



## AGENDA

**MEETING OF THE START-UP NY APPROVAL BOARD**

**WEDNESDAY, SEPTEMBER 28, 2016, 2:00 P.M.**

**STATE CAPITOL, ROOM 131  
ALBANY, NEW YORK  
AND  
633 THIRD AVENUE, 37<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK**

- I. Welcome and Introductions
- II. Appointment of the Chairman of the START-UP NY Approval Board
- III. Appointment of a Secretary to the START-UP NY Approval Board
- IV. Ratification of Minutes from START-UP NY Approval Board Meeting of 12/07/15
- V. Consideration of Hofstra University Plan
- VI. Consideration of New York Institute of Technology Plan
- VII. Consideration of Amendment to Mount Saint Mary College Plan
- VIII. Consideration of Amendment to Rochester Institute of Technology Plan
- IX. Other issues



**MEETING OF THE START-UP NY APPROVAL BOARD**

**WEDNESDAY, SEPTEMBER 28, 2016, 2:00 P.M.**

**STATE CAPITOL, ROOM 131  
ALBANY, NEW YORK  
AND  
633 THIRD AVENUE, 37<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK**

**Resolution 025**

**WHEREAS**, Article 3 of the bylaws of the START-UP NY Approval Board ("Board") provides that the Board may appoint a Chairman.

**WHEREAS**, upon the resignation of Mr. Andrew Kennedy from the Board, the position of Chairman was left vacant.

**WHEREAS**, the Board desires to appoint a Chairman to promote the efficient conduct of the business of the Board.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board does hereby appoint Mr. John Maggiore to the position of Chairman of the Board.

**Resolution 026**

**WHEREAS**, Article 3 of the bylaws of the Board provides for the office of the Secretary to the Board.

**WHEREAS**, upon the resignation of Ms. Alison Walsh from the office of Secretary to the Board, the position was left vacant.

**WHEREAS**, the Board desires to appoint a Secretary to the Board so as to ensure that the books and records of the Board are properly maintained.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board does hereby appoint Ms. Allison Argust to the position of Secretary to the Board.



#### **Resolution 027**

**WHEREAS**, Hofstra University has submitted a Plan to designate vacant 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 Hofstra University's Plan, a copy of which is attached hereto, proposing to designate 3,062 ft<sup>2</sup> of vacant space located at 123 Hofstra University in Hempstead, complies with the eligibility criteria of 5 NYCRR § 220.5 and the space described therein 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), Hofstra University's Plan to sponsor a Tax-Free NY Area, encompassing the abovementioned vacant space, of 3,062 ft<sup>2</sup>.

#### **Resolution 028**

**WHEREAS**, New York Institute of Technology has submitted a Plan to designate vacant 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 New York Institute of Technology's Plan, a copy of which is attached hereto, proposing to designate 3,772 ft<sup>2</sup> of vacant space in Building B-2 at 8000 Northern Boulevard in Old Westbury, complies with the eligibility criteria of 5 NYCRR § 220.5 and the space described therein 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), New York Institute of Technology's Plan to sponsor a Tax-Free NY Area, encompassing the abovementioned vacant space, of 3,772 ft<sup>2</sup>.

#### **Resolution 029**

**WHEREAS**, Mount Saint Mary 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 Mount Saint Mary College's amended Plan, a copy of which is attached hereto, proposing to designate 5,322 ft<sup>2</sup> of vacant space at 218 Ann Street in Newburgh, complies with the eligibility criteria of 5 NYCRR § 220.5 and the space described therein 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), Mount Saint Mary College's amended Plan to sponsor the abovementioned additional 5,322 ft<sup>2</sup> of vacant space as a Tax-Free NY Area.

### **Resolution 030**

**WHEREAS**, Rochester Institute of Technology 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 Rochester Institute of Technology's amended Plan, a copy of which is attached hereto, proposing to designate 11,000 ft<sup>2</sup> of vacant space at the Metropolitan Building, located at 195 East Main Street in Rochester, complies with the eligibility criteria of 5 NYCRR § 220.5 and the space described therein 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), Rochester Institute of Technology's amended Plan to sponsor the abovementioned additional 11,000 ft<sup>2</sup> of vacant space as a Tax-Free NY Area.



**DRAFT – SUBJECT TO REVIEW AND REVISION<sup>1</sup>**

## **START-UP NY Approval Board**

### **Meeting Minutes**

**State Capitol, Room 131, Albany**

**12:30 P.M., Monday, December 7, 2015**

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The following Board members were present: Andrew Kennedy (Chair), Governor’s Appointee, Deputy Director of State Operations for Policy; Abraham M. Lackman, Temporary President of the Senate’s Appointee, Senior Officer for Civic Affairs at the Simons Foundation; Edward M. Cupoli, Speaker of the Assembly’s Appointee, Professor Emeritus at the University at Albany and Trustee Emeritus at Cornell University.

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The meeting was called by Chairman Kennedy at 12:46pm. Chairman Kennedy proceeded to outline what the board would address. First, the board will review a plan submitted by Medaille College. It will then review an amendment submitted by Syracuse University. He then turned to the first item on the agenda: the adoption of the minutes from the Board’s previous meeting, and Chairman Kennedy asked if there was a motion to move to a vote on the minutes. Mr. Lackman so moved and Mr. Cupoli seconded the motion. The Board then proceeded to a vote, and approved the minutes 3-0.

At 12:49, the Board turned to consideration of Medaille College plan. Medaille College is proposing to designate 1,690 square feet of a vacant building on campus.

Ms. Hartle summarized Medaille’s plan as follows:

Madaille College is located in Buffalo NY centrally located between Western New York and the Southern Ontario regions. Founded in 1875 as the Sisters of Saint Joseph to train teachers, the college obtained a state charter and became Mount Saint Joseph College in 1937. In 1968, the college enlarged its mission and gained its current name.

Madaille College is proposing to designate 1,690 square feet at a vacant building on campus. The building is not utilized by the college and provides an array of office space, formal and

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<sup>1</sup> 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.



informal meeting spaces, common areas and other amenities found in most modern work spaces.

Madaille College will target businesses in the fields of marketing and communications, information systems and management, security and medical research and development.

The college will work to attract businesses that will provide opportunities for internships, employment opportunities, guest lectures and can participate in professional development events, speaker series and campus wide community service projects.

The college has already been in discussions with economic development agencies to identify businesses that can utilize the space in the building that will align with the college's academic mission.

To date, the college has had two inquiries from businesses in information systems and management and communications.

At 12:50pm, Chairman Kennedy opened the floor to questions and comments regarding Medaille College's plan amendment.

Mr. Lackman commented that the building looks like a single family home on a residential block. He noted that he was okay with approving it, as long as the building was zoned appropriately. Mrs. Hartle noted that she would verify with the college. Mr. Lackman repeated that he wanted to be sure that whatever businesses came into the space would be consistent with the zoning laws. Chairman Kennedy then noted that we were just designating the space at this point, and then pursuant to the college plan, they will bring in businesses that will have to be designated as eligible by Empire State Development. At that point, ESD will do due diligence to assure that the business fits into the plan and space in the appropriate way.

Mr. Cupoli noted that he was unable to see that the building appeared to be residential; he asked Mr. Lackman how he realized that. Mr. Lackman pointed out one picture, and Mr. Cupoli then realized that the block did appear to be residential.

Mr. Younis of Empire State Development then asked counsel to confirm that this was appropriate designation of state. Mr. Harmonick stated that designating the space has no effect on underlying property laws or zoning and prior to approving any businesses ESD will seek a letter from the college confirming the use of the business that is seeking approval will undertake that the site with local zoning laws.



At 12:53pm Chairman Kennedy closed the questioning and moved to a vote on the designation of the plan. Mr. Lackman made a motion to vote, Mr. Cupoli seconded. By a vote of 3-0, the Board voted to approve Medaille College's plan.

Chairman Kennedy then indicated that the Board would proceed to consideration of the Syracuse University's amended plan.

Ms. Patricia Hartle of Empire State Development provided a summary of Syracuse University's plan, including that:

Syracuse University has submitted an amendment to their approved campus Designation Plan pursuant to §220.9 of Title 5 of the New York Codes, Rules and Regulations.

Syracuse University is applying to designate 8,780 square feet of space at the Syracuse Technology Garden, a 16-v incubator. The Tech Garden is an affiliate of the Center State Corporation for Economic Opportunity, which is the local economic development entity. Designating the first floor of AXA Tower II of the Tech Garden will allow businesses entering the incubator to participate in the START-UP NY program as well as future incubator graduates

Syracuse University currently has 31,968 square feet of space designated both on and off campus, but the space does not include incubator space.

