area, while having a positive multiplier effect on local businesses.

Start-UP NY represents a significant opportunity to catalyze the development of a vibrant and sustainable economy for the College's host community.

6. Description of how the College will select businesses under START-UP NY.

The College will utilize its Small Business Development Center, a newly formed Start-UP NY Advisory Committee, and existing campus committees, to select businesses Start-UP NY partners for the campus.

Membership on the Start-UP NY Advisory Committee includes the Campus Provost, Dean of the School of Business and Accounting, Vice President of Administration and Finance, a member of the College Senate selected by the Executive Committee of the Senate, and the Chairs of the Campus Budget and Resource Committee (BRC) and the Campus-wide Facilities Planning Committee (CFPC).

Selection Criteria:

The College at Brockport's Start-UP NY Advisory Committee will evaluate prospective applicants according to the following criteria:

Academic and Research Alignment

- Is the business in an industry aligned with current and/or developing University 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?

Economic Benefit

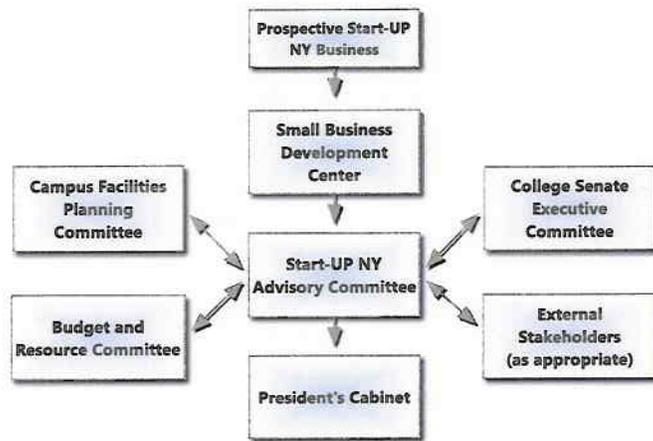
- How many net new jobs will be created?
- Is the business viable in both the short- and long-term?
- Will the business attract private financial investment?
- Does the business plan to make capital investments (e.g., renovation, new construction)?
- Are the new jobs in critical areas of the economy?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

Community Benefit

- 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?

Selection Process:

1. Business application by prospective Start-UP NY businesses to the College's Start-UP NY Plan will be made through the College's affiliated Small Business Development Center (SBDC).
2. If the business applicant meets the minimum criteria for eligibility, as specified in this plan, the SBDC will forward the application the Start-UP NY Advisory Committee for review.
3. The Start-UP NY Advisory Committee will select prospective business on the basis of their ability to align with and advance the mission of the College, as well as their potential for economic and community benefit as reflected in the selection criteria above. The Advisory Committee will seek input on prospective applications from appropriate campus committees, constituencies, and offices, as well as from external agencies and stakeholders.
4. Upon review and approval from the Advisory Committee the business application will be forwarded to the President's Cabinet for final review and Presidential approval.
5. Approved applications will be transmitted to Empire State Development for final review.



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

Attachment D

The College at Brockport SUNY

Assorted Certifications (Conflict of Interest, Start-UP NY Program Participation Policy)

influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.

- g. An officer or employee of a state agency should abstain from making personal investments in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.
 - h. An officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.
 - i. No officer or employee of a state agency employed on a full-time basis nor any firm or association of which such an officer or employee is a member nor corporation a substantial portion of the stock of which is owned or controlled directly or indirectly by such officer or employee, should sell goods or services of any person, firm, corporation or association which is licensed or whose rates are fixed by the state agency in which such officer or employee serves or is employed.
4. **Violations.** In addition to any penalty contained in any other provision of law any such officer, member or employee who shall knowingly and intentionally violate any of the provisions of this section may be fined, suspended or removed from office or employment in the manner provided by law. Any such individual who knowingly and intentionally violates the provisions of paragraph b, c, d or i of subdivision three of this section shall be subject to a civil penalty in an amount not to exceed ten thousand dollars and the value of any gift, compensation or benefit received as a result of such violation. Any such individual who knowingly and intentionally violates the provisions of paragraph a, e or g of subdivision three of this section shall be subject to a civil penalty in an amount not to exceed the value of any gift, compensation or benefit received as a result of such violation.

