



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: John Nader, Provost

Re: SUNY Delhi Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan")

Date: May 11, 2015

For campus Office of the President:

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

[Handwritten signature of Candace S. Vancko]

Signature of campus President

Candace S. Vancko, Ph. D.

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 [approved/reject] the attached Campus Plan:

[Handwritten signature of Jeffrey A. Boyce]

Proposal Review Team Co-Chair

5-11-15

Date

Jeffrey A. Boyce

Print Name

For SUNY Office of the Chancellor:

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

[Handwritten signature of Sandra M. Casey]

Signature of the Chancellor or designee

5/12/15

Date

Sandra M. Casey

Print Name



The State University  
of New York

To: Howard Zensky, President & CEO, Empire State Development and Commissioner, NYS Department of Economic Development  
From: President Candace S. Vancko of SUNY Delhi  
Re: SUNY Delhi's Campus Plan for Designation of Tax-Free Area(s)  
Date:

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I, President Vancko of SUNY Delhi 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 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.

Candace S. Vancko  
PRESIDENT'S SIGNATURE

6-17-15  
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: SUNY Delhi  
Campus Contact Name: John Nader  
Campus Contact Title: Provost  
Campus Contact E-mail: naderjs@delhi.edu  
Campus Contact Phone: 607-746-4542

**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: SUNY Delhi
Campus Address: 454 Delhi Drive, Delhi, NY 13753
Address(es) of Proposed Tax-Free NY Area(s) :
<u>Campus Owned Property</u>
1) 1018-1104 Arbor Hill Road, Delhi, NY 13753 (65.36 acres)
2) 1018-1104 Arbor Hill Road, Delhi, NY 13753 (45.00 acres)
3) Main Street, Delhi, NY 13753 (softball fields, no driveway, therefore no street address)
<u>Off Campus Designations</u>
4) 14767 State Highway 28, Delhi, NY 13753

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

Campus-Owned Property

**1) 1018-1104 Arbor Hill Road, Delhi, NY 13753**

Vacant land on Valley Campus, 65.36 acres, open land  
Prime developable land adjacent to existing infrastructure

**2) 1018-1104 Arbor Hill Road, Delhi, NY 13753**

Vacant land on Valley Campus, 45.00 acres, open and wooded land  
Prime developable land adjacent to existing infrastructure

**3) Main Street, Delhi, NY 13753**

Softball fields in Village of Delhi – 7.31 acres, brownfield convertible to building space with appropriate proposal, adjacent parking  
Located in the heart of the primary commercial district of Delhi  
This site has not been utilized by students or faculty in many years.

Off Campus Designations

**4) 14767 State Highway 28, Delhi, NY 13753**

2,500 square foot building and 2.32 acres of land privately owned  
Vacant Commercial/Industrial site ready as is or for redevelopment  
This property is 4 miles from campus and is seeking a waiver from the Commissioner of Economic Development to allow designation as an off-campus tax-free location. SUNY Delhi and the IDA have been in conversations with a local company that is ready to move from the research and development phase into production phase and this location provides the required utilities and infrastructure. There are a very limited number of facilities that meet these requirements in the Delhi area.

Note – The attached map labeled "Lands of SUNY Delhi College – Included in the Tax Free Zone SU-125-2-L-00201-111-A" identifies this property located at 14767 State Highway 28 in Delhi, NY. The aerial photo shows a number of trailers and mobile units on the property that have since been removed from the site. The building is on the north end of the property with the black roof.

1.5

- 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:

2,500 square feet of building space
119.99 acres of vacant land

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

### **Off Campus**

With the assistance of the local IDA and Economic Development office, SUNY Delhi has identified local properties as potential Start-Up NY sites, comprised of both vacant land and buildings. SUNY Delhi's Start-Up NY plan will be amended if, and when, an eligible business seeks Start-Up NY status at one of these potential off campus sites:

#### **5 ½ Main Street, Delhi, NY 13753**

4,400 square foot building

Small business incubator and resource center owned by the Catskill Development Foundation. The eCenter is a partnership between the Delaware County Office of Economic Development, the Delaware County Industrial Development Agency, the Delaware County Chamber of Commerce and SUNY Delhi. Six suites are available ranging in size from 1,768 square feet to 108 square feet. The venue also has two state-of-the-art conference facilities, a common use kitchen, as well as common use print, copy and phone services. The eCenter features wireless internet and all offices come equipped with high speed connections. The eCenter is not an incubator as defined by section sixteen-v of section one of chapter one hundred seventy-four of the laws of nineteen hundred sixty-eight constituting the urban development corporation act, and as such will not allow for a business currently in the incubator to move from the incubator and receive or maintain START-UP NY benefits.