The university has targeted businesses for biomaterials, green building product manufacturers, data media analytics, advanced manufacturing, pharmaceutical production, and design, film computer art and transmedia. Syracuse University has received three inquiries from businesses in the areas of advanced manufacturing, software development and data media analytics. The potential for growth for at least one of potential businesses may, in fact, require additional space prompting another amendment for consideration in the future.

At 12:55, Chairman Kennedy opened the floor to questions and comments regarding Syracuse University's plan to amend their plan.

Mr. Cupoli mentioned that he is a graduate of Syracuse University and grew up there, however he is no longer affiliated with the college and is not aware of everything that is going on at the college. However, he noted that it seems like there is a tremendous package of things that Syracuse University has been doing and assumes that this amendment will continue that kind of economic development activity. Mr. Younis responded, saying that all universities submit a plan, and that plan always sets forth the types of businesses it wants to attract so down the road the businesses that utilize the designated spaces will be consistent with the University's larger plan.



Mr. Cupoli went on to say that he hopes that data will be collected and we will be able to identify the areas of growth many years down the road. He noted that the data will be very beneficial to the next growth wave as we continue to move forward. He noted that he would like the data to be collected and measured not just at the 20,000 feet level, but in industry type codes so we can say that we have clustering effects and more economic activity and wealth to help are state grow.

Chairman Kennedy noted that we are talking about doing that kind of data analysis, and Mr. Cupoli again noted that doing it will be what makes the difference in ten to fifteen years.

Chairman Kennedy, not hearing any further questions or comments brought the amended plan to a vote.

Mr. Lackman made a motion, and Mr. Cupoli seconded the motion. By a vote of 3-0, the amendment was approved.

Chairman Kennedy then noted that approximately eight applications are being reviewed by ESDC and requested we make a date for another board meeting in February or March to review the next round of applications. He then made a motion to adjourn the meeting. Mr. Lackman seconded the motion. At 1:02pm, Chairman Kennedy adjourned the meeting.

Respectfully submitted,

Alison Walsh



## **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 ft<sup>2</sup> of vacant land or space. Of this 3 million ft<sup>2</sup>, 600,000 ft<sup>2</sup> 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 ft<sup>2</sup> of vacant land or space.

In any county where the allocated 75,000 ft<sup>2</sup> is designated as a Tax-Free NY Area, an additional 75,000 ft<sup>2</sup> shall be eligible for designation by the START-UP NY Approval Board as a Tax-Free NY Area.

### **DESIGNATED LAND & SPACE: DOWNSTATE**

To date, 85,385 ft<sup>2</sup> has been designated against the 600,000 ft<sup>2</sup> limit for private universities and colleges downstate. The following indicates the land or space designated to date against the 75,000 ft<sup>2</sup> available to each of the following counties:

Bronx County: 1,700 ft<sup>2</sup>

Kings County: 12,500 ft<sup>2</sup>

New York County: 23,241 ft<sup>2</sup>

Queens County: No space designated

Richmond County: No space designated

Nassau County: 6,721 ft<sup>2</sup>

Suffolk County: No space designated

Westchester County: 41,223 ft<sup>2</sup>

### **DESIGNATED LAND & SPACE: UPSTATE**

To date, 438,985 ft<sup>2</sup> has been designated against the 2.4 million ft<sup>2</sup> limit for private universities located upstate.

**HOFSTRA UNIVERSITY  
PROPOSED DESIGNATION PLAN  
September 2016**

Hofstra University is a private, nonprofit university. The university's main campus is located in the village of Hempstead, NY approximately seven miles east of NYC. Hofstra University has applied to designate space for the START-UP NY Program.

Hofstra University has dedicated resources to transform space in the Joan and Donald E. Axinn Library into a collaborative environment for students and high-technology businesses called the "ideaHUB". The ideaHUB will be administered by the Center for Entrepreneurship, that launched in the fall of 2015 to build a culture of entrepreneurship on campus. Hofstra will partner with businesses to offer internships, mentorships and workshop series on various topics related to entrepreneurship.

**SUMMARY OF TAX-FREE SPACE PROPOSED FOR DESIGNATION**

Hofstra University is proposing the designation of 3,062 ft<sup>2</sup> of vacant space within the Library at ideaHUB. The ideaHUB will include open and semi-private office space, conference/meeting space, event space and a "maker lab" with equipment including 3-D printers.

**TYPES OF BUSINESSES**

High technology businesses including:

- Information technology, including social/mobile/digital technologies, software companies, and big data companies
- Clean energy
- Biotechnology
- Engineering/advanced materials
- Food technology
- Digital film technologies

**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 ft<sup>2</sup> of vacant land or space in New York. Of this 3 million, 600,000 ft<sup>2</sup> 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 ft<sup>2</sup> of space.

The 3,062 ft<sup>2</sup> of space proposed for designation by Hofstra University would be applied against the 75,000 ft<sup>2</sup> that may be designated by private colleges and universities in Nassau County. To date, 6,721 ft<sup>2</sup> has been designated and applied toward the 75,000 ft<sup>2</sup> limit in Nassau County.

In any county where the allocated 75,000 ft<sup>2</sup> is designated as a Tax-Free NY Area, an additional 75,000 ft<sup>2</sup> shall be eligible for designation by the START-UP NY Approval Board as a Tax-Free NY Area.

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

**NEW YORK INSTITUTE OF TECHNOLOGY - Old Westbury Campus**  
**PROPOSED DESIGNATION PLAN**  
**September 2016**

New York Institute of Technology is a private, independent, nonprofit research university. The university has three New York campuses, one in Old Westbury, one in Central Islip and one near Columbus Circle in Manhattan. NYIT at Old Westbury has applied to designate space for the START-UP NY Program.

NYIT's School of Engineering and Computing Sciences is well positioned to integrate businesses into its campus, in particular high-tech engineering companies and technology startups through its newly founded Entrepreneurship and Technology Innovation Center (ETIC), in Old Westbury. NYIT will partner with businesses to offer internships, hands-on experience as well as enhancing employment opportunities post-graduation.

**SUMMARY OF TAX-FREE SPACE PROPOSED FOR DESIGNATION**

New York Institute of Technology is proposing the designation of 3,772 ft<sup>2</sup> of vacant space within the Entrepreneurship and Technology Innovation Center (ETIC) space located within the Engineering and Computing Science building, Harry Schure Hall in Old Westbury, NY. The ETIC is comprised of 8,000 ft<sup>2</sup> including academic working and laboratory space, conference and training rooms, auditorium and a dedicated Data Center.

**TYPES OF BUSINESSES**

High technology businesses including:

- IT & cyber security
- Bioengineering & health analytics
- Energy & green technologies
- High-tech manufacturing
- High-tech environmental sustainability enterprises

**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 ft<sup>2</sup> of vacant land or space in New York. Of this 3 million, 600,000 ft<sup>2</sup> 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 ft<sup>2</sup> of space.

The 3,772 ft<sup>2</sup> of space proposed for designation by New York Institute of Technology would be applied against the 75,000 ft<sup>2</sup> that may be designated by private colleges and universities in Nassau County. To date, 6721 ft<sup>2</sup> has been designated and applied toward the 75,000 ft<sup>2</sup> limit in Nassau County.

In any county where the allocated 75,000 ft<sup>2</sup> is designated as a Tax-Free NY Area, an additional 75,000 ft<sup>2</sup> shall be eligible for designation by the START-UP NY Approval Board as a Tax-Free NY Area.

ESD has conducted a review of New York Institute of Technology designation package and has found it to be in compliance with all statutory and regulatory requirements.

**Mount Saint Mary College**  
**Proposed AMENDED Campus Designation Plan**  
**September 2016**

Mount Saint Mary College (MSM) 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.) This is the first amendment MSM has submitted for Board consideration.

**SUMMARY OF TAX-FREE SPACE PROPOSED FOR DESIGNATION**

Mount Saint Mary is proposing to amend their campus plan to designate an additional 5,322 s/f at 218 Ann Street, Newburgh off campus. This building is ideal for beverage manufacturing and office space.

This space will allow MSM to accommodate a new cidery producing cider from NY State apples. The company is projecting approximately 16 net new jobs over the next five years.

MSM's original campus plan was approved September 25, 2014.

**TYPES OF BUSINESSES**

Educational and training products	Bio-tech
New educational delivery platforms	Green products
Health and fitness products and software	Agricultural and food production
Healthcare business intelligence and analytics products	Media products
Medical device development and testing	Applied sciences
Market Research in social, health and educational areas	Pharmaceutical manufacturing
Integration of fitness, education and life science business opportunities	
Integration of environmental sciences and business opportunities	

**STATUTORY AND REGULATORY COMPLIANCE**

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

The 5,322 ft<sup>2</sup> of space being proposed in this amendment will increase the total amount of square footage against the 2.4 million ft<sup>2</sup> limit for private universities located upstate. To date, 449,985 ft<sup>2</sup>\*\* of the 2.4 million ft<sup>2</sup> available has been designated. This amendment will increase that amount to 455,307 ft<sup>2</sup>.