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

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

Policy

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

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

Attachment D

The College at Brockport SUNY

Assorted Certifications (Conflict of Interest, Start-UP NY Program Participation Policy)

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](#)

Attachment D

The College at Brockport SUNY

Assorted Certifications (Conflict of Interest, Start-UP NY Program Participation Policy)

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.



Category:
Academic Affairs
Community Colleges
Legal and Compliance
Research

Responsible Office:
Academic Affairs

Policy Title:
START-UP NY Program Participation Policy

Document Number:
6800

Effective Date:
February 10, 2014

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

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Summary

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

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

Policy

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

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

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

Definitions

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

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

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

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

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

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

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

Other Related Information

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

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

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

Procedures

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

Forms

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

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

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

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

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

[ESD START-UP Business Application](#)

Authority

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

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

[Start-Up NY Regulations](#)

History

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

Appendices

There are no appendices relevant to this policy.

Location	UniqueID	Owner	Property Type	StreetAddress	City	ZipCode	ParcelID	Building	Space Type	SqFt	Acres	Description	onCampus	Within 1 Mile Of Campus	Latitude	Longitude	Note
City of Rochester	SU-102-1-B-0140-000-1	SUNY Brockport	1	55 St. Paul Street	Rochester	14604		Metro Center	C	7,520		Space on lower floor	Yes	N/A	43°09'28.4"N	77°36'34.3"W	
Town of Sweden	SU-102-1-L-0001-000-A	SUNY Brockport	1	350 New Campus Drive	Sweden	14420	265289 083.01-2-2		D		86	SW portion of Campus	Yes	N/A	43°12'12.8"N	77°57'45.1"W	
Town of Sweden	SU-102-1-L-0002-000-A	SUNY Brockport	1	7111 Fourth Section Rd	Sweden	14420	265289 083.01-3-18		D		3.6	Vacant Land	Yes	Yes	43°11'52.2"N	77°56'06.3"W	
Town of Sweden	SU-102-1-L-0003-000-A	SUNY Brockport	1	2842 Colby Street	Sweden	14420	265289 099.01-1-1		D		7.8	Vacant Land	Yes	No	43°10'45.4"N	77°56'19.2"W	
Town of Sweden	SU-102-2-L-0004-000-A	McLean Development LLC	2	4599 Redman Rd	Sweden	14420	265289 068.03-1-18.11		E		0.35	Vacant Land	No	Yes	43°12'30.9"N	77°58'17.0"W	
Town of Sweden	SU-102-2-L-0005-000-A	McLean Development LLC	2	4599 Redman Rd	Sweden	14420	265289 068.03-1-18.11		E		0.24	Vacant Land	No	Yes	43°12'30.9"N	77°58'14.7"W	
Town of Sweden	SU-102-2-L-0006-000-A	McLean Development LLC	2	4599 Redman Rd	Sweden	14420	265289 068.03-1-18.11		E		0.21	Vacant Land	No	Yes	43°12'30.9"N	77°58'11.3"W	
Town of Sweden	SU-102-2-L-0007-000-A	McLean Development LLC	2	4599 Redman Rd	Sweden	14420	265289 068.03-1-18.11		E		0.15	Vacant Land	No	Yes	43°12'30.9"N	77°58'9.6"W	
Town of Sweden	SU-102-2-L-0008-000-A	McLean Development LLC	2	4599 Redman Rd	Sweden	14420	265289 068.03-1-18.11		E		0.17	Vacant Land	No	Yes	43°12'30.6"N	77°58'7.6"W	
Village of Brockport	SU-102-2-B-0009-000-A	Ross Gates	2	43 Market Street	Village of Brockport	14420	265201 069.45-2-14.1		F	2,040		Building	No	Yes	43°12'55.9"N	77°56'12.5"W	
Village of Brockport	SU-102-2-B-0010-000-A	85 Clinton St. LLC	2	85 Clinton Street	Village of Brockport	14420	265201 0068.520-3-3		G	4,425		Building	No	Yes	43°12'56.3"N	77°56'34.3"W	
Village of Brockport	SU-102-2-B-0011-000-A	Vulcan Venture (S corp)	2	80 Clinton Street	Village of Brockport	14420	265201 068.520-2-3		F	6,490		Building	No	Yes	43°12'59.7"N	77°56'26.7"W	

