



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: Cathleen C. McColgin, Ph.D., President

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

Date: September 19, 2016

For campus Office of the President:
The arrangement documented in the attached Campus Plan is aligned to the academic mission of Herkimer County Community College and in accordance with all SUNY policies, procedures, and guidelines.
Cathleen C. McColgin
Signature of campus President
Cathleen C. McColgin, President
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:
Jeffrey A. Boyce
Proposal Review Team Co-Chair
Date: 9-27-16
Jeffrey A. Boyce
Print Name

For SUNY Office of the Chancellor:
The attached Campus Plan is hereby [approved/rejected] for campus submission to the NYS Commissioner of Economic Development.
Eileen McLoughlin
Signature of the Chancellor or designee
Date: 10/12/16
Eileen McLoughlin
Print Name



The State University
of New York

To: Mr. Howard Zemsky, NYS Commissioner of Economic Development
From: President Cathleen C. McColgin of Herkimer County Community College
Re: Amending Herkimer County Community College's Campus Plan for Designation of Tax-Free Area(s)
Date: September 19, 2016

I, President Cathleen C. McColgin of Herkimer County Community College hereby certify the following:

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

Cathleen C. McColgin
PRESIDENT'S SIGNATURE

19 Sept 2016
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: Herkimer County Community College
Campus Contact Name: Daniel Sargent
Campus Contact Title: Assistant to the President
Campus Contact E-mail: sargentda@herkimer.edu
Campus Contact Phone: (315) 866-0300 ext. 8525

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: Herkimer County Community College
Campus Address: 100 Reservoir Rd., Herkimer, NY 13350
Address(es) of Proposed Tax-Free NY Area(s) : 160 Homyk Rd., Herkimer, NY 13350; 174 Homyk Rd., Herkimer, NY 13350; 2570 Higby Rd., Frankfort, NY 13340; Drive In Rd., Frankfort, NY 13340; 1049 Barker Rd., Dolgeville, NY 13329; 420 East German St., Herkimer, NY 13350.
Description of Physical Characteristics of Proposed Tax-Free NY Area(s): <ul style="list-style-type: none"> 1) An undeveloped parcel of 19 acres located on the College's campus along its western boundary. Although it is part of the College's campus, the parcel is located approximately a quarter of a mile to the west of the buildings that comprise the main area of campus. The parcel is located roughly 100 yards to the west of the College's athletic fields. The parcel consists of mostly open meadow with roughly 3 acres of woodland along its southern edge. It is bisected by a dirt/gravel access road (Homyk Road) and there is a power line strung on utility poles that runs through the meadow in the northern portion of the parcel. (160 Homyk Rd., Herkimer, NY 13350; SU-314-1-L-00001-000-A) 2) A 200-acre parcel of undeveloped land that is owned by the Herkimer County College Foundation and is contiguous with the college campus, and is also adjacent to the tax-free area that was previously designated in Herkimer's original campus plan. The property includes several buildings that were part of an old family dairy farm that is no longer operational. These structures would not

be rehabilitated for use by any new business locating on the property. For this reason floor plans for these structures are not provided here. (174 Homyk Rd., Herkimer, NY 13350; SU-314-1-L-00002-000-A)

- 3) A 150.7-acre parcel of land prepared as a business park that is owned by the Herkimer County Industrial Development Agency (HCIDA). It is located in the Town of Frankfort and has a paved access road linking it with NYS Route 5S. This business park also has installed sewer, water, power, and telecommunication infrastructure. As the property is located more than a mile from campus, an affiliation agreement with the HCIDA for inclusion of the property in this amended campus plan is in place, a copy of which has been attached. PLEASE NOTE that on the attached map for this property, parcel 112.3-3-23, which is marked with black lines through it, is not included in the 150.7 acres of property being proposed for designation as a tax-free zone. This parcel already has a local business erecting a new building on it, so it is not being included in the property being proposed in this campus plan. (2570 Higby Rd., Frankfort, NY 13340; SU-314-1-L-00005-000-A)
- 4) A 74.6-acre parcel of land prepared as a business park that is owned by the HCIDA. It is located in the Town of Schuyler and has a paved access road, and installed sewer, water, power, and telecommunication infrastructure. As the property is located more than a mile from campus, an affiliation agreement with the HCIDA for inclusion of the property in this amended campus plan is in place, a copy of which has been attached. All parcels outlined in orange on the attached map, thus designating them as "available" are to be included (Drive In Rd., Frankfort, NY 13340; SU-314-1-L-00006-000-A)
- 5) A 29.4-acre parcel of land prepared as a business park that is owned by the HCIDA. It is located in the Town of Manheim and has a paved access road, and installed sewer, water, power, and telecommunication infrastructure. As the property is located more than a mile from campus, an affiliation agreement with the HCIDA for inclusion of the property in this amended campus plan is in place, a copy of which has been attached. (1049 Barker Rd., Dolgeville, NY 13329; SU-314-1-L-00007-000-A)
- 6) 9,913.54 square feet of vacant space on the third floor of the east wing of a renovated mill building that is located in the Town of Herkimer and that is owned by the Herkimer Area Resource Center (HARC), a registered 501 C (3) non-profit organization. This is not the entire third floor of the east wing of the building, but just a portion of it. The building is located within one mile of the Herkimer College campus and currently has a number of tenant businesses operating in it. The proposed area of floor space has access to a freight elevator and the loading docks on the ground floor, making it appropriate for a manufacturing operation. Water, power, sewer, and telecommunications infrastructure are in place. (420 East German St., Herkimer, NY 13350; SU-314-2-B-00008-000-A)

- 7) 5,040 square feet of vacant space on the second floor of the west wing of a renovated mill building that is located in the Town of Herkimer and that is owned by the Herkimer Area Resource Center (HARC), a registered 501 C (3) non-profit organization. This is not the entire second floor of the west wing of the building, but just a portion of it. The building is located within one mile of the Herkimer College campus and currently has a number of tenant businesses operating in it. Water, power, sewer, and telecommunications infrastructure are in place. (420 East German St., Herkimer, NY 13350; SU-314-2-B-00009-000-A)

The 420 East German Street building that the vacant spaces SU-314-2-B-00008-000A and SU-314-2-B-00009-000-A are located in is the property of the Herkimer Area Resource Center (HARC). Please refer to the attached email from HARC President/CEO, Kevin Crosley, confirming that Castle Enterprises of Herkimer, although the former owner of the 420 East German Street building, is no longer involved in any aspect of the building's ownership or operations. Castle Enterprises of Herkimer is not intended for any benefits under Start-Up NY, nor is it in any way connected with Herkimer College's participation in the Start-Up NY program.

The three business parks in our campus plan are important for a number of reasons. The parks are poised for commercial development, all having water, sewer, power, internet/telecommunications, and road access infrastructures in place. Moreover, both the Frankfort Business Park (SU-314-1-L-00005-000-A) and the Schuyler Business Park (SU-314-1-L-00006-000-A) are Build Now-NY Shovel-Ready Certified properties. These parks represent excellent opportunities for businesses to locate and create jobs in Herkimer County, and to establish productive, collaborative relationships with the College through the Start-Up NY program. For the attached maps for these parks, please note that all parcels outlined on the maps in orange, indicating that they are "available parcels," are included in this campus plan and together comprise the total acreage for each respective park being proposed in this campus plan. The unique ID numbers included on each park's map is the ID number for the total acreage being proposed for designation as a tax-free zone, and not just for the single parcel the green star by the ID number is located on.