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

\*\* 449,985 is inclusive of RIT current amendment

**Rochester Institute of Technology**  
**Proposed AMENDED Campus Designation Plan**

**April 2016**

Rochester Institute of Technology (RIT) 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.) This is the second amendment RIT has submitted for Board consideration.

**SUMMARY OF TAX-FREE SPACE PROPOSED FOR DESIGNATION**

RIT is proposing to amend their campus plan to designate 11,000 s/f of the 11<sup>th</sup> floor at the Metropolitan building in Rochester off campus. This 26-story building is a fixture in the Rochester Skyline. Once known as the Lincoln First Tower, the Metropolitan is a short walk from RIT's Center of Urban Entrepreneurship and the planned Finger Lakes Business Accelerator Cooperative to be located in the Sibley Building.

This space will allow RIT to accommodate the growing expansion of an approved START-UP NY business, Datto, Inc, an information technology company specializing in the design of systems for on- and off-site backup, disaster recovery and business continuity solutions that enable businesses to mitigate downtime in the event of catastrophic events.

RITs original campus plan was approved March 17, 2014.

**TYPES OF BUSINESSES**

High-tech	Cyber security
Sustainability & green technology	Access technologies
Manufacturing	Aerospace
Game design & development	Imaging
Film and animation	
Software development	
Information technology	

**STATUTORY AND REGULATORY COMPLIANCE**

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

The 11,000 ft<sup>2</sup>of space being proposed in this amendment will increase the total amount of square footage against the 2.4 million ft<sup>2</sup>limit for private universities located upstate. To date, 438,985 ft<sup>2</sup> of the 2.4 million ft<sup>2</sup> available has been designated. This amendment will increase that amount to 449,985 ft<sup>2</sup>.

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



To: Howard Zemsky, President & CEO Empire State Development and  
Commissioner, NYS Department of Economic Development

From: President Stuart Rabinowitz, Hofstra University

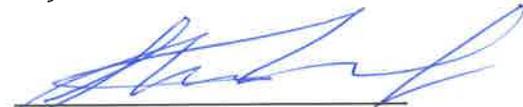
Re: Hofstra University's Campus Plan for Designation of Tax-Free Area(s)

Date: February 19, 2016

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I, President Rabinowitz of Hofstra University hereby certify the following:

- a.) we comply with the Hofstra University START-UP NY Conflict of Interest Policy and the Hofstra University Conflict and Commitment Policy, and attached copies of the polices and/or guidelines herewith; and
- b.) 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
- c.) the information contained in the enclosed application is accurate and complete.

  
\_\_\_\_\_  
PRESIDENT'S SIGNATURE

2/19/16  
DATE

**Attachments/Enclosures:**

- 1.) Campus map shaded to indicate building containing proposed tax-free space
- 2.) Floor Plans of Space with Square Footage
- 3.) Excel spreadsheet of property to be designated
- 4.) Applicable conflict of interest policies



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

Campus Name: Hofstra University  
Campus Contact Name: Mark J. Lesko  
Campus Contact Title: Executive Dean, the Center for Entrepreneurship  
Campus Contact E-mail: Mark.J.Lesko@Hofstra.edu  
Campus Contact Phone: (516) 463-7486

***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:**

**Campus Address:**

Hofstra University  
144 Hofstra University  
Hempstead, NY 11549-1440

**Address of Proposed Tax-Free NY Area:**

Joan and Donald E. Axinn Library  
Room 246, "ideaHUb"  
123 Hofstra University  
Hempstead, NY 11549-1440

**Description of Physical Characteristics of Proposed Tax-Free NY Area:**

In March 2016, Hofstra University will be opening its first business incubator in a central location on Hofstra's campus. Hofstra has dedicated significant resources to transform a meeting space in the Joan and Donald E. Axinn Library into a collaborative environment for students and high-technology businesses called the "ideaHUb." The ideaHUb will be administered by the Center for Entrepreneurship, which was launched in the fall of 2015 to build a culture of entrepreneurship on campus, provide experiential learning opportunities for students, expose students to entrepreneurship experts through workshops and other events, and incubate and mentor startup companies founded by members of the Hofstra community.

The ideaHUB is currently vacant will include open and semi-private office space, conference/meeting space, lounge space, event space, and a “maker lab” with equipment including 3-D printers.

The University also has several new building projects planned, which would provide additional state-of-the-art space for START-UP NY companies on campus. Hofstra will approach the START-UP NY board when those plans are finalized.

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

3,062 square feet

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

Hofstra University will target technology-based businesses to contribute to Long Island’s innovation-based economy. The sectors of these businesses may include:

- Information technology, including social/mobile/digital technologies, software companies, and big data companies.
- Clean energy.
- Biotechnology.
- Engineering/Advanced Materials.
- Food technology.
- Digital film technologies.

**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.**

Hofstra University is a private institution whose primary mission is to provide a quality education to its students in an environment that encourages, nurtures, and supports learning through the free and open exchange of ideas, for the betterment of humankind. Hofstra University is fully committed to academic freedom and to the transmission, advancement, and preservation of knowledge for its own academic community and for the community at large. Hofstra University offers undergraduate and graduate programs taught by a research-active and professionally engaged faculty. Academic excellence guides everything the University undertakes.

The mission of the Center for Entrepreneurship, which will administer the START-UP NY program, is to provide Hofstra University’s students, faculty, staff and alumni with the skills and training necessary to become accomplished entrepreneurs and to establish Hofstra University as a leader in Long Island’s entrepreneurial ecosystem.

The Center for Entrepreneurship will integrate the technology businesses participating into the START-UP NY program into its programming to both enhance the entrepreneurial offerings for students and the Hofstra community and also contribute to Long Island's economic development. The Center for Entrepreneurship is focusing on experiential learning opportunities for students in all colleges and schools at Hofstra University. The programs the Center is administering includes:

- The Hofstra CPXi Venture Tech Challenge, a business plan competition with \$100,000 in total prize money annually that helps students turn innovative ideas into a business by working through the early stages of venture creation.
- The Center for Entrepreneurship Accelerator program, which provides students and student teams with valuable mentorship and training from mentors and assists students with ideation, customer validation, development of a business model, and formation of the product pitch.
- A workshop series on various topics related to entrepreneurship.
- Working with entrepreneurship students to provide simulated startup experiences and externship experiences in the context of their undergraduate and graduate business classes.
- A Law Entrepreneurship Practicum to be launched in the fall of 2016, which will provide pro-bono legal services to student startups and also to entrepreneurs in the underserved communities of Hempstead and Uniondale, a region of Long Island with many Qualified Census Tracts as identified in the 2010 census as low income and in need of further economic development.
- An Entrepreneur-in-Residence and Mentorship program, comprised of experienced serial entrepreneurs, investors, and CEOs of companies to assist students with developing their business ideas.

There will be many opportunities for technology companies to engage with students participating in the Center for Entrepreneurship's programs, including serving as mentors to students, judging business plan competitions, and hosting workshops for students. The Center for Entrepreneurship will also encourage collaboration between the companies and the Entrepreneurs-in-Residence and mentors. The Center for Entrepreneurship is also serving as the technology transfer entity for Hofstra University and faculty interaction with real early stage businesses will also further commercialization efforts at Hofstra University.

In addition, the technology sectors identified for the START-UP NY program will complement Hofstra University's academic programs and provide opportunities for collaboration between students, faculty, and START-UP companies such as expansion of Co-op and internship programs. These academic programs include:

- **Hofstra Northwell Health School of Medicine:** In March 2008, Hofstra University and Northwell Health (formerly North Shore-LIJ Health System) entered into a formal agreement that established the School of Medicine, the first allopathic medical school in Nassau County and the first new medical

school in the New York metropolitan area in more than 35 years. On August 1, 2011, the School welcomed its inaugural class. The School of Medicine is built upon a strong partnership between the clinical and graduate medical education programs of Northwell Health, and the robust research and academic programs of Hofstra University and the Feinstein Institute for Medical Research. The School also opened the doors to its expansion building in 2015, which increased the size of the main education site. The first class of the Medical School graduated in May 2015 and there were 6,000 applicants for 100 spots in the class that started in September 2015.

- **School of Engineering and Applied Science (SEAS):** In 2012, Hofstra created an independent school for the disciplines of engineering and computer science. The School of Engineering and Applied Science has seen enrollment increase from 325 students in 2012 to over 650 students in 2015. The SEAS Co-op Program provides the opportunity for employment of engineering and computer science students in a company for eight months, in a full time, paid position, in a field related to the students' major. During their junior year, students take a semester off from their academics and couple it with a summer to acquire real world experience. In addition, Hofstra University has invested \$9 million and received \$3 million in State grants to update high-tech laboratories at the School of Engineering and Applied Sciences, which includes eleven laboratories. Entrepreneurship is an integral focus of the programs at SEAS and students are able to create prototypes and experiment with projects at early stages in their careers.
  
