

Appendix A



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: DeAnna Burt-Nanna, President, Monroe Community College

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

Date: March 24, 2023

For campus Office of the President:

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

Signature of Campus President

Dr. DeAnna R. Burt-Nanna

Print Name

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

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

Proposal Review Team Co-Chair

5/18/2023

Date

Karren Bee-Donohoe

Print Name

For SUNY Office of the Chancellor:

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

Signature of the Chancellor or designee

5/22/23

Date

Elizabeth R Berlin

Print Name



The State University
of New York

To: Kevin Younis, Chief Operating Officer & Executive Deputy Commissioner, NYS Department of Economic Development
From: President DeAnna Burt-Nanna, President, Monroe Community College
Re: Monroe Community College's Campus Plan for Designation of Tax-Free Area(s)
Date: May 12, 2023

I, President Burt-Nanna of Monroe Community College hereby certify the following:

- a.) we have provided a copy of the enclosed Campus Plan for Designation of Tax-Free NY Area, to the municipality or municipalities in which the proposed Tax-Free NY Area is located, local economic development entities, the applicable faculty senate, union representatives, and student government at least 30 days prior to submitting the plan to you and attached evidence of submission herewith; and
- b.) we comply with Public Officers Law Section 74; State University of New York's Policy on Conflict of Interest and; and attached copies of the polices and/or guidelines herewith; and Monroe Community College's Conflict of Interest Policy; and
- c.) we comply with the Commissioner's rules and guidelines on anticompetitive behavior (NY EDL, art. 21, sect. 440); and
- d.) we are aware of the non-governmental use limitations associated with state issued tax exempt bonds and if our proposed Tax-Free NY Area was financed with tax exempt bonds, we will: 1.) make potential businesses aware of these limitations when marketing property; and 2.) take appropriate steps to ensure that non-governmental use of property funded with tax-exempt bonds will not jeopardize the tax exempt status of state issued bonds; and
- e.) we 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 created vacant land or space to be designated as a Tax-Free NY Area; and
- g.) the information contained in the enclosed application is accurate and complete.

PRESIDENT'S SIGNATURE

5.16.23

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

Appendix B



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

Campus Name: Monroe Community College
Campus Contact Name: James J. Gertner
Campus Contact Title: Director, Workforce Projects and Operations, Economic & Workforce Development Center/Corporate College, Economic Development and Innovative Workforce Services
Campus Contact E-mail: jgertner1@monroecc.edu
Campus Contact Phone: 585-685-6232

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: Monroe Community College
Campus Address: 1000 East Henrietta Road, Rochester, NY 14623
Address(-es) of Tax-Free NY Area(s):
2618 Brighton-Henrietta Townline Road, Brighton, NY 2550 Brighton-Henrietta Townline Road, Brighton, NY 2530 Brighton-Henrietta Townline Road, Brighton, NY 1048 East Henrietta Road, Brighton, NY Loden Lane, Henrietta, NY
<u>Off Campus:</u> American Park Place, Inc. 111 Parce Avenue, Suite 78, Fairport, NY 14450- "Fairport" TFA (>1 Mile from Brighton Campus) 1221 East Henrietta Road, Rochester, NY 14623- "Brighton" TFA (<1Mile from Brighton Campus 7321 Victor Mendon Road, Route 251, Town of Victor, County of Ontario, State of New York "Victor TFA" (>1 Mile from Brighton Campus) 6720 Pittsford Palmyra Road, Suite 110, Town of Perinton, County of Monroe, Fairport, NY 14450 "Perinton TFA" (>1 Mile from Brighton Campus)
Description of Physical Characteristics of Proposed Tax-Free NY Area(s):
<ul style="list-style-type: none">• MCC offers five vacant parcels of varying sizes, which are flat, undeveloped land.• MCC also offers off-campus tax-free areas in Fairport, NY (4,142 sq. ft) and Brighton,

NY (4,903 sq. ft), across from the main MCC Brighton campus, in Victor, NY (8,025 square feet), and in Town of Perinton, Fairport, NY (25,000 square feet)

- The Fairport off-campus tax free zone, approximately 13 miles from the main Brighton campus of MCC, consists of 4,142 sq. ft. This currently vacant tax-free area is intended to house indoor growing operations and office space.
- The Brighton off-campus tax-free zone, less than 0.25 mile from the main vehicle entrance to the Brighton campus of MCC, consists of 4,903 sq ft. This tax-free zone is intended to house assembly and test (i.e. manufacturing) operations and office space.
- The Victor off-campus tax-free zone, approximately 14 miles from the Brighton campus of MCC, consists of 8,025 sq. ft. on 9.75 acres. This tax-free zone is intended to house assembly and test (i.e. manufacturing) operations and office space.
- The Perinton off-campus tax-free zone, approximately 10 miles from the Brighton campus of MCC, consists of 25,000 square feet. This tax-free zone is intended to house assembly and test (i.e. manufacturing) operations and office space.

- 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:

The MCC START-UP NY campus plan sets aside for START-UP NY purposes unused land (not shovel ready) parcels of 21.4 acres, 9.0 acres, 2.04 acres, 1.05 acres and 0.57 acres and four off-campus tax free zones in Fairport, Victor, Perinton and Brighton.

The Fairport off-campus tax free zone consists of 4,142 sq. ft.
The Brighton off-campus tax-free zone consists of 4,903 sq. ft.
The Victor off-campus tax-free zone consists of 8,025 sq. ft. on 9.75 acres.
The Perinton off-campus tax-free zone consists of 25,000 sq. ft.

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

MCC is most interested in partnering with businesses engaged in information systems; computing; optics; allied health; hospitality; agriculture; homeland security, advanced manufacturing; electrical, mechanical and construction technologies.

From an academic perspective, the College is looking particularly for industrial partners to hire interns or graduates from technical degree or certificate programs. Demand for these students, especially in the occupational or vocational fields, is strong in Monroe County.

This following list is a sample and not exhaustive by any means.

AGRICULTURE AND FOOD STUDIES

Certificate Program

Department: Biology

School(s): Science, Technology, Engineering & Math (STEM)

CIP Code: 01.0401

MCC Program Code: AG02

NYSED Code (BRI): 36397

BIOLOGY

A.S. Degree - Transfer Program

Department: Biology

School(s): Science, Technology, Engineering & Math (STEM)

CIP Code: 26.0101

MCC Program Code: LSB1

NYSED Code (BAI): 37136

APPLIED INTEGRATED TECHNOLOGY

A.A.S. Degree - Career Program Department: Engineering

Technologies **School(s):** Applied Sciences & Technologies

CIP Code: 15.0403

MCC Program Code: AI01

NYSED Code (BAI): 34321

MECHANICAL TECHNOLOGY

A.A.S. Degree - Career Program Department: Engineering

Technologies **School(s):** Applied Sciences & Technologies

CIP Code: 15.0B05

MCC Program Code: MT01

NYSED Code (BAI): 01244

ELECTRICAL ENGINEERING TECHNOLOGY - ELECTRONICS

A.A.S. Degree - Career Program Department: Engineering

Technologies **School(s):** Applied Sciences & Technologies

CIP Code: 15.0303

MCC Program Code:

ET01 NYSED Code (BAI): 77436

INFORMATION AND NETWORK TECHNOLOGY

A.A.S. Degree - Career Program

Department: Information and Computer Technologies

School(s): Applied Sciences & Technologies

CIP Code: 11.9999

MCC Program Code: IN01

NYSED Code (BAI): 37194 NYSED Code (DCC): 37193

INFORMATION TECHNOLOGY

A.S. Degree - Transfer Program

Department: Information and Computer Technologies

School(s): Applied Sciences & Technologies

CIP Code: 11.0103

MCC Program Code: JT01

NYSED Code (BRI): 28194

- 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.

CORE VALUES Vision 2027

- **Community** - We believe in meaningful partnerships among students, colleagues, departments, offices, and divisions within MCC as well as with local, regional, national, and global communities.
- **Inclusiveness** - We commit to an environment of belonging in which everyone feels safe, valued, and respected by dismantling practices, policies, and procedures that uphold structural racism and other systemic inequities.
- **Integrity** - We believe in respect, honesty, authenticity, accountability, and ethics in policies, actions, and behaviors
- **Excellence** -- We encourage innovation, creativity, critical analysis, and continuous assessment to improve teaching, learning, programs, services, and policies.
- **Empowerment** - We support learners and employees on their paths to intellectual, professional, and personal growth.
- **Stewardship** - We are accountable for the responsible management of human, fiscal, physical, and environmental resources and the information entrusted to us.

Strategic Directions and Goals

- **Together as One** - MCC's students, faculty, staff, trustees, retirees, and alumni serve as ambassadors to meet the needs of our communities and create solutions. We will work intentionally as one institution across our campuses and sites and as a unit of SUNY.
- **Student-Centered College** - MCC provides programs and services centered on current and prospective students to meet their unique needs and ongoing educational pursuits. The College is committed to creating a vibrant, welcoming culture of inclusion and belonging.
- **Enrollment Reimagined** - MCC attracts and retains students by providing programs and supportive services structured to meet the needs of a diverse population. The College, through its diversified educational opportunities and delivery modes, enhances the quality of life and economic vitality of the region.
- **Community Engagement and Partnerships** -- MCC, through its local, regional, and international presence, engages with a wide network of educational and community partners.
- **Institutional Effectiveness, Efficiency and Sustainability** - MCC provides effective programs and services through the efficient and sustainable use of resources. The College invests in its students, faculty and staff, facilities, and technology to provide an inclusive culture and relevant education.

MCC's interest in and commitment to regional economic development through partnerships with business and industry is manifested in this plan. As a community college engaged in economic development and innovative workforce development, we see strong alignment between START-UP NY and our strategic vision.