- 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:

- On-Campus Land: 473.7 acres
- Off-Campus Building Space: 14,953.54 square feet

- 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.

At this time, Herkimer College is not considering further amending its campus plan in the future, in order to designate any other properties as tax-free areas through the Start-Up NY Program.

- 2b) *If applicable:* The total square footage of the space or acreage of land that you may propose to designate as a Tax-Free Area as identified in 2a, if known.

N/A

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

Herkimer College is interested in partnering with businesses that will complement our academic programs and mission, and will help promote our students' academic and professional success through internships and/or research opportunities. Herkimer College will look to partner with businesses involved in the following areas: cybersecurity; computer information systems; crime and intelligence analysis; manufacturing; science; agribusiness; and communication and media arts. Businesses that can bring added value to our academic programs in small business management and quality assurance for business will also be regarded with interest.

- 4) Provide a description of the campus academic mission, and explain how the businesses identified in #3 will align or further the academic mission of the university or college.

The academic mission of Herkimer College can best be captured by presenting the institutional mission and vision statements and the core values the College has adopted as its guiding principles:

The mission of Herkimer College is to serve our learners by providing high quality, accessible educational opportunities and services in response to the needs of the local and regional communities.

Vision Statement: Herkimer College will continue to be a highly respected teaching and learning institution whose academic excellence will be complemented by a rich offering of co-curricular programming, quality student services and distinction in athletics. The College will continue to serve the post-secondary education needs of the community and be a key driver in regional economics, capitalizing on the potential of its partnerships and programs in current and emerging fields. Herkimer College students will exceed expectations in programmatic outcomes, education core competencies, and critical thinking skills in order to become productive citizens engaged in a global society.

Core Values:

Community: To foster a collaborative campus environment that promotes civility, creativity, diversity, open communication, social responsibility, and mutual respect among students, faculty, staff, and the public.

Excellence: To encourage all constituencies of the college community to pursue the highest standards of performance in their academic and professional work.

Integrity: To embrace the values of honesty, respect, consistency, diversity and responsibility, in order to provide fair and equal treatment for all.

Opportunity: To provide access to quality, affordable lifelong learning opportunities and to maintain an environment that fosters individual growth and development for all.

Within the context of our institutional mission, vision and core values, we have identified academic programs to align with this campus plan:

- Communication Arts: New Media (SED program code: 20170)
- Computer Network Technician (SED program code: 21503)
- Criminal Justice: Crime & Intelligence Analysis (SED program code: 34375)
- Criminal Justice: Cybersecurity (SED program code: 28216)
- Liberal Arts & Science: Science (SED program code: 90146)
- Quality Assurance: Business (SED program code: 36000)
- Quality Assurance: Science (SED program code: 36504)
- Small Business Management (SED program code: 79081)

The businesses described in #3 above align directly with the academic focus and targeted learning outcomes of these programs and have the potential to contribute significantly to our students' success in these and other programs, while also supporting and furthering the mission, goals and values of the College overall:

- By providing opportunities for formal internships and other types of experiential learning that will place our students in a professional environment and allow them to benefit from the practical experience of working directly with experts in their fields of study
- By sharing resources, such as facilities space, laboratory, manufacturing, or other types equipment, thereby expanding the College's ability to offer students this level of instructional/learning environment beyond its present capacity;
- By collaborating with faculty and staff of the College to offer workshops, trainings, facility tours/field trips, research opportunities, presentations on cutting edge developments in these fields, and/or other special projects that align with the coursework and learning outcomes of our programs;
- By partnering with the College on the development of new academic courses and programs, including the identification of new targeted learning outcomes at all levels (course, program and institutional);
- By providing our students with the opportunities to gain professional references and connections that will help them secure employment in their chosen fields upon graduation, or by providing those employment opportunities themselves.

- 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.

In the spring of 2010 Herkimer College was the subject of an economic impact study that showed that the College brings an estimated \$75 million in additional income annually to the county, primarily through higher incomes earned by students who complete degree programs at the College and remain in the local region, and through the resulting increased output of regional businesses. At the same time, Herkimer College is located in one of the most economically challenged counties in the state. The Start-Up NY program presents an excellent opportunity for growth in this particularly high-needs region by allowing Herkimer College to both expand the already significant positive economic impact it has in the county, and to also act as a generator for economic development beyond the boundaries of our campus.

Having new businesses locating on or near our campus and partnering with the College in various capacities will invigorate the learning environment our students can benefit from. The

new internships and other experiential learning opportunities that we will establish with these businesses that will align with our academic programs will greatly enhance our students' preparedness for either securing employment, or for continuing their studies at the bachelor and graduate levels following completion of their degrees at Herkimer.

Part of the economic and social challenges facing this region of the state is the need to attract young professionals to settle into careers and homes locally so, as a result, the economic and tax base of the region can be renewed and the region's downward demographic trend can be stemmed. In addition to providing enhanced practical learning opportunities, new businesses attracted to this region through the incentives offered through the Start-Up NY Program will generate new jobs that will offer young people from local communities better opportunities to remain here upon completion of their studies. Similarly, new job opportunities and related tax incentives will attract new, well-educated/trained people from outside our area to settle in Herkimer County, thereby further increasing the region's demographic and tax bases.

The long-term goal is for businesses that establish themselves here through the Start-Up NY Programs to act as a catalyst for attracting other businesses to develop here. The new businesses will not only further increase regional employment opportunities, thereby diversifying the regional employment base; they will also further diversify and strengthen the area's economy through their investments in the region and through the increased local spending of their employees. The climate of economic and social vitality that such a process would support could lead to a fertile environment for both the growth of further entrepreneurial activity and investment, and to mutually beneficial links with existing area businesses.

Depending on the nature of the businesses that locate here, the potential also exists to achieve outcomes that promote environmental sustainability. Herkimer County encompasses a rural area in which agriculture is still one of the largest industries, so the establishment of new agribusinesses here that rely on and advocate for sustainable farming methods would be a good example of such an outcome. However, businesses that are involved in manufacturing and/or science could also contribute to environmental sustainability through the use of green technology and the implementation of environmentally conscious practices and policies.

- 6) Provide a description of the process the Sponsor (campus) will follow to select participating businesses. The description should identify the membership of any group or committee that may make recommendations, the final decision-maker, and the criteria that will be used to make decisions. This group or committee must include representation from faculty governance. The criteria may include some or all of the following:

A. Academic and Research Alignment

1. Is the business in an industry aligned with current and/or developing University research, scholarly, and creative activity?
2. Does the business provide experiential learning and workforce opportunities (e.g., internships, fellowships, full-time jobs) for students and graduates?
3. Does the business provide areas for partnership and advancement for faculty and students?
4. Will the business provide access to research instrumentation, tools, and/or equipment necessary to advance the academic and research mission?