- **Frank G. Zarb School of Business:** Among the course offerings in the Frank G. Zarb School of Business includes an undergraduate major and minor in Entrepreneurship, an undergraduate major and minor in Supply Chain Management, and an MBA concentration in Quality Management. The School of Business also has a Hofstra Business Consulting Group (HBGG). Since its origins in 1988, the Hofstra Business Consulting Group (HBCG) has grown to become a powerful source of strategic consulting for growing businesses in the New York metropolitan area. HBCG consultants are M.B.A. and J.D./M.B.A. candidates with related work experience. Executives-in-Residence at the Business School are also available to provide expert advise and extensive experience in finance, management, advertising, healthcare, marketing, technology, retail, entrepreneurship, analytics, education and tax, among others.

**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:**

Hofstra University's goals for the START-UP NY program are to assist resident companies with their growth strategies, creating new job opportunities for both students and Long Islanders. Hofstra University's support services will enhance the

probability of success of the START-UP NY companies located at the ideaHUB, positively contributing to Long Island's innovation-based economy. These include:

- The Center for Entrepreneurship – The Center for Entrepreneurship was designed to serve as a new economic engine for Long Island, cultivating original, inventive thinking and systematic follow-up to fuel successful ideas-based economic development. The Center for Entrepreneurship will collaborate with the START-UP NY participants to assist them with their early stage businesses to help them grow. The alignment with the Center for Entrepreneurship will also result in increased opportunities for internships and future job opportunities for students at Hofstra University.
- The Scott Skodnek Business Development Center – The Scott Skodnek Business Development Center offers the Entrepreneurial Assistance Program (EAP), which since 1999 has helped more than 1,200 entrepreneurs launch and expand their businesses through workshops providing “nuts and bolts” skills to increase the bottom line, manage finances, complete a business plan and create new marketing strategies to operate and grow a successful business. Impacts of training and counseling related to business creation in the last 24 years include 397 businesses were started; 963 jobs were created; sales increased \$24M; \$17M was secured for financing. 25 minority and women-owned business applications were developed and approved in the past four years. The goals of this program are to:
  - Increase business ownership among minority group members and women;
  - Help minority and women-owned startups make the transition into small-growth companies;
  - Increase access to financing by minority and women-owned firms;
  - Significantly expand sales among minority and women-owned firms; and
  - Create private sector jobs.

The START-UP NY companies will have access to the programs at the Scott Skodnek Business Development Center, which will result in positive economic benefits for Long Island including job growth and stimulation of private investment.

- The Center for Innovation – The Center for Innovation, located in the School of Engineering and Applied Sciences (SEAS), is a place where education, government, and industry leaders can collaborate to address specific societal problems, develop broad new solutions, and create best practices that help re-shape U.S. industry and education through a state-of-the art prototyping facility. Millions of dollars have been invested in these facilities to modernize the laboratory equipment and enable Hofstra University to build closer ties with business,

corporations, and industry. The two major elements of the Center for Innovation are (1) No intellectual property rights will be claimed by Hofstra University or the faculty or consultants of the Center for Innovation; all intellectual property will be held by the contracting company, and (2) the overhead cost will be low, 25% (less than half of what is normal at a university), and all overhead will be used to support engineering labs and facilities. The Center engages both Hofstra faculty and consultants to provide specialized expertise. The START-UP NY companies will have access to these facilities to further research and development activities.

Hofstra University's campus is also a unique location for a START-UP NY site because it borders the Nassau County "Hub," where there are plans for business redevelopment. The Nassau Hub will be home to the Feinstein Institute's planned Center for Bioelectronic Medicine. Governor Cuomo announced \$50 million in funding for the Center for Bioelectronic Medicine in his State of the State address, which will leverage \$300 million in private investment to build the facilities necessary to pursue cutting-edge, scientific research as well as attracting top researchers and executives. Hofstra University also is adjacent to an economic revitalization effort in the Village of Hempstead that is led by Renaissance Downtowns.

The START-UP NY site will attract new technology-based, high-growth companies to the area that will contribute to the economic revitalization of Long Island.

**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 proposed Hofstra START-UP NY Selection Committee will include:

- The Provost and Senior Vice President for Academic Affairs
- The Chair of the University Senate Planning and Budget Committee
- The General Counsel and Vice President for Legal Affairs
- The Vice President for University Relations
- The Vice President for Facilities and Operations
- The Vice President for Business Development
- The Dean of the Frank G. Zarb School of Business
- The Executive Dean of the Center for Entrepreneurship
- An Entrepreneur-in-Residence with the Center for Entrepreneurship

The Center for Entrepreneurship will receive applications and organize screenings of companies to the Hofstra START-UP NY Selection Committee. A pitch presentation will be required, which must describe the company's product/technology, market, revenue model, management team, and financial and growth projections. Depending

on industry of the business, faculty or administrators with relevant expertise may be asked to join the selection committee. The President will make the final approval upon recommendation from the Selection Committee and then the company will be submitted to the START-UP NY Board.

The Center for Entrepreneurship will work with partners on Long Island to receive referrals, including local governments, the Industrial Development Agencies, the regional office of New York State Empire State Development, and economic development organizations such as the Long Island Association.

The criteria to select a business in Hofstra University's START-UP NY program will include:

#### *General Criteria*

- Is the business in a technology-based industry sector?

#### *Academic Alignment*

- Does the business align with the academic mission of Hofstra University?
- Will the business complement existing academic programs?
- Does the business align with the mission of the Center for Entrepreneurship?
- Will the business engage in the programming of the Center for Entrepreneurship, such as providing mentorship to student entrepreneurs?
- Will the business provide experiential learning opportunities, such as internships, to students and graduates?
- Will there be opportunities for faculty to get involved in the company, from a research and development perspective?

#### *Economic Benefit*

- Does the business provide a realistic roadmap for creating new jobs?
- Does the technology address an un-met market need?
- Is the technology likely to attract private investment?
- Does the business have a viable long-term growth strategy?
- Will the University receive a financial benefit from the terms of the lease?