** A=entire building

* 1= on campus

2= 1 mile off campus

3= State Asset

B=floor within building

C=floor within building

D=land on campus

E= land off campus

F=entire building off campus

G=partial building off campus

H=state asset

Designated Land or Buildings Unique ID Standard

See Sheet 2: SUNY Unique ID Codes

Attachment B
The College at Brockport SUNY
Start-UP NY Property Designation Maps and Floor Plans

Figure 1: Parcel SU-102-1-L-0001-000-A West Campus (86 acres)



Figure 2: Parcel SU-102-1-L-0002-000-A - Fourth Section Road, Sweden NY (3.6 acres)

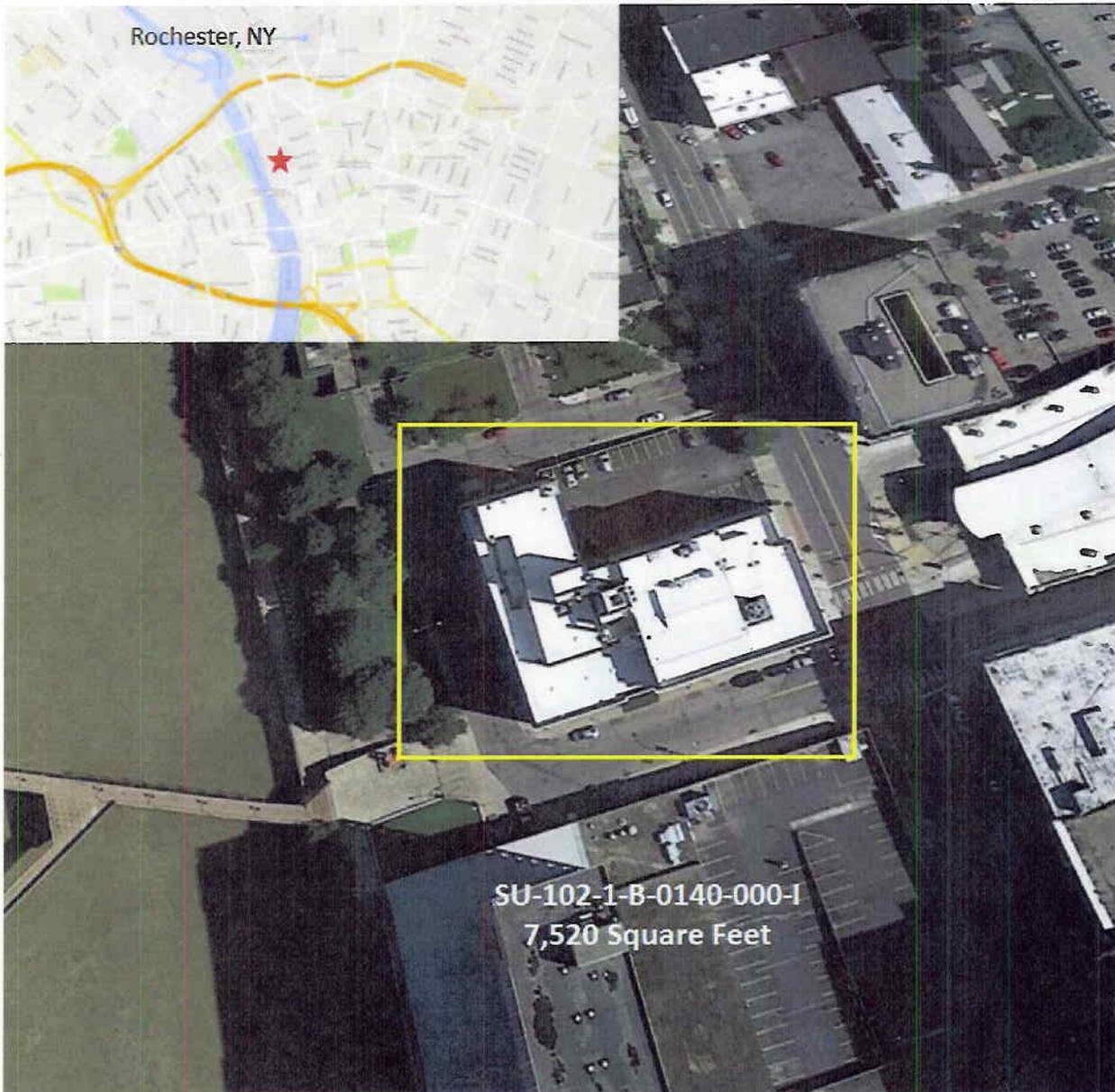


AAttachment B
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Start-UP NY Property Designation Maps and Floor Plans

