



AGENDA

MEETING OF THE START-UP NY APPROVAL BOARD

FRIDAY, FEBRUARY 27, 2015, 12:00 P.M.

**STATE CAPITOL, ROOM 131
ALBANY, NEW YORK**

- I. Welcome and Introductions
- II. Ratification of Minutes from START-UP NY Approval Board Meeting of 12/05/14
- III. Consideration of Iona College Plan Amendment
- IV. Consideration of SUNY Maritime College Plan
- V. Consideration of Niagara University Plan
- VI. Consideration of Villa Maria College Plan
- VII. Other issues



SUMMARY OF START-UP NY DESIGNATED LAND & SPACE

Pursuant to Econ. Dev. L. § 432(2), private colleges and universities in New York State may designate up to 3 million ft² of vacant land or space. Of this 3 million ft², 600,000 ft² is available for designation by certain colleges and universities in Nassau, Suffolk, and Westchester counties and the five boroughs of NYC. Each county is allocated 75,000 ft² of vacant land or space.

In any county where the allocated 75,000 ft² is designated as a Tax-Free NY Area, an additional 75,000 ft² shall be eligible for designation by the START-UP NY Approval Board as a Tax-Free NY Area.

DESIGNATED LAND & SPACE: DOWNSTATE

To date, 83,685 ft² has been designated against the 600,000 ft² limit for private universities and colleges downstate. The following indicates the land or space designated to date against the 75,000 ft² available to each of the following counties:

Bronx County: No space designated

Kings County: 12,500 ft²

New York County: 23,241 ft²

Queens County: No space designated

Richmond County: No space designated

Nassau County: 6,721 ft²

Suffolk County: No space designated

Westchester County: 41,223 ft²

DESIGNATED LAND & SPACE: UPSTATE

To date, 324,984 ft² has been designated against the 2.4 million ft² limit for private universities located upstate.



DRAFT – SUBJECT TO REVIEW AND REVISION¹

START-UP NY Approval Board

Meeting Minutes

State Capitol, Room 131, Albany/633 Third Ave., 37th Fl., New York, NY 10017

10:00 A.M., Friday, December 05, 2014

The following Board members were present at the Albany meeting location: Andrew Kennedy (Chair), Governor’s Appointee, Governor’s Assistant Secretary for Economic Development; Edward M. Cupoli, Speaker of the Assembly’s Appointee, Professor Emeritus at the University at Albany and Trustee Emeritus at Cornell University. The following Board member was present at the New York City location: Abraham M. Lackman, Temporary President of the Senate’s Appointee, Senior Officer for Civic Affairs at the Simons Foundation.

The meeting was called by Chairman Kennedy at 10:09. Chairman Kennedy announced that the Board was meeting in two locations, and that Mr. Lackman would be participating via videoconference. Chairman Kennedy then noted that the Board would be considering the plan submitted by New York Medical College, and asked if there was a motion to adopt the minutes from the Board’s meeting of September 25, 2014. Mr. Cupoli requested clarification as to the passage on page two of the minutes which read that he “approved of the clear organization of D’Youville College’s application.” Chairman Kennedy indicated that he understood the passage. Ms. Jennifer Chung, Counsel to the Board, clarified that the video recording of the Board meeting constituted the official record and superseded any conflicting provisions in the adopted minutes. Mr. Cupoli requested information on the life of the video recordings under the Open Meetings Law. Ms. Chung indicated that she would look into the matter. Thereafter, Chairman Kennedy inquired as to whether there was a motion to move to a vote on adoption of the minutes. Mr. Lackman so moved, and Mr. Cupoli seconded the motion. The Board proceeded to a vote, and approved the minutes for its September 25 meeting 3-0.

At 10:13, the Board turned to consideration of New York Medical College’s plan to designate a Tax-Free NY Area. Ms. Judi Tholl of Empire State Development provided a summary of New York Medical College’s plan. Ms. Tholl noted that New York Medical College’s plan:

¹ The video recording of this meeting of the START-UP NY Approval Board constitutes the official record of the meeting. To the extent of any conflict between these minutes and the video recording, the conflict should be resolved in favor of the video recording.



- Proposes for designation 11,800 square feet of vacant on-campus space at the BioInc@NYMC incubator in Valhalla, NY;
- Identifies six business sectors from which New York Medical College intends to solicit business applications, including the design, development, introduction and manufacturing of bioinformatics, medical devices, vaccines, chemical compounds, biological products, and software.

Ms. Tholl further noted that New York Medical College has received a very positive business reaction to its BioInc@NYMC incubator, and that six businesses have been identified as interested in submitting applications to participate in the START-UP NY program once the proposed space is designated as a Tax-Free NY Area.

At 10:15, Chairman Kennedy asked if space would remain available for designation in Westchester County if the Board approved New York Medical College's plan as proposed. Ms. Tholl responded affirmatively. Mr. Cupoli then indicated his support for the plan, and opined that New York Medical College's participation in the program offered an opportunity to measure economic activity generated as a result of the program. Hearing no questions or comments, Chairman Kennedy asked if there was a motion to move to a vote on New York Medical College's plan. Mr. Lackman so moved, and Mr. Cupoli seconded the motion. By a vote of 3-0, the Board moved to a final vote on New York Medical College's plan.

The Secretary to the Board, Mr. Phillip Harmonick, proceeded to collect votes from the Board members by roll call. By a vote of 3-0, the Board approved New York Medical College's plan.

At 10:17, Chairman Kennedy recognized Ms. Chung. Ms. Chung stated that she was resigning from her position as Counsel to the Board as she was transitioning to employment outside of ESD. The Board thanked Ms. Chung for her service.

At 10:18, hearing no further remarks, Chairman Kennedy requested a motion to adjourn the meeting. Mr. Cupoli so moved, and Mr. Lackman seconded the motion. By a vote of 3-0, the motion was approved and the meeting was adjourned.

Respectfully submitted,

Phillip Harmonick



MEETING OF THE START-UP NY APPROVAL BOARD

FRIDAY, FEBRUARY 27, 2015, 12:00 P.M.

**STATE CAPITOL, ROOM 131
ALBANY, NEW YORK**

Resolution 017

WHEREAS, Iona College has submitted an amendment to its existing Plan to designate vacant land and space as a Tax-Free NY Area pursuant to Econ. Dev. L. § 435 and the Commissioner of Economic Development, having determined that the Plan meets the statutory and regulatory requirements for approval, has forwarded the Plan to the Board.

WHEREAS, the Board has determined that Iona College's amended Plan, a copy of which is attached hereto, proposing to designate 50,000 ft² of vacant space at an office building containing Iona College's Pearl River Satellite Campus, located at 2 Blue Hill Plaza in Pearl River, complies with the eligibility criteria of 5 NYCRR § 220.5 and is eligible to be approved as a Tax-Free NY Area.

NOW, THEREFORE, BE IT RESOLVED, that the Board does hereby approve, pursuant to Econ. Dev. L. § 435(2), Iona College's amended Plan to sponsor additional vacant space as a Tax-Free NY Area, encompassing the abovementioned vacant space, of 50,000 ft².

Resolution 018

WHEREAS, SUNY Maritime College has submitted a Plan to designate vacant land and space as a Tax-Free NY Area pursuant to Econ. Dev. L. § 435 and the Commissioner of Economic Development, having determined that the Plan meets the statutory and regulatory requirements for approval, has forwarded the Plan to the Board.

WHEREAS, the Board has determined that SUNY Maritime College's Plan, a copy of which is attached hereto, proposing to designate 1,700 ft² of vacant space at Fort Schuyler, located at 6 Pennyfield Avenue in Throgs Neck, complies with the eligibility criteria of 5 NYCRR § 220.5 and is eligible to be approved as a Tax-Free NY Area.



NOW, THEREFORE, BE IT RESOLVED, that the Board does hereby approve, pursuant to Econ. Dev. L. § 435(2), SUNY Maritime College's Plan to sponsor a Tax-Free NY Area, encompassing the abovementioned vacant space, of 1,700 ft².

Resolution 019

WHEREAS, Niagara University has submitted a Plan to designate vacant land and space as a Tax-Free NY Area pursuant to Econ. Dev. L. § 435 and the Commissioner of Economic Development, having determined that the Plan meets the statutory and regulatory requirements for approval, has forwarded the Plan to the Board.

WHEREAS, the Board has determined that Niagara University's Plan, a copy of which is attached hereto, proposing to designate 9,409 ft² of vacant space at DePaul Hall, located at 1 Vincentian Drive in Lewiston, and 15,000 ft² of vacant land, located on Campus Parkway in Lewiston, complies with the eligibility criteria of 5 NYCRR § 220.5 and is eligible to be approved as a Tax-Free NY Area.

NOW, THEREFORE, BE IT RESOLVED, that the Board does hereby approve, pursuant to Econ. Dev. L. § 435(2), Iona College's Plan to sponsor a Tax-Free NY Area, encompassing the abovementioned vacant land and space, of 24,409 ft².

Resolution 020

WHEREAS, Villa Maria College has submitted a Plan to designate vacant land and space as a Tax-Free NY Area pursuant to Econ. Dev. L. § 435 and the Commissioner of Economic Development, having determined that the Plan meets the statutory and regulatory requirements for approval, has forwarded the Plan to the Board.

WHEREAS, the Board has determined that Villa Maria College's Plan, a copy of which is attached hereto, proposing to designate 2,324 ft² of vacant space at the Villa Maria Student Center, located at 240 Pine Ridge Road in Buffalo, complies with the eligibility criteria of 5 NYCRR § 220.5 and is eligible to be approved as a Tax-Free NY Area.

NOW, THEREFORE, BE IT RESOLVED, that the Board does hereby approve, pursuant to Econ. Dev. L. § 435(2), Villa Maria College's Plan to sponsor a Tax-Free NY Area, encompassing the abovementioned vacant space, of 2,324 ft².

Iona College

Proposed AMENDED Designation Plan

February 20, 2015

Iona College has submitted an amended Designation Plan pursuant to §220.9 of the Economic Development START-UP NY regulations. According to §220.9 a Sponsor may seek to amend or modify the approved Plan at any time, and the amendment shall be submitted in the same manner as the original Plan. The amendment must be submitted for approval pursuant to the procedures and requirements set forth in § 220.8 (Application process for eligible private university or college campuses for approval as a Tax-Free NY Area.

SUMMARY OF TAX-FREE SPACE PROPOSED FOR DESIGNATION

Iona is applying to designate an additional 50,000 ft² of off campus space in the same building as their satellite campus in Pearl River, Rockland County. This is an addition to a total of 9,089 ft² of “campus” space located in McSpendon Hall (6,890ft²) and Hagan Hall (2,199 ft²) previously designated in their Plan approved on 9/25/14.

TYPES OF BUSINESSES

High Tech companies specializing in large data analytics

STATUTORY AND REGULATORY COMPLIANCE

Pursuant to Econ. Dev. L. § 432(2), private colleges and universities in New York State may designate up to 3 million ft² of vacant land or space in New York. Of this 3 million, 600,000 ft² is available for designation by certain colleges and universities in Nassau, Suffolk, and Westchester counties and the five boroughs of NYC. Each county is allocated 75,000 ft² of space.

In any county where the allocated 75,000 ft² is designated as a Tax-Free NY Area, an additional 75,000 ft² shall be eligible for designation by the START-UP NY Approval Board as a Tax-Free NY Area.

The 9,089 ft² of space proposed for designation by Iona College has been applied against the 600,000 ft² limit for private universities and colleges downstate, as well as the 75,000 ft² limit in Westchester County. To date, 83,685 ft² has been applied against the 600,000 ft² limit for private universities and colleges downstate. (This amount includes the 9,089 ft² of previously designated Iona space)

12,500 ft² has been designated and applied toward the 75,000 ft² limit in **Kings County**.
6,721 ft² has been designated and applied toward the 75,000 ft² limit in **Nassau County**.
23,241 ft² has been designated and applied toward the 75,000 ft² limit in **New York County**.
41,223 ft² has been designated and applied toward the 75,000 ft² limit in **Westchester County**.

Of the 3 million ft² of vacant land or space in New York, 2.4 million square feet is available for designation by private colleges and universities in upstate New York.

The 50,000 ft² of space proposed for designation by Iona College would be applied against the 2.4 million square feet that may be designated by private colleges and universities in upstate New York. To date 324,984 ft² has been designated and applied toward the 2.4 million square feet limit.

ESD has conducted a review of the Iona College's designation package and has found it to be in compliance with all statutory and regulatory requirements.

SUNY Maritime College
Proposed Designation Plan
February 2015

SUNY Maritime College is located on a 55-acre scenic waterfront property in the Bronx on the Throggs Neck Peninsula. The campus is within 30 minutes of LaGuardia and Kennedy International Airports. Founded in 1874, the SUNY Maritime College was the first maritime school in the country.

Pursuant to 5 NYCRR §220.5(f), Maritime College, among other enumerated colleges and universities, is permitted to seek the approval of the START-UP NY Approval Board for designation of up to 75,000 ft² of vacant campus land or space as a Tax-Free NY Area in each of the eight Downstate counties.

SUMMARY OF TAX FREE SPACE PROPOSED FOR DESIGNATION

The College proposes 1700 ft² of vacant space on campus in Fort Schuyler, including two offices (800 and 900 ft² for each).

TYPES OF BUSINESSES

Business in the formative stage of development or engage in the design, development and introduction of high-technology products, including Maritime simulation (Navigation, Bridge Engineering, liquid cargo handling systems, pier/terminal crane and staging systems).

STATUTORY AND REGULATORY REQUIREMENTS

Pursuant to Econ. Dev. L. § 432(2), private colleges and universities in New York State may designate up to 3 million ft² of vacant land or space in New York. Of this 3 million, 600,000 ft² is available for designation by certain colleges and universities in Nassau, Suffolk, and Westchester counties and the five boroughs of NYC. Each county is allocated 75,000 ft² of space.

To date, 83,685 ft² has been applied against the 600,000 ft² limit for private universities and colleges downstate.

SUNY Maritime is located in Bronx County. To date, no square footage has been designated in Bronx County.

ESD has conducted a review of the SUNY Maritime designation package and has found it to be in compliance with all statutory and regulatory requirements.

Niagara University
Proposed Designation Plan
February 2015

Niagara University is a Catholic university in the Vincentian tradition, located in the town of Lewiston in Niagara County, New York. Niagara has 3,300 undergraduate students in 50 academic programs. Approximately half of the students are residents, while the other half commutes from the surrounding areas. The college is known as a liberal arts school, but offers programs in technical and pre-professional disciplines as well.

SUMMARY OF TAX-FREE SPACE PROPOSED FOR DESIGNATION

Niagara University is proposing 9,409 square feet of vacant space on campus and 15,000 square feet of vacant land on campus for a total of 24,409 square feet.

TYPES OF BUSINESSES

The university has chosen to align, in part, the plan with the strategic investment areas of the NYS Regional Economic Development Council (REDC), such as:

Hospitality and tourism
Health and Life sciences
Advanced Manufacturing
Advanced technology

STATUTORY AND REGULATORY REQUIREMENTS

Pursuant to Econ. Dev. L. § 432(2), private colleges and universities in upstate New York may designate up to 2.4 million square feet of vacant land or space in upstate New York.

The 24,409 square feet of space proposed for designation in the Niagara University designation plan would be applied against the 2.4 million square feet limit for private universities located upstate. To date, 324,984 ft² designated of the 2.4 million available has been designated.

ESD has conducted a review of Niagara University's designation package and has found it to be in compliance with all statutory and regulatory requirements.

Villa Maria College
Proposed Designation Plan
February 2015

Villa Maria College is a small, private, Roman Catholic liberal arts college located in Buffalo, New York. Enrolled students learn and grow within a diverse population, and a culture that lives the values of truth, charity, and unity. It was founded in 1961 by the Felician Sisters, and is currently sponsored by the Our Lady of Hope Province of North America. Villa Maria offers bachelor's and associate degrees in the arts, sciences, and business.

SUMMARY OF TAX FREE SPACE PROPOSED FOR DESIGNATION

Villa Maria College of Buffalo is proposing 2,324 square feet of vacant space on campus.

TYPE OF BUSINESSES

Graphic design
Animation
Web Design
Digital Media
Interior Design
Recording Studios
Music Industry
Fashion Industry and Design
Filmmaking Companies
Theatre Companies
Advertising Firms

STATUTORY AND REGULATORY REQUIREMENTS

Pursuant to Econ. Dev. L. § 432(2), private colleges and universities in upstate New York may designate up to 2.4 million square feet of vacant land or space in upstate New York.

The 2,324 square feet of space proposed for designation in the Villa Maria College designation plan would be applied against the 2.4 million square feet limit for private universities located upstate. To date, 324,984 ft² of the 2.4 million available has been designated.

ESD has conducted a review of Villa Maria College designation package and has found it to be in compliance with all statutory and regulatory requirements.



Office of the
President

Joseph E. Nyre, Ph.D.
President

715 North Avenue
New Rochelle, NY 10801

Phone: 914.633.2203
Fax: 914.633.2018

February 3, 2015

Mr. Ken Adams
President and CEO
Empire State Development
633 Third Avenue, 31st Floor
New York, NY 10017

Dear Mr. Adams:

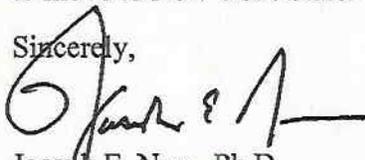
Enclosed is an amendment to Iona College's application for the START-UP NY program. This amendment seeks approval to add space adjacent to our satellite location in Rockland County NY as part of the Designation Plan. The additional property involves off-campus leased space in the same building currently housing Iona's Rockland Graduate Center in Pearl River, but on different floors.

Information regarding the type of business, our academic mission and alignment with the business, as well as the selection process remain consistent with our original submission. This amendment contains additional material related to the identification of space and benefits to the surrounding area.

All of the information, certifications and other requirements contained in the program guide for private, non-profit institutions are included in this application and are attested to be accurate and complete to the best of our knowledge.

We appreciate your consideration of this amended application and look forward to this opportunity to attract a major business partner, currently located in New Jersey, to move to New York State.

Sincerely,



Joseph E. Nyre, Ph.D.
President

enclosure

Campus Plan for Designation of Tax-Free NY Area

Iona College

(Amended February, 2015)

1. Campus Name, Contact and Address

Iona College (Main Campus)

Dan Konopka, Director of Corporate, Foundation and Government Relations

715 North Avenue

New Rochelle, NY 10801

(914) 633-2069

2. Identification of Space

Main Campus:

The space identified for use in START-UP NY is housed in two buildings, located within the Iona College campus. Both spaces are currently unoccupied and unused and no academic programs, offices, housing or classrooms that actively serve students, faculty or staff will be relocated from this space to be designated as a tax-free area. These are:

McSpedon Hall.

The designated McSpedon Hall space is a 6,890 square foot unfinished, open area on the third floor/attic of our main building. It will require renovation for use as suitable office space. The layout and configuration of the renovation will be determined when the specific business partner(s) has been selected and operating requirements are finalized.

Hagan Hall.

The designated space within Hagan Hall, our business school located in the center of campus, is on the third floor. It consists of several, adjoining office spaces totaling 2,199 square feet. Currently, the space is empty and will require moderate refurbishing (painting, cleaning, ceiling tiles) to make it suitable as a functioning workspace. Electricity, HVAC and wiring for computers may be adequate for future applications.

In addition to the 9,089 s/f of space in Westchester County (Downstate), Iona is seeking to designate 50,000 s/f of Upstate property near its Satellite Campus in Pearl River, NY.

Satellite Campus:

Two Blue Hill Plaza, Pearl River, NY.

The designated space for the Pearl River Satellite location will be on the third floor of Two Blue Hill Plaza, which is currently vacant. While it is located in the same building as Iona's Rockland Graduate Center, it is separately leased space and not a part of the Iona College campus lease. Consequently, no academic programs, offices, housing or classrooms that actively serve students, faculty or staff will be relocated from this space to accommodate designation as a tax-free area.

The designated space will be 50,000 square feet. The potential business partner will negotiate their lease agreement directly with the building owner, who will provide all services required to house the tenant. Iona College will not participate in the lease negotiations.

Attachments:

- i. Digital files containing data, as defined in the guide
- ii. Digital files providing locations of the areas proposed for designation
- iii. Digital files in electronic excel spreadsheet format

3. Types of Businesses and Academic Mission

Types of Businesses.

Iona College will endeavor to establish business partnerships with high-tech, innovative and high growth-potential companies, with the prospect of breaking new ground in the area of large data driven analytics. The focus for the initial application will be in the area of healthcare analytics, with future applications for business, the sciences and cyber security analytics.