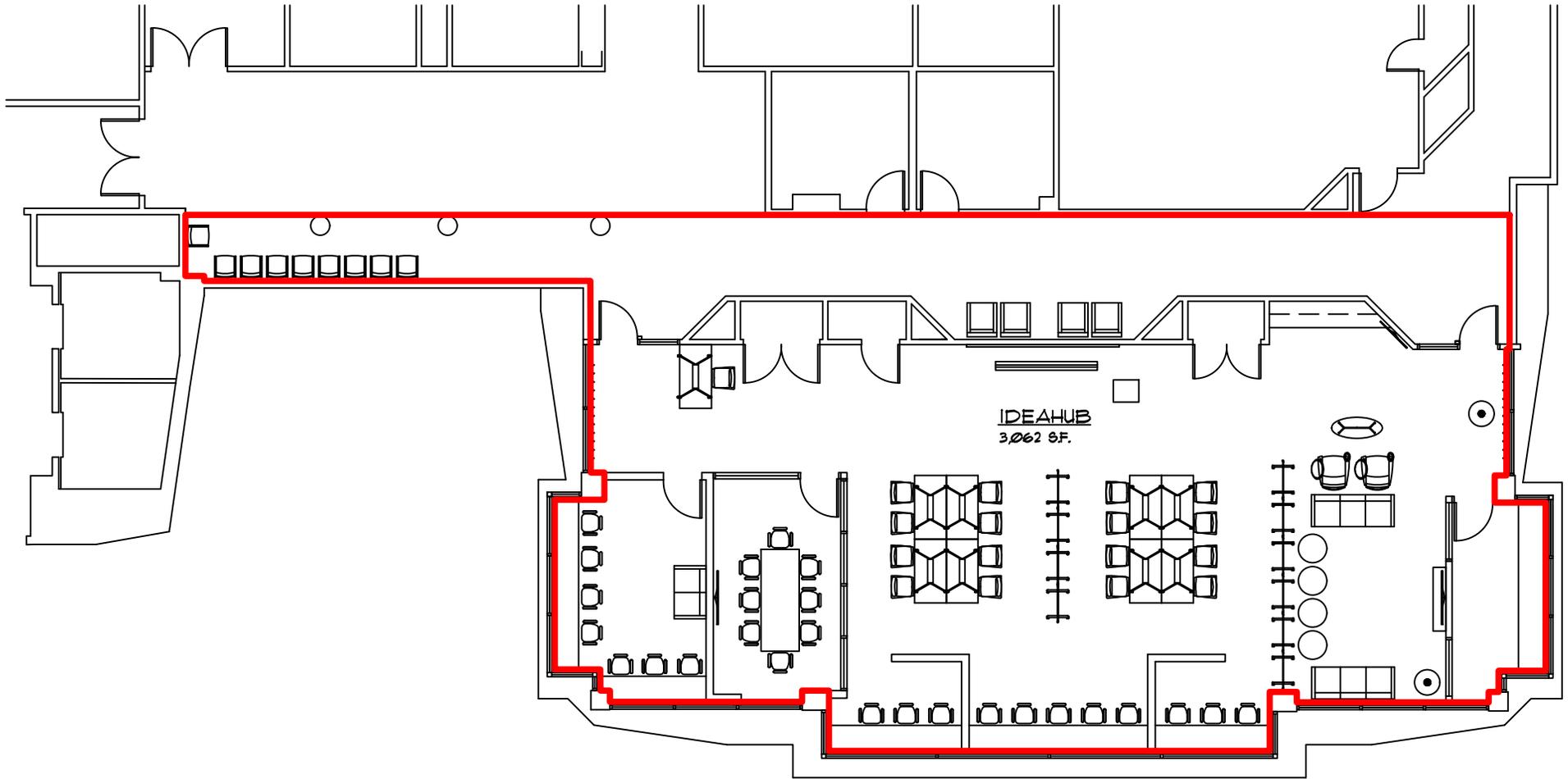
#### *Community benefit*

- Will the business recruit employees from the local workforce?
- Does business plan to target the underserved communities of Hempstead and Uniondale?
- Does the business have a plan to scale on Long Island?



C4 1 Axinn Library





IDEA HUB  
3062 S.F.

HOFSTRA UNIVERSITY  
IDEA HUB  
AXINN LIBRARY

Sponsor	Location	UniqueID	16V Incubator	Owner	PropertyType*	StreetAddress	City	ZipCode	Parcel ID	Building	SpaceType*	SqFt	Acres	Description	onCampus	Within1mileOfCampus	More than 1 mile off campus (requires waiver)	Latitude	Longitude	Note	County
Hofstra University	Hempstead, NY	1	No	Hofstra University	1	123 Hofstra University	Hempstead	11549-1440		Donald E. Axinn Library	C	3,062	N/A	In March 2016, Hofstra University will be opening its first ever business incubator in a central location on Hofstra's campus, called the "ideaHUB," which will be administered by the Center for Entrepreneurship.	Yes	N/A	No	40.7146060	-73.6009310		Nassau County

\* 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

## **Hofstra University START-UP NY Conflict of Interest Policy**

Hofstra University (the “University”) participates in New York State’s START-UP NY program, which offers tax incentives for new and expanding businesses in New York State that are associated with a sponsoring university or college. As a sponsoring university, the University must adopt a conflict of interest policy pursuant to New York Economic Development Law § 439 and 5 NYCRR § 220.20 that (1) prohibits persons from participating in any activity related to the University’s START-UP NY program that would cause those persons to experience a conflict of interest and (2) requires the reporting of all actual or potential conflicts of interests the University becomes aware of in the course of administering the University’s START-UP NY program.

This Conflict of Interest Policy applies to officials of the University, as defined below, and also applies to members of any panel or committee that recommends businesses for acceptance in the University’s START-UP NY program, including persons unaffiliated with the University who serve as members of such panel or committee. Officials of the University are also subject to the University’s Conflict of Interest and Commitment policy. The definitions in this policy are drawn largely from the New York Economic Development Law § 439 and 5 NYCRR § 220.2.0. Hofstra University employees are also subject to Hofstra University’s Conflict of Interest and Commitment Policy.

Members of the Selection Committee and University officials who have interaction with the START-UP NY program must sign this Conflict of Interest Policy annually and send them to the Center for Entrepreneurship by January 1<sup>st</sup> of each year. The Center for Entrepreneurship will forward the Conflict of Interest policies to the Provost for review, and the Provost will forward any disclosures of actual or potential conflicts of interest to the New York State Commissioner of Economic Development by January 31<sup>st</sup> of each year.

### **A. Conflict of Interest Policy**

1. As a general principle, 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.
2. 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 or college, as the case may be, of any transaction with such vendor; and
3. Upon becoming aware of an actual or potential conflict of interest, an official shall advise the University, as the case may be, of his or her or a relative's business interest in any such existing or proposed vendor with the university or college.

### **B. Definitions**

1. An official of the University has a "business interest" in an entity if the individual:

- a. Owns or controls 10% or more of the stock of the entity (or 1% 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;
2. An "official" of the University shall mean a University Trustee, an employee at the level of dean and above, as well as any other employee with decision-making authority over the START-UP NY Program.
3. "Selection Committee Member" means any person who serves on the University's START-UP NY Selection Committee that recommends businesses for acceptance into the University's START-UP NY program.
4. 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 descendant; and

#### C. Disclosing Conflicts of Interest

In addition to signing this statement annually, Selection Committee Members and University Officials who have interactions with the START-UP NY program have a duty to disclose on an ongoing basis any current, proposed, or pending situations that may constitute a Conflict of Interest related to the University's START-UP NY program, including (but not limited to) the Business Interest of an Official, Selection Committee Member, or Relative thereof, in an existing or proposed vendor of the University that is a participant in the University's START-UP NY program. Such disclosures should be made to the Executive Dean of the Center for Entrepreneurship.

If an Official, Selection Committee Member, or relative of such individual has a business interest in a business entity the University is sponsoring or considering sponsoring to participate in the START-UP NY program, or if the Official or Selection Committee Member would experience a Conflict of Interest through his or her participation in any University business pertaining to any business entity the University is sponsoring or considering sponsoring to participate in the START-UP NY program, such individual must fully recuse himself or herself from all business related to the business entity applying to or participating in the START-UP NY program.

#### D. Record Keeping and Reporting

The Center for Entrepreneurship will maintain a written record of all Conflict of Interest disclosures made under this policy, and will report such disclosures, on a calendar year basis, by January 1<sup>st</sup> of each year, to the University's President and to the University's Provost. The University's Provost will forward such reports to the New York State Commissioner of Economic Development, who will make public such reports.

## **Hofstra University START-UP NY Conflict of Interest Policy**

### **E. Oversight and Administration**

The Center for Entrepreneurship may make changes to this policy from time to time, as they deem appropriate. The Provost will oversee the implementation of, and compliance with, this policy.

**Hofstra University START-UP NY Conflict of Interest Policy**

HOFSTRA UNIVERSITY START-UP NY DISCLOSURE STATEMENT

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Job Title and Department: \_\_\_\_\_

Direct Supervisor: \_\_\_\_\_

Director: \_\_\_\_\_ Vice President: \_\_\_\_\_

1. I confirm that I have received and read and will comply with both the spirit and the letter of the Hofstra University START-UP NY Conflict of Interest Policy.
2. I confirm that as of today's date, there are no disclosures required to be made by me in accordance with the procedures set forth in the Policy, except \_\_\_\_\_ (provide details in an attached statement or indicate "none").
3. I confirm that I will avoid participating in any START-UP NY decisions in which, by any reasonable standard, it could be said that I, or a relative, have any personal, financial, or other stake in the decision or where other outside influences of any type could influence my independent judgment.
4. Where there is a question regarding any action involving me, or a relative, that could reasonably be construed as a conflict of interest under the policy, I will raise the question in advance with the Center for Entrepreneurship.

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Hofstra University START-UP NY Conflict of Interest Policy**

HOFSTRA UNIVERSITY START-UP NY DISCLOSURE STATEMENT

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Job Title and Department: \_\_\_\_\_

Direct Supervisor: \_\_\_\_\_

Director: \_\_\_\_\_ Vice President: \_\_\_\_\_

1. I confirm that I have received and read and will comply with both the spirit and the letter of the Hofstra University START-UP NY Conflict of Interest Policy.
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4. Where there is a question regarding any action involving me, or a relative, that could reasonably be construed as a conflict of interest under the policy, I will raise the question in advance with the Center for Entrepreneurship.

Signature \_\_\_\_\_

Date \_\_\_\_\_

# Conflict of Interest and Commitment | Policies



## Hofstra University Conflict of Interest and Commitment Policy

1. **Statement of Policy.** The University, including its trustees, officers and employees, have a clear obligation and commitment to conduct all affairs of the University in accordance with the highest standards of integrity and ethics, and in compliance with applicable federal and state laws and with the standards set forth below related to conflict of interest and commitment to the best interests of the University.

All employees of the University must avoid conflicts of interest or any appearance of conflicts between their own personal interests and the interests of the University. All employees are obligated to avoid any situation in which an actual or potential conflict of interest could arise. Any situation or activity involving a potential conflict of interest must be disclosed in advance in accordance with the policy and procedures set forth below.