Figure 3: Parcel SU-102-1-L-0003-000-A - Colby Road Parcel, Sweden NY (7.8 acres)

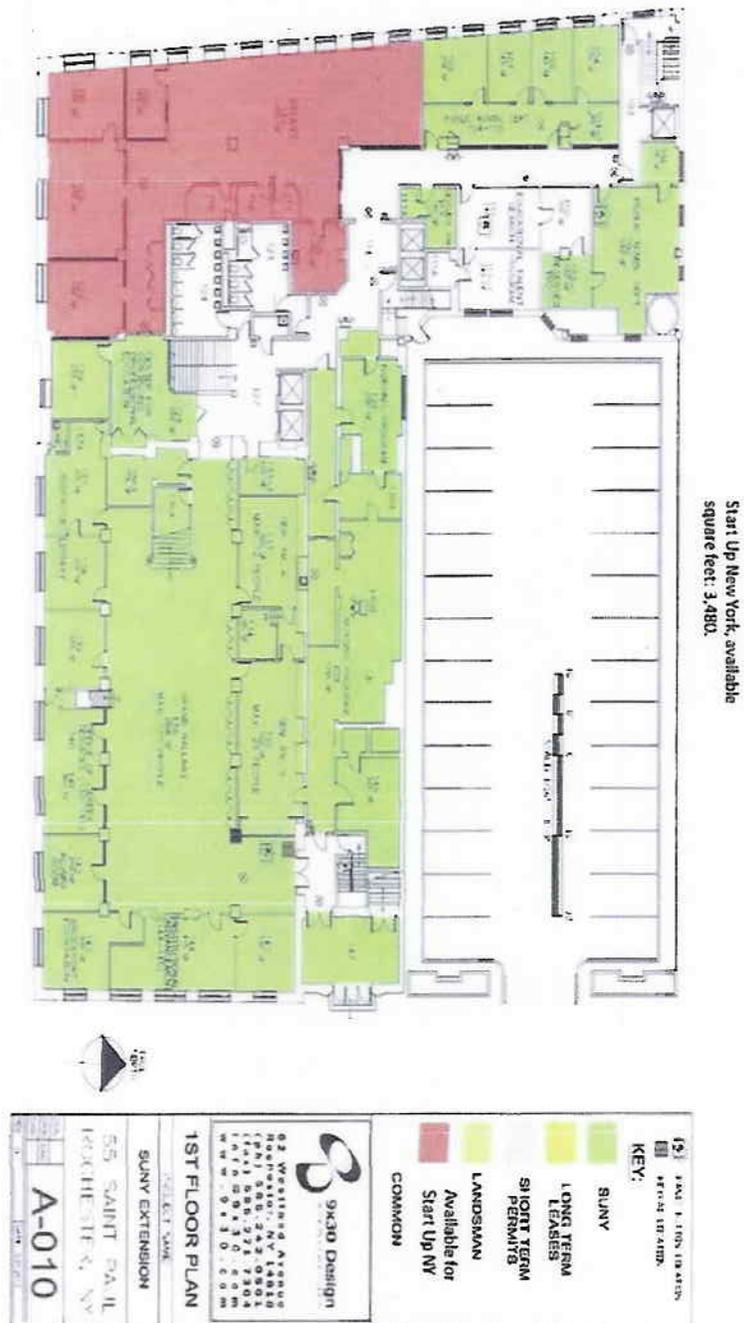


Figure 4a: Parcel SU 102-1-B-0140-000-I - 55 St. Paul Street, Rochester NY (7,520 sq.ft. in the Metro Center)



Attachment B
 The College at Brockport SUNY
 Start-UP NY Property Designation Maps and Floor Plans

Figure 4c: Parcel SU-102-1-B-0140-000-I – 55 Saint Paul Street, Rochester NY (floor plan: first floor, 3,480 sq.ft.)