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

Based on this strategic plan, MCC is seeking partners who will expand our regional economy, provide internships, apprenticeships and training opportunities for our students, as well as full-time employment for our graduates in a variety of career programs in allied health, business, agriculture, advanced manufacturing, the engineering technologies and information technology. As a member of the Sustainability Education and Economic Development organization, MCC

would also seek Start-Up partners that furthered the Finger Lakes region's commitment to sustainability and growing industry sectors in renewable/alternative energies. All of these sectors are part of our region's increasingly diversified economy and reflect the sectors of interest within the Finger Lakes Regional Economic Development Council's (FLREDC) plan.

MCC will encourage industries that support our fourth strategic direction, "Community Engagement and Partnerships" to locate on our sites or partner with MCC from approved off-campus tax free zones to help develop new curriculum necessary to improve our local economy. In particular, MCC is looking to partner with industries that either have or anticipate significant workforce needs in the "middle skills" tier (i.e., jobs requiring some postsecondary or industry credential but not a four year degree). As a Start-Up partner, in addition to space, MCC could offer its state-of-the-art and nationally recognized framework for using real time labor market information to drive workforce programming, which would assist companies in planning for and meeting needs for employee pipeline growth.

According to the *Analysis of the Return on Investment and Economic Impact of Education: The Economic Value of Monroe Community College (2016) for FY 2014-15*, MCC added \$895.2 million in income to Monroe County businesses, with \$737.3 million of that income originating from MCC alumni that have remained in the area. We would be seeking partners under Start-Up that would allow MCC to increase local impact even more. MCC is the Finger Lakes region's lead on the Governor's Opportunity Agenda, which-regionally-is focused on providing accelerated training in high demand fields to residents of Rochester's most challenged neighborhoods. As such, it would be particularly interested in START-UP NY industries and businesses which would serve as attractors for additional economic and social growth and development to spur community transformation by employing historically under-represented populations.

- 6) Provide a description of the process the Sponsor (campus) will follow to select participating businesses.

MCC has the following team to review applicants:

- Chief Financial Officer and Vice-President, Administrative Services
- Vice President, Economic Development, Workforce and Career Technical Education
- START-UP NY Liaison (Campus Coordinator)
- Chair of Department of Business Administration/Economics in Academic Services
- Faculty Association President
- Civil Service Employee Association President
- Student Government Association President
- Student Member – Board of Trustees

The START-UP NY Liaison screens initial inquiries by phone or e-mail using the draft business plan template. The Liaison decides if potential applicants are eligible under the statute and sufficiently mature with respect to funding and/or sustaining operations to create

net new jobs in MCC tax free zones. (Otherwise, the Liaison asks if the company has identified space for operations off-campus, as an off-campus tax-free area may be necessary.) If initial criteria are satisfied, the START-UP NY Liaison determines what linkage to academic programs at the College exist.

Pending a favorable outcome from the initial screening process, the entire team then reviews the alignment of the business with the MCC Strategic Plan, focusing on workforce connections as well as financial viability. An initial decision to sponsor or not sponsor is made after this executive level review. The Liaison communicates the decision to the applicant and if appropriate, makes recommendations.

The Liaison invites successful applicants to campus to present their business plans to the four- person executive review team and any other subject matter experts with domain knowledge at the College. Furthermore, MCC includes students pursuing credentials in relevant career technical education fields in the review process. These students are invited to the briefings and asked to provide feedback to the executive team. The executive team subsequently re-affirms or reconsiders the initial decision to sponsor the applicant.

Pending favorable outcomes, the START-UP NY Liaison initiates the formal application process, which may or may not involve a campus plan amendment for an off-campus tax-free area.

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.



Category:
HR / Labor Relations
Legal and Compliance

Responsible Office:
[University Counsel](#)

Policy Title:
Conflict of Interest
Document Number:
6001

Effective Date:
October 01, 1995

This policy item applies to:
State-Operated Campuses

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Summary

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

Policy

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

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

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

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

Definitions

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

Other Related Information

[Outside Activities of University Policy Makers](#)

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

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

Procedures

There are no procedures relevant to this policy.

Forms

There are no forms relevant to this policy.

Authority

[42 CFR 50, Subpart F](#)

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

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

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

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

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

History

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

Appendices

There are no appendices relevant to this policy.

Monroe Community College

START UP NY

Conflict of Interest Policy and Guidelines

MONROE COMMUNITY COLLEGE

POLICY ON CONFLICTS OF INTEREST COLLEGE OFFICERS and NON-CONTRACT EMPLOYEES

Monroe Community College ("College") is expected to conduct its business transactions with the integrity that is expected under the law and the traditions of an institution of higher education.

Once approved by the Board of Trustees (the "Board"), this Policy on Conflicts of Interest will provide guidance to all college officers and employees defined as non-contract ("the Employee").

Section 1. Definition of Conflicts of Interest: A conflict of interest will be deemed to exist whenever an individual is in the position to approve or influence College policies or actions which involve or could ultimately harm or benefit financially: (a) the individual; (b) any member of his or her immediate family (spouse, parents, children, brothers or sisters, and spouses of these individuals); or (c) any organization in which he or she or an immediate family member is a director, trustee, officer, member, partner or shareholder or has a substantial financial interest.

Section 2. Process: Upon appointment, the Director of Human Resources shall provide each Employee a copy of the Board Policy on Conflicts of Interest and the Disclosure Form. Subsequent to their initial appointment, on or about September 1 of each year, the Director of Human Resources shall distribute the Disclosure Form to each Employee. The Employee shall return the form within 30 days to the Director of Human Resources. The Disclosure Forms will be reviewed by the Director of Human Resources. Any potential conflicts will be referred to the President and, if appropriate, legal counsel. The Director of Human Resources shall maintain all disclosure forms.

Section 3. Disclosure of Conflicts of Interest: An Employee shall disclose a conflict of interest: (a) prior to entering into any contract or transaction involving the College; (b) as soon as possible after the Employee shall learn of a conflict of interest in any other context. Disclosure of the material facts surrounding the Employee's conflict of interest shall be made to the President.

Section 4. Failure to Disclose Conflicts of Interest: Failure to disclose adequately a potential or actual conflict of interest shall constitute cause for dismissal.

Section 5. Approval of Conflicts of Interest: Following receipt of information concerning a contract or transaction involving a potential conflict of interest, the President shall consider the material facts concerning the proposed contract or transaction including the process by which the decision was made to recommend entering into the arrangement on the terms proposed. The President shall approve only those contracts or transactions in which the terms are fair and reasonable to the College and the arrangements are consistent with the best interests of the College. Fairness includes, but is not limited to, the concepts that the College should pay no more than fair market value for any goods or services which the College receives and that the

College should receive fair market value consideration for any goods or services that it furnishes others. The President shall keep a record of his/her decisions which record shall set forth the basis for his/her decision with respect to approval of contracts or transactions involving conflicts of interest, including the basis for determining that the consideration to be paid is fair to the College.

MONROE COMMUNITY COLLEGE

**DISCLOSURE FORM FOR
COLLEGE OFFICERS and NON-CONTRACT EMPLOYEES**

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

Are you aware of any relationship with the College between yourself or a member of your family that may represent a conflict of interest, as defined in the Board of Trustees Policy on Conflicts of Interest for College Officers and Non-Contract Employees?

_____ Yes

_____ No

If yes, please list or elaborate such relationships and the details of actual or potential financial benefit as you can best estimate them.

I certify that I have read and understand the Board of Trustees Policy on Conflicts of Interest for College Officers and Non-Contract Employees and that the foregoing information is true and complete to the best of my knowledge.

NAME: _____

DATE: _____

SIGNATURE: _____

Monroe Community College

START UP NY

List of Properties in MS Excel Format

Location	Unique ID	16V Incubator	Owner	Property Type	Street Address	City	Zip Code	Parcel ID	Building	Space Type	Sq Ft	Acres	Description	On Campus	Within 1 mile of Campus	More than 1 mile off campus?	Latitude	Longitude	Note	Upstate	Downstate	County	
Brighton, NY	SU-321-1-4-2618-000-A	No	Monroe Community College	1	2618 Brighton-Henrietta Townline Rd.	Brighton	14623	149.18-2-12	N/A	D	N/A	2.04	parcel	Yes	N/A	N/A	43.095593	-77.606049		Yes	Finger Lakes	No	Monroe
Brighton, NY	SU-321-1-4-2550-000-A	No	Monroe Community College	1	2550 Brighton-Henrietta Townline Rd.	Brighton	14623	149.18-2-8	N/A	D	N/A	0.57	parcel	Yes	N/A	N/A	43.095593	-77.606049		Yes	Finger Lakes	No	Monroe
Brighton, NY	SU-321-1-4-2530-000-A	No	Monroe Community College	1	2530 Brighton-Henrietta Townline Rd.	Brighton	14623	149.18-2-6	N/A	D	N/A	1.05	parcel	Yes	N/A	N/A	43.095593	-77.606049		Yes	Finger Lakes	No	Monroe
Brighton, NY	SU-321-1-4-1048-000-A	No	Monroe Community College	1	1048 E. Henrietta Rd.	Brighton	14623	149.10-1-1	N/A	D	N/A	9	parcel	Yes	N/A	N/A	43.095593	-77.606049		Yes	Finger Lakes	No	Monroe
Henrietta, NY	SU-321-2-4-1111-000-A	No	Monroe Community College	1	Loden Ln.	Henrietta	14623	161.14-1-59	N/A	E	N/A	21.4	parcel	No	Yes	N/A	43.078204	-77.652909		Yes	Finger Lakes	No	Monroe
Brighton, NY	SU-321-2-B-1221-000-I	No	Robert Jacobson	2	1221 East Henrietta Rd.	Brighton	14623	148.18-2-1.2	N/A	F	4,903	N/A	single floor building	No	Yes	No	43.09622	-77.613344		Yes	Finger Lakes	No	Monroe
Fairport, NY	SU-321-2-B-111-000-I	No	American Park Place, Inc.	2	111 Parco Ave.	Fairport	14450	152.120-2-100	Suite 7B	G	4,142	N/A	rented space	No	No	Yes	43.105464	-77.443292		Yes	Finger Lakes	No	Monroe
Victor, NY	SU-321-2-C-7321-000-U	No	Robert Jacobson	2	7321 Victor Mendon Road, Route 251	Victor	14564	324889-015-000-0001-009-111	N/A	F	8,025	9.75	single floor building	No	No	Yes	42.99359	-77.4326		Yes	Finger Lakes	No	Ontano
Fairport, NY	SU-321-2-B-6720-000-I	No	Robert Jacobson	2	6720 Pittsford Palmyra Road	Fairport	14450	166.170-2-24	Suite 110	G	25,000	N/A	single floor building	No	No	Yes	43.0713	-77.4412		Yes	Finger Lakes	No	Monroe