Iona College has a core strength in the area of healthcare. The Health Care Management Program at Iona College has a long and proud history having graduated literally hundreds of students, with many of our graduates now holding leadership positions throughout the greater New York Region and beyond. The newly formed Center for Health Care Analytics, under the business analytics umbrella of the well-respected Hagan School of Business, has elevated this program into a multi-disciplinary program drawing professional expertise from across Iona faculty, recognizing Information Systems, Finance/Accounting Operations Research and other programs necessary to compliment the health care focus.

Currently, Iona College has been in discussion with several potential business partners that fit the profile described herein. These businesses have either been considering relocating their operations outside of New York State or, in the case of Pearl River, considering relocating to New York (from New Jersey) to participate in this program.

One business is interested in facilitating the discovery and development of biomarkers, molecular diagnostics and personalized therapies. They see an opportunity in partnering with the Center for Health Care Analytics in the pursuit of new research applications for hospitals and other healthcare providers.

Another, such as the business potentially relocating to Pearl River, is in the business of “high scale web mining”, commonly used by companies for extracting valuable information from an unlimited number of websites. The extracted raw data then will be worked upon to shape into structured content, which can be used for a wide range of purposes. Access to vast numbers of electronic medical records and other information under the control of the Center presents an array of potential analytical possibilities for a start-up business.

Iona College will seek to attract similar high tech research capabilities as a positive outcome of the START-UP NY program.

Academic Mission and Alignment of the Business.

The START-UP NY program is well suited and aligns with the mission and strategic planning initiatives embraced by the Board of Trustees of Iona College. The Board has just recently created a Business Analytics Institute, recognizing the multi-disciplinary skills and proficiencies necessary to embrace the broadly defined field of Analytics. Building upon the diverse academic and research capabilities of Information Systems technology, Data & Computer Sciences, and the diverse applications of quantitative methods and Operations Research; the Institute will focus on industry specific capabilities as they apply to business decision making in operations management, planning and strategic initiatives. Located in the Hagan School of Business, Iona College will align with and facilitate the development of entrepreneurial business opportunities that address and are associated with the development of Business Analytics. The opportunity to provide real world business internships and the development of business startup skills are primary academic objectives as well as facilitating employment opportunities upon graduation.

The first of these real world opportunities within the Institute is the creation of the Center for Health Care Analytics, recognizing the major transformation occurring across all the silos and sectors of the \$2.7 billion health care industry. What has become known as Triple Aims of Health Care; Access, Quality and Cost require the adoption of comprehensive data collection systems (EMR & RHIO's), massive data management, communications & intelligent decision support capabilities, as well as the Business Intelligence expertise necessary to assess economic risk and manage Population Health. These diverse subjects require a thorough understanding of not only the current and changing parameters of integrated health care but a comprehensive understanding and overview of the computer and information technologies of data management, systems architecture, security, statistics, predictive analytics, decision support, operations research and data governance.

This area of health or health related specialization will be one of the initial parameters for selecting and performing due diligence of a business seeking to locate on the Iona campus. It will be incumbent upon the parties to develop a synergy of student and faculty opportunities in academic preparation, research, internships and ultimately meaningful employment opportunities in a company or companies sponsored by Iona College. Additionally, the entities seeking to participate will be expected to demonstrate a short term growth potential and a technological interest consistent with the objectives stated above. Going forward we will look for similar technology-oriented entities focused on Marketing, Finance, Accounting and other business segments that are consistent with the mission of the Institute of Business Analytics, since the Hagan School of Business is equally versed in these business areas.

4. Positive Community and Economic Benefits

New Rochelle Campus:

Confirmed in discussions with the New Rochelle Commissioner for Economic Development, the proposed partnerships will generate positive community and economic benefits. The Westchester region is home to a \$10+ billion healthcare industry, as well as tech giant IBM, plus a growing number of biotech companies. New York Medical College houses a multi-million dollar biotech incubator here and major healthcare providers (Montefiore, Memorial Sloan Kettering and New York Presbyterian) have been establishing important outposts to complement strong healthcare providers in the county. This enables an atmosphere of creative and competitive energy in a field that thrives on innovation and effective solutions to complex issues. It also creates a focal point for analytical research and entrepreneurship, with colleges and universities playing a major role in advancing industry knowledge.

Among the positive attributes that prospective companies have expressed in working with Iona College is the access to a qualified work force to satisfy increased employment opportunities. Forming this geographic nucleus in health tech innovation will act as a magnet for professionals in the industry, as well as provide internship positions for workforce development.

Targeted businesses will therefore have access to an educated pool of potential workers within the community, as new workers move in to take advantage of employment opportunities. This population, in turn, helps to create ancillary businesses which support both the needs of the employers and employees – all of which has a positive economic impact on the surrounding community.

Pearl River Satellite Campus:

The economic benefits to Pearl River and the surrounding community begin with attracting an out of state business, aligned with the Iona mission, to relocate to New York. The potential partner plans to strategically revamp their business model to proactively develop cloud-based

software applications, starting with healthcare, and retrain their workforce in business communication and leadership skills. The business will employ over 150 employees.

In consultation with the Rockland Economic Development Corporation it is estimated that there is a potential to infuse close to \$2.3 million into the local economy. Beyond calculating basic housing for relocating employees, where as few as 5 home buyers and 5 renters would contribute approximately \$1.8 million in a year, we have looked at current expenditures for hotel accommodations and patronage of local businesses such as restaurants, retail stores, dry cleaners and gas stations. In addition, the business will offer career opportunities to software developers, sales engineers and IT professionals.

This information has also been shared with the local municipality via the Superintendent of the Town of Orangetown.

5. Process for Selecting Business Partners

Iona College will implement a selection process that is consistent, transparent and accessible to anyone interested in forming a business partnership that is mutually beneficial to the program and the mission of the College. The six step process is described as follows:

i. The interested business will submit an official START-UP NY application for consideration in the program.

Prospective businesses will apply on-line by filling out the START-UP NY application. These are defined in the STARTUP-NY business eligibility guidelines and procedures for the new on-line application will be forthcoming from Empire State Development in the near future. The completed application will then be available for Iona to review.

ii. The applicant will be asked to meet with the College stakeholders responsible for administering the program.

The College/Program stakeholders will include, but not be limited to, the Deans of the Hagan Business School and the School of Arts and Science, the Director of Corporate, Foundation and Government Relations, the Provost, the General Counsel, and a representative from the Office of the Senior Vice President for Finance & Administration. A representative from the Internal Review Board for Human Subjects may also be included, if the business application warrants.

The applicant and the College will review and evaluate the business description, the State selection process, the State's requirement for a competitive analysis and the job creation potential and economic benefit to the community associated with the business opportunity.

iii. Conduct the Competitive Analysis.

Working with the local government representative for Business Development, the applicant and the College team will complete the competitive analysis as defined in the State guidelines.

A request will also be submitted to the Department of Labor to determine if their confidential DOL database identifies any competitors.

iv. Formalize Applicant's Business Plan and Proposed Partnership Arrangement

If the company successfully passes the competitive analysis test, the next step will be to more thoroughly evaluate the business arrangement and technology, along with an assessment of the applicant's ability to meet expectations. Expectations for the business will include their plan to accomplish stated job creation and internship goals, evaluation of the technology employed as well as their credentials and experience in the field of endeavor. They must also commit to an alignment with Iona's research goals and consistency with its mission.

v. Approval by the President's Council

Once the Committee (ii. above) has agreed on the applicant's viability, the recommendation regarding whether or not to proceed with the partnership will be made by the President. The information will be shared with the Board of Trustees.

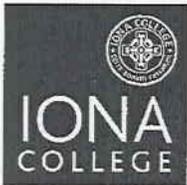
vi. With the approval of the President, Iona College will then work with the Applicant to develop the remainder of the information required by the Sponsor application to NYS.

6. Attachments

- i. Conflict of Interest Guidelines
- ii. President's statement that application is complete and accurate.
- iii. Designated Space Narrative Certifying that Iona has not relocated or eliminated prohibited facilities
- iv. Bond Attestation Letter
- v. Letter of Support from the Office of the Westchester County Executive, Director of Economic Development (Main Campus)
- vi. Letter of Support from the CEO of the Rockland Economic Development Corporation (Satellite Campus)

CONFIDENTIAL

IONA COLLEGE
February, 2015



**Office of the
President**

Kathleen Gill, Esq.
*General Counsel
Board Secretary*

715 North Avenue
New Rochelle, NY 10801

Phone: 914.633.2201
Fax: 914.633.2018
E-Mail: kgill@iona.edu

August 18, 2014

Mr. Kenneth Adams
President and CEO
Empire State Development Corporation
633 3rd Avenue
New York, NY 10017

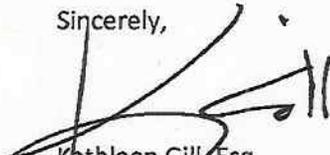
Dear Mr. Adams:

Iona College is aware that there are non-governmental use limitations on properties financed with tax exempt bonds.

We hereby attest to the fact that the properties herein designated for use in the START-UP NY Program have not been financed with any Tax-Exempt Bonds and consequently will not impact our negotiations with interested businesses.

We are anxious to advance our application for acceptance into this program and ensure our compliance with all program guidelines.

Sincerely,



Kathleen Gill, Esq.
General Counsel and Board Secretary



**Finance &
Administration**

Senior Vice President
715 North Avenue
New Rochelle, NY 10801
Phone: 914.633.2468
Fax: 914.633.2411
www.iona.edu

February 17, 2015

Mr. Ken Adams
President and CEO
Empire State Development
633 Third Avenue, 31st Floor
New York, NY 10017

Dear Mr. Adams:

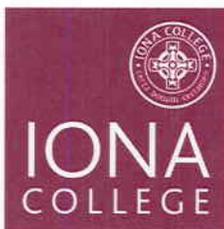
I'm writing on behalf of Iona College regarding our amended application for the START-UP NY program, to include our Rockland Graduate Center in Pearl River, NY.

This letter attests to the fact that Iona College has consulted with the Superintendent of the local municipality (i.e., the Town of Orangetown), and the CEO of the local economic development entity (Rockland Economic Development Corporation). We have received favorable responses from both offices and a letter of support from REDC accompanies this application.

Thank you for the opportunity to expand the positive results of the START-UP NY program to bring additional jobs to Rockland County.

Sincerely,

Anne Marie Schettini-Lynch
Sr. VP for Finance and Administration



Conflict of Interest Policy for START-UP New York Program

I. Introduction

This document is Iona College's Conflict of Interest Policy as it relates to the START-UP NY Program. It is designed to protect the integrity of the College and the START-UP NY Program.

II. Scope of Policy

The policy requires that Iona College Officials including Advisory Board Members formally self-disclose potential, real or perceived conflicts of interest as those interests relate to the START-UP NY Program.

III. 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.

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

College Official means a College Trustee, Advisory Board Member, or College employee at the level of dean and above, as well as any other person with decision-making authority over the START-UP NY Program.

IV. General Provisions

A conflict of interest exists whenever a College Official has a personal, professional, commercial, financial or other interest or activity outside of the College, has the possibility, whether potential, real or perceived, of (a) compromising the College Official's Judgment, (b) influencing the College Official's decision or behavior with respect to the Start-Up New York Program, or (c) resulting in personal gain or a relative's gain or advancement at the expense of the College. It is important to keep in mind that the College Official does not have to actually do anything wrong or improper for a conflict of interest to exist; the conflict exists by virtue of a relationship that could result in an undue influence on the College Official's professional judgment.

- Service as a College Official shall not be used as a means for private benefit or inurement for the College Official, a relative thereof, or any entity in which the College or relative thereof has a Business Interest.

- Any College Official who is a vendor or employee of a vendor of goods or services to the university, or who has a Business interest in such vendor, or whose relative has a business interest in such vendor, shall not vote on, or participate in the administration by the College any transaction with such vendors.

V. Procedures

Upon becoming aware of an actual or potential conflict of interest, the College shall advise the College President.

VI. Records Management

The College 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 auditor of the College. The auditor shall forward such reports to the Commissioner of Economic Development.

Location	UniquelD	Owner	PropertyType	StreetAddress	City	ZipCode	ParcelID	Building	SpaceType	SqFt	Acres	Description	onCampus	Within1mileOfCampus	Latitude	Longitude	Note
City of New Rochelle	Main1	Iona College	1	713 North Ave	New Rochelle	10801	3-1005-0001	McSpendon-B1	B	6890		Attic	Yes		40.926111*	73.787222*	
City of New Rochelle	Main2	Iona College	1	715 North Ave	New Rochelle	10801	3-1005-0001	Hagan-BC1	C	2199		Third Floor	Yes		40.923611*	73.786389*	
Pearl River NY - Town of Orangetown	Satellite1	Glorius Sun Robert Marth	2	2 Blue Hill Plaza	Pearl River	10965	73-05-1-54	Office Building	G	50K		Third Floor	No	YES	41.046562*	74.007061*	

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

** A=entire 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



DAVID A. TETRO · ARCHITECT, P.C.

302 Lewis Avenue · Yorktown Heights · NY · 10598
t 914.962.3113 f 914.962.3362 e dtdesign@verizon.net

RESIDENTIAL · COMMERCIAL · SUSTAINABLE DESIGN

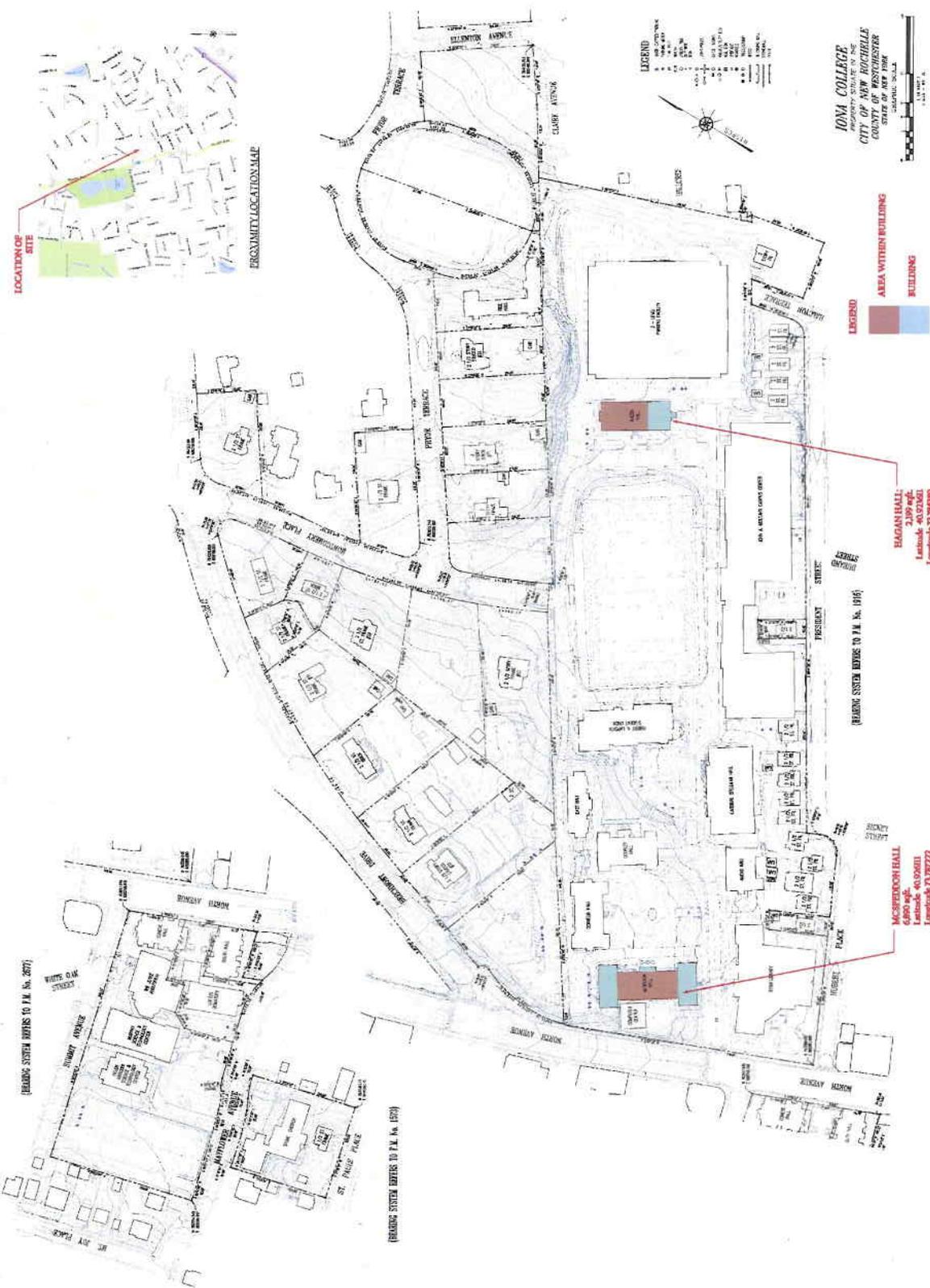
Submission for
START-UP NEW YORK

IONA COLLEGE
McSPEDDON HALL AND HAGAN HALL

75 Park Avenue, New Rochelle, NY 10801



DATE: APR 20, 2014
SCALE: 1/4" = 1'-0"
SHEET NO. A.01





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t 914.962.3113 f 914.962.3362 e ddtetra@verizon.net

RESIDENTIAL · COMMERCIAL · SUSTAINABLE DESIGN

Submission for
START-UP NEW YORK

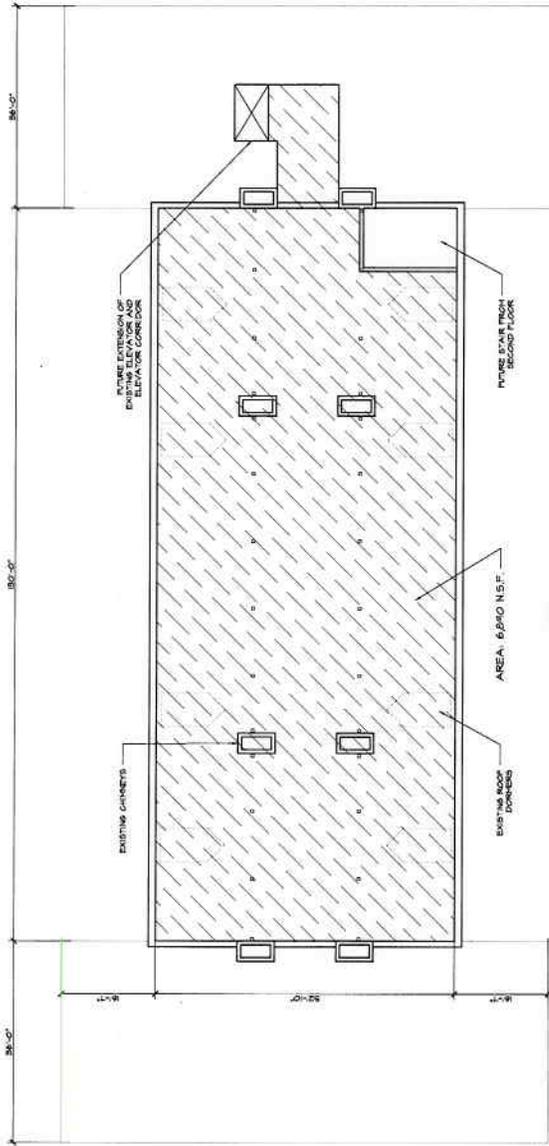
IONA COLLEGE
MCSPEEDON HALL AND HAGAN HALL

1111 Hudson Ave. P.O. Box 1071 (NYC)



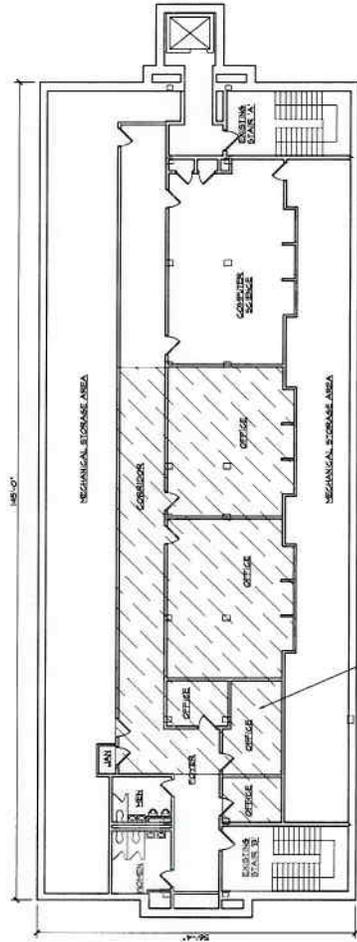
Rev. No. June 20, 2014
Date 14-20

A.02



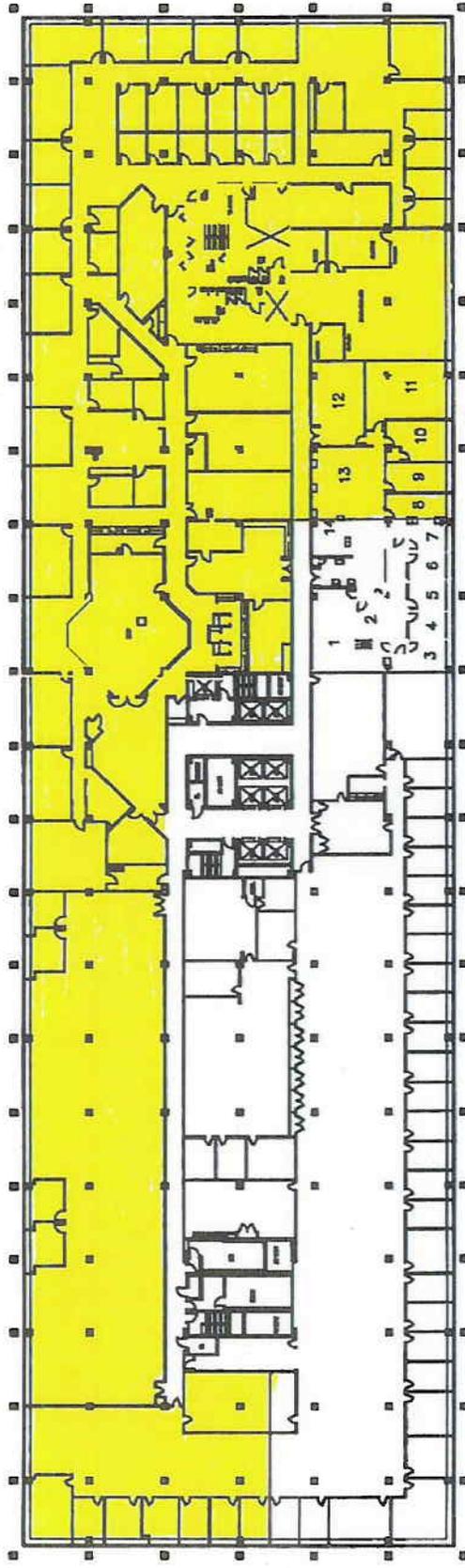
ATTIC / THIRD FLOOR PLAN
1" = 8'-0"

Notes: This is a preliminary plan. Areas which will require renovation for use as adaptable office space. The layout of the space will be determined after the start of construction. The space is currently occupied and used for academic programs, offices, housing or classrooms but actively serve students, faculty or staff will be vacated from the space to be integrated as a 100-year work.