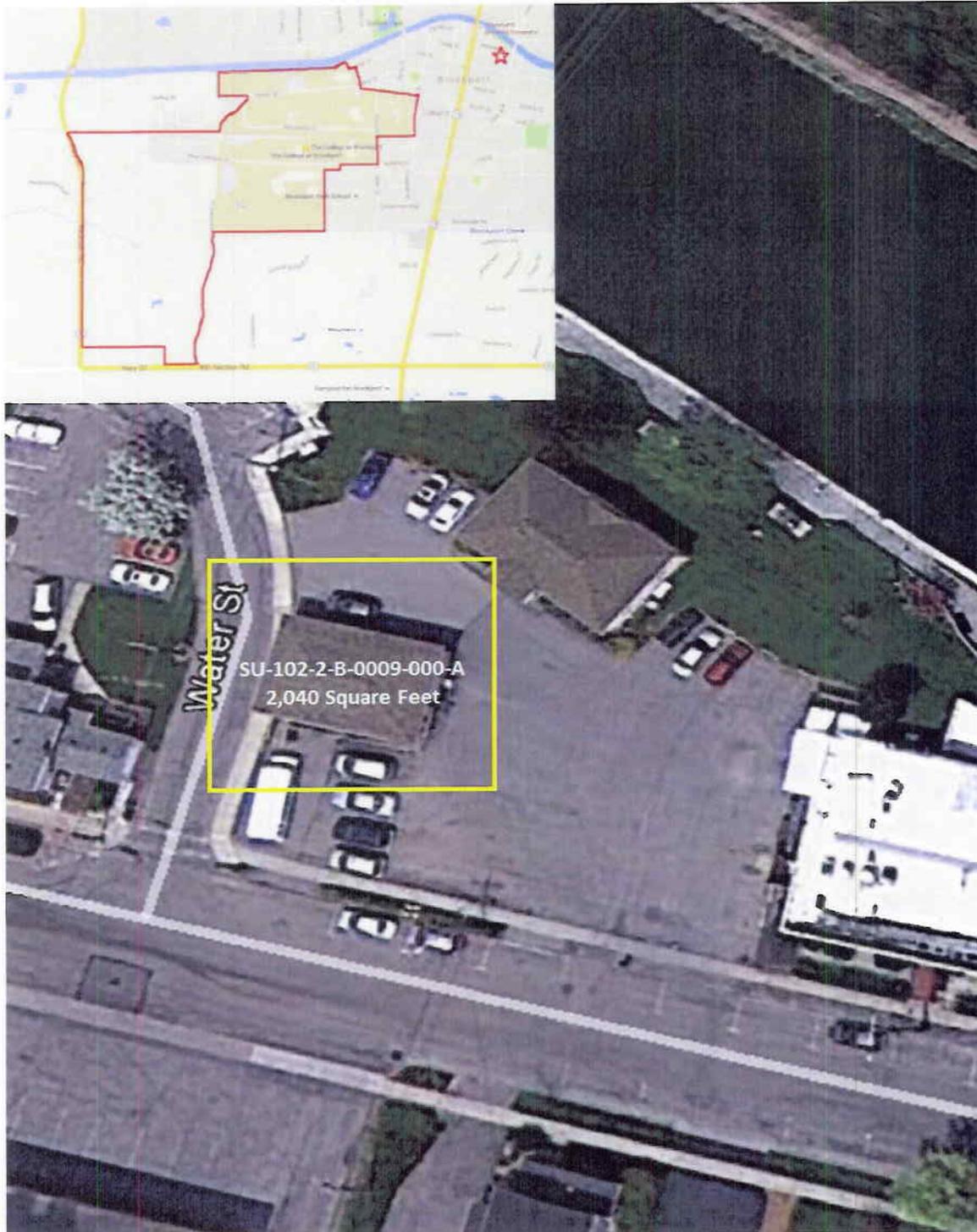
Attachment B
The College at Brockport SUNY
Start-UP NY Property Designation Maps and Floor Plans