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

** Building
B = Floor within building
C = Room within building
D = Land on campus
E = Land off campus
F = Entire building off campus
G = Partial building off campus
H = State asset

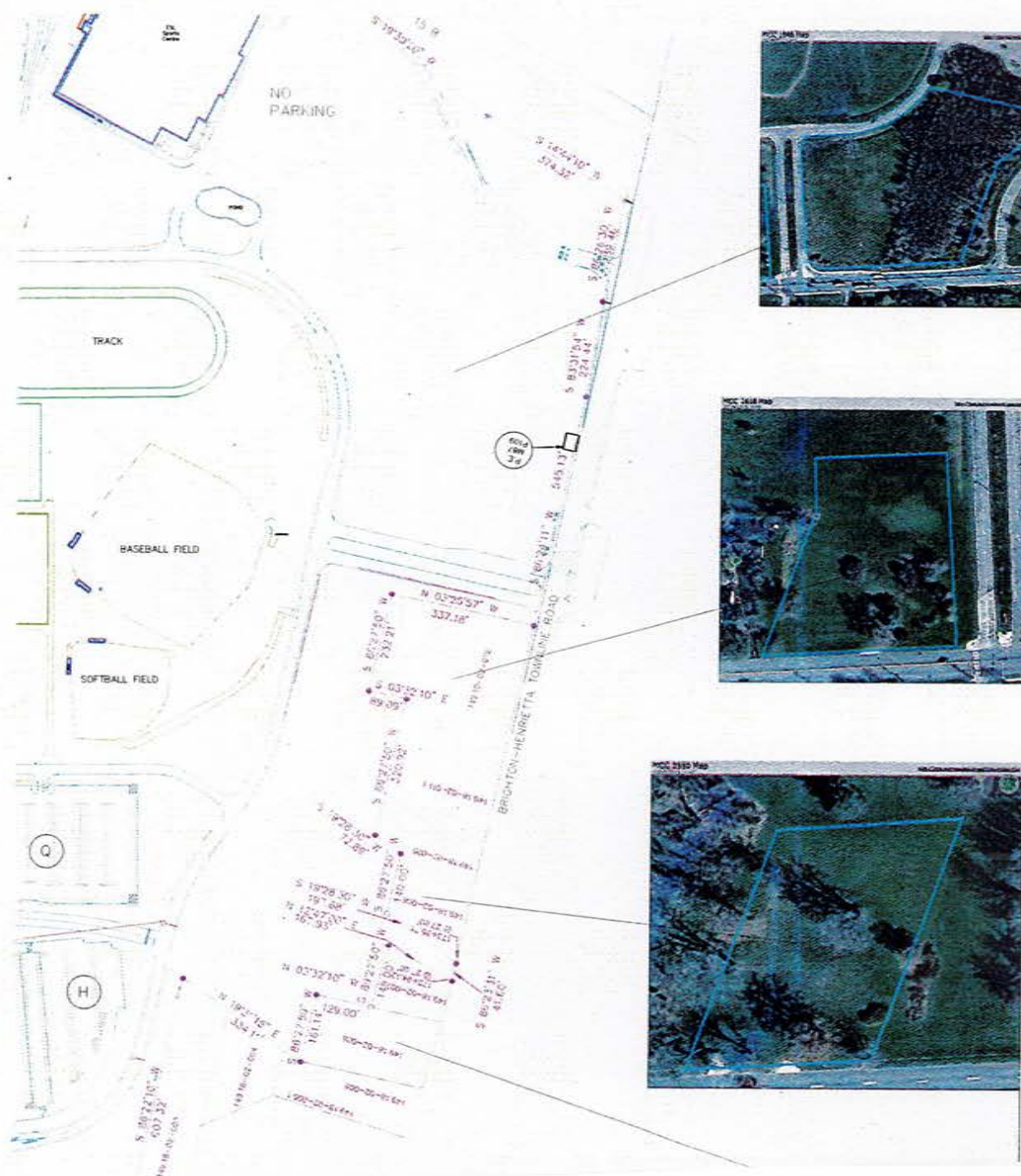
Monroe Community College

START-UP NY

Campus Plan Tax Free Zones

Five Parcels of Campus Land

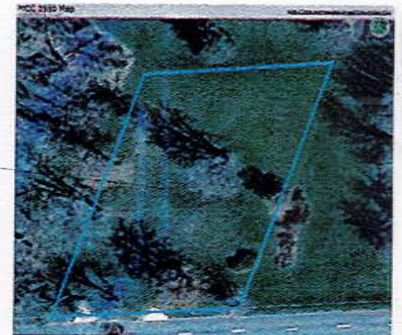
Four Off-Campus Tax-Free Areas



1048 E. Henrietta Rd. SU-321-1-L-1048-000-A
Nine (9) acres
 9 ACRES
 IMAGE NOT TO SCALE



2618 Brighton-Henrietta Townline Rd. SU-321-1-L-2618-000-A
2.04 acres
 2.04 ACRES
 IMAGE NOT TO SCALE



2550 Brighton-Henrietta Townline Rd. SU-321-1-L-2550-000-A
.57 acres
 .57 ACRES
 IMAGE NOT TO SCALE



2530 Brighton-Henrietta Townline Rd. SU-321-1-L-2530-000-A
1.05 acres

2530
 1.05 ACRES
 IMAGE NOT



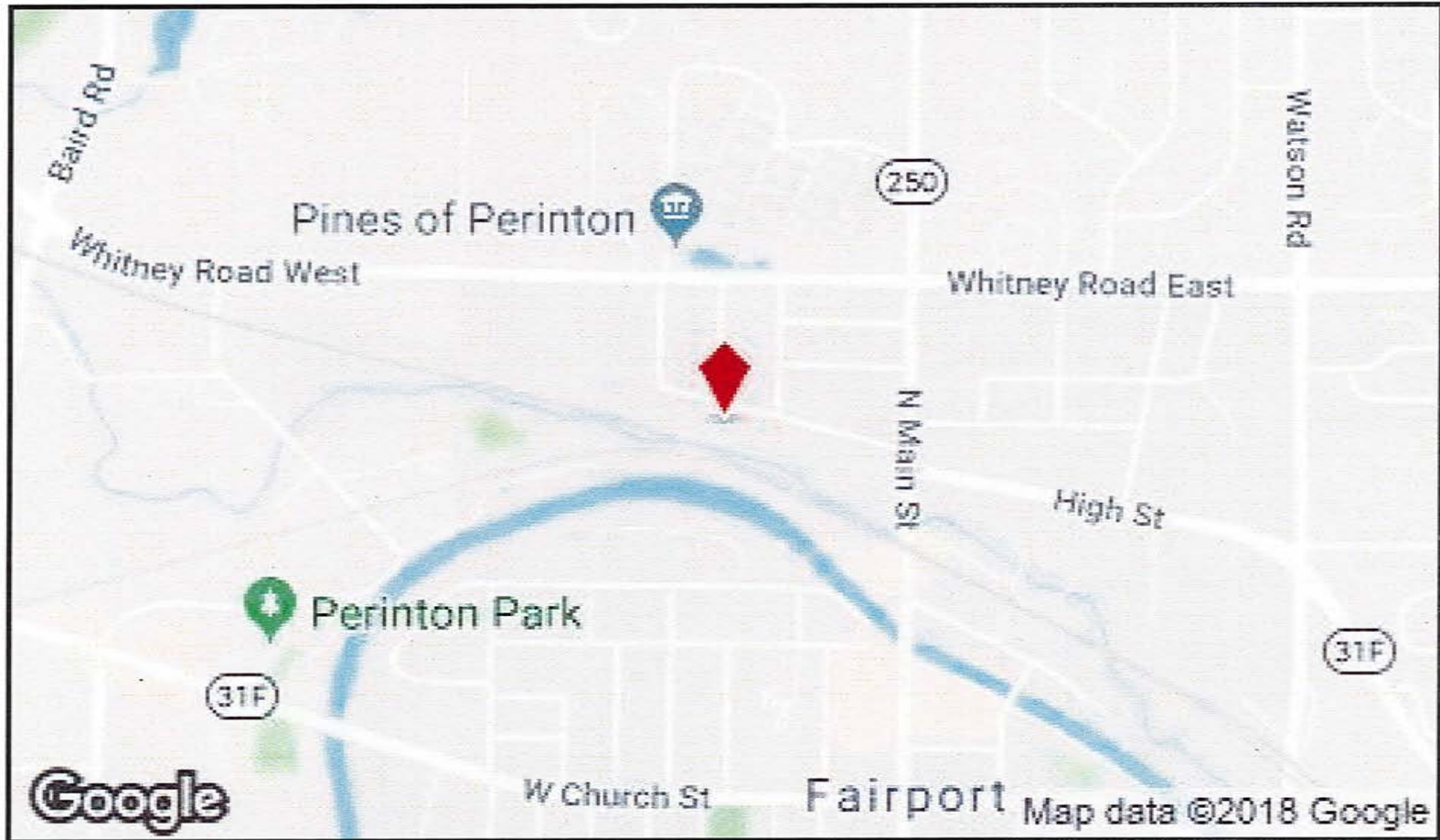
Loden Lane (21.4 acres) Loden Lane, Henrietta NY 14623 SU-321-2-L-1111-000-A