THIRD FLOOR PLAN
1" = 8'-0"

Notes: This is a preliminary plan. Areas which will require renovation for use as adaptable office space. The layout of the space will be determined after the start of construction. The space is currently occupied and used for academic programs, offices, housing or classrooms but actively serve students, faculty or staff will be vacated from the space to be integrated as a 100-year work.



Proposed Space: 50,000 RSF (Shaded in Yellow)
 Room numbers to be assigned later

Scale: N.T.S

BLUE HILL

Blue Hill Plaza
 Two Blue Hill Plaza
 Pearl River, New York
 3rd Floor



To: Mr. Kenneth Adams, NYS Commissioner of Economic Development

From: President Michael Alfultis of SUNY Maritime College

Re: Maritime College's Campus Plan for Designation of Tax-Free Area(s)

Date: 22 January 2015

I, President Michael Alfultis of SUNY Maritime 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 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 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
- f.) the information contained in the enclosed application is accurate and complete.

By: Michael Alfultis

Name: Dr. Michael A. Alfultis

Title: President, SUNY Maritime College

Date: FEBRUARY 2, 2015



Attachments/Enclosures:

- 1.) Tax-Free Area Plan with Polygon shapefile of campus area (if available) and/or point data of vacant space (if available), **OR** outline and shaded delineation of proposed tax-free area on a campus aerial photo and/or campus map shaded to indicate land or building containing proposed tax-free space, and floor plans of building space with designated space clearly labeled and shaded.
- 2.) Excel spreadsheet of property to be designated
- 3.) Applicable conflict of interest policies
- 4.) Evidence of submission of Tax-Free Area Plan to interested parties



START-UP NY Campus Plan for Designation of Tax-Free Area(s)

Campus Name: SUNY Maritime College
 Campus Contact Name: Mary Muecke
 Campus Contact Title: Executive Director External Relations
 Campus Contact E-mail: mmuecke@sunymaritime.edu
 Campus Contact Phone: 718-409-7444

THE TAX-FREE NY AREA PLAN SHALL BE DEVELOPED BY THE CAMPUS TEAM AND PROVIDE THE FOLLOWING REQUIRED INFORMATION:

1) Specification or identification of space or land proposed for designation as a Tax-Free NY Area identifying the following:

i. Provide the name and address of the SUNY, CUNY or community college seeking approval as a Sponsor, the address of the space or land proposed for designation as a Tax-Free NY Area, and a written description of the physical characteristics of the area for designation.

Name: SUNY Maritime College
Campus Address: 6 Pennyfield Ave Throggs Neck NY 10465-4198
Address(es) of Proposed Tax-Free NY Area(s) : Fort Schuyler 6 Pennyfield Ave Throggs Neck NY 10465-4198
Description of Physical Characteristics of Proposed Tax-Free NY Area(s): SUNY Maritime College is located on a 55-acre scenic waterfront property on the outskirts of New York City on the Throggs Neck peninsula. The campus is within 30 minutes of LaGuardia and Kennedy International Airports and accessible by public transportation. The campus includes the historic Fort Schuyler which houses the Stephen B. Luce Library, Maritime Industry Museum, and the Center for Simulation and Marine Operations, including a Bridge Simulator, Electronic Navigation, and the Radar Simulator, and the Liquid Cargo Handling System Simulation Center. Two of the bastions on the second floor of the fort (identified on the attached Excel spreadsheet) are open an unused office space as the result of renovations completed in 2014. These two spaces (with 900 and 800 square feet respectively) have internet access. One of the spaces has adequate HVAC and the other space would require HVAC upgrades.

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).



- iii. Attach the completed spreadsheet to this plan.
- iv. 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.
- v. 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:

1700 sqft located on campus in Fort Schuyler

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.

Not Applicable

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.

Not Applicable

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

We are looking to make this space available for the following types of companies related to our maritime focus and mission:

1. Those that specialize in maritime simulation to include navigation, bridge, engineering, liquid cargo handling systems, and pier/terminal crane and staging systems.
2. Other maritime related companies that are in the formative stage of development; or engaged in the design, development, and introduction of new technology products and meet other such requirements for a "high-tech" business.



- 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.

SUNY Maritime College, the oldest and largest of the seven maritime academies in the United States, prepares students for careers in the maritime industry, government, military, engineering related fields, and private industry.

Maritime College offers undergraduate and graduate degrees in the following areas: Engineering (Marine, Mechanical, Electrical and Facilities), Naval Architecture, Marine Transportation/ Business Administration (minors in Ship Management and Maritime & Port Security), Maritime Studies, Marine Environmental Science (minors in Marine Biology and Meteorology & Oceanography), Humanities, International Transportation and Trade, and a Master's degree in International Transportation Management.

The aforementioned businesses align with the academic mission of our college. Our students use simulation in fulfillment of U.S. Coast Guard requirements as well as their degree requirements. We are a S.T.E.M. college as all of our graduates earn a B.S. or B.E. degree.

- 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.

Increased employment opportunities: Simulation programs require expert programmers and graphic design. Maritime simulation also requires an in depth understanding of hydrodynamics, fluid mechanics, oceanography, geography, systems technology, and operational analysis. These companies are high technology companies that employ software engineers, programmers, graphic artists, and IT personnel as well as engineers, naval architects, and licensed mariners.

Similarly, other maritime technology companies require students with a working knowledge of the maritime industry business and who also possess the requisite technology background.

Increased opportunities for internships, vocational training and experiential learning for undergraduate and graduate study: A partnership with a maritime simulation company or other maritime high-tech companies will provide a valuable venue for internships and experiential learning for both our graduates and undergraduates.

We are a S.T.E.M. college, as all of our undergraduates earn a B.S. or B.E. degree. All of our students are required to have an internship as part of their degree program. For those students seeking a U.S. Coast Guard Merchant Mariner Deck and Engineering license, this requirement is fulfilled through summer sea term training on the College's training ship. For non-license students this is achieved through internships in a related field. These companies would provide internship opportunities for students and further applied learning. Additionally these would be ideal businesses for our faculty to conduct applied research projects.

Diversification of the local economy: These would bring high-tech / high skill jobs to the local community.

Environmental sustainability: Software development is a "green" business. For example, many of the maritime simulations include marine environmental models that support response to oil spills. The liquid cargo handling simulation also provides the means to train mariners to safely transfer hazardous materials from vessels to shore-side facilities and vice versa.

Increased entrepreneurship opportunities: Having maritime high-tech business in New York City could be the stimulus for entrepreneurs to start companies in New York that use these products.

Positive, non-competitive and/or synergistic links to existing businesses: Modeling and simulation companies and high-tech maritime businesses required state of the art computers, high definition projectors, video monitors, etc. This most likely would be purchased from local businesses. The maritime industry is a global industry since over 90% of all goods move on the water. Customers for an approved StartUp New York business on the Maritime College campus would generate additional revenue for the local travel and tourism sector. Furthermore, as New York area business seek to become more energy efficient, there will be a direct cost benefit to companies involved in energy generation and distribution and the commercial heating, air conditioning, and facilities engineering companies.

Effect on the local economy: Catalyst for attracting high-tech personnel to the New York City area.

Opportunities as a magnet for economic and social growth: Maritime and high tech jobs are among some of the highest paying jobs. As we run several K-12 programs for local high schools and charter schools in NYC, these businesses could contribute to the social growth of inner city youth.

- 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. The business in a maritime related industry aligned with current and/or developing college research, scholarly, and creative activity.
2. The business provides experiential learning and workforce opportunities (e.g., internships, fellowships, full-time jobs) for students and graduates.
3. The business provides areas for partnership and advancement for faculty and students.
4. The business provides access to research instrumentation, tools, and/or equipment necessary to advance the academic and research mission.
5. The business funds scholarships, campus facilities, other academic services, or amenities.
6. The business and/or its employees contributes to instruction or provide student mentoring.
7. The business offers the use of company resources, intellectual property or expertise to support the academic mission.

B. Economic Benefit

1. New jobs will be created in New York by this business.
2. The business is viable in both the short- and long-term.
3. The business will attract private financial investment.
4. The business plan makes capital investments (e.g., renovation, new construction).
5. New jobs are created in critical areas of the economy and meets the guidelines pursuant to StartUp New York and SUNY regulations and policies.
6. The College financially benefits from the terms of the lease.

C. Community Benefits

1. The business has the support of one or more municipal or community entities.
2. The business recruits employees from the local work force.
3. The business invests in underserved, economically distressed regions.
4. The business relies on suppliers within the local and regional economy.

Campus Advisory Committee:

SUNY Maritime has established a Campus Advisory Committee to receive and review Business Applications. The members of the Campus Advisory Committee have been chosen based on their wide-ranging expertise in their academic and/or professional fields, their capacity to represent various interests on campus, their ability to determine the strength of business plans, and the capacity to ensure the alignment of businesses to SUNY Maritime College's academic mission.

The Campus Advisory Committee consists of:

- President of the College
- Vice President for Academic Affairs
- Executive Director for University Relations
- Start-Up NY Representative
- Presiding Officer, Maritime Faculty Senate
- Chair, Engineering Department
- Chair, Maritime Transportation
- Chair, Global Business and Transportation
- Director of Communications
- Director of Physical Plant
- President of Student Government Association

Solicitation Process

Maritime College may solicit applications using a variety of methods and determine to be necessary or useful, including, without limitation, the following: direct solicitation of individual businesses; utilizing intermediaries such as governmental entities; advertising open space to maritime related industries; and/or utilizing formal or informal competitive processes such as request for proposals, request for information, request for bids, or the like. Maritime College may conduct one or multiple solicitation processes for any particular space. Solicitation processes may have a specific termination date or kept open until available space at a particular location is filled.

Selection Process

Businesses' applications to locate in approved SUNY Maritime College tax-free areas will be reviewed by the Campus Advisory Committee. Applications will be evaluated according to selection criteria established prior to the formal solicitation of applications. Upon reviewing an application, the committee will evaluate whether the applicant businesses aligns with the academic and community goals as stated in the approved Campus Plan and the proposed terms of the affiliation between the campus and business. SUNY Maritime College employees are subject to SUNY's Conflict of Interest Policy and any other applicable SUNY policies (collectively, the Policy). As such, committee members must recuse themselves from any committee decisions with which they may have a conflict of interest and must otherwise follow the requirements of the Policy.

Selection Criteria

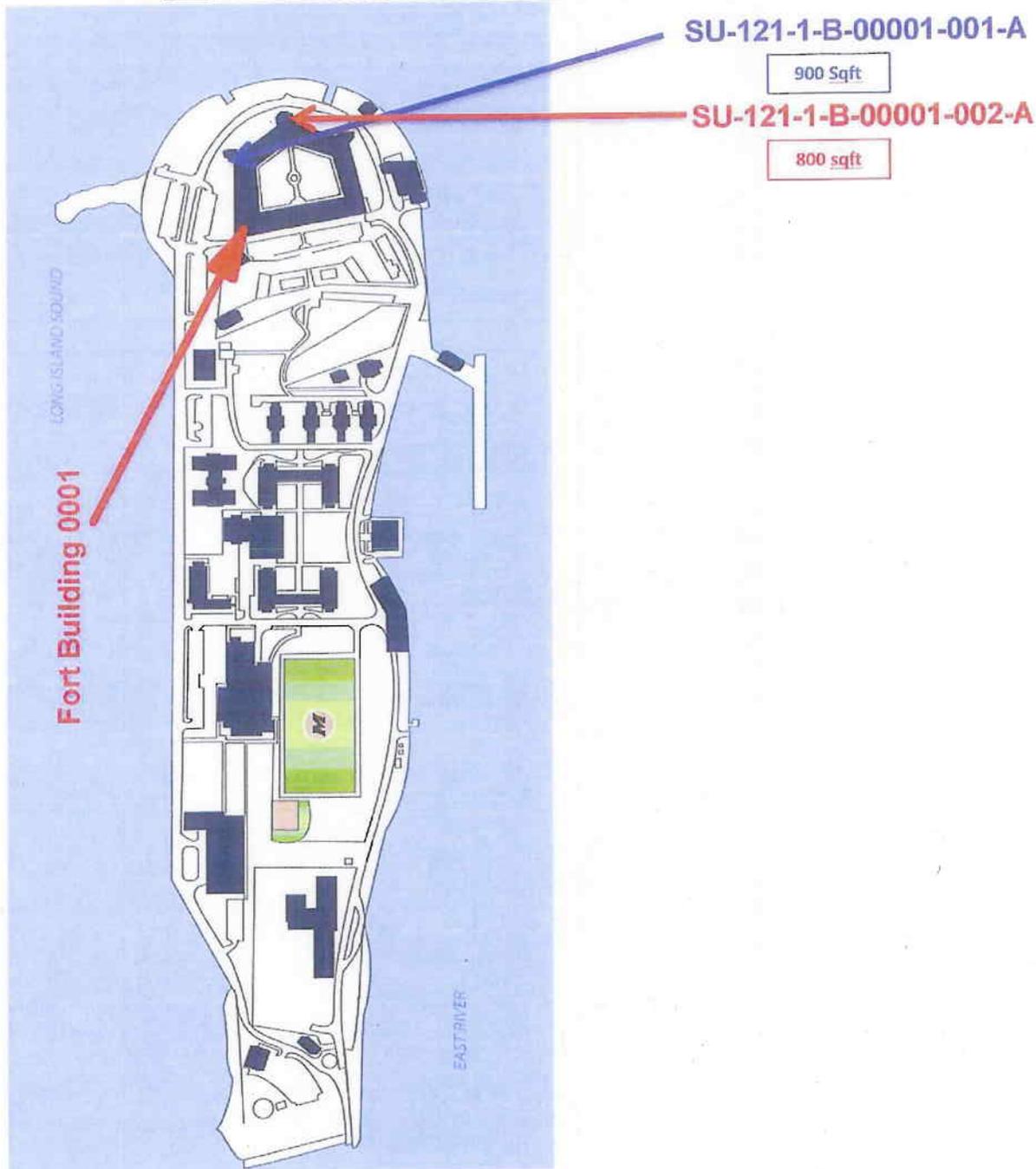
SUNY Maritime College will utilize the following selection:

- type of business and relevance to the academic mission of the College;
- business plan for start-up / financial statements for existing business;
- location of and total square feet of space required;
- description of use and function of the space;
- improvements planned for the space and financial plan to implement improvements;
- projected economic and programmatic benefits to the College; and
- strength of affiliation/relationship with the College.

Attachment 1: Tax-Free Area Plan

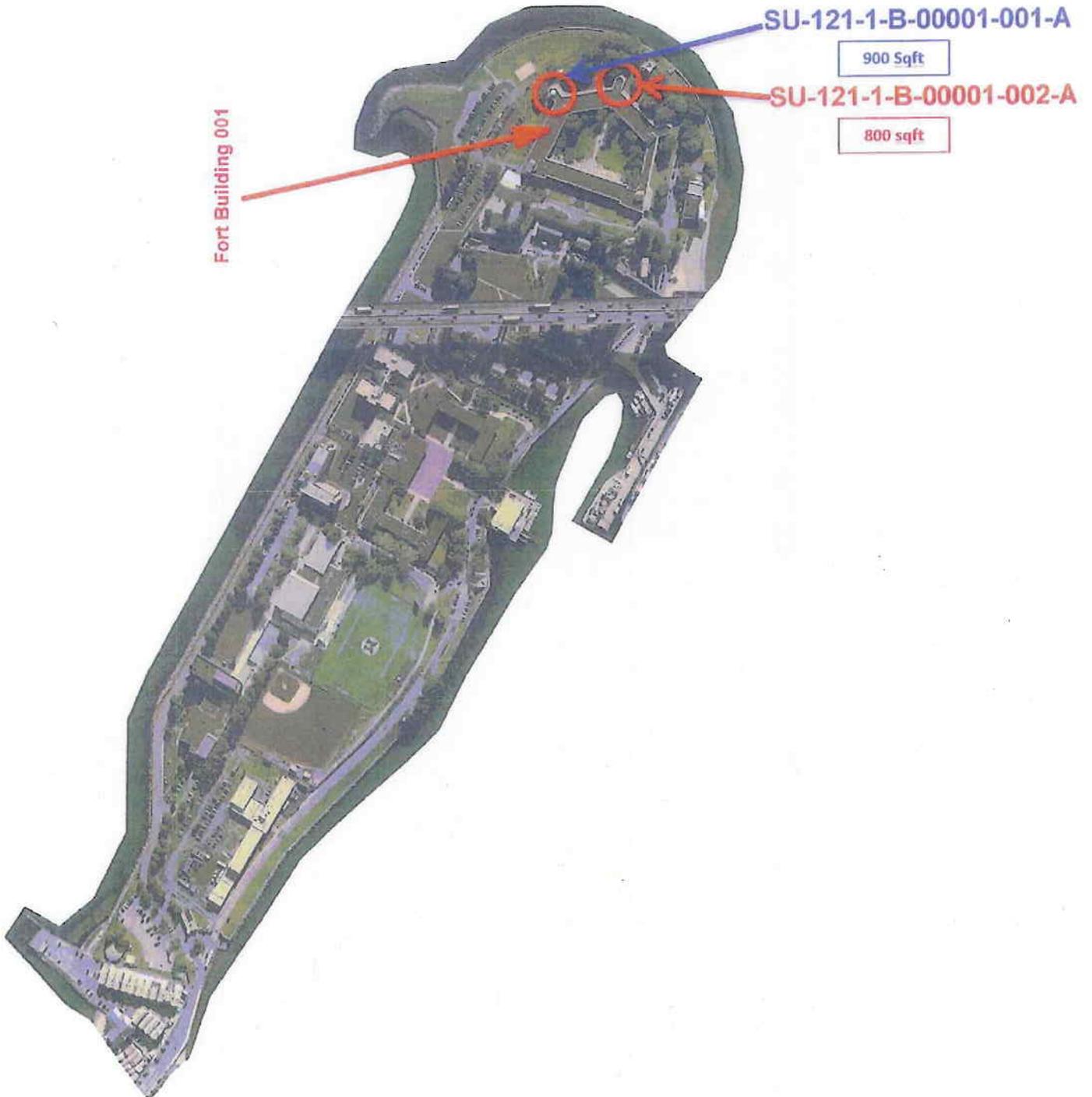
Campus Map

Fort Schuyler, BLDG 0001 Second Floor,
6 Pennyfield Ave Throggs Neck, NY 10465
1700 sqft total