Figure 5: Parcels SU-102-2-L-0004-000-A (Lot A, 0.35 acres), SU-102-2-L-0005-000-A (Lot B, 0.24 acres), SU-102-2-L-0006-000-A (Lot C, 0.21 acres), SU-102-2-L-0007-000-A (Lot D, 0.15 acres), and SU-102-2-L-0008-000-A (Lot E, 0.17 acres); McLean Development LLC (owner) Redman Rd, Sweden, NY



Attachment B
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Start-UP NY Property Designation Maps and Floor Plans

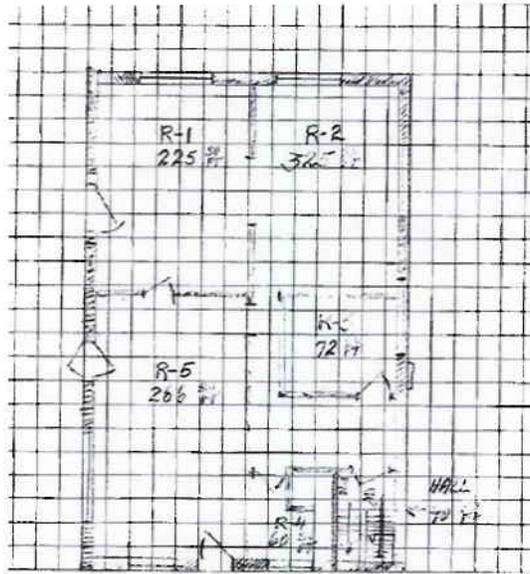
Figure 6a: Parcel SU-102-2-B-0009-000-A – 43 Market Street, The Village at Brockport, NY (2,040 sq.ft., entire building); Ross Gates (owner)



Attachment B
The College at Brockport SUNY
Start-UP NY Property Designation Maps and Floor Plans

Figure 6b: Parcel SU-102-2-B-0009-000-A – 43 Market Street, The Village at Brockport, NY (2,040 sq.ft., entire building); Ross Gates (owner) Note: Clearer floor plan unavailable.

(First Floor, (25.7' x 38.5') 988 sq.ft.)