2. **Scope of Policy.** This policy applies to all officers and employees of the University, including full and part-time employees (hereafter "Employees"), including students who are employed by the University.
3. **No Compensation Except as Employee.** No Employee or any affiliate of such Employee, as defined in paragraph (a) below, may serve as a paid consultant or enter into a paid employment or contractual relationship with the University, or otherwise provide services to the University for payment, except in his or her capacity as an Employee of the University.

1. Definition of Affiliate. An affiliate is defined to include (i) an organization of which an Employee is an officer, director, trustee, partner, Employee or agent and from which an Employee would materially benefit directly or indirectly if such organization were to provide goods or services to the University; (ii) an organization in which the Employee is either an actual or beneficial owner of more than five (5%) percent of the voting stock or controlling interest of such an organization; (iii) an organization with which the Employee has any other direct or indirect dealings from which he or she knowingly or materially benefits, e.g., through receipt directly or indirectly of cash or other property for services rendered; (iv) any spouse, parent, child, sibling or in-law of a Employee or an in-law of any such spouse, parent, child or sibling; or (v) any parent, child or sibling of an Employee's spouse or an in-law of any such parent, child or sibling.
2. An Employee must disclose in advance (see Section 6 below) any proposed business relationship between the University and the Employee or an affiliate of such Employee, such as those described in paragraph (a) above, and obtain written approval before the Employee or the Employee's affiliate is permitted to do business with the University in any capacity. In any instance in which such written approval is obtained, the Employee shall not participate on behalf of the University in any transaction involving the University.
4. Conflict of Interest in Employment and Business Practices. University Employees must not allow a personal or outside interest to interfere with their duties and responsibilities to the University. Even the appearance of a conflict of interest should be avoided. Any situation or activity which could give rise to an actual or apparent conflict of interest should be disclosed in advance in accordance with Section 6 below.

While it is not possible to provide an all-inclusive list of examples of situations giving rise to a conflict of interest or the appearance of a conflict of interest, the following is a list of situations which, unless disclosed and approved in advance, present conflicts of interest in violation of University policy:

1. Doing business with the University through an affiliate, as defined in Section 3(a) above;
2. Conducting business on behalf of the University with an affiliate, as defined in Section 3(a) above;
3. Having a private business relationship with any person or entity doing business with the University;
4. Assisting anyone seeking to do business with the University by providing confidential University information to such person or entity ;
5. Having a personal business relationship with a competitor of the University;
6. Accepting cash gifts of any amount from any person or entity doing business with the University;
7. Accepting non-cash gifts of any type, including materials, services or entertainment, at no cost or at unreasonably discounted prices, from persons or entities doing business with the University, particularly in situations in which a reasonable person would infer that the intention of such gift was to influence your decisions and actions on behalf of the University. (An occasional lunch or dinner is not prohibited by this paragraph, nor is the receipt of an occasional holiday (or other) gift or attendance at a charitable event as a guest. Acceptance of a personal gift having more than a

nominal value is prohibited by this paragraph (g));

8. Engaging in the unauthorized use or dissemination of confidential, privileged or proprietary information obtained as a result of your employment at the University, and/or using or disseminating such information for personal benefit or for the benefit of some other person or entity, absent the University's consent to such use or dissemination;
9. Soliciting personal gifts or special favors from any person or entity doing business, or seeking to do business, with the University;
10. Supervising or evaluating the work of a relative or of any person defined as an affiliate pursuant to Section 3(a) above;
11. Participating in any decision that involves either a direct benefit or detriment to a person defined as an affiliate in Section 3(a) above;
12. Conditioning any actual or potential business relationship with the University on a charitable gift or contribution to the University;
13. Involvement in any other situation or activity in which an actual or the potential for a conflict of interest exists.

The purpose of the above examples is to ensure that the Employee discloses and discusses in advance any questionable situation that may arise. The failure to disclose any questionable situation suggests that a conflict of interest exists. Accordingly, the Employee should bring to his or her Supervisor's attention any situation that may potentially create a conflict of interest or the appearance of one in accordance with Section 6 below.

5. **Commitment to University.** Every Employee owes a duty of loyalty and trust to the University and shall be alert to the possibility that outside obligations, financial interests or other employment can affect the Employee's commitment to the University. Any involvement by a University Employee in personal business ventures shall be conducted solely outside the University work environment and not during times when he or she is required or expected to perform the duties and responsibilities of his or her University employment. An Employee may not use University resources, including but not limited to office equipment, supplies or support staff in furtherance of any personal business venture.

The University is generally supportive of the professional, charitable and philanthropic outside interests of its Employees. Thus, an Employee's outside interests falling into these categories may be supported by the University in appropriate circumstances. In all instances, however, the Employee is required to obtain permission before pursuing such professional, charitable or philanthropic activities within the University work environment.

6. **Disclosure Responsibilities.** It is the responsibility of every Employee to discuss with his or her supervisor any situation or activity that might result in a conflict of interest or a violation of this policy before participating in that situation or activity. An Employee must refrain from participating in any questionable activity unless and until the Employee is expressly permitted to do so by his or her Supervisor.

Any Supervisor to whom a disclosure is made shall determine whether the questionable situation or activity presents a potential conflict of interest. Unless the Supervisor is able to determine that no such potential conflict of interest exists, the Supervisor shall require the Employee to disclose the activity in writing, and the disclosure and entire situation shall be reviewed with the appropriate Director before determining whether the Employee should be permitted to participate in the particular situation. The Director, in turn, shall not permit any Employee to participate in any questionable activity unless and until the Director has reviewed, discussed and disclosed the activity to the appropriate Vice President. The Vice President may determine that the proposed activity or situation may continue provided that the Vice President determines that sufficient safeguards exist to protect fully the University's interests. Such a determination shall be set forth in writing.

Any Director or Vice President may seek a determination from the University's General Counsel as to whether a potential conflict of interest is presented. Even if a potential conflict of interest is presented, the Vice President may determine that the activity or situation may continue because the Vice President has determined, and General Counsel agrees, that there are sufficient safeguards in place to ensure that the University's interests are fully protected.

An Employee who disagrees with a determination made pursuant to this Policy may seek review by the President, whose decision shall be final.

7. **Non-Compliance With This Policy.** Any failure to comply with this policy, including the failure to disclose possible conflicts of interest or the refusal to cease activities that are determined to be in conflict with the University's best interests, may be grounds for disciplinary action and may lead to termination.
8. **Annual Disclosure and Compliance Affirmation Statement.** Employees shall be required to file on an annual basis a Disclosure and Compliance Statement disclosing their personal interest, direct or indirect, in any University transaction during the previous year and affirming that (i) the Employee has read the University's Conflict of Interest and Commitment Policy, (ii) the Employee will avoid participating in any University decision in which the Employee or any affiliate could be said to have any personal financial or other stake in the decision or where other outside influences could influence the Employee's independent judgment. Copies of all Disclosure and Compliance Statements shall be kept as a matter of record in the Human Resources Department.
9. Any questions concerning this Policy may be addressed to the University's Office of General Counsel.

## **ADDENDUM TO CONFLICT OF INTEREST AND COMMITMENT POLICY (THE POLICY)**

In addition to the University's general rules governing conflict of interest and commitment as set forth in the Policy, there are additional, more detailed rules and standards applicable to employees who interact with vendors who provide goods or services to our students, including lenders or any other entity seeking to provide goods or services to our students. To avoid any appearance of conflict of interest, in

such situations no employee is permitted to accept any item of value, including any meal or other form of entertainment opportunity (i.e., such as tickets), or any personal gift of any nature or type.

If any gift is sent to a general University office (i.e., holiday gift baskets), the gift must be placed in a common area and made available to all. Non-food items (writing pads, pens, or other token items), must also be placed in a common area. Any other type of gift having more than nominal value must be returned to the vendor.

Employees are also prohibited from receiving any compensation or reimbursement of expenses for serving as a member of or participating on an advisory board of a lending institution or any other institution providing services to University students. An employee invited to serve on an advisory board may only do so after receiving permission of the University pursuant to this policy. Pursuant to applicable laws pertaining to financial aid, the University does not permit employees or agents of any such institution to staff its financial aid office at any time, nor allow any institution to use the University's name, emblem, mascot, logo, or any other words, pictures or symbols associated with the University, to imply endorsement of private educational loans offered by a lending institution.