#### **79 Meredith Street, Delhi, NY 13753**

Privately owned, 1.5 acres of vacant land, new commercial lot w/infrastructure, located on state road

#### **41861 State Highway 10, Delhi, NY 13753**

Privately owned, 2.6 acres of vacant land with parking lot,  
Land adjacent to former healthcare facility ready for redevelopment

#### **7 North Depot Street, Delhi, NY 13753**

Privately owned, 1.8 acres of land suitable for redevelopment,  
Commercial/Industrial parcel with infrastructure in commercial core

#### **9 Main Street, Delhi, NY 13753**

Privately owned, 1.0 acre of vacant land,  
Prime commercial/industrial lot on Main Street in commercial core

#### **11 South Depot Street, Delhi, NY 13753**

Privately owned, 10,000 square foot building on 2.6 acres  
Commercial/Industrial building & land with infrastructure in commercial core

#### **18718 State Highway 28, Delhi, NY 13753**

Privately owned

3 vacant land parcels - .5 acres, 5.2 acres, .8 acres

Vacant land parcels with infrastructure adjacent to property with building listed below  
1 parcel – 24,000 square foot building on 7.3 acres

**41155 State Highway 10, Delhi, NY 13753**

Privately owned, 14.7 acres of vacant land adjoining existing commercial development

**2 Bridge Street, Delhi, NY 13753**

County owned, 9,000 square foot building on 3.0 acres

Located in commercial core

**41861 State Highway 10, Delhi, NY 13753**

Privately owned, 85,000 square foot building on 58.7 acres of land,

Former healthcare facility ready as is or for redevelopment

**40995 State Highway 10, Delhi, NY 13753**

Privately owned, 24 acres

Shovel ready vacant lot adjacent to public infrastructure

**On Campus**

Construction Laboratory in Smith Hall, 1700 sq. ft., suitable for manufacturing or fabrication processes

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.

Square footage – 134,100

Acreage -123.7

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

As the only institution of higher education in rural Delaware County, SUNY Delhi is in a unique position to foster the economic growth of surrounding communities.

START-UP NY provides an opportunity for the college to utilize our resources as a community-based college of technology that also offers many on-line educational opportunities to promote economic development in the area while providing our students with enhanced experiential learning opportunities.

The types of businesses that may be interested in locating on the SUNY Delhi campus or in nearby communities and that align with the academic mission and offerings at SUNY Delhi include:

- Advanced manufacturing, including electronic components; health care equipment; plastics
- Digital design manufacturing
- 3D printing
- Traditional manufacturing
- Construction (commercial and residential)
- Woodworking, including furniture and related wood manufacturing products;
- Metal fabrication and related industries such as machining, welding, and CNC operations
- Renewable energy companies, including manufacturers, installers, and researchers in solar, wind, and hybrid forms of energy
- Information technology
- Telecommunications
- Food manufacturing and processing
- Water resource management and wastewater management

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.

5)

SUNY Delhi's mission is as follows: "Because the student is the most important member of the SUNY Delhi community, the college is committed to student success through academic achievement, civic engagement and experiential learning." The mission and institutional goals adopted by SUNY Delhi faculty and staff include a focus on achieving academic excellence by emphasizing hands-on, experiential and applied teaching and learning in small classes; defining rigorous academic and professional standards of learning; and assessing the extent to which programs and students meet or exceed these standards. Faculty and staff aim to build strategic partnerships by encouraging the development and expansion of internships and service learning opportunities and by assisting with local and state economic development efforts by forging stronger extensive ties with the private and public sector.