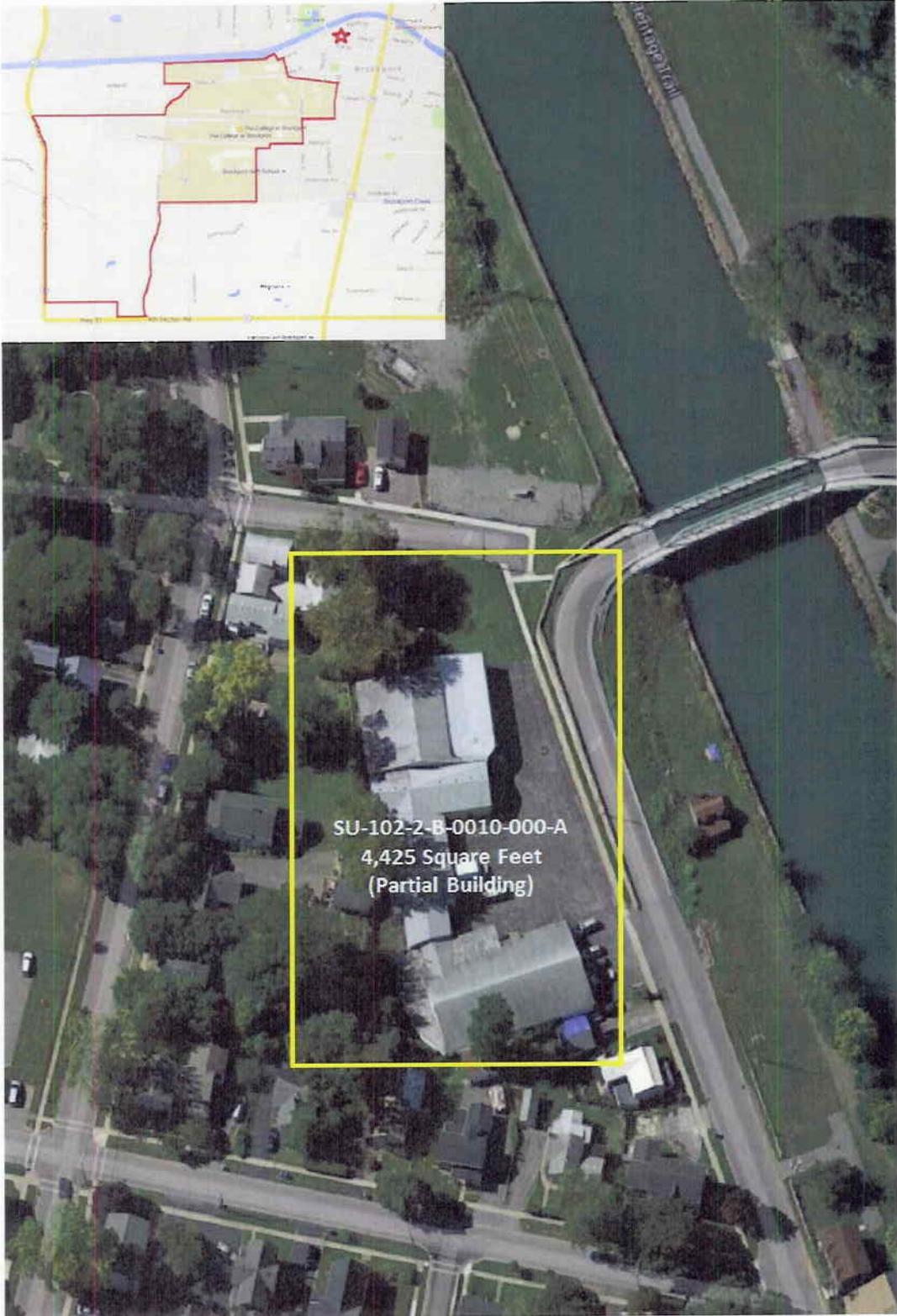


(Basement, (25.8' x 40.8') 1,052 sq.ft.)



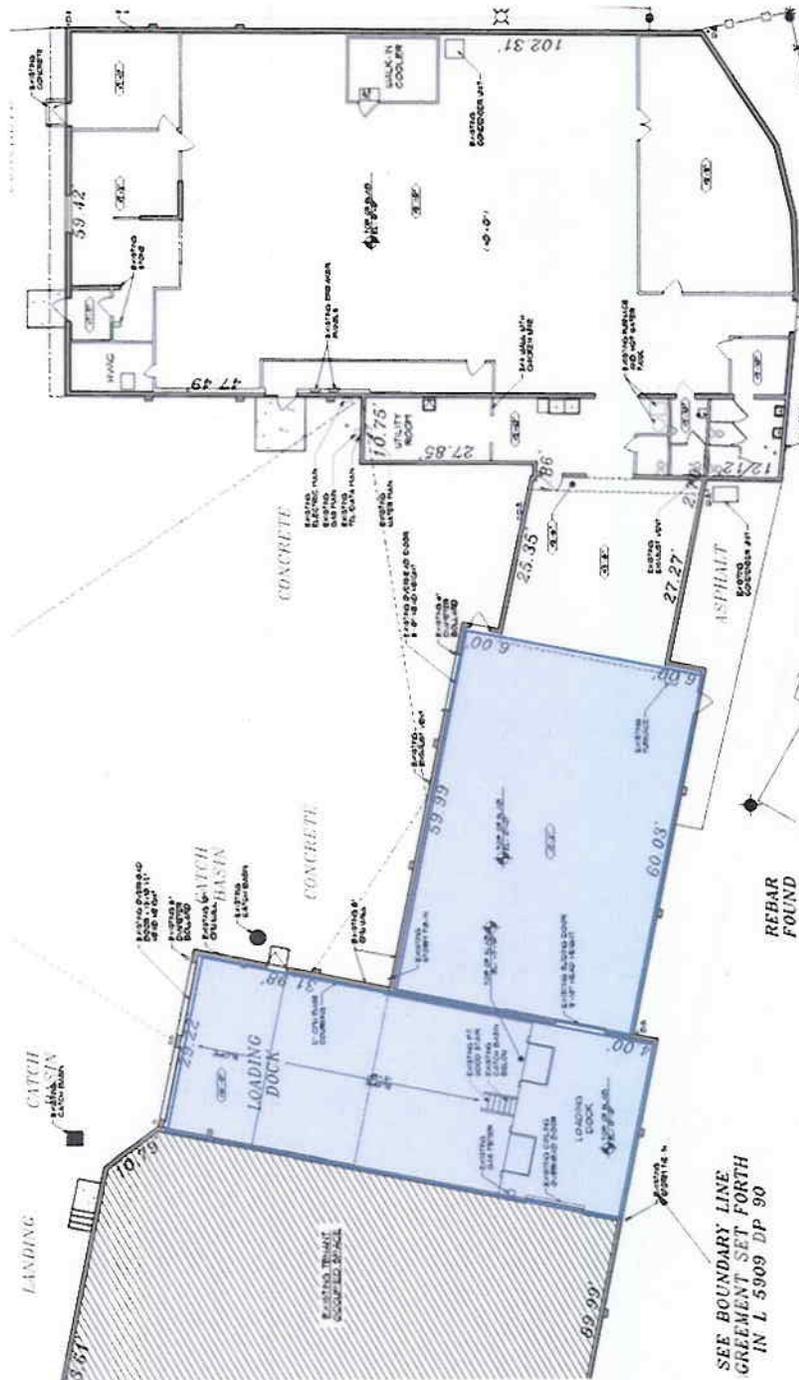
Attachment B
The College at Brockport SUNY
Start-UP NY Property Designation Maps and Floor Plans