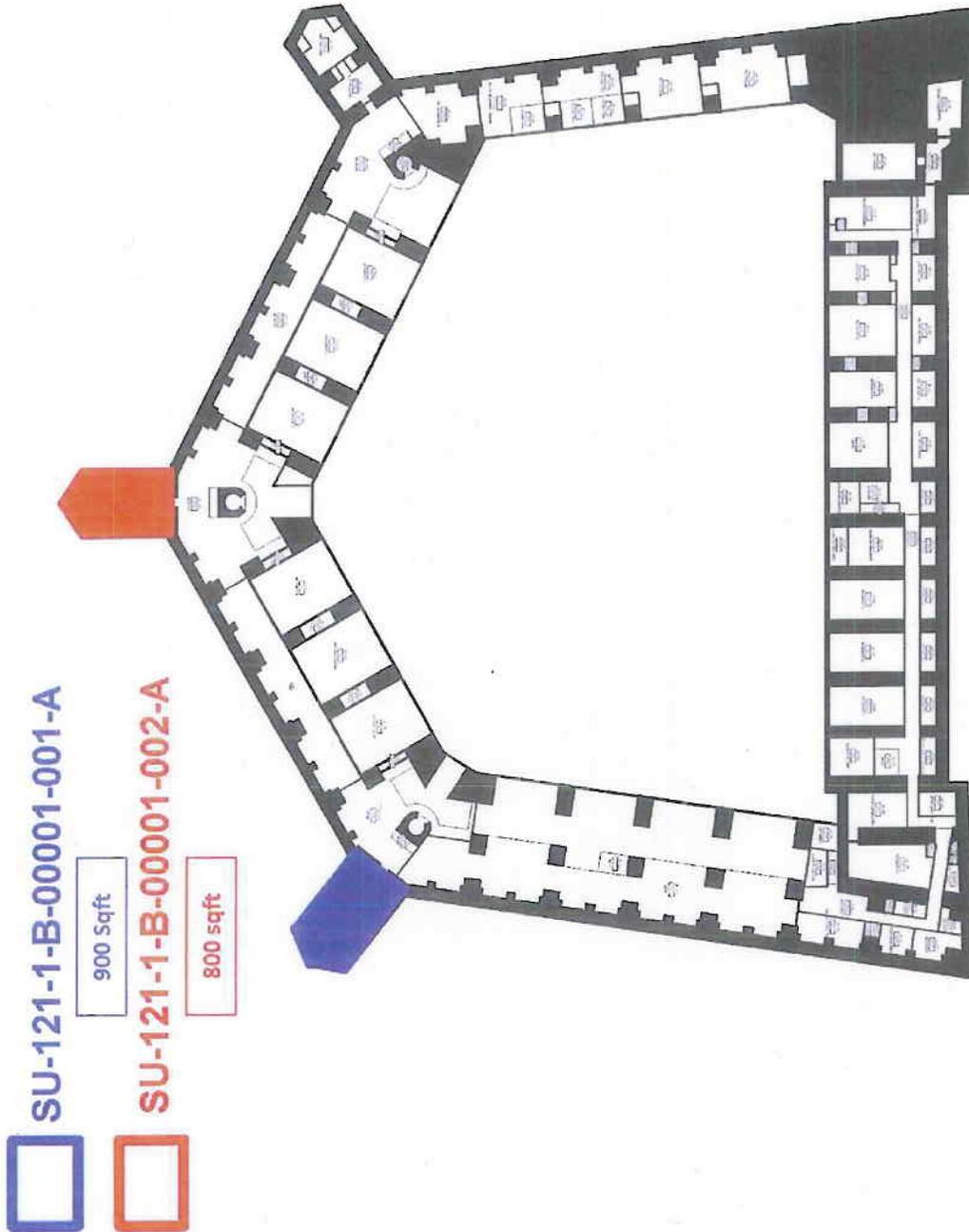


Aerial Fly-Over

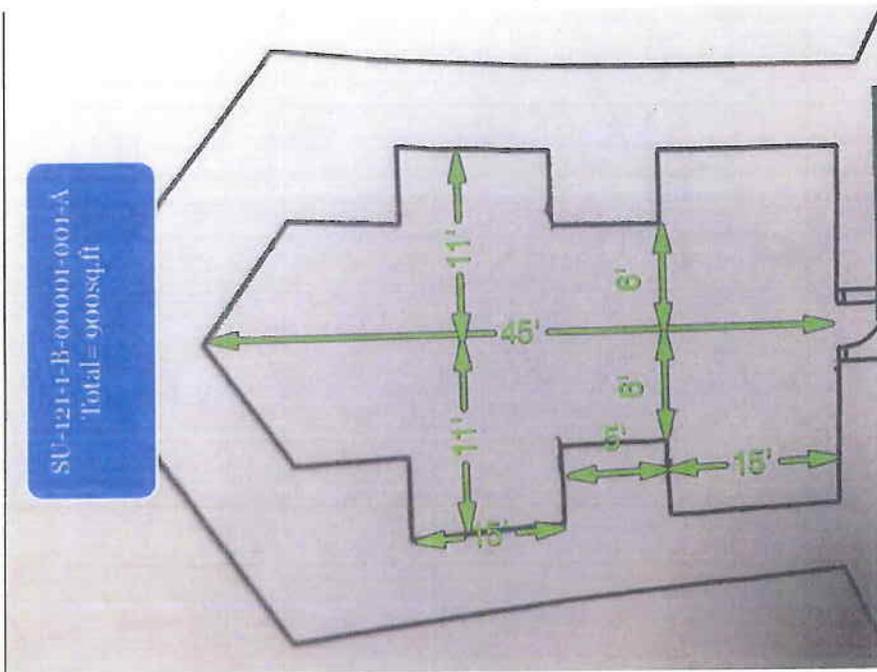
Fort Schuyler, BLDG 0001 Second Floor,
6 Pennyfield Ave Throggs Neck, NY 10465
1700 sqft total



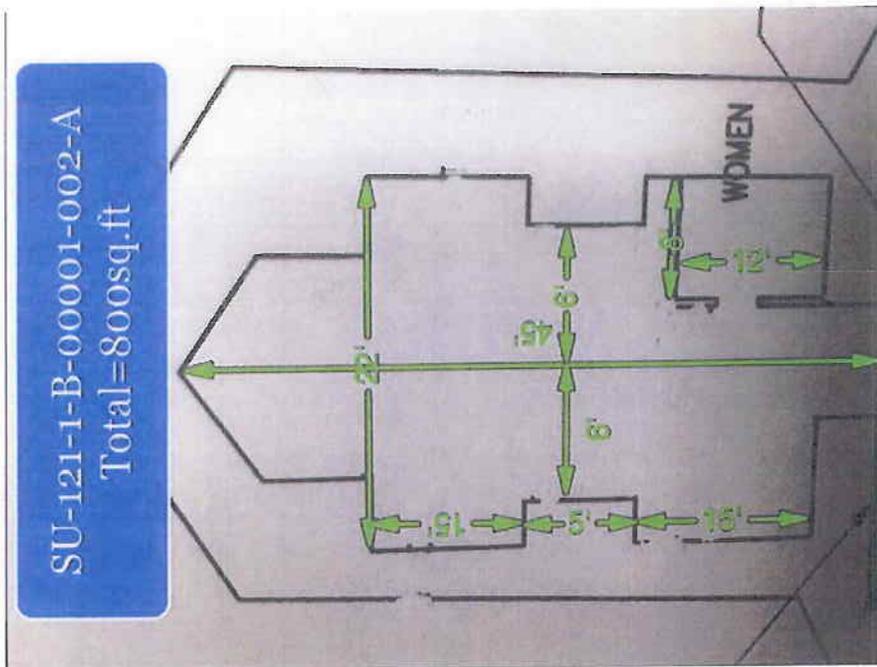
Fort Schuyler Bldg 0001 Second Floor Plan
6 Pennyfield Ave, Throggs Neck NY 10465



Room: SU-121-1-B-00001-001-A (Fort Schuyler Bldg 0001 Second Floor, Left Bastion, 6 Pennyfield Ave Throggs Neck NY, 10465)



Room: SU-121-1-B-00001-002-A (Fort Schuyler Building 0001, Second Floor, Center Bastion 6 Pennyfield Ave Throggs Neck NY, 10465)



Attachment 3: Applicable Conflict of Interest Policies

PUBLIC OFFICERS LAW

§ 74. Code of ethics.

1. **Definition.** As used in this section: The term "**state agency**" shall mean any state department, or division, board, commission, or bureau of any state department or any public benefit corporation or public authority at least one of whose members is appointed by the governor or corporations closely affiliated with specific state agencies as defined by paragraph (d) of subdivision five of section fifty-three-a of the finance law or their successors.

The term "**legislative employee**" shall mean any officer or employee of the legislature but it shall not include members of the legislature.

2. **Rule with respect to conflicts of interest.** No officer or employee of a state agency, member of the legislature or legislative employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.

3. **Standards.**

- a. No officer or employee of a state agency, member of the legislature or legislative employee should accept other employment which will impair his independence of judgment in the exercise of his official duties.
- b. No officer or employee of a state agency, member of the legislature or legislative employee should accept employment or engage in any business or professional activity which will require him to disclose confidential information which he by reason of his official position or authority.
- c. No officer or employee of a state agency, member of the legislature or legislative employee should disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests.
- d. No officer or employee of a state agency, member of the legislature or legislative employee should use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself or others, including but not limited to, the misappropriation to himself, herself or to others of the property, services or other resources of the state for private business or other compensated non-governmental purposes.
- e. No officer or employee of a state agency, member of the legislature or legislative employee should engage in any transaction as representative or agent of the state with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.



- f. An officer or employee of a state agency, member of the legislature or legislative employee should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.
- g. An officer or employee of a state agency should abstain from making personal investments in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.
- h. An officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.
- i. No officer or employee of a state agency employed on a full-time basis nor any firm or association of which such an officer or employee is a member nor corporation a substantial portion of the stock of which is owned or controlled directly or indirectly by such officer or employee, should sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the state agency in which such officer or employee serves or is employed.

4. Violations. In addition to any penalty contained in any other provision of law any such officer, member or employee who shall knowingly and intentionally violate any of the provisions of this section may be fined, suspended or removed from office or employment in the manner provided by law. Any such individual who knowingly and intentionally violates the provisions of paragraph b, c, d or i of subdivision three of this section shall be subject to a civil penalty in an amount not to exceed ten thousand dollars and the value of any gift, compensation or benefit received as a result of such violation. Any such individual who knowingly and intentionally violates the provisions of paragraph a, e or g of subdivision three of this section shall be subject to a civil penalty in an amount not to exceed the value of any gift, compensation or benefit received as a result of such violation.

 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.

 <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 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

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

B. Sponsoring University or College Applications for Business Participation: Any campus intending to submit a Sponsoring University or College Application for Business Participation ("Sponsor Application") to the NYS Commissioner of Economic Development must first have it reviewed and approved by the Chancellor or designee. The Chancellor or designee shall approve or reject all Sponsor Applications within thirty (30) business days of receipt. Any rejected Sponsor Application shall be accompanied by an explanation of the basis for rejection. Once approved the campus may submit the Sponsor Application to the NYS Commissioner of Economic Development in accordance with the Commissioner's rules and regulations. Any Sponsor Application that is rejected can be resubmitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures. Any amendments to approved Sponsor Applications must be submitted for Chancellor or designee approval and will be reviewed in accordance with this policy and related procedures.

C. Delegations: The Chancellor or designee may charge a group of individuals, collectively called the SUNY START-UP NY Proposal Review Team, to evaluate all submitted Campus Plans and Sponsor Applications prior to accepting or rejecting them.

D. Conflicts of Interest: Service as an Official shall not be used as a means for private benefit or inurement for any Official, a Relative thereof, or any entity in which the Official or Relative thereof has a Business Interest. A conflict of interest exists whenever an Official has a Business Interest or other interest or activity outside of the university that has the possibility, whether potential, actual, or perceived, of (a) compromising the Official's judgment, (b) influencing the Official's decision or behavior with respect to the START-UP NY Program, or (c) resulting in personal or a Relative's gain or advancement. Any Official who is an owner or employee of an entity that is the subject of any matter pertaining to the university's START-UP NY Program, or who has a Business Interest in any entity that is the subject of any matter pertaining to the university's START-UP NY Program, or whose Relative has such a Business Interest, shall not vote on or otherwise participate in the administration by the university of any START-UP NY matter involving such entity. Any Official or other campus representative who becomes aware of a potential, actual or apparent conflict of interest, either their own or that of another Official, related to a sponsoring university or college's START-UP NY program must disclose that interest to the President or Chief Executive Officer of the sponsoring college or university. Each such President or Chief Executive Officer shall maintain a written record of all disclosures of actual or potential conflicts of interest made pursuant to this policy, and shall report such disclosures on a calendar year basis, by January 31 of each year, to the University Auditor or to the Chancellor's designee, in which case the University Auditor shall be copied on the correspondence to such designee. SUNY shall then forward such reports to the Commissioner of Economic Development for the State of New York, who shall make public such reports.

E. Exceptions: There are no exceptions to this policy.

Definitions

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

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

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

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

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

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

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

Other Related Information

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

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

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

Procedures

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

Forms

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

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

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

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

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

[ESD START-UP Business Application](#)

Authority

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

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

[Start-Up NY Regulations](#)

History

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

Location	UniqueID	Owner	Property Type	StreetAddress	City	ZipCode	ParcelID	Building	SpaceType	SqFt	Acres	Description	onCampus	Within 1mile Of	Latitude	Longitude	Note
Throgs Neck	SU-121-1-B-00001-001-A	SUNY Maritime	1	6 Pennyfield Neck	Throgs Neck	10465		00001	C	800	NA	Second Floor	Yes	No	40°48'20" N	73°47'31" W	
Throgs Neck	SU-121-1-B-00001-002-A	SUNY Maritime	1	6 Pennyfield Neck	Throgs Neck	10465		00001	C	900	NA	Second Floor	Yes	No	40°48'20" N	73°47'31" W	

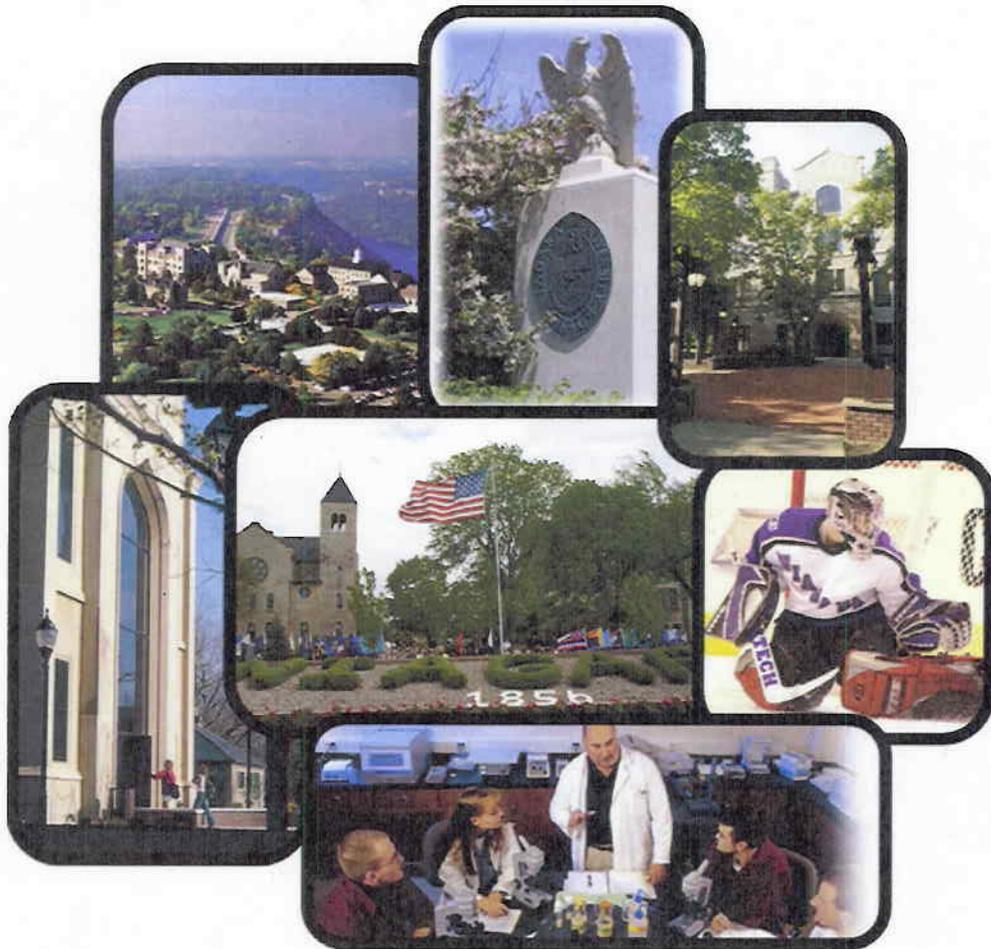
* 1= on campus
 2= 1 mile off campus
 3= State Asset

** A=entire building
 B=floor within building
 C=Room within building
 D=land on campus
 E= land off campus
 F=entire building off campus
 G=partial building off campus
 H=state asset

Designated Land or Buildings Unique ID Standard
 See Sheet 2: SUNY Unique ID Codes

NIAGARA UNIVERSITY

*5795 Lewiston Road
Niagara University, NY 14109*



CAMPUS PLAN *for designation of* **START-UP NY Tax-Free NY Area(s)**



Office of the President

December 19, 2014

Mr. Kenneth Adams
President and CEO
Empire State Development
633 Third Avenue, 3151 Floor
New York, NY 10017

Dear Mr. Adams:

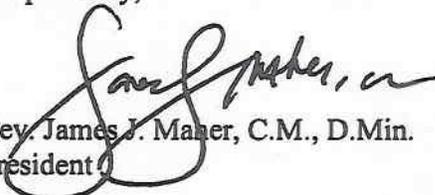
On behalf of Niagara University's Trustees, administration, faculty, and students, please accept this application consisting of the proposed campus plan, and supporting documents, requesting Niagara's designation as a partner with the START-UP NY program.

Proposed Tax-Free NY Areas, as described in these documents, are wholly owned by Niagara University and are located on the university's campus. No departments or programs were relocated in order for the designated spaces to be available for this application. Further, the proposal, attachments, and supporting information submitted are accurate and complete to maximum extent possible.

Niagara University's Board of Trustees is in full support of the submission of this campus plan and looks forward to a favorable response.

Thank you for your consideration.

Respectfully,



Rev. James J. Maher, C.M., D.Min.
President



Office of the President

**NIAGARA UNIVERSITY
CERTIFICATIONS AND ASSURANCES RELATED TO
START-UP NY CAMPUS PLAN**

Attestation regarding application accuracy and completeness.

Per START-UP NY guidelines, I hereby attest that the proposal, attachments, and supporting documents are accurate and complete to maximum extent possible.

Certification of compliance regarding anticompetitive behavior.

Per START-UP NY guidelines, I hereby certify that Niagara University intends to comply, and has outlined a process to comply, with the Commissioner's rules and guidelines on anticompetitive behavior made pursuant to section four hundred forty-two of this Article 21 of the Economic Development Law, including certifications by the Sponsor and/or business of efforts to check for local competitors (see regulations, Section 220.10(d)(iv)(H)).

Attestation that the proposed Tax-Free NY Area has not been financed with tax-exempt bonds.

Per START-UP NY guidelines, I hereby certify that Niagara University's proposed Tax-Free NY Area(s) has/have not been financed with any tax-exempt bonds, and that designation of the Tax-Free NY Area(s) will not jeopardize or conflict with any existing tax-exempt bonds used to finance any property of Niagara University.

Certification related to relocation or elimination of programs, offices, facilities, or other spaces that actively serve students, faculty or staff in order to create vacant land or space to be designated as a Tax-Free NY Area.

Per START-UP NY guidelines, I hereby certify that Niagara University has not relocated or eliminated any academic programs, administrative programs, offices, housing facilities, dining facilities, athletic facilities, 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.