Any business associated with SUNY Delhi through START-UP NY would be expected to further SUNY Delhi's mission and institutional goals by providing students in a range of academic fields with valuable experiential learning, service learning, and internship opportunities. Businesses may also provide opportunities for faculty to enhance their industry expertise, bridge the gap between the "real world" and classroom instruction, and offer industry contacts and professional development opportunities in industries related to the faculty member's academic field. In addition, businesses that will enhance economic development in the Catskill Watershed region will be desired.

Specifically, SUNY Delhi will seek to partner with businesses that will enhance economic development on or near campus and in the surrounding community and will provide experiential learning opportunities for SUNY Delhi students, both inside and outside of the classroom, that align with academic programs and campus priorities. SUNY Delhi would like businesses and their leaders to:

- Provide opportunities for faculty to consult with the business
- Serve on college advisory councils
- Serve as guest speakers in classes and campus-wide events
- Sponsor student scholarships
- Provide service learning opportunities
- Sponsor community and college events on campus

- 6) 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.

As the only institution of higher education in Delaware County, SUNY Delhi is integral to the cultural and economic foundation of Delhi, NY and all of Delaware County. Delaware County is geographically the fifth largest county in the state, but it has one of the lowest populations (53<sup>rd</sup> out of 62). Founded in 1913, SUNY Delhi has been a major employer and cultural center in Delaware County for more than 100 years. It helps to promote tourism in the area and brings students and faculty to the area from all over the state, country, and world. SUNY Delhi has experienced tremendous growth over the past decade, reaching a record enrollment of over 3,200 students.

SUNY Delhi's Business Development office plays a key role in providing educational and training opportunities to the local community and promoting economic development across Delaware County. The office specializes in trades-related, industry, and hospitality training offered on campus or at business sites and creates customized programs to meet the needs of business, industry, and the community at the regional and state levels. Strong partnerships have been developed with institutions such as Kraft Foods, Inc., Raymond Corporation, Unison Industries, The Otesaga, CDO Workforce, Delaware County Department of Public Works, Delaware County Department of Social Services, Friesland Campina DOMO, US Army Fort Drum and the Watershed Agricultural Council. The College's business development mission is:

The Business Development office is committed to providing a comprehensive variety of high quality technical programs, educational services and leadership training that reflect the learning interests of our local population. We offer customized non-credit courses, workshops, conferences, and seminars intended to provide opportunities for skills enhancement and professional development to the public and private sectors of the community. We aspire to develop strong, extensive ties with individuals, businesses and organizations to strengthen local and state economic development efforts.

Allowing eligible new and expanding businesses to participate in START-UP NY throughout Delaware County would be a huge asset to the campus and local communities. Through partnerships with academic programs and the Business Development office, START-UP NY businesses will provide much needed employment opportunities in rural Delaware County and increase the opportunities for internships, vocational training, and experiential learning for students and community members on or near the campus. START-UP NY businesses will complement and expand the already existing manufacturing base, promote the sustainable use of the abundant natural resources native to the area and potentially improve the underemployment rate for the county (32.2%).

- 7) 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?
- 8.

**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?
- 7.

**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?

SUNY Delhi has established a START-UP NY Committee. The committee is comprised of 12 members; Chairman of the Delaware County Industrial Development Agency, Director of Delaware County Economic Development/IDA, Senior Vice-President of Community Bank, President of Sportsfield Specialties, Inc., Independent Management Consulting Professional with Farley & Associates, Inc., Vice-President Human Resources at JMA Wireless, SUNY Delhi President, SUNY Delhi Provost, SUNY Delhi Vice-President for Business & Finance, SUNY Delhi Vice-President of College Relations and Advancement, President of SUNY Delhi College Senate, and Director of Career and Business Development. A SUNY Delhi staff person has been assigned the role of acting as the campus' START-UP NY Coordinator.