5. Will the business fund scholarships, campus facilities or other academic services or amenities?
6. Will the business and/or its employees contribute to instruction or provide student mentoring?
7. Does the business offer the use of company resources, intellectual property or expertise to support the academic mission?

B. Economic Benefit

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

C. Community Benefits

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

Herkimer College will implement the following process for vetting and selecting businesses that have submitted Start-Up NY applications for the property identified in our campus plan:

1. Applications will first be reviewed by the campus contact person for the StartUp NY Program – the Assistant to the President – to ensure they meet our stated criteria (see below).
2. Eligible applications that show promise will then be brought to a Selection Recommending Committee (SRC), which will consist of: the President of the College; the Senior Vice President for Administration and Finance; the Provost; the Assistant to the President; a representative of the College's Academic Senate; two representatives from the Herkimer County College Foundation's Board of Directors; and a representative of the Herkimer County Industrial Development Agency (HCIDA) Board of Directors. This group will review and either recommend or reject applications for selection.
3. Applications recommended by the SRC will be brought to the Academic Senate by its representative on the SRC to be vetted by the Senate.
4. Applications recommended by the SRC will be brought to the organizations that are the legal owners of the property in question to be vetted through their leadership as follows:
 - For **SU-314-1-L-00002-000-A**: the Herkimer County College Foundation Board
 - For **SU-314-2-L-00005-000-A**: the HCIDA Board of Directors
 - For **SU-314-2-L-00006-000-A**: the HCIDA Board of Directors
 - For **SU-314-2-L-00007-000-A**: the HCIDA Board of Directors
 - For **SU-314-2-B-00008-000-A**: the Herkimer Area Resource Center CEO
 - For **SU-314-2-B-00008-000-A**: the Herkimer Area Resource Center CEO
5. The President of the College will present the selected application to the County Administrator for vetting through the appropriate subcommittee(s) of the County Legislature.

6. The President of the College will also present the selected application to the College's Board of Trustees for vetting.
7. Based on the feedback received from these bodies (Senate, Foundation, County, BOT), as well as feedback from the leadership of organizations that are the legal owners of the property, the President of the College will have final approval of the selected application.

The following criteria will be used in the assessment of applications:

I. Academic Alignment

- How well does the applicant business align with the academic degree programs we have designated in our campus plan? Does the business reflect and support the learning outcomes identified by the College for these degree programs?
- What types of internships and other experiential learning opportunities will the applicant business offer, and what is their capacity for offering these types of practical experiences (i.e. how many such opportunities are they able to provide at any one time)?
- Does the application indicate that resources will be available that can be shared with the College and a willingness on the part of the applicant business to share those resources for the enhancement of the College's instructional capacity and the advancement of the Colleges' academic mission?
- Will the applicant business provide funding support for scholarships, facilities and/or program development, or other academic services or amenities?
- Does the application indicate opportunities for collaboration between the applicant business and the College's faculty and staff on such initiatives as:
 - Academic program and/or curriculum development?
 - Designs for facilities upgrades or for new facilities?
 - The development of training programs, special presentations, or workshops on latest developments and trends, best practices, etc. in the given field of business?

II. Economic Benefit

- How many new jobs does the applicant business estimate it will create?
- Are the new jobs that will be created in critical areas of the economy?
- What is the short and long-term viability of the applicant business?
- Does the applicant business plan to make capital investments?
- What is the potential for the applicant business to attract private financial investment?

III. Community Benefits

- Will the applicant business be recruiting new employees from the local workforce?
- Does the business have the support of one or more municipal or community entities?
- Will the business rely on suppliers within the local and regional economy?

The final decision as to which businesses will be sponsored by Herkimer College in the Start-Up NY program will rest with the President of the College. Interested businesses should begin by contacting the Assistant to the President, Daniel Sargent, at sargentda@herkimer.edu.

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

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

Policy

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

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

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

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

Definitions

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

Other Related Information

[Outside Activities of University Policy Makers](#)

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

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

Procedures

There are no procedures relevant to this policy.

Forms

There are no forms relevant to this policy.

Authority

[42 CFR 50, Subpart F](#)

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

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

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

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

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

History

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

Appendices

There are no appendices relevant to this policy.

ITEMS TO INSERT:

**1.) DEPARTMENT OF ECONOMIC DEVELOPMENT
EXCEL SPREADSHEET TEMPLATE LISTING ALL
DESIGNATED PROPERTIES**

**2.) COPY OF ANY OTHER APPLICABLE CONFLICT OF
INTEREST POLICIES OR GUIDELINES**

**3.) EVIDENCE OF SUBMISSION OF TAX-FREE AREA
PLAN TO INTERESTED PARTIES, I.E., COPIES OF
CORRESPONDENCE SENT AND RECEIVED**

Note that program regulations require 30-day notice to potential stakeholders, including the chief executive officers of the municipality or municipalities in which the subject properties are located, a local economic development entity, faculty senate, campus student government, and union representatives, and require “evidence” of the campus’ communications to these local stakeholders. Please note that you **MUST** include copies of all correspondence in your formal submissions to SUNY and ESDC. It is important that the plan be mailed **via first class mail** to each of the unions representing state employees, including the local (or statewide if no local exists) leadership for UUP, CSEA, PEF, PBA, GSEU and NYSCOPBA. Community colleges must also notify the unions representing their employees. If you are unsure whom to contact, please let us know and we can assist you in making this notification.


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

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

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

Policy

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

6800 - START-UP NY Program Participation Policy

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

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

Definitions

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

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

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

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

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

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

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

Other Related Information

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

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

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

Procedures

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

Forms

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

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

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

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

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

[ESD START-UP Business Application](#)

Authority

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

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

[Start-Up NY Regulations](#)

History

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

Appendices

There are no appendices relevant to this policy.

Excerpt from HCC Foundation By-Laws

not he/she continues to be a Director or Officer at the time such costs and expenses are imposed or incurred. As used herein, the term "costs and expenses" shall include, but shall not be limited to attorneys' fees, judgments against, and amounts paid in settlement by or on behalf of any Director, other than amounts paid to the Foundation itself; provided, however, that no such Director shall be so indemnified if:

1. With respect to any matter as to which such Director shall, in any such action, suit, or proceeding, be finally adjudged to be liable for actual misconduct in the performance of his/her duties as a Director; or
2. In the event of a settlement of any such claim, action, suit, or proceeding, unless
 - (a) Such settlement shall, with the knowledge of the indemnification provided for hereby, be approved by the court, having jurisdiction of such action, suit, or proceedings; or
 - (b) Such settlement shall have been made upon the written opinion of independent legal counsel, selected by or in a manner determined by the Board, to the effect that there is no reasonable ground of liability for misconduct on the part of such Director, and that the entire cost of such settlement will not substantially exceed the estimated cost of defending such claim, action, suit or proceeding to a final conclusion. The foregoing rights of indemnification shall not be exclusive of other rights to which any Director may be entitled as a matter of law.

ARTICLE XIII CONFLICTS OF INTEREST

Section 13.1. **PURPOSE.** The purpose of the conflicts of interest policy is to protect the interest of the Foundation when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or member of the Board or the Executive Director appointed by the Board. This policy is intended to supplement but not replace any applicable local, state and federal laws governing conflicts of interest applicable to not-for-profit and charitable corporations.