Signed:



Rev. James J. Maher, C.M., D.Min.
President
Niagara University

December 19, 2014
Date



REQUIRED CAMPUS PLAN ELEMENTS

1. Campus Name, Contact Person and Address

Primary Contact:

Rev. James J. Maher, C.M., D.Min.
President
Office of the President
Niagara University
5795 Lewiston Road
PO Box 2015
Niagara University, NY 14109-2015

Secondary Contact:

Ms. Mary Borgognoni
Associate Vice President Operations/Outreach
Office of the Executive Vice President
Niagara University
5795 Lewiston Road
PO Box 2023
Niagara University, NY 14109-2023

2. Identification of the space and/or land being designated that includes the following:

- a. **Digital files containing Polygon shapefile that delineates campus area;**

On Campus Area: Please see ATTACHMENT A

- b. **Digital files containing Point shapefile that provides locations of vacant space targeted. (Point shapefile must include a unique identifier for each feature);**

On Campus Area: Please see ATTACHMENT B

- c. **A chart (electronic excel spreadsheet) that includes name of city, town or village as well as street address and zip code where vacant property is located; a unique identifier; name of property owner; type of property; parcel ID# (if applicable and available); vacant Building name/number; type of vacant space; total square footage of vacant space or acreage of land, any geographic information system (GIS) maps of showing existing streets, natural boundaries and other physical features of the property, and description of vacant space (template provided in electronic form).**

On Campus Area: Please see ATTACHMENT C

The on-campus space for which Niagara University seeks designation includes 9,409 square feet of currently vacant space in DePaul Hall over three floors (basement, first, second floors). DePaul Hall was the home of the science departments at Niagara University prior to the official opening of the B. Thomas Golisano Center for Integrated Sciences in 2013. In addition, the university seeks designation of 15,000 square feet of developable land available on campus within a 21.97 acre parcel within the southeastern quadrant of campus. This vacant land is directly off the newly enhanced entrance to campus off Witmer Road (NY Route 31) with direct I-190 access two exits from the Canadian border crossing at the Lewiston Porter International Bridge. Therefore the total request equals 24,409 square feet on campus.

3. **A description of the type of business or businesses that the campus is intending to be located on the area to be designated.**
 - a. **Include a description of the academic mission of the Sponsor and how the anticipated businesses will align with or further the academic mission of the campus or university. In assessing how a tax-free business aligns with the mission of a campus or university in knowledge creation, knowledge diffusion, and formation of values, the university or campus may consider these factors or a combination thereof in its consideration to sponsor the tax-free business: Comprehensive undergraduate, graduate education and professional education Research Leadership Diversity Culture Regional economic development Internship and training opportunities Direct job opportunities for campus graduates Internationalization Specific area specialization of the campus (health care, IT, ceramics, business education, professional and vocational postsecondary programs etc.) Any other factors which the university or campus deems to be appropriate in determining the alignment of mission to the business.**

Niagara University (Niagara) is a liberal arts university in the Vincentian and Catholic traditions. Basic to its academic, co-curricular and extracurricular programs, is the conviction that the students need to be prepared for productive roles in society and, also, to be provided with the opportunity to fulfill their intellectual, physical, emotional and spiritual potential. Niagara's four Colleges offer courses and directed experiences on campus and in the community (regional and global) that equip students for a wide variety of professions and careers. A broadly based, integrated program of liberal arts and sciences courses, supported by extracurricular activities, is designed to supply holistic education.

Mission: The institution's mission statement reads, "Niagara University educates its students and enriches their lives through programs in the liberal arts and through career preparation, informed by the Catholic and Vincentian traditions."

The mission is realized through four enabling goals:

- As a university, Niagara prepares its students for positions of responsibility in the professions and in the broader society. Through teaching, research and service in programs of study at the baccalaureate and graduate levels, Niagara seeks to develop within its students a passion for learning;
- Niagara's commitment to the Catholic faith provides perspective in the search for truth and meaning. Catholic doctrine and its moral code inspire respect for the God-given dignity of

every person and all faith traditions. Students experience the vision and reality of a gospel-based, value-centered education.

- As a Vincentian university, Niagara draws inspiration from St. Vincent de Paul, who organized his contemporaries to respond compassionately to people's basic needs. Continuing this tradition, Niagara seeks to inspire its students to serve all members of society, especially the poor and oppressed, in local communities and in the larger world.
- Overall, through its curricular and extracurricular programs, Niagara seeks to develop the whole person, mind, body, heart, and soul, for the benefit of one's personal and professional life.

This mission is further clarified through the university's Academic Vision, "Informed by its Catholic heritage and inspired by the spirit of St. Vincent de Paul, Niagara is engaged in educating the whole person, and recognized for excellence and leadership in liberal arts and professional education that 'makes a difference.'"

Future Vision of Excellence: Pursuit of Niagara University's future vision of excellence has been initiated through a thoughtful and vibrant dialogue of broadly representative University constituencies convened by President Maher through listening sessions during his inaugural 2013-2014 year. Informed by the University Mission and articulated at a 2014 Fall Community meeting, and the Future Vision of Excellence provides a desired destination in 2020 and will be realized through the accomplishment and strategic goals in a new Strategic Plan to be implemented in 2015.

The following bullet points comprise the future vision of excellence as expressed by Father Maher at the Fall 2014 University Community Meeting:

- Niagara University is a vibrant, strong institution, recognized for academic excellence and student engagement.
- As a premier institution of higher education in WNY and Southern Ontario, Niagara has outstanding student outcomes and proven track record of excellence, is a leader in regional economic and social development, and is a strong collaborator with other institutions working toward shared goals.
- Niagara is nationally recognized for engagement of students, service learning and global focus, and we partner well with other Vincentian institutions.
- Niagara's student population is diversified with students from across the U.S. and Canada, and from around the world, and our students graduate as well-prepared global citizens.

Integration with the Regional Community: Niagara recognizes its position in the local community as an employer, neighbor and resource; and feels obligated to place considerable facilities and assets to work for neighboring groups and individuals, to whatever extent is feasible. The university hosts thousands of visitors each year for athletic events, conferences, theater productions, exhibits and events at the Castellani Art Museum, lectures and other public gatherings. NU welcomes people from near and far in over 70,000 visits to campus annually.

The university is an economic force in Niagara County, both as employer and generator of \$207 million in annual economic impact, based on recent data compiled by the Center for Governmental Research.

Tradition gives Niagara its unique identity. It was founded in 1856 by the Vincentian Fathers, who take their name from their founder, Vincent de Paul; a 17th century French priest who had a special dedication to the poor. Niagara seeks to instill in its students a deep concern for the rights and dignity of the human person, especially the poor, suffering, disabled, and outcast.

The Niagara community is proud of the pervasive commitment to serving the community through service, and active engagement around poverty and community social issues. This core value is the one constant source of accomplishment that is not only recognized on campus, but which has been noticed by external visitors, consultants, and accreditation evaluators. As stated in a 2012 campus mission audit, outsiders notice that "we get it." Niagara was among 100 university/universities recognized nationwide by The Templeton Foundation for offering programs that inspire students to lead ethical and civic-minded lives.

Further, Niagara University is preparing its next multi-year plan for implementation in 2015. The university has chosen to align, in part, the plan with the **strategic investment areas** of the NYS Regional Economic Development Council (REDC), for instance:

- Niagara will be aligning its global reputation in **hospitality and tourism** management with tourism as a main driver of the regional economy, thereby establishing NU as the thought leader and action catalyst within the region and ahead of other institutions locally, regionally, and globally, particularly with the Global Tourism Institute.
- The University also will be seizing opportunities to grow and build upon assets in the **health and life sciences** sector by expanding its excellence in nursing, and a leadership in developing programs that prepare students for excellent positions within emerging health care sectors.
- Niagara will ensure that programs such as logistics and information/cyber security are effectively aligned with the **advanced manufacturing / advanced technology sector** this will create clear marker niches for NU aligned with strengths.

Niagara University intends to work to attract businesses in these listed areas and, through the on-campus review and approval process, will work to ensure that they are eligible business types and not prohibited per START-UP regulations §220.6 (b)(1). Niagara understands that the broad category hospitality-related businesses is excluded, however, the businesses that the university hopes to attract are technology-related and aligned with the tourism and hospitality industry as a catalyst for economic development. With respect to life sciences, the intention is to attract businesses that conduct research or development of pharmaceuticals or devices and will not include any prohibited businesses such as those providing direct or indirect patient care.

In keeping with a Catholic and Vincentian identity, a key element of the regional and community impact will continue to be leadership in diagnosing and addressing root cause of poverty in WNY. Niagara plans to collaborate with academic and commercial institutions throughout the Western New York region and State of New York as a whole, so as to fully realize the potential of the START-UP NY program. Collaborations with other public and private institutions are paramount to economic development in the region. Thus, Niagara University welcomes all eligible businesses whose mission and activities align with or further the academic mission of Niagara University and whose work will create positive community and economic benefits. In addition, Niagara University will particularly seek businesses whose presence will:

- Enhance comprehensive undergraduate, graduate education and professional education on our campus in in our region;
 - Contribute to research in fields of STEM, logistics, hospitality, tourism, and educational leadership;
 - Who will aid Niagara’s commitment to nurturing and benefitting from cultural, economic, and other forms of diversity;
 - Enhance our commitment to cultural and community development working with our faculty and outreach efforts in the arts and sciences;
 - Boost already significant contributions to regional economic development;
 - Provide internship and training opportunities to NU students;
 - Direct job opportunities for campus graduates;
 - Contribute to Niagara’s growing commitment to globalization; and/or,
 - Enhance specific areas of specialization of the campus (nursing, healthcare administration, business, education, professional, providing opportunities to veterans, and other broad areas of interest for the campus and regional community).
4. **A description of how participation by the types of businesses sought to occupy space in the campus tax-free zone would generate positive community and economic benefits.**
- a. **The criteria which a university or campus may use in establishing how a business would have a positive community and economic benefits may include the following: Increased employment opportunities; Opportunities for internship, vocational training and learning experiences for undergraduate and graduate study; Diversification of local economy; Environmental sustainability; Entrepreneurship; Positive linkages to existing business not in competition with START-UP businesses, especially small scale businesses; Boost to local economy; and, Magnet for economic and social growth.**

As one of the largest employers and the only four-year and graduate degree-granting institution in Niagara County, Niagara University is committed to the economic vitality of the Western New York region and the state as a whole. START-UP NY represents a unique opportunity for the university to leverage its significant strengths in research, community capacity building, and education to partner with companies as they start and/or grow their businesses in Niagara County. Niagara intends to encourage its faculty and students to be active participants with companies, while the businesses create substantive employment opportunities for our graduates, as well as other residents.

Business applications will be reviewed and approved through a two-phase process 1) initial review for compliance and appropriateness by the Niagara START-UP NY Review Team, and 2) higher level comprehensive review and approval by the Niagara START-UP NY Selection Team (see following sections for detailed process).

General factors to be considered in evaluation include:

- a) Academic and Research Alignment including, alignment with current and/or developing Niagara research, scholarly, and creative activity, experiential learning and workforce opportunities for students and graduates, areas for partnership and advancement for faculty

- and students, business funding of scholarships, campus facilities or other academic services or amenities, business and/or its employee contribution to instruction or provide student mentoring;
- b) Economic Benefit including, net new jobs to be created, business short- and long-term viability, ability to attract private financial investment, ability and plan to make capital investments (e.g., renovation, new construction), new jobs in critical areas of the economy aligned with REDC goals and strategies, fiscal benefit to Niagara University; and/or,
 - c) Community Benefit including, demonstrated support of one or more municipal or community entities, business plans for recruiting employees from the local workforce, business plans for business invest in underserved, benefits economically distressed regions (Niagara Falls / Niagara County), benefit to local and regional suppliers.

Niagara University is open to working with both newly established and expanding companies who qualify for the program and align with the criteria laid out by START-UP NY and the university, related to university and community benefit.

5. A description of the process the campus or university will follow to select businesses to participate in the Tax-Free NY Program.

Selection Process for Business Participation

Niagara University has established the following two-phased process (initial compliance and alignment review and then official selection and campus approval) for businesses interested in partnering in the START-UP NY Program. The university intends to coordinate the application and selection process in a transparent, cooperative manner, with substantive involvement of both internal and external stakeholders. The proposed process and individuals involved include:

- (1) **Phase One Compliance and Alignment Review:** The Phase One Niagara START-UP NY Review Team will likely consist of the following Niagara University individuals: Associate Vice President for Operations and Outreach, Controller, Associate Vice President for Academic Affairs, Programs and Policy, General Counsel, Associate Vice President of Institutional Advancement, Director of Sponsored Programs and Foundation Relations, and Dean from the affected/involved College or Colleges. In addition, the Review Team will include relevant external partners such as the Niagara County IDA, Buffalo Niagara Enterprise, as appropriate.
 - a) *Business submits application to Niagara University.*

Businesses interested in participation in the START-UP NY Program with Niagara will first complete an online START-UP NY Business Pre-Application, which will be found at the secure Niagara START-UP NY website, once established. The following information will be required aligned with NYS regulations: contact information, business information, employment, investment, business competitors and agreement. Applicants must fall under one of the following NYS designated business categories: New Business, Existing NYS Business Expanding, Previous NYS Business relocating to NYS, or NYS Incubator Graduate (see regulations for further detail and exclusions).
 - b) *Participate in an Eligibility Review Meeting*

Once Niagara University has received a completed START-UP NY Business Pre-Application, an eligibility review meeting will be convened at the university. The

Applicant will meet with the Niagara START-UP NY Campus Review Team to clarify and document all aspects of the businesses proposal including, but not limited to: alignment with university mission and academic vision, State regulation alignments, fit with regional economic development goals and objectives, competitive analysis requirements, potential job creation and internship opportunities with business.

c) Comprehensive Competitive Analysis

If the business seems appropriate for partnering with the university, the Applicant and the Niagara START-UP NY Review Team will collaborate on completing the competitive analysis, per State requirements. This will include, confirmation with the Applicant of the "Community," required to be reviewed as defined by START-UP NY regulations (Census tracts where the university resides and adjacent census tracts unless otherwise noted), review of North American Industry Classification System (NAICS) codes of businesses in the same Community as required by START-UP NY regulations; Review of commercially available database lists in determining potential Competitors in the selected Community; Review of any businesses in the Community which may be considered Competitors; If no Competitors are identified through the Comprehensive Competitive Analysis, then a formal request will be submitted to the Empire State Development (ESD) for cross reference checking of their Department of Labor (DOL) database to determine if there are any Competitors; If no Competitors are identified through the Niagara University and ESD comprehensive review process, then a notice will be published in a local daily print or online newspaper for five days, allowing potential business Competitors to identify themselves, per the START-UP NY regulations. In the event that a potential Competitor is identified, Niagara University will formally request review by the Commissioner. The Commissioner will make the final determination, per the START-UP NY regulations.

(2) Phase Two Selection/Approval: The Niagara START-UP NY Selection and Approval Team (aligned with "Advisory Committee" per guidelines) will be comprised of Niagara University's Executive Vice President, Provost and Chief Academic Officer, Associate Vice President of Operations and Outreach, Vice President for Administration, Vice President for Institutional Advancement, the related College Dean(s), Designated Faculty Leadership (assigned based on businesses being reviewed), and other administrative, faculty, or student representative(s) deemed necessary for participation in the final selection process. The President or Executive Vice President (as designee) will be the official signing all approved business-related documents.

a) Review and Presentation of Work Conducted by the Niagara START-UP NY Review Team to the Niagara START-UP NY Selection and Approval Team

The Phase One findings and comprehensive packet of information will be provided to the Niagara START-UP NY Selection and Approval Team in a systematic and consistent manner at which point the Niagara START-UP NY Selection and Approval Team will determine if they will move forward with the Applicant's proposal. The Associate Vice President for Operations and Outreach will be a consistent team member of both phases providing continuity and acting as liaison among all participants and the businesses. To this end, this individual is also listed as the secondary contact for this campus plan.

b) Applicant Presentation to Niagara START-UP NY Selection and Approval Team

Upon successful completion of the Comprehensive Competitive Analysis and presentation of application materials to the Niagara START-UP NY Selection and Approval Team, the Applicant business will be required to formally present its business model and how its participation in the START-UP NY Program will have positive community and economic benefits. The Applicant business will formally present to the Niagara START-UP NY Selection and Approval Team.

c) Application to the State

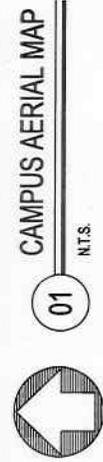
If the Niagara START-UP NY Selection and Approval Team approves the Applicant business, the university will then collaborate with the Applicant to complete the required information for the Sponsoring Application to NYS, with the primary focus being new job creation in the designated area.

Overall Selection Criteria: Niagara University will align the selection process (above) with State regulations with respect to the START-UP NY program, as follows (from regulations):

- The mission and activities of the business must align with or further the academic mission of the campus, college or university sponsoring the tax-free NY area in which it seeks to locate, and the business's participation in the START-UP NY program must have positive community and economic benefits.
- The business must demonstrate that it will, in its first year of operation, create net new jobs. After its first year of operation, the business must maintain net new jobs. In addition, the average number of employees of the business and its related persons in the state during the year must equal or exceed the sum of: (i) the average number of employees of the business and its related persons in the state during the year immediately preceding the year in which the business submits its application to locate in a tax-free NY area; and (ii) net new jobs of the business in the tax-free NY area during the year. The average number of employees of the business and its related persons in the state shall be determined by adding together the total number of employees of the business and its related persons in the state on March thirty-first, June thirtieth, September thirtieth and December thirty-first and dividing the total by the number of such dates occurring within such year.
- Except as provided in paragraphs (g) and (h) of this subdivision, at the time it submits its application for the START-UP NY program, the business must be a new business to the state.
- The business may be organized as a corporation, a partnership, limited liability company or a sole proprietorship.
- Upon completion of its first year in the START-UP NY program and thereafter, the business must complete and timely file the annual report required under section four hundred thirty-eight of this article.
- Except as provided in paragraphs (g) and (h) of this subdivision, the business must not be engaged in a line of business that is currently or was previously conducted by the business or a related person in the last five years in New York state.
- If a business does not satisfy the eligibility standard set forth in paragraph (c) or (f) of this subdivision, because at one point in time it operated in New York state but moved its operations out of New York state on or before June first, two thousand thirteen, the commissioner shall grant that business permission to apply to participate in the START-UP

NY program if the commissioner determines that the business has demonstrated that it will substantially restore the jobs in New York state that it previously had moved out of state.

- If a business seeks to expand its current operations in New York state into a tax-free NY area but the business does not qualify as a new business because it does not satisfy the criteria in paragraph (c) of subdivision six of section four hundred thirty-one of this article or the business does not satisfy the eligibility standard set forth in paragraph (f) of this subdivision, the commissioner shall grant the business permission to apply to participate in the START-UP NY program if the commissioner determines that the business has demonstrated that it will create net new jobs in the tax-free NY area and that it or any related person has not eliminated any jobs in the state in connection with this expansion.
- The following types of businesses will not be considered, per state regulations: retail and wholesale businesses; restaurants; real estate brokers; law firms; medical or dental practices; real estate management companies; hospitality; finance and financial services; businesses providing personal services; businesses providing business administrative or support services, unless such business has received permission from the commissioner to apply to participate in the START-UP NY program upon demonstration that the business would create no fewer than one hundred net new jobs in the tax-free NY area; accounting firms; businesses providing utilities; and, businesses engaged in the generation or distribution of electricity, the distribution of natural gas, or the production of steam associated with the generation of electricity.