The process for approving potential START-UP NY businesses will be as follows:

1. The START-UP NY Coordinator will review prospective START-UP NY business proposals and determine if the business is eligible for START-UP NY and an appropriate match.
2. If there is a match, the START-UP NY Coordinator will forward the business proposal to the START-UP NY Committee for review.
3. If any project comes before the committee that presents a conflict of interest, real or perceived, the affected committee member shall immediately recuse themselves from the discussion and decision making process.
4. The START-UP NY Committee will develop a recommendation about the business's participation in START-UP NY. In order to receive a positive recommendation, all potential businesses must:
  - Provide experiential learning and workforce opportunities for students and graduates
  - Provide opportunities for partnership and advancement for faculty and/or students
  - Be a viable business in both the long term and the short term
  - Comply with applicable NYC watershed impact regulations
5. Priority will be given to businesses that meet one or more of the following criteria:
  - Fund scholarships, campus facilities or other academic services or amenities
  - Contribute to instruction or provide student mentoring
  - Offer the use of company resources, intellectual property or expertise to support SUNY Delhi's academic mission
  - Plan to make capital investments on or near campus or in local communities
  - Create jobs that are critical to the area economy
  - Have the support of local municipalities
  - Rely on suppliers with the local/regional economy

6. The START-UP NY Committee's recommendation will be forwarded to the President, Provost, and Vice President for College Relations and Advancement.
7. The President, Provost and Vice President for College Relations and Advancement will make the final decision about the business's participation in START-UP NY

# 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 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: <a href="#">University Counsel</a></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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**Table of Contents**

- [Summary](#)
- [Policy](#)
- [Definitions](#)
- [Other Related Information](#)
- [Procedures](#)
- [Forms](#)
- [Authority](#)
- [History](#)
- [Appendices](#)

**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.

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### **Definitions**

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

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### **Other Related Information**

[Outside Activities of University Policy Makers](#)  
[Ethics in State Government - A Guide for New York State Employees](#)  
[National Science Foundation, Grant Policy Manual](#)

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### **Procedures**

There are no procedures relevant to this policy.

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### **Forms**

There are no forms relevant to this policy.

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### **Authority**

[42 CFR 50, Subpart F](#)

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

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

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

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

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

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**History**

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

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**Appendices**

There are no appendices relevant to this policy.



Category:  
Academic Affairs  
Community Colleges  
Legal and Compliance  
Research

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

## Table of Contents

[Summary](#)  
[Policy](#)  
[Definitions](#)  
[Other Related Information](#)  
[Procedures](#)  
[Forms](#)  
[Authority](#)  
[History](#)  
[Appendices](#)

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## Summary

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

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

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## Policy

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

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

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

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## Definitions

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

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

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

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

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

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

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

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## Other Related Information

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

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

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

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## Procedures

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

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## Forms

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

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

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

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

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

[ESD START-UP Business Application](#)

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## Authority

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

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

[Start-Up NY Regulations](#)

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## History

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

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**Appendices**

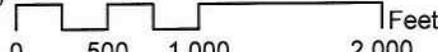
There are no appendices relevant to this policy.



# Lands of SUNY Delhi College - Included in the Tax Free Zone SU-125-1-L-00101-000-A



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

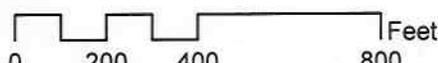
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# Lands of SUNY Delhi College - Included in the Tax Free Zone