Section 13.2. **DEFINITIONS.**

1. **Affiliate**

"Affiliate" means any entity controlled by, in control of or under common control with the Foundation.

2. **Audit Committee**

"Audit Committee" means the committee of the Board whose function, among other things, is to assure that the Foundation's Board fulfills its responsibilities for Foundation internal and external audit process and financial reporting process and whose members are comprised solely of Independent Directors.

3. **Board**

"Board" means the Foundation's Board of Directors.

4. **Director**

"Director" means any voting Director of the Foundation.

5. **Key Employee**

"Key Employee" means any person who is in a position to exercise substantial influence over the affairs of the Foundation.

6. **Officer**

"Officer" means any officer or authorized representative of the Foundation.

7. **Related Party**

"Related Party" means (i) any Director, Officer or Key Employee of the Foundation or any Affiliate of the Foundation; (ii) any Relative of any Director, Officer or Key Employee of the Foundation or any Affiliate of the Foundation; or (iii) any entity in which any individual described in clauses (i) and (ii) above has a 35% or greater ownership or beneficial interest or, in the case of a partnership or professional corporation, a direct or indirect ownership interest in excess of 5%.

8. Relative

"Relative" of an individual means his or her (i) spouse, ancestors, brothers and sisters (whether whole or half blood), children (whether natural or adopted), grandchildren, great-grandchildren and spouses of brothers, sisters, children, grandchildren and great-grandchildren, or (ii) domestic partner.

9. Interested Person

"Interested Person" means any member of the Board, member of a committee of the Board, or a Key Employee of the Foundation who has a direct or indirect financial or other interest, as defined below, is an Interested Person. A conflict will be deemed to exist whenever an Interested Person is in the position to approve, disapprove or influence Foundation policies which involve:

- (a) said Interested Person
- (b) a Relative; and/or
- (c) a Related Party

10. Financial or Other Interest

"Financial or Other Interest" means a person has an interest if the person has, directly or indirectly, through business, investment or Related Party:

- (a) an ownership or investment interest in any entity with which the Foundation has a transaction or arrangement, or
- (b) a compensation arrangement with the Foundation or with any entity or individual with which the Foundation has a transaction or arrangement, or
- (c) a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Foundation is negotiating a transaction or arrangement, or
- (d) any other relationship that might reasonably tend to conflict with the proper discharge of an individual's duties to the Foundation.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not substantial in nature. Financial interests are not necessarily an automatic conflict of interest. Under Article XIII, an Interested Person who has a financial interest may have a conflict of interest only if the appropriate Board or Audit & Finance Committee of the Board decides that a conflict of interest exists.

Section 13.3. PROCEDURES.

1. **Duty to Disclose:** In connection with any actual or possible conflicts of interest, an Interested Person must disclose the existence of his or her financial or other interest and all material facts to the Directors or Audit & Finance Committee.
2. **Determining Whether a Conflict of Interest Exists:** After disclosure of the financial or other interest and all material facts, and after any discussion with the Interested Person, he or she shall leave the Board or Audit & Finance Committee meeting while the determination of a conflict of interest is

discussed and voted upon. The remaining Board or Audit & Finance Committee members shall decide if a conflict of interest exists.

3. Procedure for Addressing. The Audit & Finance Committee shall be responsible to adopt a procedure for providing thorough and adequate review of any Conflict of Interest raised by the Board of Trustees. An Interested Person may not attempt to influence improperly the deliberation or voting in the matter giving rise to such conflict.
4. The chairperson of the Audit & Finance Committee, if any, or otherwise the full Board shall, if he or she deems it appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
5. After exercising due diligence, the Board or committee shall determine whether the Foundation can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
6. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Audit & Finance Committee, if any, or otherwise the full Board shall determine by a majority vote of the disinterested Directors whether the transaction or arrangement is in the Foundation's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.
7. Violation of the Conflicts of Interest Policy:
 - (a) If members of the Board or the Audit & Finance Committee has reasonable cause to believe that a Director, Officer or Key Employee has failed to disclose actual or possible conflicts of interest, it shall inform the Member of the basis for such belief and afford the Member an opportunity to explain the alleged failure to disclose
 - (b) If, after hearing the response of the Director, Officer or Key Employee and making such further investigation as may be warranted in the circumstances, the Board or Audit & Finance Committee determines that the Director, Officer or Key Employee has in fact failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action, which may include, but is not limited to, removal from office and/or termination of the underlying agreement in question, if feasible.

Section 13.4. RECORDS OF PROCEEDINGS. The minutes of the Board or Audit & Finance Committee shall contain:

1. The names of the persons who disclosed a financial or other interest, or otherwise were found to have a financial or other interest in connection with the actual or possible conflict of interest, the nature of the financial or other interest, any action taken to determine whether a conflict of interest was present, and the decision of the Board or the Audit & Finance Committee as to whether a conflict of interest in fact existed.
2. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection therewith.

Section 13.5. ANNUAL STATEMENTS. Each Director, member of a committee with Board delegated powers and the Executive Director prior to his or her election or appointment to office shall annually sign a statement which affirms that such person:

- (a) has received a copy of the Bylaws containing the Conflict of Interest Policy and has read and understands this Policy, and has agreed to comply with the Policy
- (b) has disclosed to the Board, in writing, all potential conflicts of interest in compliance with all aspects of this Article XIII, policy, and
- (c) understands that the Foundation is a non-profit organization and that in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes without risking impermissible private benefits to interested persons or their family members.

Each Director and Officer holding office, and each Key Employee, annually shall sign the above statement and deliver the same to the Foundation's Secretary.

The refusal or failure by any current or prospective Director, or by any Officer, or Key Employee to sign and deliver the above statement to the Foundation's Secretary when required to do so may result in the discipline of such person or the termination, or removal of such person from his or her position at the Foundation. No such corrective or disciplinary action shall be taken without giving such person a fair opportunity to be heard regarding said refusal or failure to complete the requisite form.

Section 13.6. **PERIODIC REVIEW.** To ensure that the Foundation operates in a manner consistent with its non-profit purposes and that it does not engage in activities that could jeopardize its status as an organization exempt from federal income tax, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- 1. Whether contractual arrangements are reasonable and are the result of arm's-length bargaining.
- 2. Whether partnership and joint venture arrangements conform to written policies, are properly recorded, reflect reasonable payments for goods and services, further the Foundation's non-profit purposes and do not result in impermissible private benefit.
- 3. Whether agreements with members of the Board, committee members, Key Employees or others further the Foundation's non-profit purposes and does not result in impermissible private benefit.

Section 13.7 **OUTSIDE EXPERTS.** In conducting these periodic reviews, the Foundation may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Board of its responsibility for ensuring that periodic reviews are conducted.

ARTICLE XIV WHISTLEBLOWER POLICY

Section 14.1. **PURPOSE.** This whistleblower policy is intended to encourage, enable, and protect members of the Board, Officers, the Executive Director, and other employees, volunteers and committee members who take their duty seriously to raise concern regarding alleged violations of the Foundation policy or procedures. This policy is intended to promote the review of alleged violations within the Foundation prior to seeking resolution outside the Foundation.