CAMPUS AERIAL MAP

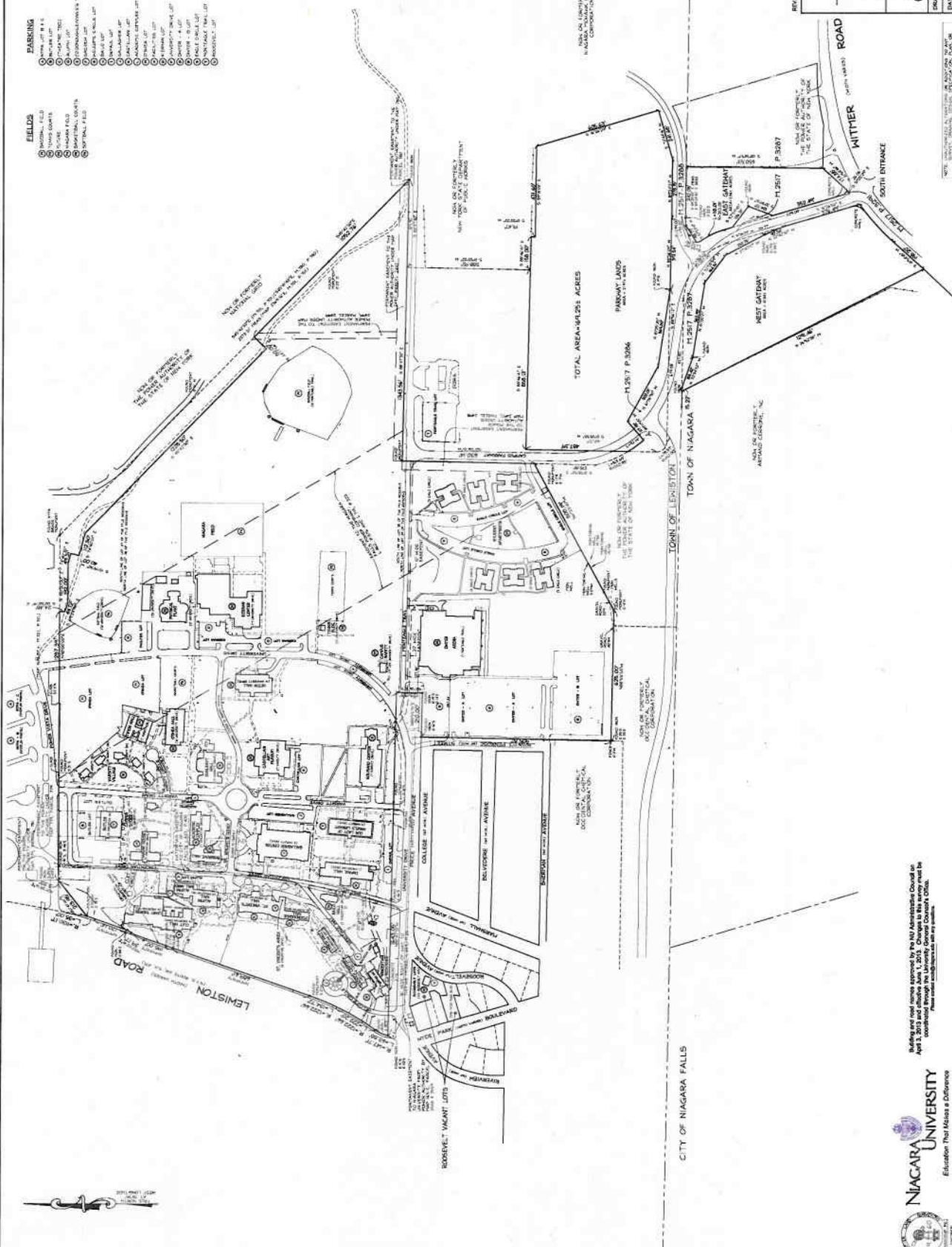
NIAGARA UNIVERSITY
Education That Makes a Difference
Office of Planning & Assessment

Niagara University Overall Campus Aerial Map

PLANNING PROJECT NO.: 214039	DWG. M-1
DATE: 7 NOV 2014	

- BUILDING NUMBERS**
- 10000 CENTER
 - 10001
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BY: 10-14-08 DSPACE FROM INTER. AS PER PROVIDED PLAN

BOUNDARY SURVEY
NIAGARA UNIVERSITY

PART OF LOTS 27 & 28
 OF THE FILL RESERVE
 TOWN OF LEWINSTON
 COUNTY OF NIAGARA STATE OF NEW YORK

3046 Lake Shore Road
 Buffalo, New York 14214-1444
 (716) 857-8000
 www.niagara.edu

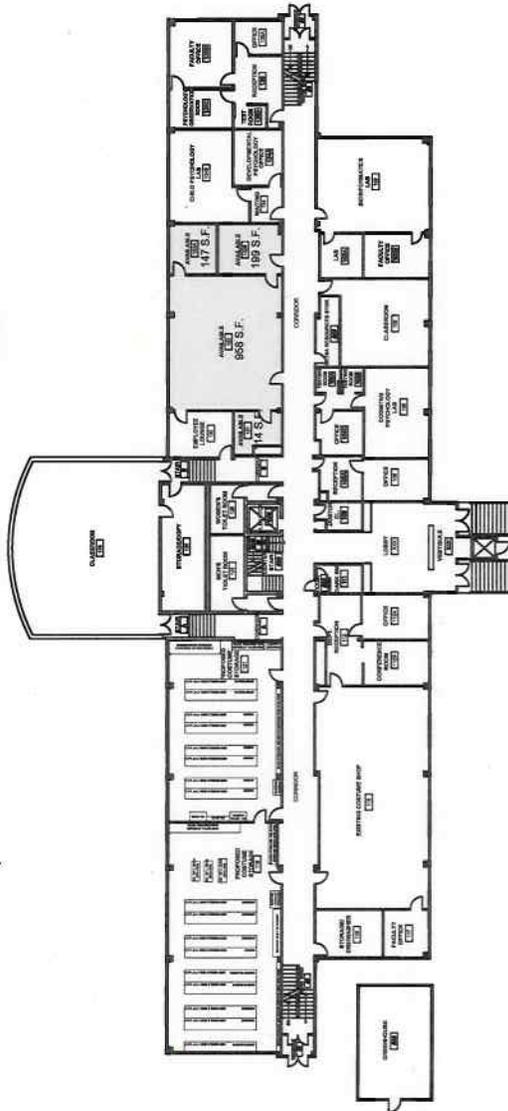
DATE: 10/10/08
 JOB NO: 02-02-08
 SCALE: 1" = 200'

Building and site plan approved by the Niagara Falls Planning Board on April 14, 2008. The Planning Board's approval is subject to the conditions set forth in the Planning Board's Resolution. The University of Niagara is not responsible for any errors or omissions in this plan.





SHADE INDICATES OPEN SPACE AVAILABLE

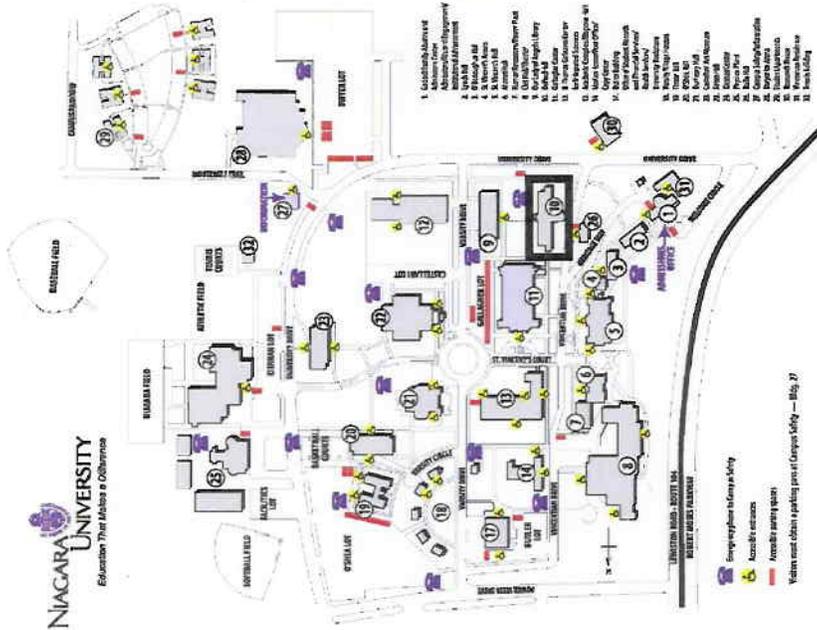


DEPAUL HALL - FIRST FLOOR PLAN

SCALE: 1" = 30'-0"
 SPACE AVAILABLE: 1,449 S.F.
 GROSS AREA (1ST FLOOR): 17,229 S.F.



01



CAMPUS MAP

N.T.S.



02

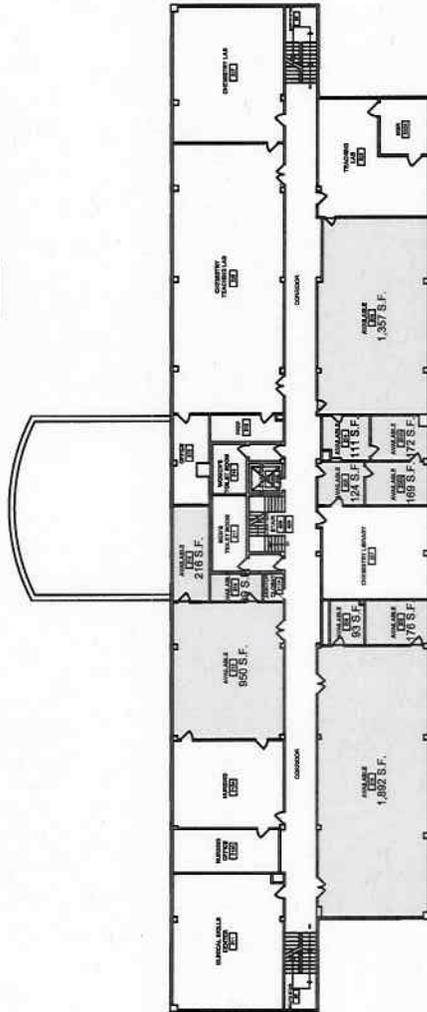


 Education That Makes a Difference
 Office of Planning & Assessment

DePaul Hall - Available Space (First Floor Plan)
 DWG. **1-1**
 PLANNING PROJECT NO.: 214039
 DATE: 12 DEC 2014



SHADE INDICATES OPEN SPACE AVAILABLE

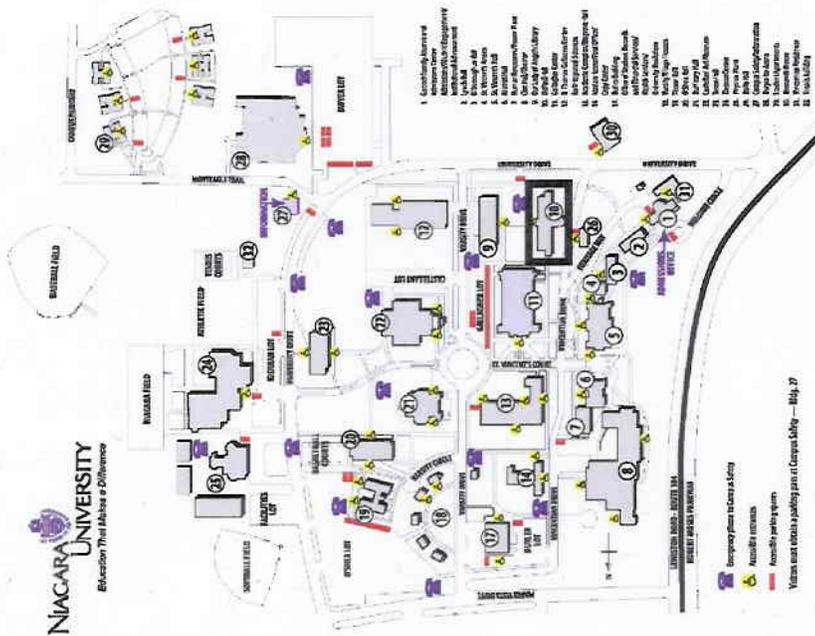


DEPAUL HALL - SECOND FLOOR PLAN

SPACE AVAILABLE: 5,069 S.F.
GROSS AREA (2ND FLOOR): 14,888 S.F.

SCALE: 1" = 30'-0"

01



CAMPUS MAP

02 N.T.S.



DePaul Hall - Available Space (Second Floor Plan)

DWG.

PLANNING PROJECT NO.: 214039

2-1

DATE: 12 DEC 2014

Office of Planning & Assessment

Location	Unique ID	Owner	Property Type	Street Address	City	Zip Code	Parcel ID	Building	Space Type	Sq Ft	Acres	Description	On Campus	Within 1-mile of Campus	Latitude	Longitude	Note
Town of Lewiston		Niagara Univ	1	Vacant	Niagara Univ	14109	Parkway Land	N/A	D	15,000		Vacant	Yes	No	43.1330254	-79.0280947	
Town of Lewiston	9	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	611		Basement	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	10C	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	199		Basement	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	11	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	656		Basement	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	11A	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	144		Basement	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	11B	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	142		Basement	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	12	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	615		Basement	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	12A	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	107		Basement	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	12B	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	168		Basement	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	131	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	114		First Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	133	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	958		First Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	133A	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	147		First Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	133B	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	199		First Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	203	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	1357		Second Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	204	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	111		Second Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	204A	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	172		Second Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	205	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	124		Second Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	205A	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	169		Second Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	208	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	93		Second Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	209	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	176		Second Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	210	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	1892		Second Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	213	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	950		Second Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	214	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	89		Second Floor	Yes	No	43.1383600	-79.0376670	
Town of Lewiston	215	Niagara Univ	1	1 Vincentian Drive	Niagara Univ	14109		DePaul Hall	C	216		Second Floor	Yes	No	43.1383600	-79.0376670	
								Sub-total (area):		24409							

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

** A=entire 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

Attachment D

Niagara University Conflict of Interest Policy	Effective: September, 2014
Access: Public	Position responsible for overseeing compliance: General Counsel

Policy:

Trustees, administrators, faculty, and other employees of Niagara University must perform their duties solely on the basis of a desire to promote the best interests of the University.

Conflicts of interest, defined below, are contrary to this requirement, while the unresolved appearance of a conflict of interest can erode an atmosphere conducive to promoting the best interests of the university.

Therefore, the university shall use this policy and procedure to address actual, potential, and perceived conflicts of interest.

All known violations, disputes and other issues arising out of the application of this policy to employees shall be referred to the General Counsel for appropriate action, including internal investigation, or referral to retained counsel, as needed to preserve the integrity of the process.

Matters under this policy concerning Trustees shall be reported to the Chairman of the Board of Trustees for appropriate action. Any violation may also be reported via the University's Whistleblower Policy.

Person	Action
Trustee	<p>Shall disclose all actual and potential conflicts of interest at a committee or full board meeting prior to the start of a topic containing the conflict, or as soon as a conflict becomes apparent.</p> <p>Such disclosure shall be noted in the minutes and the Trustee shall not participate in the discussion or voting on said item.</p> <p>Shall annually complete an institutionally provided conflict of interest disclosure form.</p>

	<p>Shall promptly (within 30 days) update the university's General Counsel as to any changes that affect their responses to the conflict of interest form.</p>
Audit Committee	<p>Shall review all disclosures and an annual report on all Conflicts of Interest matters.</p>
<p>Officer Associate Officer Assistant Officer</p>	<p>Shall disclose all actual and potential conflicts of interest at a committee or full board meeting prior to the start of a topic containing the conflict, or as soon as a conflict becomes apparent. Such disclosure shall be noted in the minutes. The officer may participate in discussion of the item at the request of the committee or board chair.</p> <p>Shall disclose all actual and potential conflicts of interest prior to authorizing a hire, signing a contract, submitting an RFP/RFI, or authorizing a budget item, related to the conflict. Disclosure shall be made to their functional officer and the General Counsel.</p> <p>Shall annually complete an institutionally provided conflict of interest disclosure form.</p> <p>Shall promptly (within 30 days) update the university's General Counsel as to any changes that affect their responses to the conflict of interest form.</p>
<p>Employee with:</p> <ul style="list-style-type: none"> • Budget authority • Contract signing authority • Procurement responsibility 	<p>Shall disclose all actual and potential conflicts of interest prior to authorizing a hire, signing a contract, submitting an RFP/RFI, or authorizing a budget item, related to the conflict. Disclosure shall be made to their functional officer, those involved in the matter, and the General Counsel.</p> <p>Shall annually complete an institutionally provided conflict of interest disclosure form.</p> <p>Shall promptly (within 30 days) update the</p>

	university's General Counsel as to any changes that affect their responses to the conflict of interest form.
Employee serving as primary investigator on a sponsored research project.	Shall disclose all conflicts or potential conflicts via the Grants Management Database as set forth in the "Grants and Sponsored Research Section" below.
General Counsel	Shall maintain a log of and generate an annual report on disclosures and remedies to be reviewed annually by the Audit Committee and an external auditor.
Director of Sponsored Programs & Foundation Relations	Shall receive disclosures related to sponsored research via the Grants Management Database as set forth in the "Grants and Sponsored Research Section" below.
Provost, Academic Dean	Shall address alleged violations of this policy as set forth in the "Grants and Sponsored Research Section" below.
External Auditor	Shall annually review the Conflict of Interest disclosures maintained by the General Counsel and shall report concerns with the replies or the process to the University as part of the annual audit.

Definitions

A "conflict of interest" can occur when an individual's personal or private interests might lead an independent observer reasonably to question if the individual's professional actions or decisions are influenced by considerations of significant personal interest, financial or otherwise, rather than the best interest of the institution they serve.

"The University" shall mean all of Niagara University, subsidiary and affiliated organizations controlled by it (Niagara University Ice Complex, Inc.).

"Trustee" shall include any current Trustee and any active Trustee Emeritus serving on any committee of the Board of Trustees.

"Independent Trustee" means a trustee who: (i) is not, and has not been within the last three years, an employee of the trust or an affiliate of the trust, and does not have a relative who is, or has been within the last three years, a key employee of the trust or an affiliate of the trust; (ii) has not received, and does not have a relative who has received, in any of the last three fiscal years, more than ten thousand dollars in direct compensation from the trust or an affiliate of the trust (other than reimbursement for expenses or the payment of trustee commissions as permitted by law and the governing

instrument); and (iii) is not a current employee of or does not have a substantial financial interest in, and does not have a relative who is a current officer of or have a substantial financial interest in, any entity that has made payments to, or received payments from, the trust or an affiliate of the trust for property or services in an amount which, in any of the last three fiscal years, exceeds the lesser of twenty-five thousand dollars or two percent of such entity's consolidated gross revenues. For purposes of this subparagraph, "payment" does not include charitable contributions.

"Faculty member" shall include any person who has a faculty appointment with the University.

"Investigator" shall mean a principal investigator and any other person at the University who is responsible for the design, conduct, or reporting of research funded by any external governmental or private organization, or proposed for such funding.

"Externally sponsored activities" shall mean all sponsored activity administered through the Office of Sponsored Programs & Foundation Relations.

"Research" means a systematic investigation designed to develop or contribute to generalizable knowledge including behavioral and social-sciences research. The term encompasses basic and applied research and product development.

"Significant financial interest" shall mean any direct or indirect interest with monetary value, including but not limited to:

- salary, other payments for services (e.g., consulting fees or honoraria), royalties or other payments that, when aggregated for the individual and the individual's spouse and dependent children over the next twelve months, are expected to exceed \$10,000;
- equity interests (e.g. stocks, stock options or other ownership interests) that, when aggregated for the individual and the individual's spouse and dependent children, either exceeds \$10,000 in value (as determined through reference to public prices) or represents more than five percent (5%) ownership interest in any single entity;
- intellectual property rights (e.g., patents, copyrights and royalties from such rights).

The term "significant financial interest" does not include:

- salary, royalties, or other remuneration from the University;
- income from seminars, lectures, or teaching engagements sponsored by US Federal, state, or local entities;
- income from service on advisory committees or review panels for public or nonprofit entities.

Grants and Other External Funding

As a recipient of externally funded sponsored activities, Niagara University has an obligation to ensure that the principles of objectivity in research are upheld, the goal of such obligation being that there is no reasonable risk that the design, conduct, or reporting of research will be biased by any conflicting financial interests of an Investigator.

Investigators engaged in externally sponsored activity must, in accordance with Federal and University policy, disclose to the General Counsel and the Director of Sponsored Programs and Foundation Relations (hereinafter, "SPFR") (or designee) on disclosure forms located on the University's Grants Management Database, all significant financial interests (including those of their spouse and dependent children) that would reasonably appear to affect or be affected by the sponsored activity.

Investigators may choose to disclose any other financial or related interest that could present an actual or perceived conflict of interest. Any such disclosure should provide sufficient detail to permit an accurate and objective evaluation. Such disclosure form must be completed and submitted before the contract or grant application is submitted, and the disclosure must be reviewed to determine if further action is required before the University's expends any awarded funds or issues a purchase order or subcontracts for the acquisition of goods and services related to that project.

Such disclosure forms must be updated at least annually or more frequently, if new reportable information is obtained during the period of an award.

If the General Counsel and the SPFR Director (or designee) determines, after reviewing the disclosure form and other available information, that financial or other interests may affect the design, conduct or reporting of research activities or teaching/mentoring activities, the Director shall consult with the Dean of the relevant College, or, if none applies, to the Provost. If this review confirms a potential conflict the project may be, the dean or Provost may issue instruction to the Investigator and the SPFR Director to:

- Accept the proposed sponsored project;
- Not accept the proposed sponsored project;
- Accept the proposed sponsored project provided certain conditions or restrictions are imposed so that the conflict will be managed, reduced or eliminated.