**“Fairport” Tax Free Area
(> 1 Mile from Campus)**

Map View

Aerial View

Vacant Suite 7B Floor Plan Layout @ American Park Place, Inc. Facility



“Fairport” Tax Free Area

Map View of Unique ID: OF 111

**Location of American Park Place Facility @ 111 Parce Avenue
Village of Fairport, Town of Perinton, Monroe County, NY 14450**

111 Parce Ave.

Fairport 14450 SU-321-2-B-111-000-I



“Fairport” Tax Free Area

SU-321-2-B-111-000-I

111 Parce Ave.

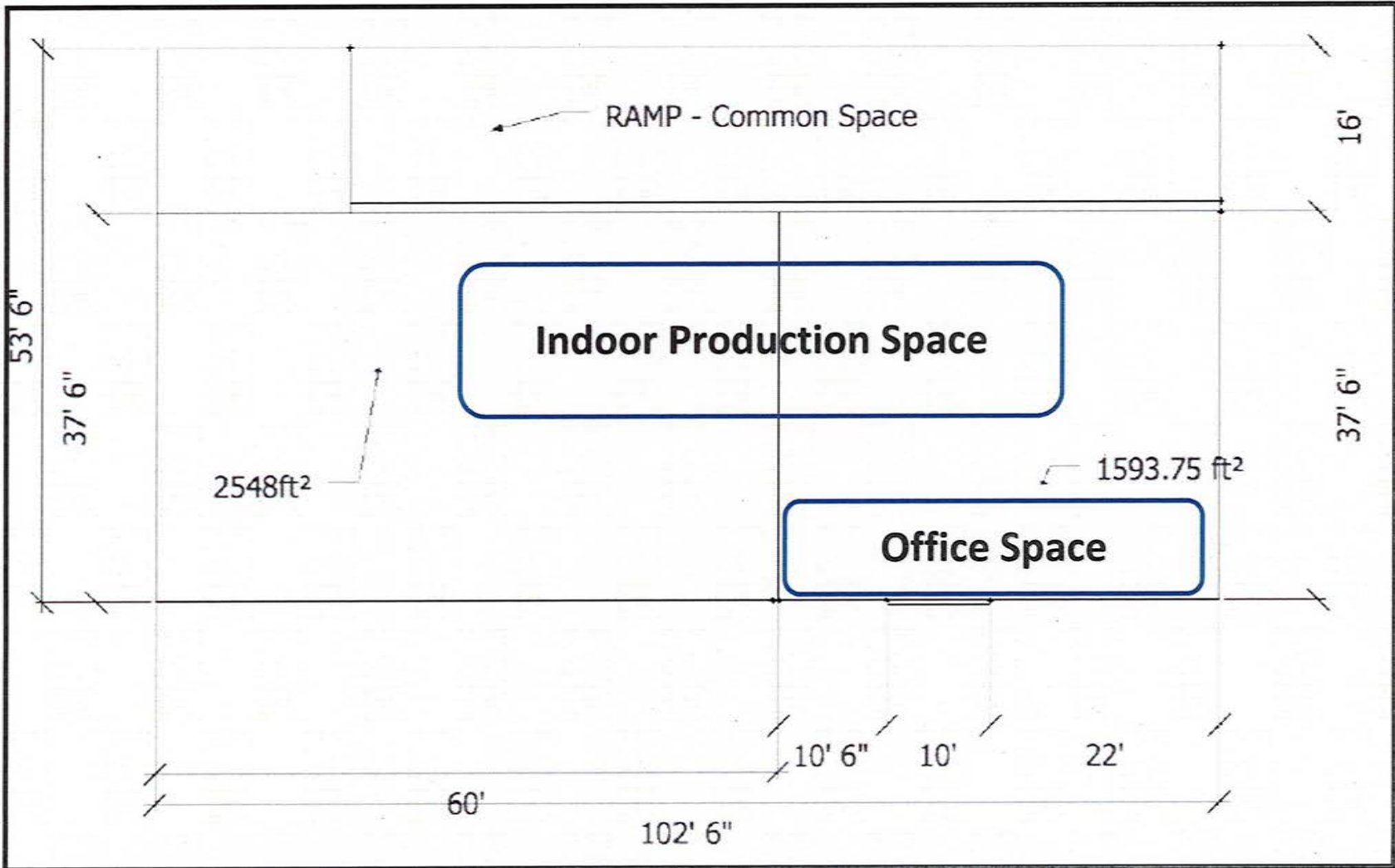
Fairport

14450

Overhead Photo of American Park Place Facility @ 111 Parce Avenue

Village of Fairport, Town of Perinton, Monroe County, NY 14450

START UP NY Space (Suite 7B) indicated by Red Flag



"Fairport" Tax Free Area

SU-321-2-B-111-000-I

111 Parce Ave.

Fairport 14450

111 Parce Avenue, Suite 7B, Village of Fairport, Town of Perinton, Monroe County, NY 14450

Proposed 4,142 sq ft layout excludes ramp in common tenant space

**“Brighton” Tax Free Area
(< 1 Mile from Campus)**

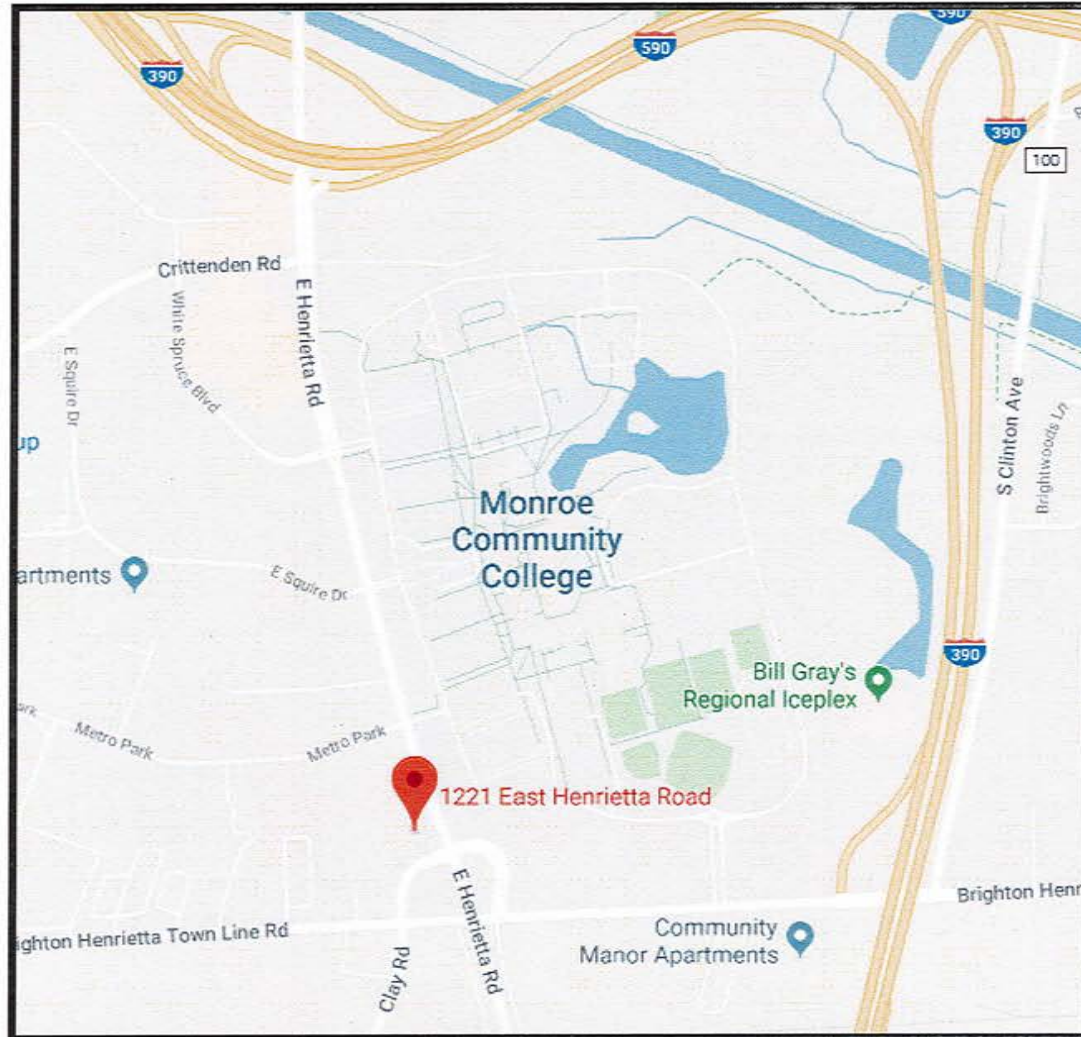
Map View

Aerial View

Floor Plan Layout

Front and Rear View

Facility Photos



“Brighton” Tax Free Area

SU-321-2-B-1221-000-I 1221 East Henrietta Rd.