Section 14.2. **RESPONSIBILITY.** The Foundation requires all Directors, Officers, the Executive Director, and other employees, volunteers and committee members to follow the Foundation's policies and procedures when handling their responsibilities towards the Foundation accounts and funds. The Foundation requires members must report violations or suspected violations of the Foundation's policies and procedures to the Chairman of the Audit & Finance Committee. Complaints shall be kept confidential to the extent possible.

Section 14.3. **NO RETALIATION.** No member of the Board, the Executive Director and other employees, volunteers and committee members who in good faith report a violation of the Foundation's policies or procedures,

HERKIMER COUNTY COLLEGE FOUNDATION, INC.
CONFLICTS OF INTERESTS QUESTIONNAIRE

1. Do you or any related person have any relationship or engage in any activities that might impair your independence of judgment concerning Foundation business?

Yes _____ No _____

2. Do you or does any related person have any personal financial interest that might impair your independence of judgment or influence your decisions or actions concerning Foundation business in the directions of such personal financial interests?

Yes _____ No _____

3. Have you accepted any gifts, benefits, or unusual hospitality that might tend in any way to impair your independence of judgment or affect your decisions or actions concerning Foundation business?

Yes _____ No _____

PLEASE NOTE: If you answered "Yes" to any of the foregoing questions, please disclose any exceptions, conflicts or potential conflicts below and/or follow the reporting procedures as outlined in the Conflict of Interest Policy.

As a director, prospective director, officer or key employee, I realize that I have an obligation to disclose and eliminate (if necessary) any potential or actual duality of interest or conflict of interest.

I hereby certify that I have read, understand and voluntarily agree to Foundation's policies as described in this statement, with respect to conflict of interest, and that the information given in this statement is complete and accurate to the best of my knowledge.

Date: _____

Name (printed or typed)