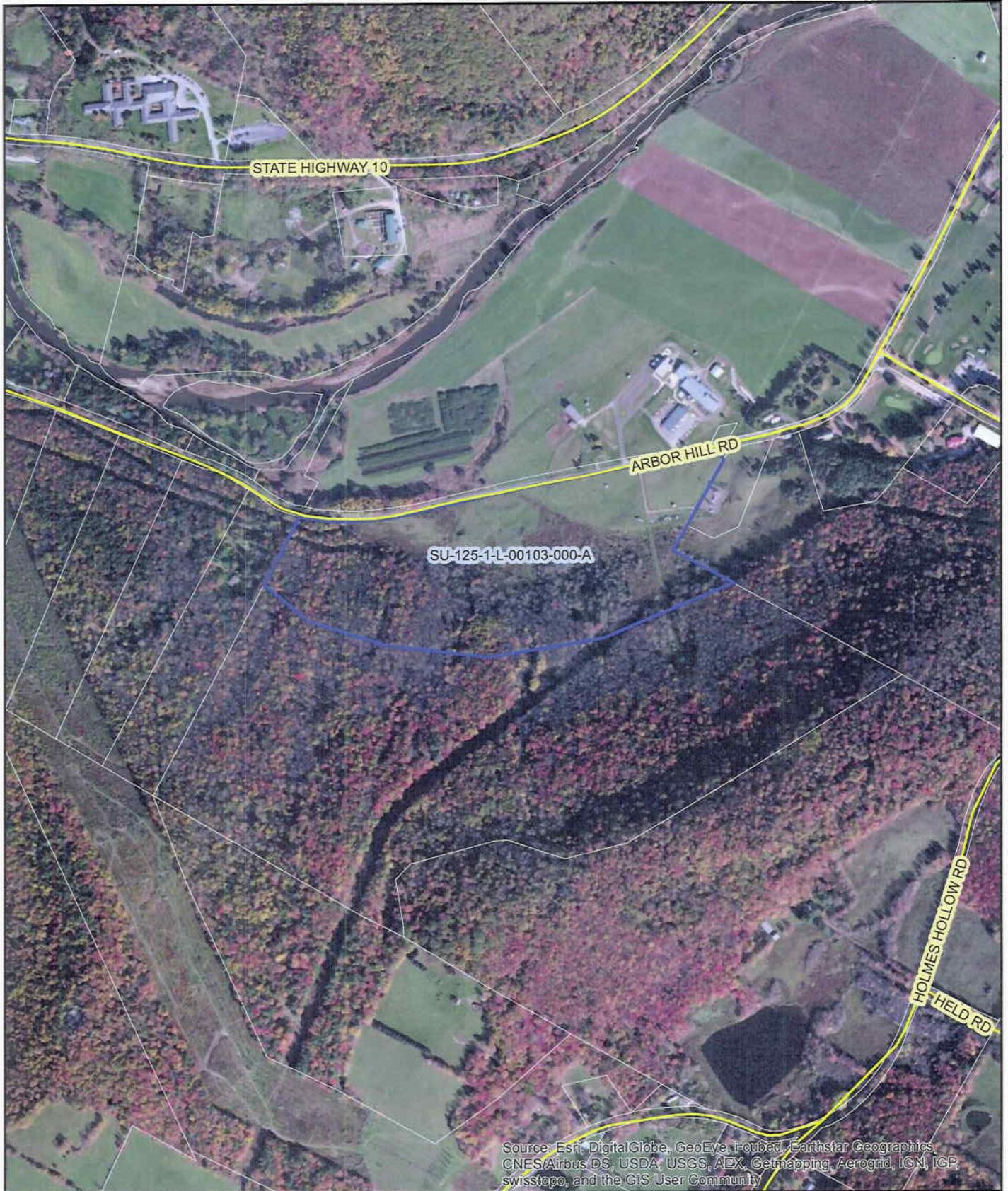
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Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

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# Lands of SUNY Delhi College - Included in the Tax Free Zone SU-125-1-L-00103-000-A



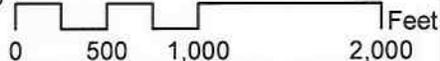
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### Legend

-  Roads
-  SU-125-1-L-00103-000-A



SCALE  
1" = 1,000'