Brighton 14623

Location of 1221 East Henrietta Road Facility, Town of Brighton, Monroe County, NY 14623

Site Location Indicated by Red Flag @ Corner of East Henrietta Road and Clay Road



“Brighton” Tax Free Area

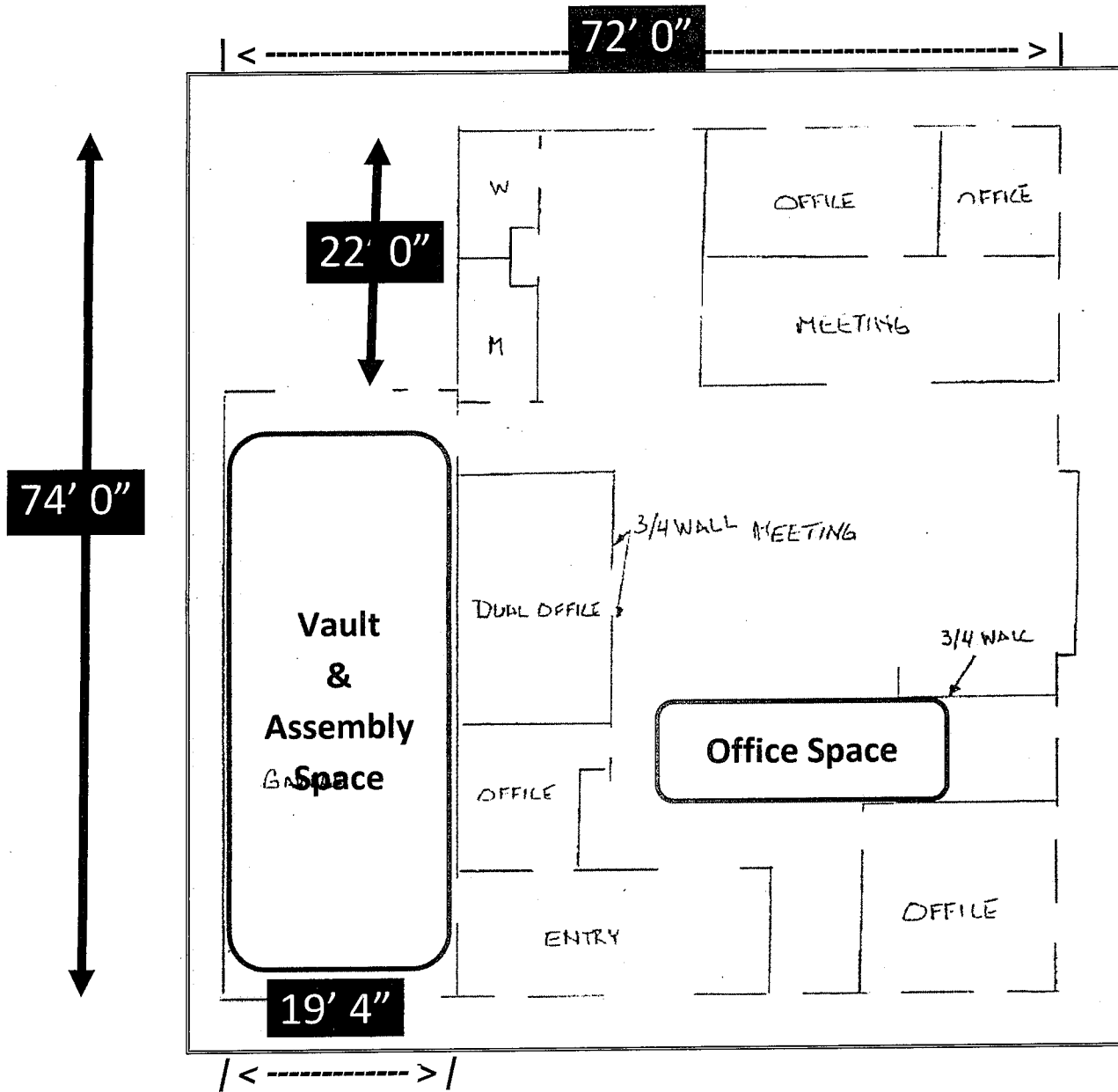
SU-321-2-B-1221-000-I

1221 East Henrietta Rd.

Brighton 14623

Overhead Photo of 1221 East Henrietta Road Facility, Town of Brighton, Monroe County, NY 14623

Proposed START UP NY Space Indicated by White Flag inside Blue Circle in Lower Left Corner of Photo



"Brighton" Tax Free Area
 1221 East Henrietta Road Facility, Town of Brighton, Monroe County, NY 14623
 Proposed Floor Plan Layout for 4,903 sq ft Facility
 SU-321-2-B-1221-000-1



Front



Rear

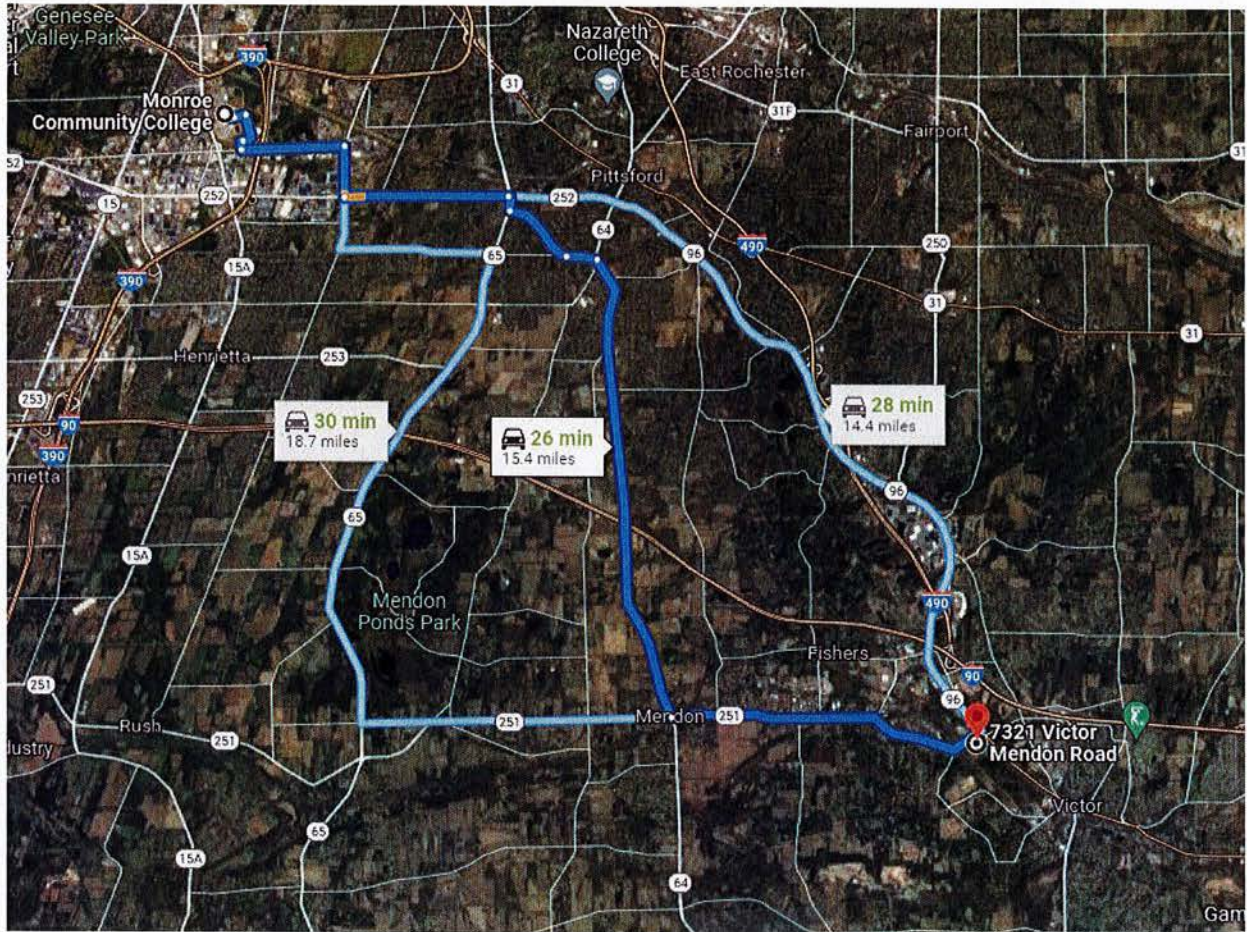
“Brighton” Tax Free Area
Facility Photographs of Unique ID: SU-321-2-B-1221-000-1
1221 East Henrietta Road, Town of Brighton, Monroe County, NY 14623

**“Victor” Tax Free Area
(14 Miles from Campus)**

Map View Aerial View

Floor Plan Layout

Front and Rear View Facility Photos



“Victor” Tax Free Area for Life Coms, LLC Map View

Location of 7321 Victor Mendon Road State Route 251, in the town of Victor, County of Ontario and State of New York

Site locations indicated by red flag at the corner of Rt. 96 and Victor-Mendon Road

SU-321-2-C-7321-000-U

7321 Victor Mendon Road, Route 251

Victor

14564



“Victor” Tax Free Area for Life Coms. LLC Map View

Location of 7321 Victor Mendon Road State Route 251, in the town of Victor, County of Ontario and State of New York