**[Last revised 3/2/10]**

[Click here](#) to download the Hofstra University Employee Disclosure Statement

**Hofstra Events**



NEW YORK INSTITUTE OF TECHNOLOGY

■ Edward Guiliano, Ph.D.  
President

October 2, 2015

Leslie Whatley, Executive Vice President  
START-UP NY  
633 Third Ave., 37th floor  
New York, NY 10017

Dear Ms. Whatley:

Attached please find the START-UP NY Campus Plan and application submitted by New York Institute of Technology. We at NYIT are energized at the possibility of a favorable review by you and the Board—and by the possibilities that this economic development opportunity could bring to Long Island and New York State.

NYIT is known for its cutting-edge research in and entrepreneurial approach to technology, particularly in the fields of energy/green technologies, cybersecurity, bio-engineering, education, and medicine/health care. We've formed academic partnerships with leading universities around the world to expand on that research, and we've forged private/industry partnerships with industry leaders such as IBM, Google, Microsoft, Motorola, and others.

The outcomes of these efforts benefit our surrounding areas: in our classrooms, we prepare our students for careers of today and the future that could greatly enrich our region; in our labs, we create solutions to 21st-century challenges faced by our region and others; on our campuses, we draw local thought leaders and entrepreneurs to join us in our idea incubators. All the while, we provide a fertile ground for economic development in our local and regional communities.

On behalf of NYIT's 12,000+ students, 3,000 faculty and staff, 100,000 alumni, and our Board of Trustees, I look forward to advancing our partnership and to the possibility of partnering with New York State through the START-UP NY program. We greatly look forward to further fulfilling our role as a dedicated community partner.

Please let me know if I can provide additional information or address any concerns about our NYIT Campus Plan and applications.

Sincerely,

Edward Guiliano, Ph.D.  
President and CEO

# NYIT StartUp NY Application

## CAMPUS PLAN

1. New York Institute of Technology (NYIT), Old Westbury Campus, 8000 Northern Boulevard, Old Westbury, New York 11568.
2. NYIT StartUp NY activities will take place within the Entrepreneurship and Technology Innovation Center (ETIC) space located within the Engineering and Computing Science building, Harry Schure Hall, in Old Westbury, NY. This is identified as building B-2 on the Old Westbury campus site map. The ETIC is comprised of 8,000 sq. ft., including: a company hoteling area for 10-12 companies, Industry-Academic working and laboratory spaces, conference and training rooms, auditorium, and a dedicated Data Center. **Total currently vacant area available solely for StartUp NY is 3,772 square feet.** See campus map (Attachment 1), Excel File Property Listing (Attachment 2) and ETIC StartUp NY space (Attachment 3).
3. Business alignment with the college's academic mission.

New York Institute of Technology (NYIT) is a global, private institution of higher education with over 12,000 students on campuses in North America, China, the Middle East, and online. Since 1955, NYIT has pursued its mission to:

- Provide career-oriented professional education
- Give all qualified students access to opportunity
- Support applications-oriented research that benefits the larger world.

NYIT's vision for a global standing, is supported by [President Edward Guiliano](#), who writes: *"Today, NYIT campuses are now akin to "idea centers" around the globe where commerce, culture, intellectualism, and academics come together. These locations function as a unified - but heterogeneous - whole, offering shared experiences and educational opportunities to all students and faculty. This redefining of the global university is at the core of NYIT's mission."*<sup>1</sup>

As one of three institutions offering accredited four-year degree programs in engineering, NYIT continues to address the shortage in the engineering and technology workforce on Long Island and the region. Recent graduation data on Long Island show that NYIT is one of the principal institutions offering 32% (142/440) and 44% (227/513) of the total BS and MS engineering and computer science degrees, respectively, serving Long Island and the region since its creation in 1955.

NYIT's School of Engineering and Computing Sciences is well positioned to integrate businesses into its campus, in particular high-tech engineering companies and technology startups through its newly founded Entrepreneurship and Technology Innovation Center (ETIC), [www.nyit.edu/etic](http://www.nyit.edu/etic) in Old Westbury, whose mission is to "consolidate and expand the School's ongoing industry-academic partnerships, foster innovation and promote collaborations between industry, the academic community, professional organizations, and government." As a source for talent, entrepreneurship, and innovation in technology, engineering and applied science, the Center is structured to spur economic growth and ensure greater competitiveness for Long Island and the broader metropolitan region.

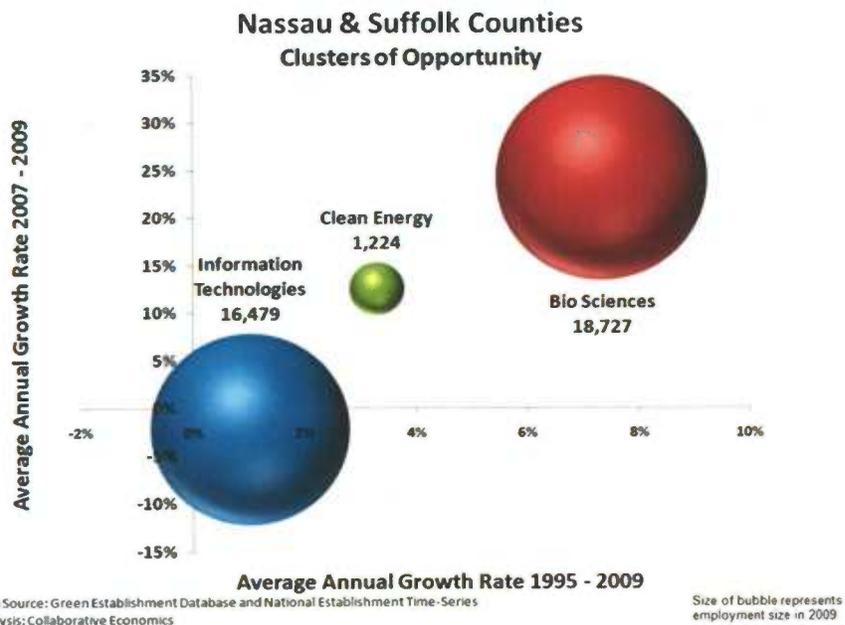
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<sup>1</sup> [http://www.nyit.edu/about\\_nyit/](http://www.nyit.edu/about_nyit/)

The ETIC, launched in March 2015, aims to support the region’s economic development by focusing on the three critical areas of IT and Cybersecurity, Bioengineering and Medical Devices, and Energy and Clean Technologies.”



These 3 strategic focus areas of the ETIC were selected based on the projected growth (see figure below) in the Bio Sciences, IT, and Clean Energy sectors on Long Island, and are a direct response to the demand for skilled engineers and computer scientists on Long Island as identified in various polls, (e.g., LIBN, 2011).



Businesses affiliated with the Center will be able to:

- Demonstrate, test, incubate and advance new ideas and technologies in a resource-rich university environment.
- Expose their products to the public at-large to generate awareness and interest for subsequent commercialization.
- Attract government and other investor support.
- Foster expertise and spawn innovation in sciences, technology and engineering by engaging with students and faculty.
- Have access to employment base of skilled students.
- Serve as role models in leadership, entrepreneurship, and venture business practices.

To further industry-academic collaborations, the currently vacant lab spaces include:

- Company Hoteling area for up to 10 companies
- Industry-Academic collaborative and laboratory spaces, for additional partnerships
- Conference and Training rooms
- A Dedicated Data Center

In addition, the Center is able to catalyze linkages across NYIT's School of Management, School of Architecture and Design, School of Health Professions, the NYIT College of Osteopathic Medicine, and the College of Arts and Sciences and its Motion Capture Laboratory and 3D Animation infrastructure, through interdisciplinary collaborations and partnerships in the project's three thrust areas, on Long Island and globally. This is possible because NYIT's seven schools and colleges are driven by NYIT's mission to conduct applied research that benefits the larger world.

The Center is also consistent with the School of Engineering and Computing Sciences' vision to create a paradigm shift in the way education is tied to economic growth. It serves to enhance existing programs, by infusing modern engineering tools and inventions in the classroom along with applications-oriented research. Two programmatic initiatives are designed to support these industry-academic linkages.

- The first is an Entrepreneurship Program - Turning Ideas into Companies, which supports students to become entrepreneurs and launch startups, to test ideas, create prototypes, develop business plans, all leading to the creation of new viable companies that can employ our graduates and Long Island workers. This initiative has been launched with initial support by the National Collegiate Inventors and Innovators Alliance (NCIIA).
- The second is an Industry-University Tech Innovation Program, which links businesses to university talent and resources, leading to applied faculty research that is relevant to the local and regional economy, and key skill sets ensuring the seamless transition of students from the classroom to the workforce.

The above programs offer all co-located businesses with much needed resources and talent in the critical areas of IT & cyber security; bioengineering & health analytics; and energy & green technologies. Companies benefit by having access to faculty and students, time and laboratories to explore new concepts, beta test and demonstrate prospective product lines, services and/or systems before bringing them to market, thus speeding the innovation process from laboratory to the commercialization.