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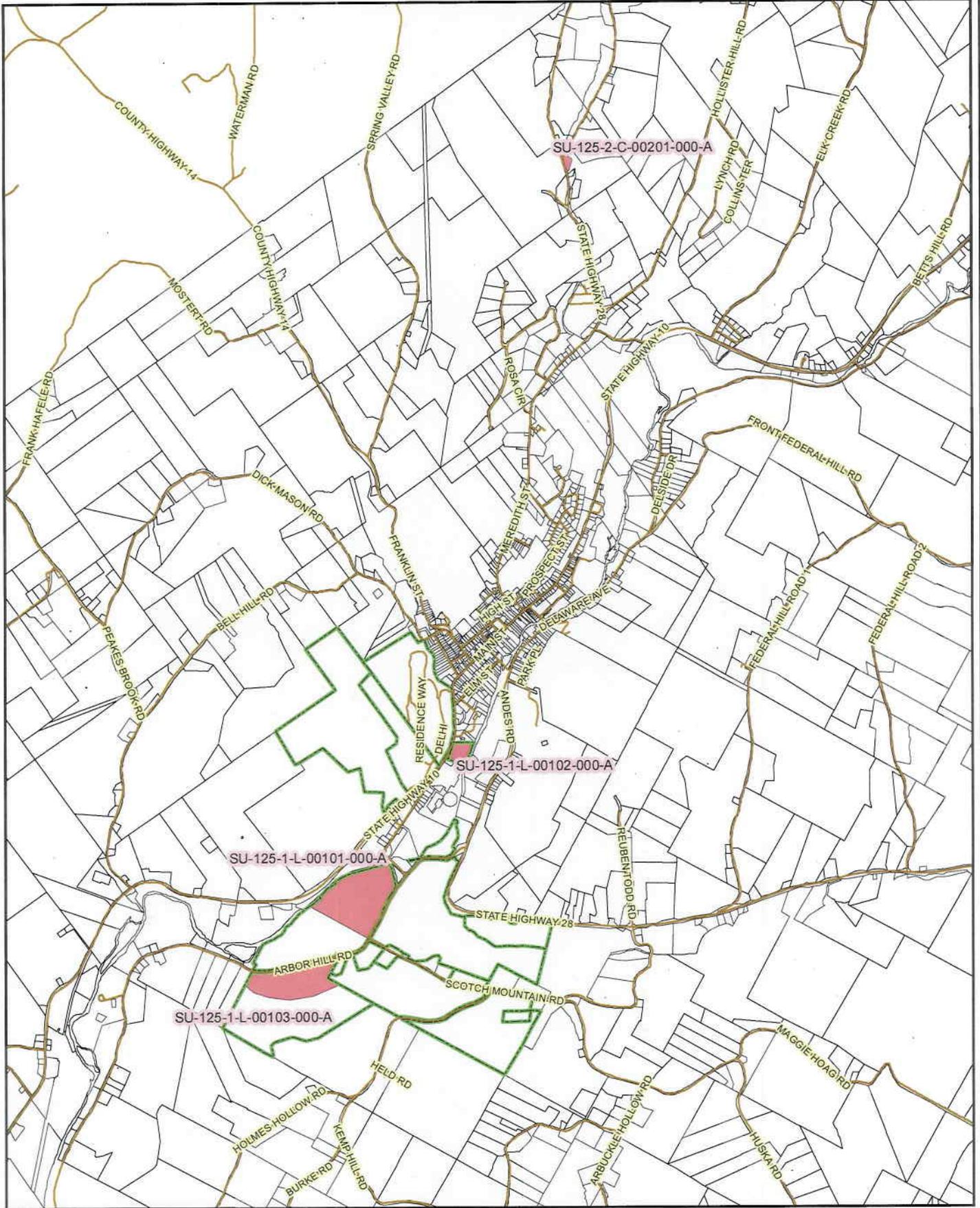
# Lands of SUNY Delhi College - Included in the Tax Free Zone SU-125-2-C-00201-000-A



Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, ICP, swisstopo, and the GIS User Community

<b>Legend</b> — Roads ▨ StartUPNY Properties		<b>SCALE</b> 1" = 200' 	<b>Creation Date:</b> 11/19/2014 <b>File Location:</b> I:\Project\ECODEV\StartupNY Maps\Updated\Maps\Map1 SU-125-2-C-00201-000-A.mxd Produced by the Delaware County Planning Department GIS
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# StartUP NY Properties - Delaware County, New York

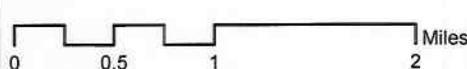


## Legend

-  Roads
-  StartUP NY Properties
-  SUNY Delhi Properties



## SCALE



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