Start Up NY Site location indicated by white circle

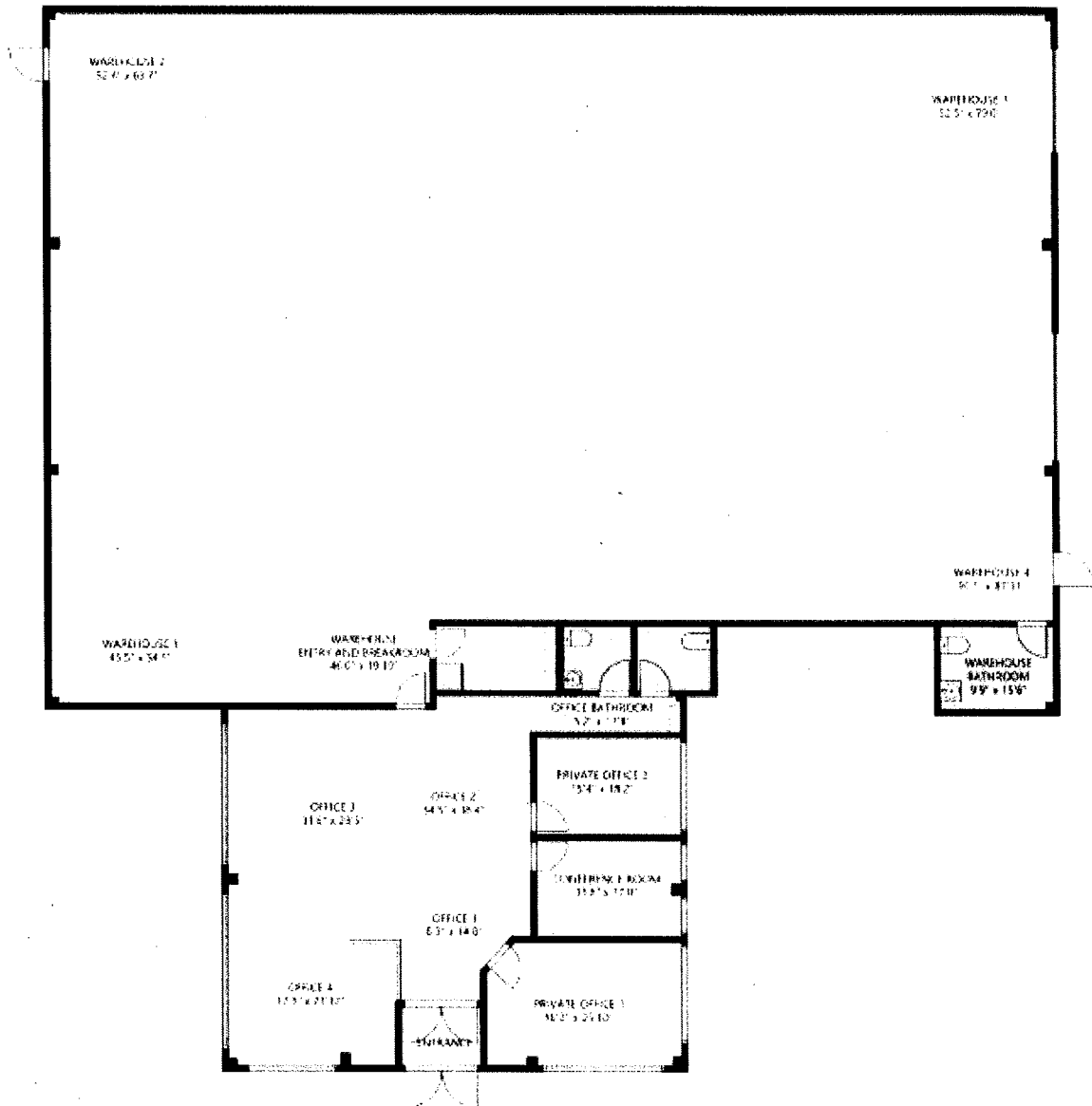
SU-321-2-C-7321-000-U

7321 Victor Mendon Road, Route 251

Victor

14564

7321 Victor Mendon Road, Victor, NY, USA



"Victor" Tax Free Area

Location of 7321 Victor Mendon Road State Route 251, in the town of Victor, County of Ontario and State of New York

Floor Plan Layout for 8,025 sq. ft. Facility

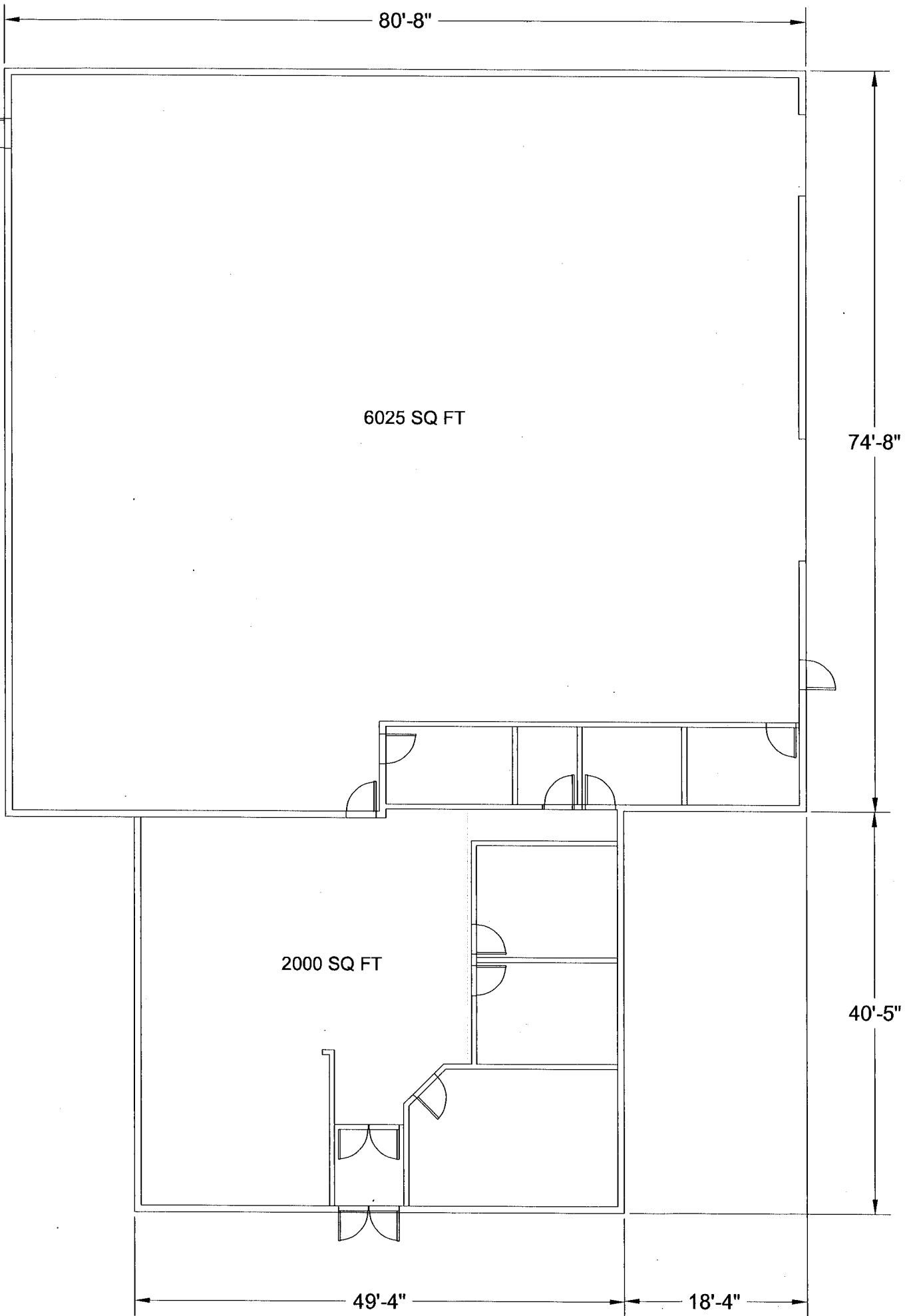
SU-321-2-C-7321-000-U

7321 Victor Mendon Road, Route 251

Victor

14564

SU-321-2-C-7321-000-U 7321 Victor Mendon Road, Route 251 Victor 14564





Back of Build



Front Aerial
View

“Victor” Tax Free Area

Location of 7321 Victor Mendon Road State Route 251, in the town of Victor, County of Ontario and State of New York

SU-321-2-C-7321-000-U

**“Perinton” Tax Free Area
(10 miles from Brighton Campus)**

Parcel View

Floor Plan View

Perinton Square Mall

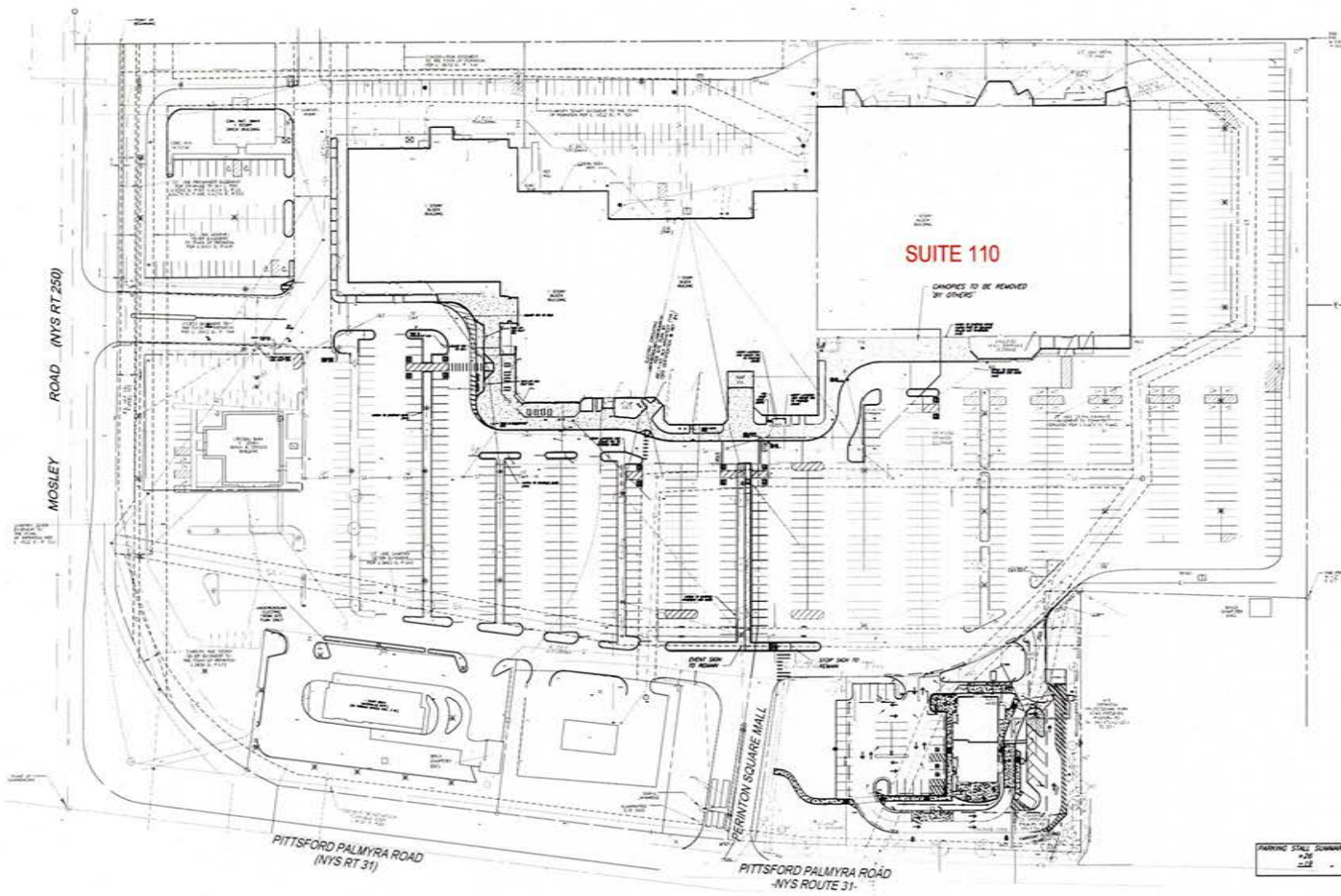
DiMarco Group
1950 Brighton Henrietta Townline Road,
Rochester, NY 14850
Contact: (585) 272-7760