Signature

Position

**Herkimer College
Start-Up NY Campi
Proposed 200 Acre**

-  Herkimer College
-  ← 19 Acres
-  ← 200 Acres
-  Parcels

McKeanan Rd

Steuben Hill Rd

Beardrie Ave

Brookwood Rd

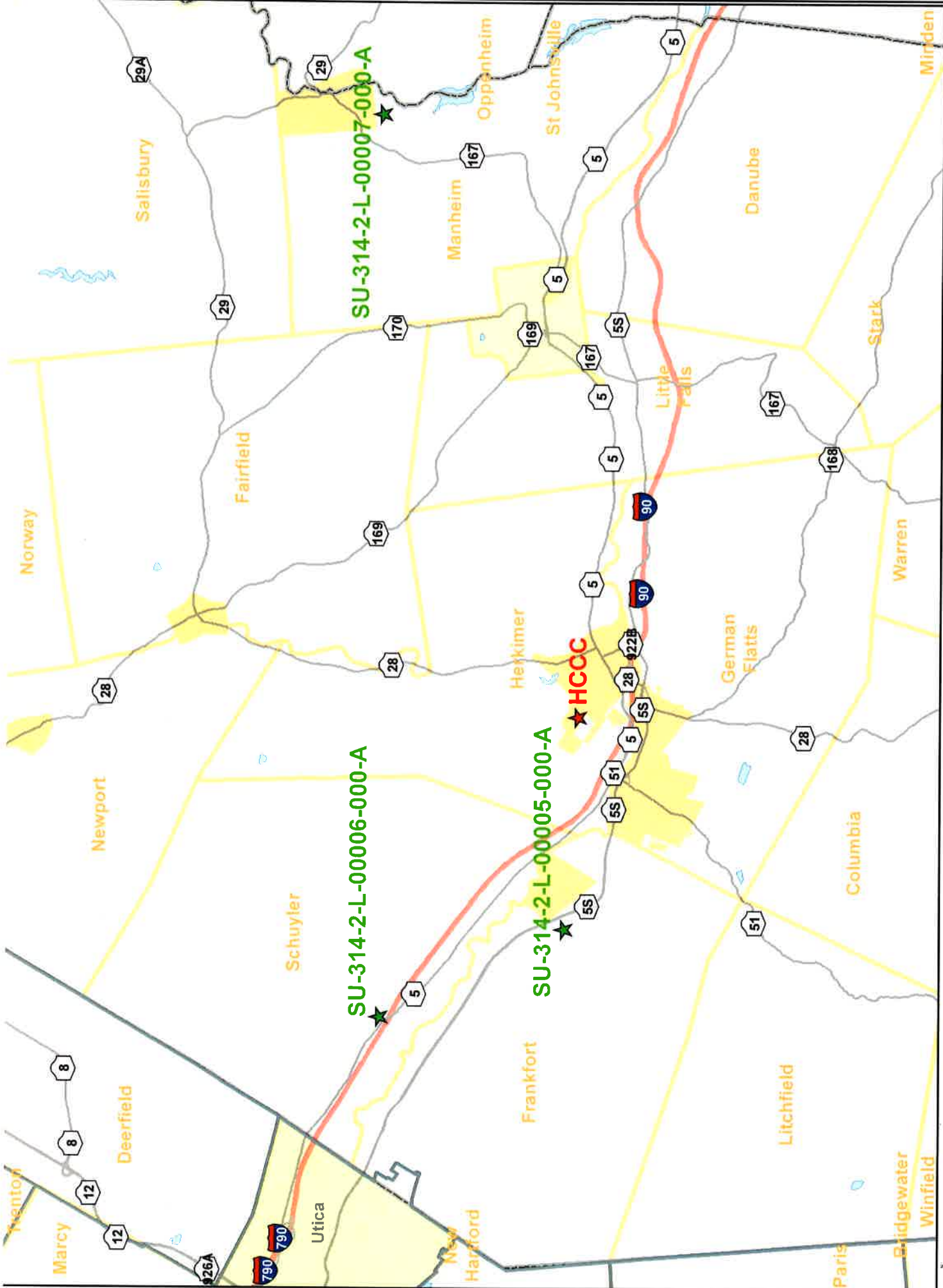
Reservoir Rd

Lou Ambrose Dr

College Hill Rd

SU-314-1-L-00001-000-A

SU-314-1-L-00002-000-A

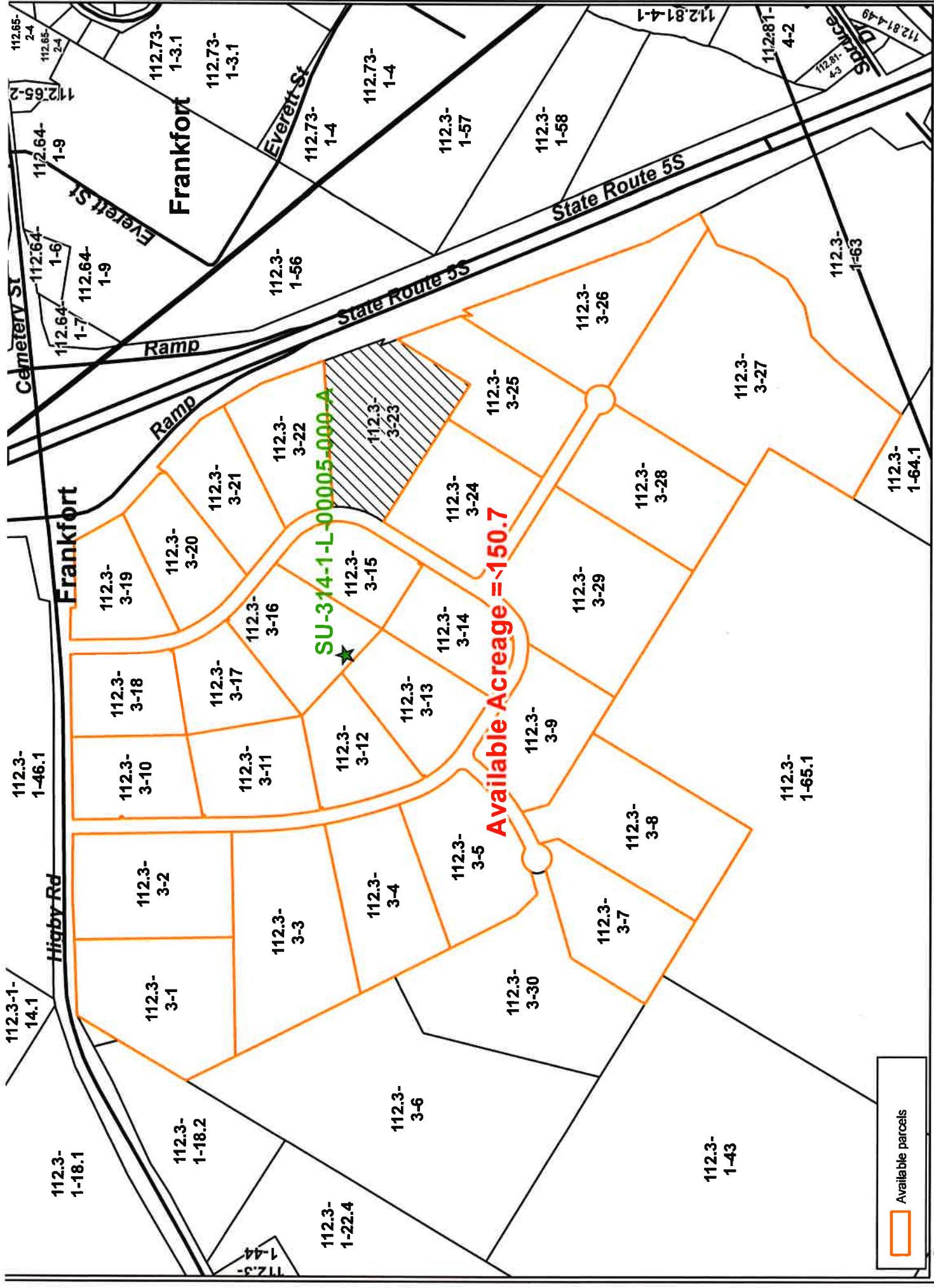


This information was compiled for planning purposes. It is not intended to be used for any other purpose. The information is provided as a service to the public. It is not intended to be used for any other purpose. It is not intended to be used for any other purpose.

Date: June 6, 2016

HCCC & Business Parks





The information was compiled for planning purposes. It is not intended to be used for any other purpose. The user assumes all responsibility for the use of this information. The user agrees to hold the provider harmless for any and all claims, damages, losses, and expenses, including reasonable attorneys' fees, arising from the use of this information. The provider makes no warranty, express or implied, in the accuracy or completeness of the information shown on this map.