Examples of possible conditions or restrictions are:

- monitoring of research by independent reviewers
- public disclosure of significant financial interests
- modification of the research plan
- disqualification from participation in the portion of the sponsored funded research that would be affected by the significant financial interest
- divestiture of significant financial interest
- severance of relationships that create actual or potential conflicts

For HHS funded sponsored activities, the SPFR will notify the awarding component of any conflict information as outlined by the awarding component.

All records will be maintained for a period of no less than seven (7) years. Upon written request of a sponsoring agency, disclosure documents and related records pertaining to the specific sponsored project will be made available.

Collaborators/sub-recipients/subcontractors from other institutions involved in externally-sponsored research of the University must either comply with this policy or provide a certification from their institutions that they are in compliance with Federal policies regarding disclosure of conflicts of interests and that their portion of the project is in compliance with their institutional policies.

All employees and affiliates working on sponsored projects in conjunction with Niagara University are subject to this policy and are expected to comply fully and promptly with it. Instances of deliberate breach of policy, including failure to file or knowingly filing incomplete, erroneous, or misleading disclosure forms, violation of this policy, failure to comply with prescribed monitoring procedures, will be reported to the appropriate senior officer and, in the case of primary investigators also to the Provost (or designee).

In the event of non-compliance by a Primary Investigator, the reporting party will consult with the General Counsel, who will report the possible violation to the Dean or Provost for sanctions. Regarding possible sanctions to be imposed on an investigator that may include, but are not limited to:

- Formal admonition,
- A letter from the appropriate Dean to the person's file, ineligibility for (i) grants, (ii) IRB approval, or (iii) supervision of graduate students,
- Non-renewal of appointment,
- Initiation of the procedure for terminating tenure.

The Provost (or designee) will then recommend an appropriate sanction to the President, who will make the final decision.

In addition, the University shall follow federal regulations regarding the notification of the sponsoring agency in the event an Investigator has failed to comply with this policy. The sponsor may take its own action, as it deems appropriate, including the suspension of funding for the Investigator until the matter is resolved.

Niagara University Conflict of Interest Policy and provisions pursuant to section four hundred thirty-nine of Article 21 of the New York State Economic Development Law	Date Adopted: December 17, 2014
Access: Public	Position responsible for overseeing compliance: General Counsel

Policy:

Trustees, administrators, faculty, and other employees of Niagara University must perform their duties solely on the basis of a desire to promote the best interests of the University.

Service as an official of the university shall not be used as a means for private benefit or inurement for the official, a relative thereof, or any entity in which the official, or relative thereof, has a business interest.

To that end, no official who is a vendor, or employee of a vendor of goods or services to the university, or who has a business interest in such vendor, or whose relative has a business interest in such vendor, shall vote on, or participate in the administration by the university.

Conflicts of interest, defined below, are contrary to this requirement, while the unresolved appearance of a conflict of interest can erode an atmosphere conducive to promoting the best interests of the university.

Therefore, the university shall use this policy and procedure to address actual, potential, and perceived conflicts of interest.

Upon becoming aware of all known violations, disputes and other issues arising out of the application of this policy to employees shall be referred to the President for appropriate action, including referral to the General Counsel, retained counsel, or another.

Matters under this policy concerning Trustees shall be reported to the Chairman of the Board of Trustees for appropriate action. Any violation may also be reported via the University's Whistleblower Policy.

Procedure

Person	Action
Trustee	Shall disclose all actual and potential conflicts of interest at a committee or full board meeting prior to the start of a topic containing the conflict, or as soon as a

Person	Action
	<p>conflict becomes apparent.</p> <p>Such disclosure shall be noted in the minutes and the Trustee shall not participate in the discussion or voting on said item.</p> <p>Shall annually complete an institutionally provided conflict of interest disclosure form.</p> <p>Shall promptly (within 30 days) update the university's General Counsel as to any changes that affect their responses to the conflict of interest form.</p>
<p>Officer Associate Officer Assistant Officer</p>	<p>Shall disclose all actual and potential conflicts of interest at a committee or full board meeting prior to the start of a topic containing the conflict, or as soon as a conflict becomes apparent. Such disclosure shall be noted in the minutes. The officer may participate in discussion of the item at the request of the committee or board chair.</p> <p>Shall disclose all actual and potential conflicts of interest prior to authorizing a hire, signing a contract, submitting an RFP/RFI, or authorizing a budget item, related to the conflict. Disclosure shall be made to their functional officer and the General Counsel.</p> <p>Shall annually complete an institutionally provided conflict of interest disclosure form.</p> <p>Shall promptly (within 30 days) update the university's General Counsel as to any changes that affect their responses to the conflict of interest form.</p>
<p>Official of the university (as defined below), when the conflict or potential conflict relates to the START-UP NY program</p>	<p>As soon as they become aware of the conflict or potential conflict, reports conflict or potential conflict of interest to the President, who shall ensure it is documented and handled per this</p>

Person	Action
	<p>policy, including the documented recusal from START-UP NY business when a conflict is disclosed or determined.</p>
<p>Employee with:</p> <ul style="list-style-type: none"> • Budget authority • Contract signing authority • Procurement responsibility 	<p>Shall disclose all actual and potential conflicts of interest prior to authorizing a hire, signing a contract, submitting an RFP/RFI, or authorizing a budget item, related to the conflict. Disclosure shall be made to their functional officer, those involved in the matter, and the General Counsel.</p> <p>Shall annually complete an institutionally provided conflict of interest disclosure form.</p> <p>Shall promptly (within 30 days) update the university's General Counsel as to any changes that affect their responses to the conflict of interest form.</p>
<p>Employee serving as primary investigator on a sponsored research project.</p>	<p>Shall disclose all conflicts or potential conflicts via the Grants Management Database as set forth in the "Grants and Sponsored Research Section" below.</p>
<p>General Counsel</p>	<p>Shall maintain a log of disclosures and remedies to be reviewed annual by an external auditor.</p> <p>Shall ensure reporting of conflicts of interest related to the START-UP NY program by the university's auditor to the Commissioner January 31 of each year.</p>
<p>Director of Sponsored Programs & Foundation Relations</p>	<p>Shall receive disclosures related to sponsored research via the Grants Management Database as set forth in the "Grants and Sponsored Research Section" below.</p>
<p>Provost, Academic Dean</p>	<p>Shall address alleged violations of this policy as set forth in the "Grants and Sponsored Research Section" below.</p>

Person	Action
External Auditor	<p>Shall annually review the Conflict of Interest disclosures maintained by the General Counsel and shall report concerns with the replies or the process to the University as part of the annual audit.</p> <p>Shall report conflicts regarding the START-UP NY program to the Commissioner by January 31, who shall make public such reports.</p>

Definitions

An individual has a “business interest” in an entity if the individual: a) owns or controls 10 percent or more of the stock of the entity (or 1 percent in the case of an entity the stock of which is regularly traded on an established securities exchange); or b) serves as an officer, director or partner of the entity.

A “conflict of interest” can occur when an individual's personal or private interests might lead an independent observer reasonably to question if the individual's professional actions or decisions are influenced by considerations of significant personal interest, financial or otherwise, rather than the best interest of the institution they serve.

A “Relative of an official of the university” shall mean any person living in the same household as the individual and any person who is a direct descendant of that individual’s grandparents or the spouse of such.

An “official” of the university is a trustee, nn employee of dean and above, as well as any other person with decision-making authority over the START-UP NY program.

"The University" shall mean all of Niagara University, subsidiary and affiliated organizations controlled by it (Niagara University Ice Complex, Inc.).

"Trustee" shall include any current Trustee and any active Trustee Emeritus serving on any committee of the Board of Trustees.

"Faculty member" shall include any person who has a faculty appointment with the University.

"Investigator" shall mean a principal investigator and any other person at the University who is responsible for the design, conduct, or reporting of research funded by any external governmental or private organization, or proposed for such funding.

"Externally sponsored activities" shall mean all sponsored activity administered through the Office of Sponsored Programs & Foundation Relations.

"Research" means a systematic investigation designed to develop or contribute to generalizable knowledge including behavioral and social-sciences research. The term encompasses basic and applied research and product development.

"Significant financial interest" shall mean any direct or indirect interest with monetary value, including but not limited to:

- salary, other payments for services (e.g., consulting fees or honoraria), royalties or other payments that, when aggregated for the individual and the individual's spouse and dependent children over the next twelve months, are expected to exceed \$10,000;
- equity interests (e.g. stocks, stock options or other ownership interests) that, when aggregated for the individual and the individual's spouse and dependent children, either exceeds \$10,000 in value (as determined through reference to public prices) or represents more than five percent (5%) ownership interest in any single entity;
- intellectual property rights (e.g., patents, copyrights and royalties from such rights).

The term "significant financial interest" does not include:

- salary, royalties, or other remuneration from the University;
- income from seminars, lectures, or teaching engagements sponsored by US Federal, state, or local entities;
- income from service on advisory committees or review panels for public or nonprofit entities.

Grants and Other External Funding

As a recipient of externally funded sponsored activities, Niagara University has an obligation to ensure that the principles of objectivity in research are upheld, the goal of such obligation being that there is no reasonable risk that the design, conduct, or reporting of research will be biased by any conflicting financial interests of an Investigator.

Investigators engaged in externally sponsored activity must, in accordance with Federal and University policy, disclose to the General Counsel and the Director of Sponsored Programs and Foundation Relations (hereinafter, "SPFR") (or designee) on disclosure forms located on the University's Grants Management Database, all significant financial interests (including those of their spouse and dependent children) that would reasonably appear to affect or be affected by the sponsored activity.

Investigators may choose to disclose any other financial or related interest that could present an actual or perceived conflict of interest. Any such disclosure should provide sufficient detail to permit an accurate and objective evaluation. Such disclosure form must be completed and submitted before the contract or grant application is submitted, and the disclosure must be reviewed to determine if further action is required before the University's expends any awarded funds or issues a purchase order or subcontracts for the acquisition of goods and services related to that project.

Such disclosure forms must be updated at least annually or more frequently, if new reportable information is obtained during the period of an award.

If the General Counsel and the SPFR Director (or designee) determines, after reviewing the disclosure form and other available information, that financial or other interests may affect the design, conduct or reporting of research activities or teaching/mentoring activities, the Director shall consult with the Dean of the relevant College, or, if none applies, to the Provost. If this review confirms a potential conflict the project may be, the dean or Provost may issues instruction to the Investigator and the OSPR Director to:

- Accept the proposed sponsored project;
- Not accept the proposed sponsored project;
- Accept the proposed sponsored project provided certain conditions or restrictions are imposed so that the conflict will be managed, reduced or eliminated.

Examples of possible conditions or restrictions are:

- monitoring of research by independent reviewers
- public disclosure of significant financial interests
- modification of the research plan
- disqualification from participation in the portion of the sponsored funded research that would be affected by the significant financial interest
- divestiture of significant financial interest
- severance of relationships that create actual or potential conflicts

For HHS funded sponsored activities, the OSPR will notify the awarding component of any conflict information as outlined by the awarding component.

All records will be maintained for a period of no less than seven (7) years. Upon written request of a sponsoring agency, disclosure documents and related records pertaining to the specific sponsored project will be made available.

Collaborators/sub-recipients/subcontractors from other institutions involved in externally-sponsored research of the University must either comply with this policy or provide a certification from their institutions that they are in compliance with Federal policies regarding disclosure of conflicts of interests and that their portion of the project is in compliance with their institutional policies.

All employees and affiliates working on sponsored projects in conjunction with Niagara University are subject to this policy and are expected to comply fully and promptly with it. Instances of deliberate breach of policy, including failure to file or knowingly filing incomplete, erroneous, or misleading disclosure forms, violation of this policy, failure to comply with prescribed monitoring procedures, will be reported to the appropriate senior officer and, in the case of primary investigators also to the Provost (or designee).

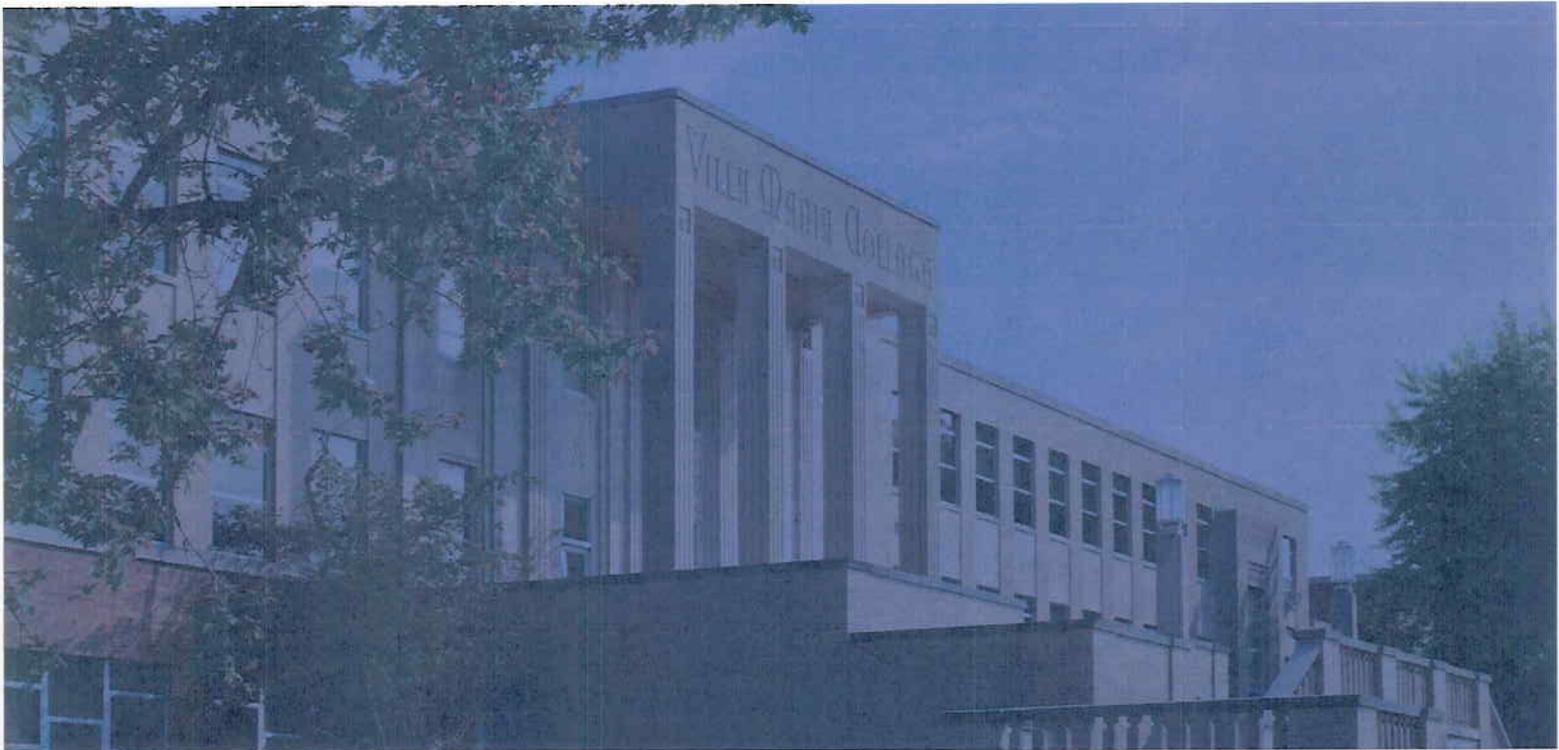
In the event of non-compliance by a Primary Investigator, the reporting party will consult with the General Counsel, who will report the possible violation to the Dean or Provost for sanctions. Regarding possible sanctions to be imposed on an investigator that may include, but are not limited to:

- Formal admonition,
- A letter from the appropriate Dean to the person's file,
- Ineligibility for (i) grants, (ii) IRB approval, or (iii) supervision of graduate students,
- Non-renewal of appointment,
- Initiation of the procedure for terminating tenure.

The Provost (or designee) will then recommend an appropriate sanction to the President, who will make the final decision.

In addition, the University shall follow Federal regulations regarding the notification of the sponsoring agency in the event an Investigator has failed to comply with this policy. The

sponsor may take its own action, as it deems appropriate, including the suspension of funding for the Investigator until the matter is resolved.



VILLA MARIA COLLEGE

START-UP NY

CAMPUS PLAN APPLICATION

November 2014

STARTUPNY





Sister Marcella Marie Garus
President
Villa Maria College
smgarus@villa.edu
716-961-1868

November 5, 2014

Empire State Development
Albany, New York

To Whom It May Concern:

I, President Sister Marcella Marie Garus, hereby certify that the attached Campus Plan for Designation of Tax-Free Area on the campus of Villa Maria College is aligned to the academic mission of the institution, and is accurate and complete.

Furthermore, the Tax-Free NY Area proposed is wholly owned by Villa Maria College and is located on the college's campus. No college departments or programs were relocated in order for the designated spaces to be available for this application.

Moreover, we look forward to partnering with businesses in the Start-Up NY initiative, while working with New York State and Empire State Development, to create exciting and new opportunities for our students and for the local surrounding community.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sister Marcella Marie Garus".

Sister Marcella Marie Garus
President



Campus Plan for Designation of Tax-Free NY Area (s)

1. Campus Name, Contact Person and Address

Campus Name: Villa Maria College

Contact Persons: Ryan Hartnett, Ph.D.
Assistant Vice President for Academic Affairs
hartnettr@villa.edu
(716)-961-1832

Mary Robinson
Director of Grants and External Affairs
robinsonm@villa.edu
716-961-1824

Address: 240 Pine Ridge Rd.
Buffalo, NY 142224

2. Identification of the Space and/or Land Being Designated

Attached Documents:

1. A PDF version of proposed tax-free area on a scaled campus map, marked to clearly indicate building containing proposed tax-free space. (Fig. A)
2. Two PDF versions of proposed tax-free area, one with satellite imagery, one without, marked to clearly indicate building containing proposed tax-free space (Fig. B; Fig. C)
3. A PDF version of proposed tax-free area floor plans within the building housing the tax-free space.
4. Excel Spreadsheet containing chart with city and geographic information

Villa Maria College is designating 2,324 square feet as a Tax-Free NY area within the boundaries of the College Campus. The Tax-Free area is located within the Student Center, built in 1960, which also currently houses a large gymnasium, pool, work-out center, and a social hall. The area being designated consists of two office-ready spaces, one that is 1891 square feet, and the other being 433 square feet. The area can be easily divided to accommodate multiple businesses. The area was



formerly used as Student Affairs office space, but hasn't been used for this purpose since 2013. Though vacant, the area having been formerly office space, is well maintained, carpeted and is wired with electrical and internet network cable. There is ample parking for prospective businesses directly adjacent to the building. The Student Center, contained within campus, rests in a quiet and safe residential neighborhood on the border of Cheektowaga and Buffalo. The parking lot is well lit and there is campus security present when the building is open. Businesses may benefit from walking traffic advertisement due to the many outside events, groups, and activities that are held year-round at the Student Center.

3. Targeted Business or Businesses and Alignment with the College Mission

Villa Maria College is a private, co-educational, Catholic college offering students a unique experience to learn and grow with a culturally diverse student population and a growing baccalaureate culture that lives its values of truth, charity, and unity. Villa Maria College is the place "where talent takes you."

With a variety of academic programs to choose from, our real strength lies in our student centered education, 12:1 student to faculty ratio, and educators who bring their real world experience into the classroom. Our faculty consists of working artists, animators, physical therapists, musicians, writers and designers, who all place a heavy emphasis on teaching students how to use their talents in real world experiences.

Villa Maria College was founded in 1960 by Mother Mary Annette Guzowski and the Felician Sisters of the Immaculate Heart of Mary Province. The College was initially a teacher-training center for sisters in the education apostolate and was established as an affiliate of the Catholic University of America. In 1961, a provisional charter was secured from the Board of Regents of the State of New York to grant Associate in Arts (A.A.) and Associate in Applied Science (A.A.S.) degrees to women religious. In 1968, the college was granted an Absolute Charter and was recognized as a co-educational institution. The college then became fully accredited with the Middle States Association of Colleges and Schools in 1972. In 1974 the first Associate in Science (A.S.) degree was added. By the year 2005, the Absolute Charter was amended to offer our first Bachelor of Fine Arts degree. In 2008 New bachelor degree programs were added in Animation, Fashion Design and Merchandising, Music and Music Industry, and our accreditation was reaffirmed by the Middle States Association of Colleges and Schools. And in 2010, Villa Maria College celebrated 50 years of providing quality education.



Our Mission:

Villa Maria College, founded by the Felician Sisters, provides students a rigorous and enriching educational experience. Offering academic programs with a broad core curriculum, the College transforms and empowers students to realize their intellectual, creative, professional, and spiritual potential. Inspired by a welcoming Catholic tradition and a dynamic Franciscan spirit, Villa Maria College offers individual attention and fosters compassion, justice, peace, respect for human dignity and a commitment to service.