Figure 7a: Parcel SU-102-2-B-00010-000-A – 85 Clinton St, The Village at Brockport, NY (4,425 sq. ft. partial building); 85 Clinton St. LLC (owner)



Attachment B
 The College at Brockport SUNY
 Start-UP NY Property Designation Maps and Floor Plans

Figure 7b: Parcel SU-102-2-B-0010-000-A – 85 Clinton St, The Village at Brockport, NY (4,425 sq. ft. partial building); 85 Clinton St. LLC (owner)



Available for Start UP NY
 (4,425 square feet)

Attachment B
The College at Brockport SUNY
Start-UP NY Property Designation Maps and Floor Plans

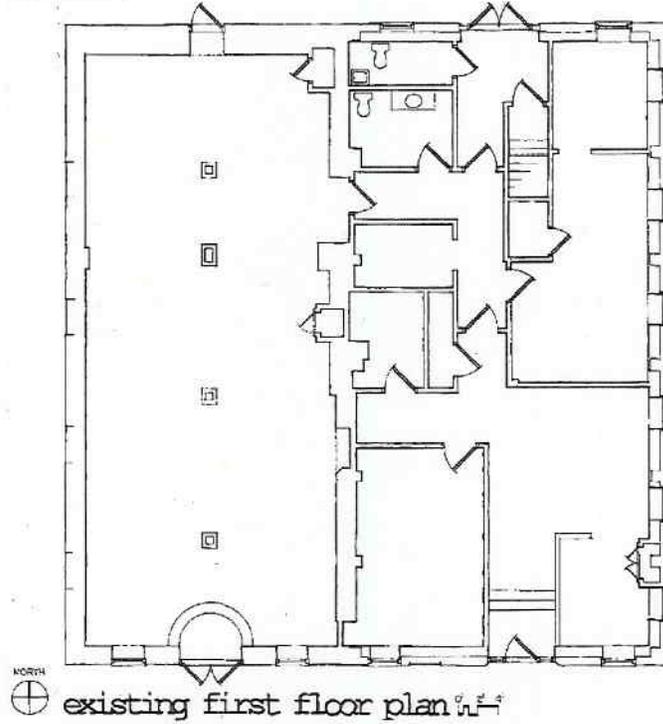
Figure 8a: Parcel SU-102-2-B-00011-000-A – 80 Clinton St., The Village at Brockport, NY (6,490 sq.ft., entire building); Vulcan Ventures, S corp (owner)



Attachment B
The College at Brockport SUNY
Start-UP NY Property Designation Maps and Floor Plans

Figure 8b: Parcel SU-102-2-B-00011-000-A – 80 Clinton St., The Village at Brockport, NY (6,490 sq.ft., entire building); Vulcan Ventures, S corp (owner)

(First Floor, (55'x59') 3,245 sq.ft.)



(Second Floor, (55'x59') 3,245 sq.ft.)