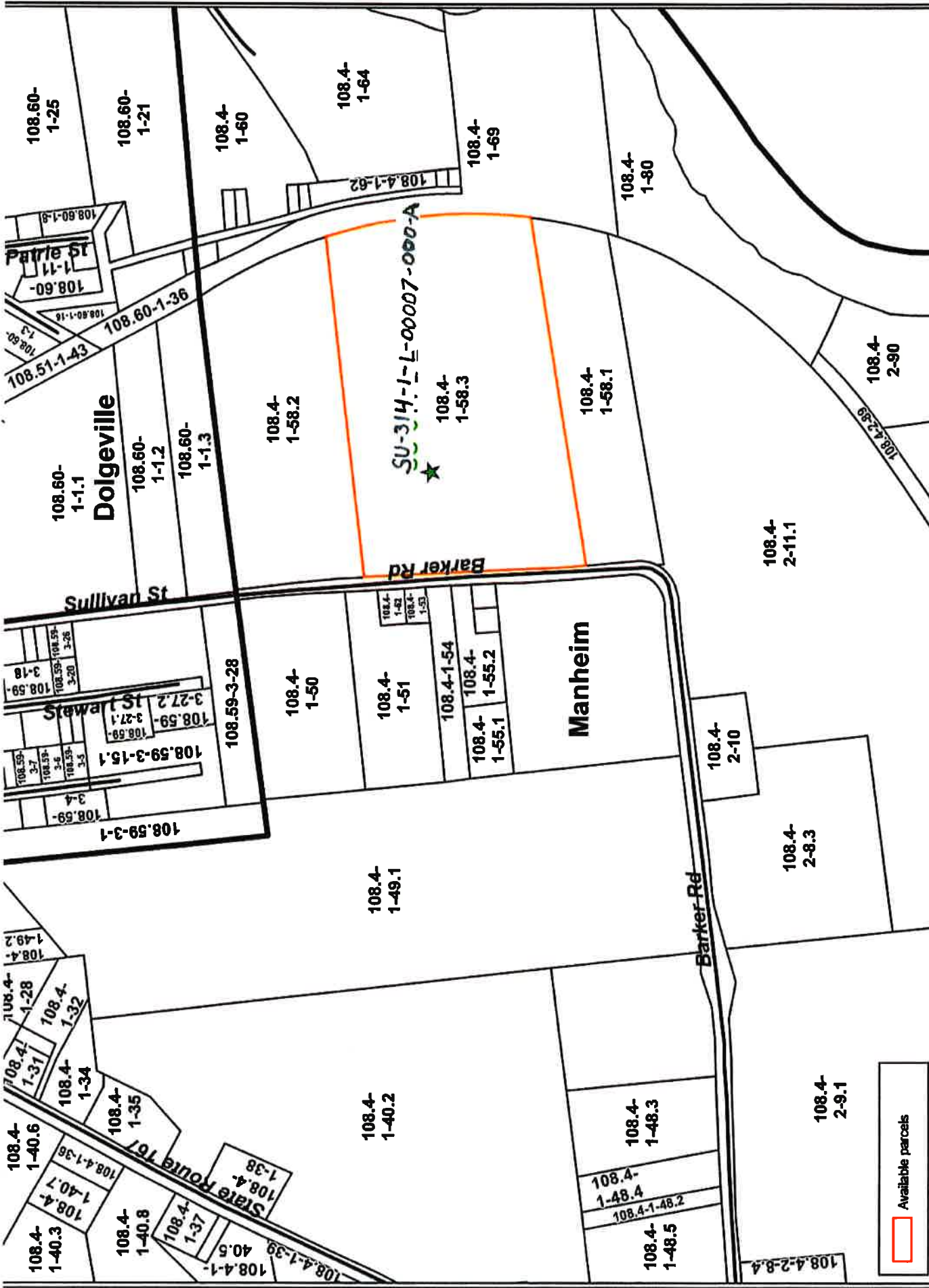
Date: September 19, 2016

Frankfort Business Park
 2570 Higby Rd., Frankfort, NY 13340

1 inch = 500 feet

0 250 500 1,000 Feet

Available parcels



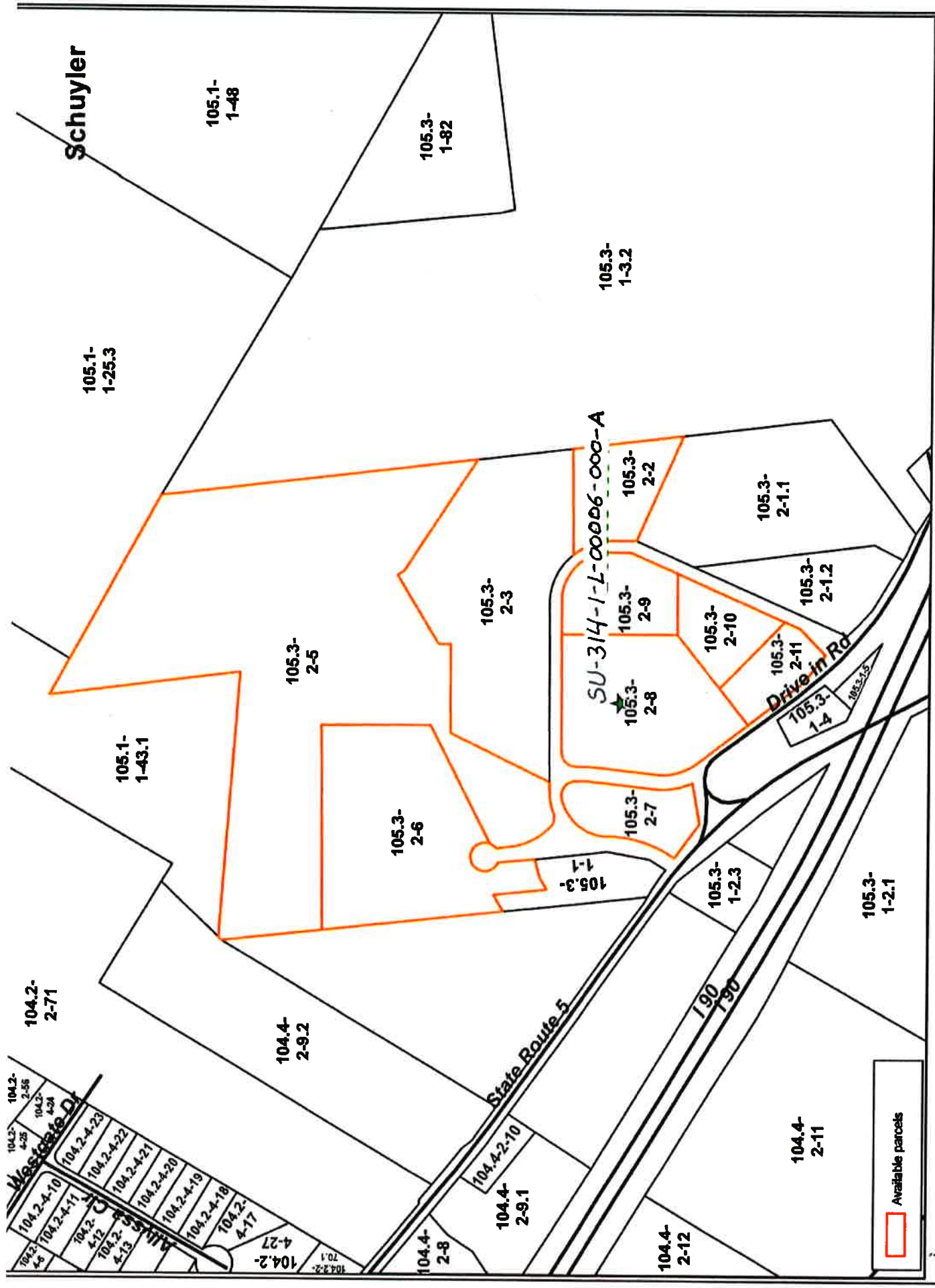
This map was prepared by the Office of General Services, Office of the State Comptroller, Office of Information Systems, Office of the State Engineer, Office of the State Geologist, Office of the State Historian, Office of the State Museum and Office of the State Office of General Services.

Date: June 6, 2016

*Manheim Business Park → 29.4 acres
1049 Barker Rd.
Dolgeville, NY 13329*

Available parcels





104.2-2-71
104.2-4-10
104.2-4-11
104.2-4-12
104.2-4-13
104.2-4-14
104.2-4-15
104.2-4-16
104.2-4-17
104.2-4-18
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104.2-4-96
104.2-4-97
104.2-4-98
104.2-4-99
104.2-4-100