DIMARCO
GROUP

Property #: 103020

Address: 6720 Pittsford Palmyra Rd, Fairport,
NY 14450

Notes



6720 Pittsford Palmyra Road, Suite 110, Perinton SU-321-2-B-6720-000-I

Drawing Revisions

Drawing Title

Existing Condition

Plot Info

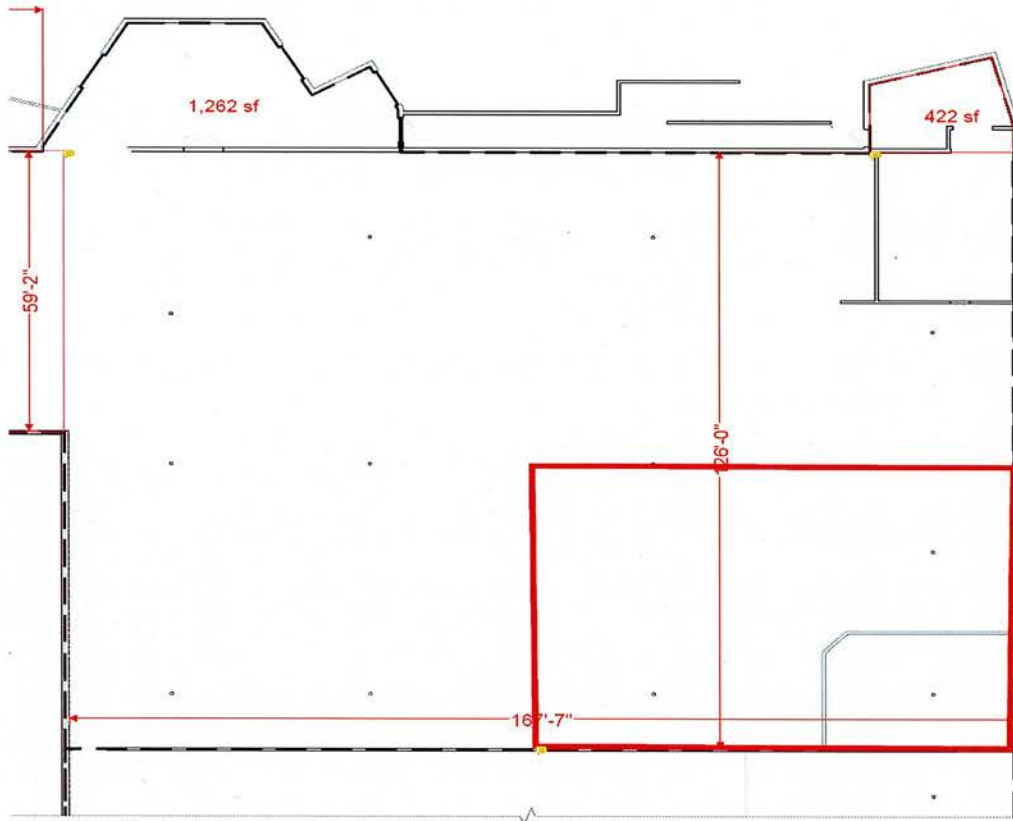
Plotted On: 12/21/2022 4:37 PM

Sheet Size: 22" x 34"



EXHIBIT A
Demised Premises
Area of 25,000 SF . .

6720 Pittsford Palmyra Road, Suite 110, Perinton SU-321-2-B-6720-000-1



Initialed by *RPJ*

Monroe Community College

START UP NY

Attestations

August 15, 2014

Robert M. Haelen
State University of New York
Interim Chief Financial Officer
Office of the Chief Financial Officer
State University Plaza
Albany, New York 12246

RECEIVED

AUG 19 2014

SUNY OFFICE FOR
CAPITAL FACILITIES

Re: START-UP NY Campus Plan-Monroe Community College

Dear Mr. Haelen:

Pursuant to Chapter 68 of the Laws of 2013 (the "START-UP NY Program"), Monroe Community College (the "College") is proposing to include in the College's START-UP NY Plan (the "START-UP NY Plan") the use of the facilities set forth in Exhibit A attached hereto (the "Facilities") by an entity (the "Unrelated Entity") other than the College or State University of New York ("SUNY"). A preliminary analysis by SUNY indicates that the Facilities were financed or improved with the proceeds of bonds issued by the Dormitory Authority of the State of New York ("DASNY") for the benefit of SUNY (collectively, the "Bonds"). Further diligence will be required to determine the current par amount of outstanding Bonds allocated to the Facilities.

The Bonds are "tax-subsidy" bonds. This means either: (a) interest on the Bonds is excluded from federal gross income of the owners thereof (the "Tax-Exempt Bonds") pursuant to Section 103 of the Internal Revenue Code (the "Code") and/or (b) DASNY receives a federal interest subsidy on such Bonds (the "Build America Bonds"). DASNY and SUNY are obligated to comply with the provisions of the Code applicable to the Bonds, including requirements relating to the use, ownership and management of the Facilities financed or improved with such Bond proceeds. As a condition to issuing the Bonds, SUNY and/or the College made certain representations and covenants restricting the private business use of the Facilities as set forth in Section 141(b)(6) of the Code.

Furthermore, in some instances, pursuant to the provisions of Financing Agreements by and among DASNY, the College and the applicable local sponsor (the "Local Sponsor"), the College and the Local Sponsor each covenanted that it would not take any action or fail to take any action with respect to the use of the Facilities that would result in the loss of the exclusion from gross income for purposes of Federal Income taxation under the Code.

To the extent the Facilities are to be utilized by an Unrelated Entity, DASNY, in consultation with SUNY and the College, is required to determine the necessity of, and as required, undertake a form of tax remediation that, in the opinion of bond counsel, preserves the tax-exempt status of the Tax-Exempt Bonds and preserves the tax-advantaged status of the Build America Bonds. The forms of tax remediation are more fully set forth in the memo attached hereto as Exhibit B.

SUNY and the College, in consultation with DASNY have analyzed the options for undertaking tax remediation on the Bonds and SUNY and the College have determined to proceed with the inclusion of the Facilities in the START-UP NY Plan. SUNY, the College and DASNY further agree to cooperate with each other to determine the exact par amount of the outstanding Bonds, in the selected

CORPORATE HEADQUARTERS

515 Broadway
Albany, New York 12207-2964
T 518.257.3000
F 518.257.3100

NEW YORK OFFICE

One Penn Plaza, 52nd Floor
New York, New York 10119-0098
T 212.273.5000
F 212.273.5121

BUFFALO OFFICE

539 Franklin Street
Buffalo, New York 14202-1109
T 716.884.9780
F 716.884.9787

Community College Attestation: Monroe Community College
Land/Facility: 1.05 acres located at 2530 Brighton-Henrietta Townline Road, Brighton, New York 14623
Unique ID: SU-321-1-L-2530B-000-A
Owner: Monroe Community College

ATTESTATION REGARDING START-UP NY

I, the undersigned, on behalf of Monroe Community College (the "College"), by virtue of my position at the College, to the best of my knowledge and belief, DO HEREBY CERTIFY on behalf of the College as follows:

1) Appropriate personnel at the College have reviewed the START-UP NY Program enacted pursuant to Chapter 68 of the Laws of 2013 and the plan that was submitted by the College to Empire State Development (the "Plan"). The Plan included the potential use of 1.05 acres located at 2530 Brighton-Henrietta Townline Road, Brighton, New York 14623 (the "Land") by an entity that is not an entity of the State University of New York (the "Non-SUNY Entity");

2) Such personnel have also reviewed (a) the sources of revenue available to the College, including but not limited to (i) grants and loans funded with the proceeds of Tax Advantaged Bonds (as defined below); and (ii) proceeds of bonds issued by the Dormitory Authority of the State of New York ("DASNY") or any other state or local government issuer (collectively, the "Issuers") for various facilities at the College (the "Bonds") and (b) the uses of proceeds of any grants or loans funded with the proceeds of Tax Advantaged Bonds and Bonds issued to finance or refinance facilities at the College and have consulted with the Issuers as we deem necessary;

3) Such personnel have also reviewed the books and records of the College regarding the expenditures made with respect to the Land, including but not limited to the cost of acquisition of the Land and the costs of construction, reconstruction, rehabilitation, improvement, furnishing and equipping of the Land;

4) Based upon such reviews, (a) no proceeds of any Bonds (i) the interest on which is excluded from gross income for federal income tax purposes or (ii) for which the Issuer receives a federal subsidy (the "Tax Advantaged Bonds") were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land and if any such Tax-Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land, such Tax-Advantaged Bonds are no longer outstanding and (b) no proceeds of any grants or loans funded with the proceeds of Tax Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land and if any such grants or loans funded with the proceeds of Tax-Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land, such Tax-Advantaged Bonds are no longer outstanding;

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of September, 2014.