Our vision is to be the premier student-centered college in Western New York, characterized by an unyielding commitment to serving the needs of individual learners, with:

- Cutting edge pedagogy guiding and empowering students through individual pathways to academic success;
- Compassionate and caring faculty members who nurture emerging talent;
- Robust student life experiences fusing academics and student life into a vibrant whole;
- Opportunities for the personal development of life skills that help students realize their full potential as human beings; and
- Prudent fiscal management and stewardship in support of a Felician Franciscan environment and student-centered atmosphere.

Villa Maria College is dedicated to establishing partnerships through the Start-UP NY program with entrepreneurial, innovative, high-tech, and high-growth potential businesses that align with our unique academic mission and vision. Villa Maria College is seeking to attract partnerships in a wide array of potential areas, with an emphasis on the following fields and types of business:

- Graphic Design
- Animation
- Web Design
- Digital Media
- Interior Design
- Recording Studios
- Music Industry
- Fashion Industry and Design
- Filmmaking Companies
- Theatre Companies
- Advertising Firms
- Public Relations and Communications



Villa Maria College is seeking businesses that stand out in terms of their commitment to the academic mission of the institution. In considering businesses for partnership, the college will favorably weigh the following:

- Opportunities for student internships, mentoring, and training
- Mission and academic program alignment
- Opportunities to hire our own graduates
- Enhancement of current academic programs and potential partnership with faculty in terms of research and curriculum
- Promotion of local and regional economic development

4. Positive Community and Economic Impact

For over 50 years, Villa Maria College has been dedicated to the generation of positive community and economic benefits. The institution is committed to strengthening the socioeconomic vitality of the surrounding neighborhoods of Cheektowaga and the East Side of Buffalo. This includes a Service Learning program that all students are required to participate in, the Sister Mary Josette Food Pantry located on campus, and numerous events and activities aimed at supporting and bolstering the local community.

Businesses sought after for partnership will participate with the college in supporting the local community in various ways, including, but not limited to the following:

- Learning opportunities both for students and the community including vocational training sessions and professional development, internships, mentoring, and offering hands-on classroom experience;
- Employment opportunities for graduates of the Villa Maria as well as members of the local community;
- Develop non-competitive partnerships with existing businesses, as well as entities such as the Bailey Ave. Business Association or the Cheektowaga Chamber of Commerce;
- Enhance the environment of Villa Maria College and surrounding neighborhoods through community service and projects aimed at sustainability and economic growth; and
- Collaborate with Villa Maria College to create a culture of community awareness, stewardship, and economic growth for the area.



5. Description of Selection Process

Any business interested in entering into an agreement with Villa Maria College as part of the START-UP NEW YORK program must adhere to all guidelines and regulations established by START-UP NEW YORK.

In addition, businesses interested in Villa Maria College's Tax-Free NY Space will adhere to the following application and selection process for approval:

Step 1

The interested business will:

- a. Complete the START-UP NY Business Application for Participation found on the START-UP NY website
- b. Develop the following attachments:
 - i. Description of the details of the space they seek
 - ii. How the business aligns with the mission of Villa Maria College
 - iii. Potential for the business to provide hands-on learning opportunities for Villa Maria College students
- c. Submit the application and documents listed above via email to:
Ryan Hartnett, Ph.D.
Assistant Vice President for Academic Affairs
hartnettr@villa.edu

Step 2

On receipt of the completed application and supporting documents, the Villa Maria College START-UP NEW YORK campus review team will:

- a) Evaluate the application and supporting documents for alignment with the Mission of Villa Maria College, potential for hands-on learning opportunities for students, and the businesses' potential for economic growth and job creation in the region.

Specifically, the following criteria will be used in the business selection process:

Academic and Research Alignment

- Is the business in an industry aligned with current and/or developing Villa Maria College research, scholarly, and creative activity?
- Does the business provide experiential learning and workforce opportunities (e.g., internships, fellowships, full-time jobs) for students and graduates?
- Does the business provide areas for partnership and advancement for faculty and students?



- Will the business provide access to research instrumentation, tools, and/or equipment necessary to advance the academic and research mission?
- Will the business fund scholarships, campus facilities or other academic services or amenities?
- Will the business and/or its employees contribute to instruction or provide student mentoring?
- Does the business offer the use of company resources, intellectual property or expertise to support the academic mission?

Economic Benefit

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

Community Benefits

- Does the business have the support of one or more municipal or community entities?
 - Is the business recruiting employees from the local workforce?
 - Does the business invest in underserved, economically distressed regions?
 - Will the business rely on suppliers within the local and regional economy?
- b) Meet with the applicant business to review and discuss: their business plan for the START-UP NEW YORK tax-free designated space on the Villa Maria College campus; the State's requirement for competitive analysis, and to address any issues and concerns on the part of either the business or the College.

Note: The Villa Maria College START-UP NEW YORK campus review team will be comprised of a representative from: the Office of Business Affairs; the Development Department; Academic Affairs; and any College department involved in any coordination with the business.

Step 3

Businesses that have successfully moved through the above review will collaborate with the Villa Maria College START-UP NEW YORK campus review team to complete the required competitive analysis to include:

- Identification of the appropriate NAICS code
- Review of businesses in the surrounding community
- Request that Empire State Development run a competitive analysis through the Department of Labor database



- Publish a notice in the local print or online newspaper for five days, allowing potential competitors to self-identify.

Step 4

If no competitor is identified, the application will be reviewed by the President's Cabinet. Members of the Cabinet include: the President, the Vice President for Business Affairs, the Vice President for Development, the Vice President for Enrollment Management and Student Services; the Vice President for Academic Affairs; Executive Assistant to the President; and Mission Leader. The members of the Cabinet will serve as the Villa Maria College Campus Selection Committee.

Step 5

Businesses approved by the Campus Selection Committee will then work with the College to finalize the required information for the Sponsoring Application to New York State.

6. Additional Attachments

1. Required Mapping (Detailed above in section 2).
2. Conflict of interest guidelines pursuant to section 439 of Article 21 of the Economic Development Plan
3. Attestation that the proposed Tax-Free NY Area has not been financed with any tax-exempt bonds.
4. President's Statement of Compliance and Application Accuracy; and Certification that the Sponsor has not relocated or eliminated any academic programs or other college facilities or programs that actively serve students, faculty, or staff.



VILLA MARIA COLLEGE
START-UP NEW YORK
CONFLICT OF INTEREST GUIDELINES

These guidelines address Villa Maria College's conflict of interest policy as it relates, specifically, to the Start-Up New York Program.

General Provisions:

A conflict of interest exists if:

- (1) an official of Villa Maria College has existing or potential business or other interests, either for their own benefit or the benefit of a relative, that impair or might reasonably appear to impair such individual's independent, unbiased judgment in the discharge of his or her responsibilities to the college;
- (2) a relative of an official of Villa Maria College, or any organization in which the official (or relative) is an officer, director, employee, member, partner, trustee, or controlling stockholder, has such existing or potential business or other interests.

Procedures:

An official shall disclose to the President of the College any possible conflict of interest on the official's part or that of any of the official's relatives at the earliest practical time. The College shall maintain a written record of all disclosures, actual or potential conflicts of interest made pursuant to this policy, and shall report such disclosures, by January 31st of each year to the Commissioner of Economic Development for the State of New York.

A person experiencing a conflict of interest shall recuse themselves from participating in any activity related to the Start-Up NY program.

Definitions:

An "official" means any employee, member of the Board of Trustees, or any other person involved in the administration of the College at the level of Vice-President or above, and any other person with decision making authority over the START-UP NY program.

For the purposes of this provision, a "relative" of an official shall mean any person living in the same household as the individual and any person who is a direct descendant of that individual's grandparents or the spouse of such descendant.

A "business interest" means that an official: (1) owns or controls ten percent or more of the stock of the entity (or one percent 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 the entity.



Michael Eadie
Vice President for Business Affairs
Villa Maria College
meadie@villa.edu
716-961-1884

November 5, 2014

Empire State Development
Albany, New York

Villa Maria College is aware that there are non-governmental use limitations on properties financed with tax exempt bonds or Build America Bonds (collectively, "Tax-Advantaged Bonds").

We attest that the proposed Tax-Free NY Area, outlined in our Campus Plan Designation, has not been financed with any tax-exempt or tax advantaged bonds.

Sincerely,

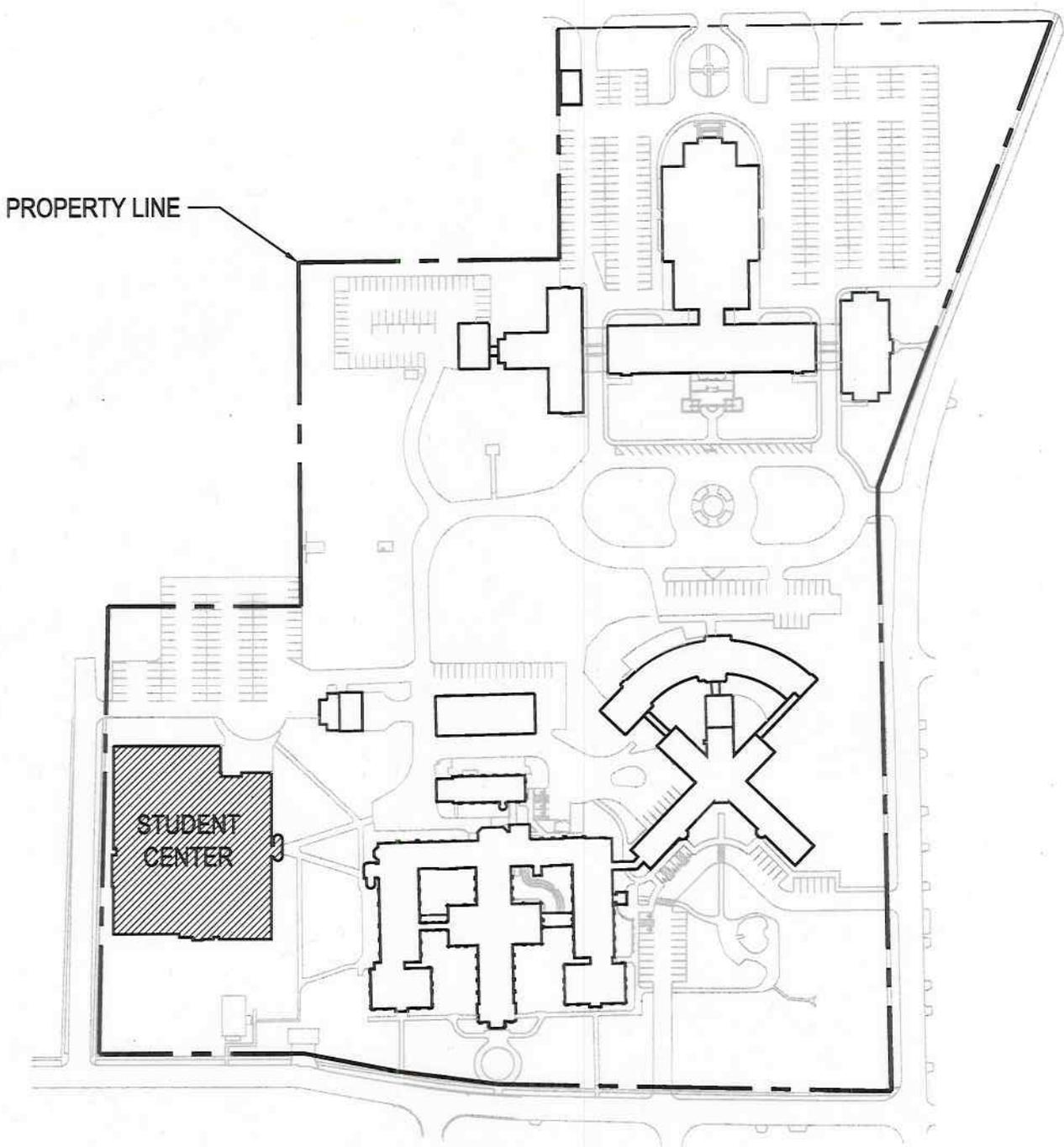
A handwritten signature in blue ink, appearing to read "Michael Eadie", is written over a light blue horizontal line.

Michael Eadie
Vice President for Business Affairs

16V

PropertyT
ype

SponsorID	Sponsor	Location	UniqueID	Incubator	Owner	StreetAddress	City	ZipCode	ParcelID	Building	SpaceType	SqFt
	Villa Maria College	Buffalo			Villa Maria College	1 240 Pine Ridge Rd.	Buffalo	14222		Student Center	C	2324



1 VILLA MARIA COLLEGE CAMPUS MAP

1" = 200'

OCTOBER 9, 2014



FIG. A



1

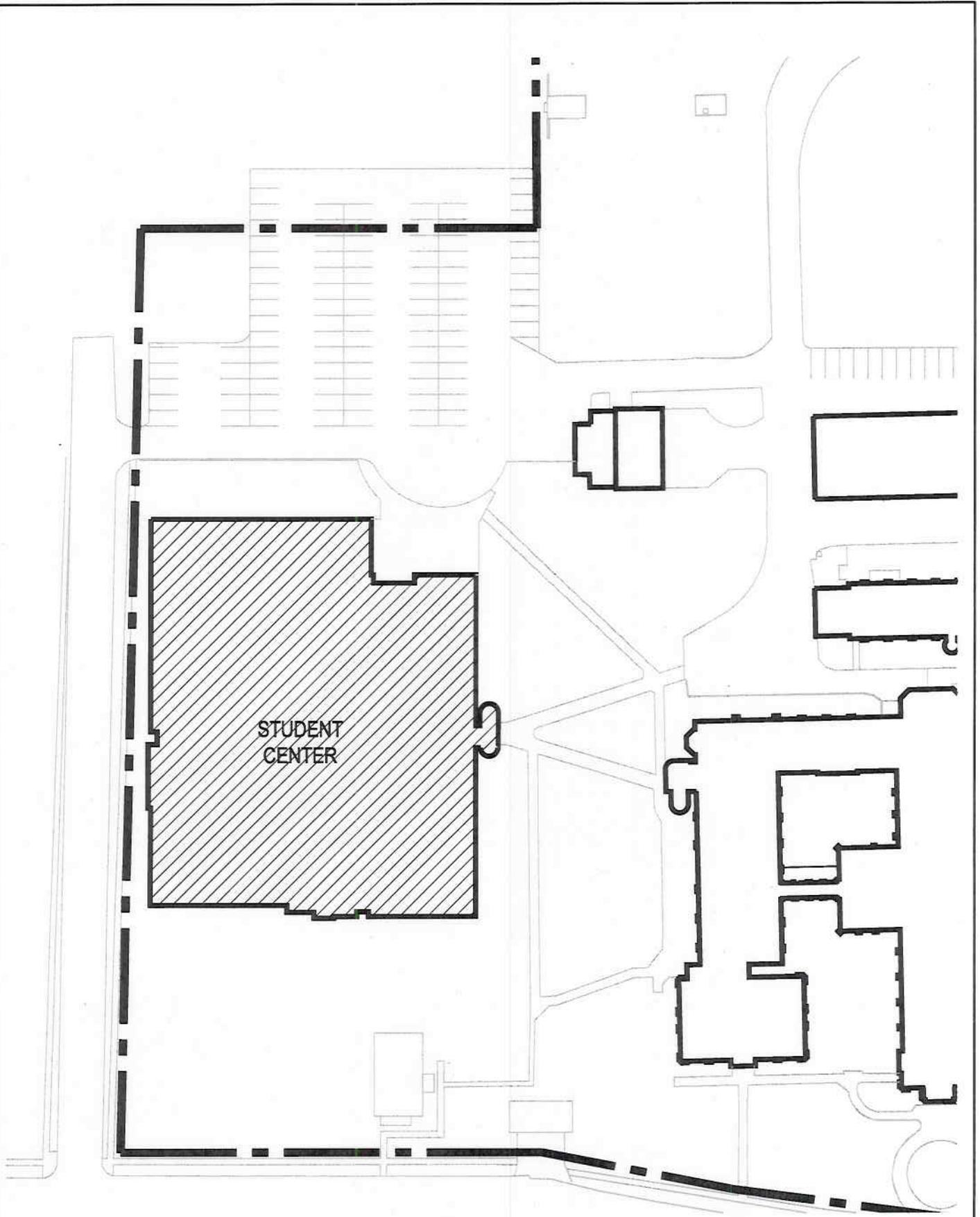
VILLA MARIA COLLEGE AERIAL CAMPUS MAP

1" = 200'

OCTOBER 9, 2014



FIG. B



1

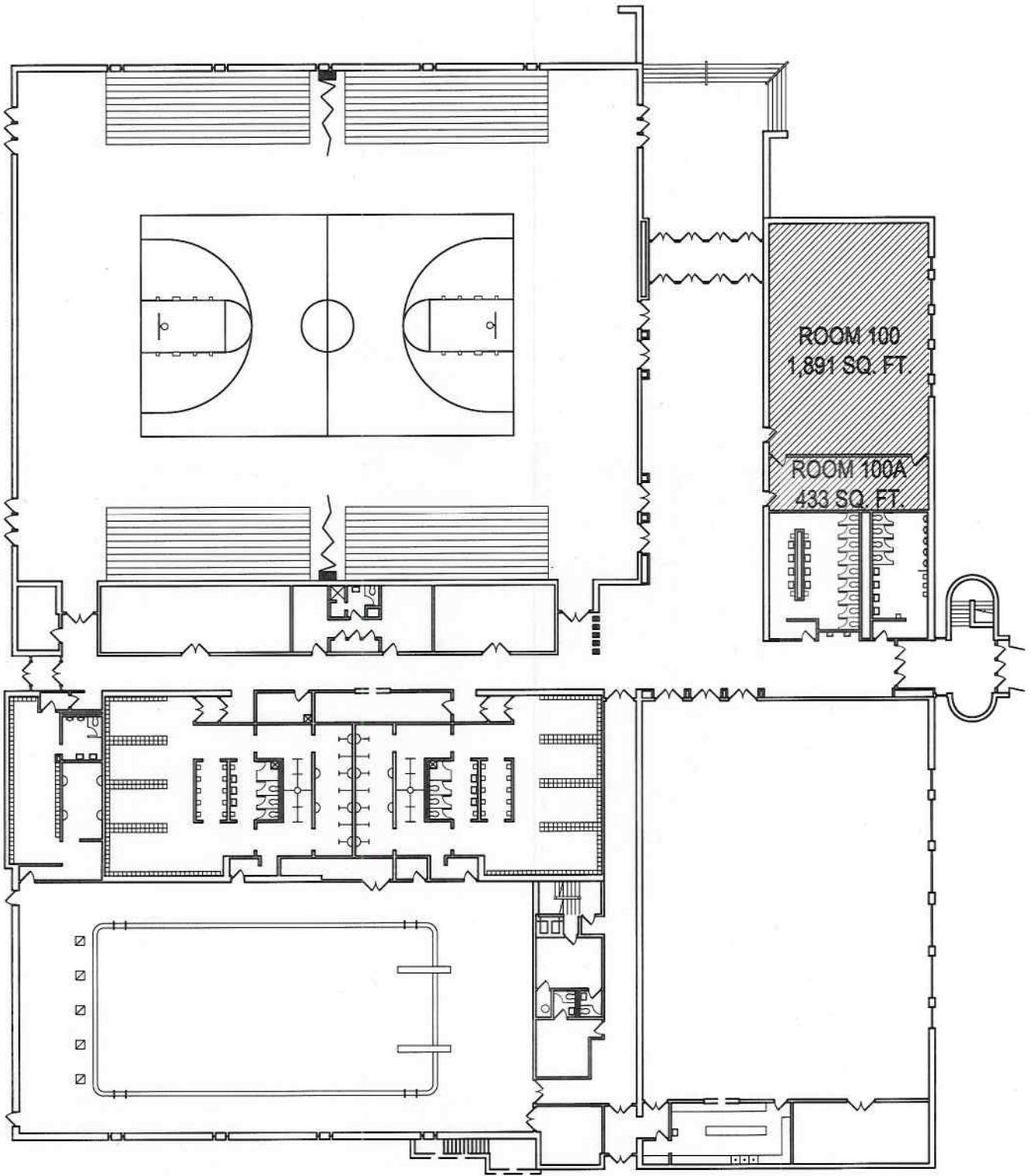
VILLA MARIA COLLEGE CAMPUS PLAN AT STUDENT CENTER

1" = 80'

OCTOBER 9, 2014



FIG. C



1

VILLA MARIA COLLEGE STUDENT CENTER PLAN

1/32" = 1'-0"

OCTOBER 9, 2014



FIG. D