Date: June 6, 2016

Schuyler Business Park → 74.6 acres
Drive In Road
Frankfort, NY 13340

Available parcels



HERKIMER COLLEGE Start-Up NY Camp HARC Building



Herkimer Co. Commr



Herkimer County Tax Parcel



Parcel

113.73-1-49

UNIQUE IDENTIFIER
SU-314-2-B-00008-000-A /
SU-314-2-B-00009-000-A

ADDRESS
420 E German St
Herkimer, NY 13350

COORDINATES
43.034866, -74.986443

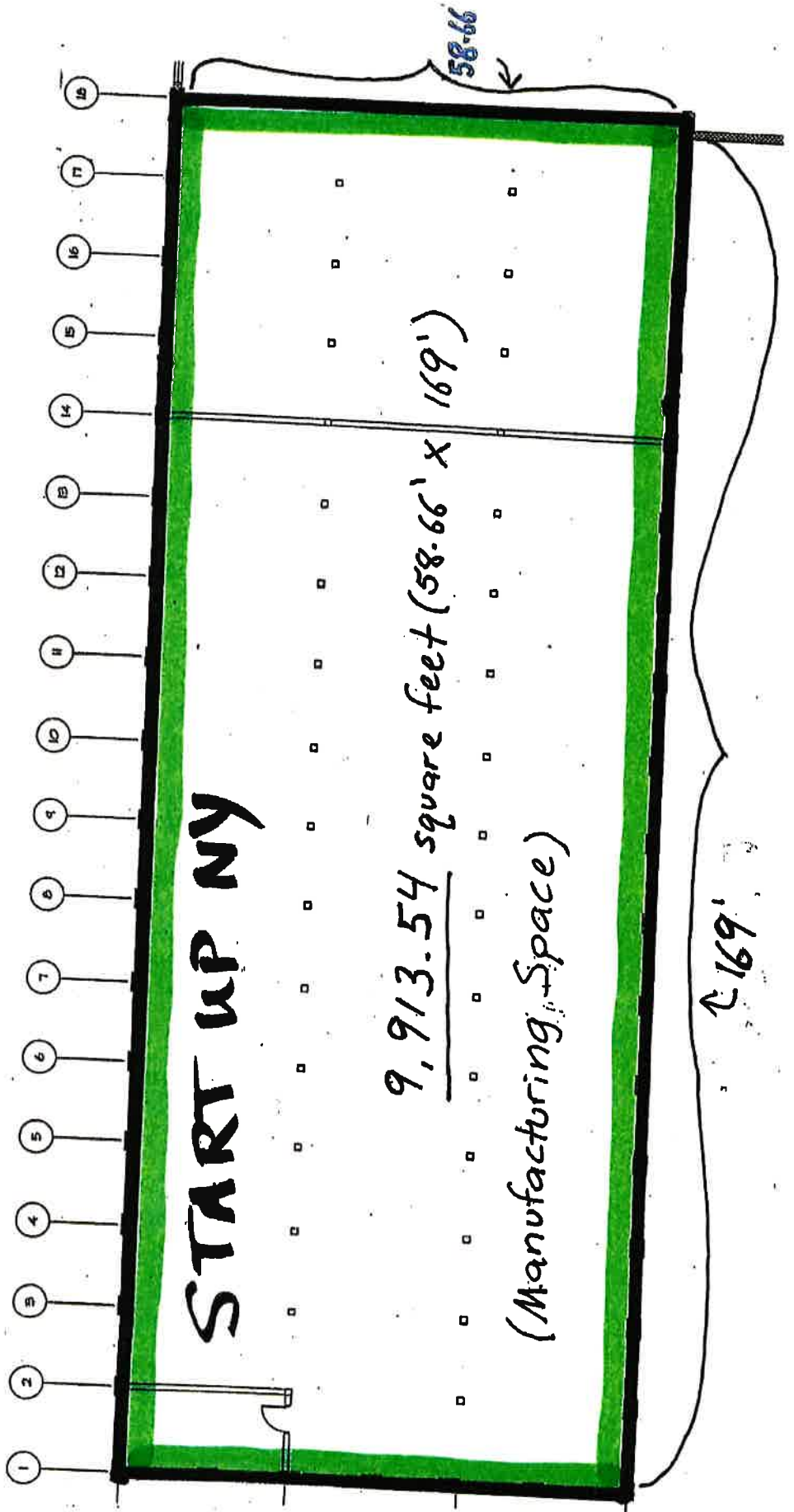
HERKIMER CO. PARCEL ID
113.73-1-49

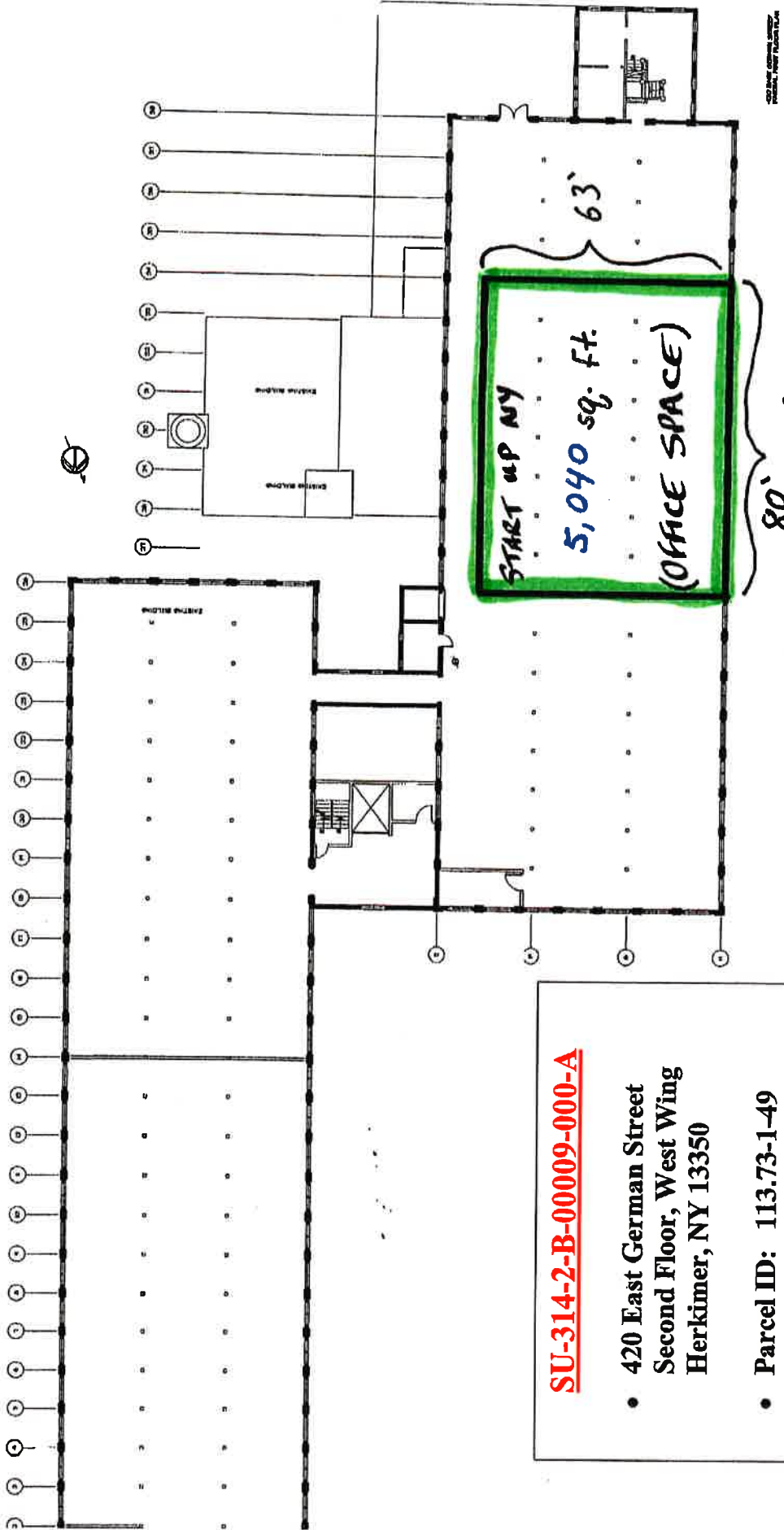


SU-314-2-B-00008-000-A

*

- 420 East German Street, Third Floor – East Wing, Herkimer, NY 13350
- Parcel ID: 113.73-1-49 → Portion of the third floor, not the entire floor
- Latitude: 43.034866
- Longitude: -74.986443
- 9,913.54 square feet [58.66' x 169'] - Appropriate space for manufacturing operation





420 EAST GERMAN STREET
 SECOND FLOOR PLAN **WEST**
 → **5,040 Square Feet**

- **SU-314-2-B-00009-000-A**
- 420 East German Street
Second Floor, West Wing
Herkimer, NY 13350
- Parcel ID: 113.73-1-49
- Latitude: 43.034866
- Longitude: -74.986443
- 5,040 square feet [63' x 80']
- *Appropriate space for office set-up*