MONROE COMMUNITY COLLEGE

Diane M. Cecero

By: Authorized Officer

Diane M. Cecero

General Counsel

Community College Attestation: Monroe Community College
Land/Facility: 0.57 acres located at 2550 Brighton-Henrietta Townline Road, Brighton, New York 14623
Unique ID: SU-321-1-L-2550B-000-A
Owner: Monroe Community College

ATTESTATION REGARDING START-UP NY

I, the undersigned, on behalf of Monroe Community College (the "College"), by virtue of my position at the College, to the best of my knowledge and belief, DO HEREBY CERTIFY on behalf of the College as follows:

- 1) Appropriate personnel at the College have reviewed the START-UP NY Program enacted pursuant to Chapter 68 of the Laws of 2013 and the plan that was submitted by the College to Empire State Development (the "Plan"). The Plan included the potential use of 0.57 acres located at 2550 Brighton-Henrietta Townline Road, Brighton, New York 14623 (the "Land") by an entity that is not an entity of the State University of New York (the "Non-SUNY Entity");
- 2) Such personnel have also reviewed (a) the sources of revenue available to the College, including but not limited to (i) grants and loans funded with the proceeds of Tax Advantaged Bonds (as defined below); and (ii) proceeds of bonds issued by the Dormitory Authority of the State of New York ("DASNY") or any other state or local government issuer (collectively, the "Issuers") for various facilities at the College (the "Bonds") and (b) the uses of proceeds of any grants or loans funded with the proceeds of Tax Advantaged Bonds and Bonds issued to finance or refinance facilities at the College and have consulted with the Issuers as we deem necessary;
- 3) Such personnel have also reviewed the books and records of the College regarding the expenditures made with respect to the Land, including but not limited to the cost of acquisition of the Land and the costs of construction, reconstruction, rehabilitation, improvement, furnishing and equipping of the Land;
- 4) Based upon such reviews, (a) no proceeds of any Bonds (i) the interest on which is excluded from gross income for federal income tax purposes or (ii) for which the Issuer receives a federal subsidy (the "Tax Advantaged Bonds") were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land and if any such Tax-Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land, such Tax-Advantaged Bonds are no longer outstanding and (b) no proceeds of any grants or loans funded with the proceeds of Tax Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land and if any such grants or loans funded with the proceeds of Tax-Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land, such Tax-Advantaged Bonds are no longer outstanding;

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of September, 2014.

MONROE COMMUNITY COLLEGE

Diane M. Cecero

By: Authorized Officer

Diane M. Cecero
General Counsel

Community College Attestation: Monroe Community College
Land/Facility: 2.04 acres located at 2618 Brighton-Henrietta Townline Road, Brighton, New York 14623
Unique ID: SU-321-1-L-2618B-000-A
Owner: Monroe Community College

ATTESTATION REGARDING START-UP NY

I, the undersigned, on behalf of Monroe Community College (the "College"), by virtue of my position at the College, to the best of my knowledge and belief, DO HEREBY CERTIFY on behalf of the College as follows:

1) Appropriate personnel at the College have reviewed the START-UP NY Program enacted pursuant to Chapter 68 of the Laws of 2013 and the plan that was submitted by the College to Empire State Development (the "Plan"). The Plan included the potential use of 2.04 acres located at 2618 Brighton-Henrietta Townline Road, Brighton, New York 14623 (the "Land") by an entity that is not an entity of the State University of New York (the "Non-SUNY Entity");

2) Such personnel have also reviewed (a) the sources of revenue available to the College, including but not limited to (i) grants and loans funded with the proceeds of Tax Advantaged Bonds (as defined below); and (ii) proceeds of bonds issued by the Dormitory Authority of the State of New York ("DASNY") or any other state or local government issuer (collectively, the "Issuers") for various facilities at the College (the "Bonds") and (b) the uses of proceeds of any grants or loans funded with the proceeds of Tax Advantaged Bonds and Bonds issued to finance or refinance facilities at the College and have consulted with the Issuers as we deem necessary;

3) Such personnel have also reviewed the books and records of the College regarding the expenditures made with respect to the Land, including but not limited to the cost of acquisition of the Land and the costs of construction, reconstruction, rehabilitation, improvement, furnishing and equipping of the Land;

4) Based upon such reviews, (a) no proceeds of any Bonds (i) the interest on which is excluded from gross income for federal income tax purposes or (ii) for which the Issuer receives a federal subsidy (the "Tax Advantaged Bonds") were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land and if any such Tax-Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land, such Tax-Advantaged Bonds are no longer outstanding and (b) no proceeds of any grants or loans funded with the proceeds of Tax Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land and if any such grants or loans funded with the proceeds of Tax-Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land, such Tax-Advantaged Bonds are no longer outstanding;

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of September, 2014.

MONROE COMMUNITY COLLEGE

Diane M. Cecero

By: Authorized Officer

Diane M. Cecero

General Counsel

Community College Attestation: Monroe Community College
Land/Facility: 9 acres located at 1048 E. Henrietta Road, Brighton, New York 14623
Unique ID: SU-321-1-L-1048E-000-A
Owner: Monroe Community College

ATTESTATION REGARDING START-UP NY

I, the undersigned, on behalf of Monroe Community College (the "College"), by virtue of my position at the College, to the best of my knowledge and belief, DO HEREBY CERTIFY on behalf of the College as follows:

1) Appropriate personnel at the College have reviewed the START-UP NY Program enacted pursuant to Chapter 68 of the Laws of 2013 and the plan that was submitted by the College to Empire State Development (the "Plan"). The Plan included the potential use of 9 acres located at 1048 E. Henrietta Road, Brighton, New York 14623 (the "Land") by an entity that is not an entity of the State University of New York (the "Non-SUNY Entity");

2) Such personnel have also reviewed (a) the sources of revenue available to the College, including but not limited to (i) grants and loans funded with the proceeds of Tax Advantaged Bonds (as defined below); and (ii) proceeds of bonds issued by the Dormitory Authority of the State of New York ("DASNY") or any other state or local government issuer (collectively, the "Issuers") for various facilities at the College (the "Bonds") and (b) the uses of proceeds of any grants or loans funded with the proceeds of Tax Advantaged Bonds and Bonds issued to finance or refinance facilities at the College and have consulted with the Issuers as we deem necessary;

3) Such personnel have also reviewed the books and records of the College regarding the expenditures made with respect to the Land, including but not limited to the cost of acquisition of the Land and the costs of construction, reconstruction, rehabilitation, improvement, furnishing and equipping of the Land;

4) Based upon such reviews, (a) no proceeds of any Bonds (i) the interest on which is excluded from gross income for federal income tax purposes or (ii) for which the Issuer receives a federal subsidy (the "Tax Advantaged Bonds") were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land and if any such Tax-Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land, such Tax-Advantaged Bonds are no longer outstanding and (b) no proceeds of any grants or loans funded with the proceeds of Tax Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land and if any such grants or loans funded with the proceeds of Tax-Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land, such Tax-Advantaged Bonds are no longer outstanding;

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of September, 2014.

MONROE COMMUNITY COLLEGE

Diane M. Cecero

By: Authorized Officer

Diane M. Cecero

General Counsel

Community College Attestation: Monroe Community College
Land/Facility: 21.4 acres located at Loden Lane, Henrietta, New York 14623
Unique ID: SU-321-1-L-LODLN-000-A
Owner: Monroe Community College

ATTESTATION REGARDING START-UP NY

I, the undersigned, on behalf of Monroe Community College (the "College"), by virtue of my position at the College, to the best of my knowledge and belief, DO HEREBY CERTIFY on behalf of the College as follows:

1) Appropriate personnel at the College have reviewed the START-UP NY Program enacted pursuant to Chapter 68 of the Laws of 2013 and the plan that was submitted by the College to Empire State Development (the "Plan"). The Plan included the potential use of 21.4 acres located at Loden Lane, Henrietta, New York 14623 (the "Land") by an entity that is not an entity of the State University of New York (the "Non-SUNY Entity");

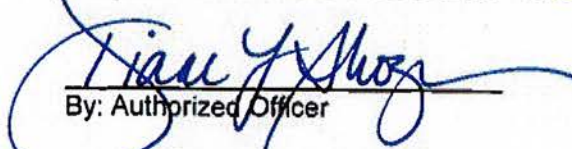
2) Such personnel have also reviewed (a) the sources of revenue available to the College, including but not limited to (i) grants and loans funded with the proceeds of Tax Advantaged Bonds (as defined below); and (ii) proceeds of bonds issued by the Dormitory Authority of the State of New York ("DASNY") or any other state or local government issuer (collectively, the "Issuers") for various facilities at the College (the "Bonds") and (b) the uses of proceeds of any grants or loans funded with the proceeds of Tax Advantaged Bonds and Bonds issued to finance or refinance facilities at the College and have consulted with the Issuers as we deem necessary;

3) Such personnel have also reviewed the books and records of the College regarding the expenditures made with respect to the Land, including but not limited to the cost of acquisition of the Land and the costs of construction, reconstruction, rehabilitation, improvement, furnishing and equipping of the Land;

4) Based upon such reviews, (a) no proceeds of any Bonds (i) the interest on which is excluded from gross income for federal income tax purposes or (ii) for which the Issuer receives a federal subsidy (the "Tax Advantaged Bonds") were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land and if any such Tax-Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land, such Tax-Advantaged Bonds are no longer outstanding and (b) no proceeds of any grants or loans funded with the proceeds of Tax Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land and if any such grants or loans funded with the proceeds of Tax-Advantaged Bonds were used to pay for, or to reimburse, any costs of the acquisition, construction, reconstruction, improvement or equipping of the Land, such Tax-Advantaged Bonds are no longer outstanding;

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of Sept, 2014.

MONROE COMMUNITY COLLEGE FOUNDATION


By: Authorized Officer

DIANE L. STOGER
Executive Director
MCC Foundation