Since its launch in March 2015, the ETIC has made great progress towards achieving the above goals. Indeed, the Center has engaged General Assembly, LaunchPad Long Island, the Long Island Capital Alliance (LICA), and Stanford University's Epicenter Pathways to Innovation – all aiming to support startups and students in moving their inventions to the market. To assist in this technology transfer process, the ETIC has opened its doors to [Launchpad Long Island to co-locate at the Center](#). [LaunchPad Long Island at NYIT](#) Old Westbury's campus is hyper-focused on young companies working in Internet applications, bioengineering and other technology fields. The Center is also holding various meetings such as its "[Pitch Night at Launchpad NYIT](#)" and together with LICA is planning its "[Entrepreneurs Educational Series](#)."

Moreover, in 2015 NYIT was one of 25 universities selected to participate in the [Epicenter's Pathways to Innovation program](#), enabling its [School of Engineering and Computing Sciences \(SoECS\)](#) to engage with other schools on fully incorporating innovation and entrepreneurship in undergraduate engineering education. Participation in the Pathways program will enable NYIT to maximize the impact of its recently established ETIC. Serving as a catalyst for innovation and entrepreneurial endeavors at the SoECS and in the New York metropolitan region, the ETIC's three critical areas of focus are IT and Cybersecurity, Energy and Clean Technologies, and Bioengineering and Medical Devices.

#### **4. Businesses generating positive community and economic benefits**

Bringing tax-free companies in high tech niche areas into the Old Westbury campus and linking them to the ETIC will result in broad benefits to various constituencies (ranging from students and faculty, to related industries, other companies, and the larger community) and the overall regional economy, through a number of ways.

First, having StartUp NY status will strengthen NYIT's programs (e.g., in the fields of engineering and computing sciences) and offer our undergraduate and graduate students opportunities for internships, hands-on experience, and the skills required to start a business venture. It is expected that the ensuing collaboration between targeted companies and NYIT students will at minimum enhance employment opportunities for them after graduation while integrating them into the economic fabric of the region. Most importantly, it will lead to an increase in the pool of qualified candidates, thus help decrease the cost of doing business on Long Island and help attract and retain key industries to the overall region.

Second, the staff from the targeted companies represents an invaluable talent pool. As such, they can assist in the training of NYIT students pursuing careers in engineering and computer science, thus addressing a regional workforce shortage for skilled workers, and ultimately preventing the flight of advanced manufacturing, defense industry and technology firms from Long Island.

Companies will also be invited to conduct training for students and the larger community, including veterans and returning adults. These training initiatives will serve to upgrade the participants' skills and

credentials through state-of-the-art technology events, short courses, workshops, and certification programs in vital areas.

In addition, NYIT expects that some of the businesses will participate in the industry-academic collaborative platform created through the ETIC. The Center is set up to operate as a job accelerator for startups and small businesses by enabling product development, beta testing / prototyping and technological innovation all leading to new jobs creation, as well as catalyzing economic investments and develop new regional markets.

Moreover, by clustering at the same location companies in critical areas of technology innovation, NYIT can leverage its network of venture capital and angel investors, to support the process of bringing prototypes to the market.

In short, the collaboration with targeted companies ensures that NYIT capitalizes on regional assets and talent to spawn innovation and economic development while educating the next generation of qualified workers to meet current demand.

## **5. NYIT business selection process**

NYIT is implementing a business selection process modeled after the STARTUP-NY recommended process for private universities. Our selection criteria are also consistent with the Strategic Regional Plan for the Long Island Economy<sup>[1]</sup> as well as the US Department of Commerce's Economic Development Administration. Businesses interested in locating in our Tax-Free Zone will be able to apply through online application forms (Attachments 4 & 5). Applicants are asked to come in for an interview with NYIT's STARTUP NY Advisory Committee. Following the initial screening and interview, the Committee will decide whether or not the company has met the selection criteria for NYIT's Startup NY Zone.

NYIT's business selection process includes:

- *Accepting Business Applications*

NYIT commits to solicit and accept business applications with the assistance of the Long Island Regional Economic Development Council (LI-REDC), the Nassau County Industrial Development Agency (IDA), as well as its School of Engineering and Computing Sciences' Industry Advisory Boards and Partners, and the Dean's Executive Advisory Board.

---

<sup>[1]</sup> A Strategic Economic Development Plan for the Long Island Region. Prepared for New York State Governor Andrew M. Cuomo and Lieutenant Governor Robert J. Duffy. By The Long Island Regional Economic Development Council Kevin S. Law and Stuart Rabinowitz, Co-Vice Chairs; November 2011.

- START-UP NY Campus Advisory Committee

NYIT's START-UP NY Advisory Committee is comprised of NYIT's senior administrative officers who will ensure that the business applications align with the university's academic mission. The committee will integrate a broad campus perspective and include the School of Engineering and Computing Sciences' Dean, Associate Deans and Department Chairs, as well as the School's Director of Strategic Partnerships. Ad-hoc members will include the Provost and VP for Academic Affairs, the Chief of Staff, and the General Counsel.

- Criteria for selection

Companies are to be selected and ranked according to three main criteria categories:

- Academic and Research Alignment: companies applying to the NYIT will be evaluated on the basis of:
  - How they align with the Entrepreneurship and Technology Innovation's three focal areas: a) IT & Cybersecurity; b) Bioengineering and Medical Devices, and c) Energy and Green Technologies. Potential collaborations with NYIT faculty and students will be a plus.
  - Opportunities offered to NYIT students and graduates, such as experiential learning, internships, projects, instruction, and/or mentoring.
  - Shared company resources, intellectual property or expertise to support NYIT's academic and applied research mission.
- Economic Benefit: applicants will be evaluated for their potential to spawn innovation and economic development and to create synergies with existing businesses, while boosting the regional economy. Applicants must demonstrate potential to create additional jobs within 48 months of admission into the Center, in particular in critical growth areas of the economy.
- Community Benefits: Priority will be given to companies willing to support the entrepreneurship ecosystem on Long Island, and recruit from Long Island as well as contribute to educating the next generation of qualified workers to meet local industry demands, and/or training a broad range of constituencies for job skills. Companies that will invest in underserved, economically distressed regions will be prioritized.

**6. NYIT Documentation**

- i. NYIT-StartUp NY Conflict of Interest Policy (Attachment 6)
- ii. Attestation that the Tax-free area has not been financed with Tax-exempt bonds or an opinion that if it has, it will not be in conflict with such bonds (Attachment 7)
- iii. NYIT has not relocated or eliminated any academic programs, any administrative programs, offices, 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 StartUp NY area.
- iv. None of the targeted space referenced in this application is located outside of the campus boundaries.
- v. Notarized statement by college administrator that the information contained in the application is accurate and complete

I, Edward Guiliano, President of New York Institute of Technology, hereby certify that the information contained in this application for designation as a STARTUPNY/Tax Free NY area to the maximum extent possible is accurate and complete.

State of New York

County of Nassau )  
JSS:

On this, the 8 day of December, 2015, before me a notary public, the undersigned officer, personally appeared Edward Guiliano, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

  
\_\_\_\_\_  
Notary Public

JORDAN THOMPSON, III  
Notary Public, State of New York  
No.: 02TH6117885  
Qualified in Suffolk County  
Commission Expires November 1, 2016

## Attachments

- 1 – NYIT Campus Map with ETIC (StartUp NY) location at Harry J. Schure Hall (Building B-2)
- 2 – Excel File Property Listing (separate submission)
- 3 – StartUp NY space within ETIC, floorplan and photos
- 4 – ETIC Company Questionnaire
- 5 – ETIC Statement of Work
- 6 – NYIT–StartUp NY Conflict of Interest Policy
- 7 – Tax-exempt Bond Attestation

## Attachment 1

NYIT Campus Map with ETIC location at Harry J. Schure Hall  
(Building B-2), next under

# NYIT Old Westbury campus

## A SECURITY / FACILITIES

- A1 Simonson House
- A2 Digital Print Center

## B ACADEMIC QUAD

- B1 Salten Hall
  - Bookstore
  - Career Services
- B2 Harry J. Schure Hall
  - Academic Computing Labs
  - Counseling + Wellness
  - Advising + Enrichment Center
  - ETIC
  - International Education
  - Sursar Financial Aid Registrar
- B3 Theobald Science Center
- B4 Anna Rubin Hall
- B5 North House (HR)

## C ADMINISTRATION

- C1 Gerry House (Admissions)
- C2 Tower House

## D WISSER LIBRARY

- D1 Wisser Library

## E ACTIVITIES / ATHLETICS

- E1 Student Activity Center
- E2 Recreation Hall
- E3 Maintenance Barn
- E4 Whitney Lane House
- E5 Balding House
- E6 Green Lodge
- E7 Sculpture Barn

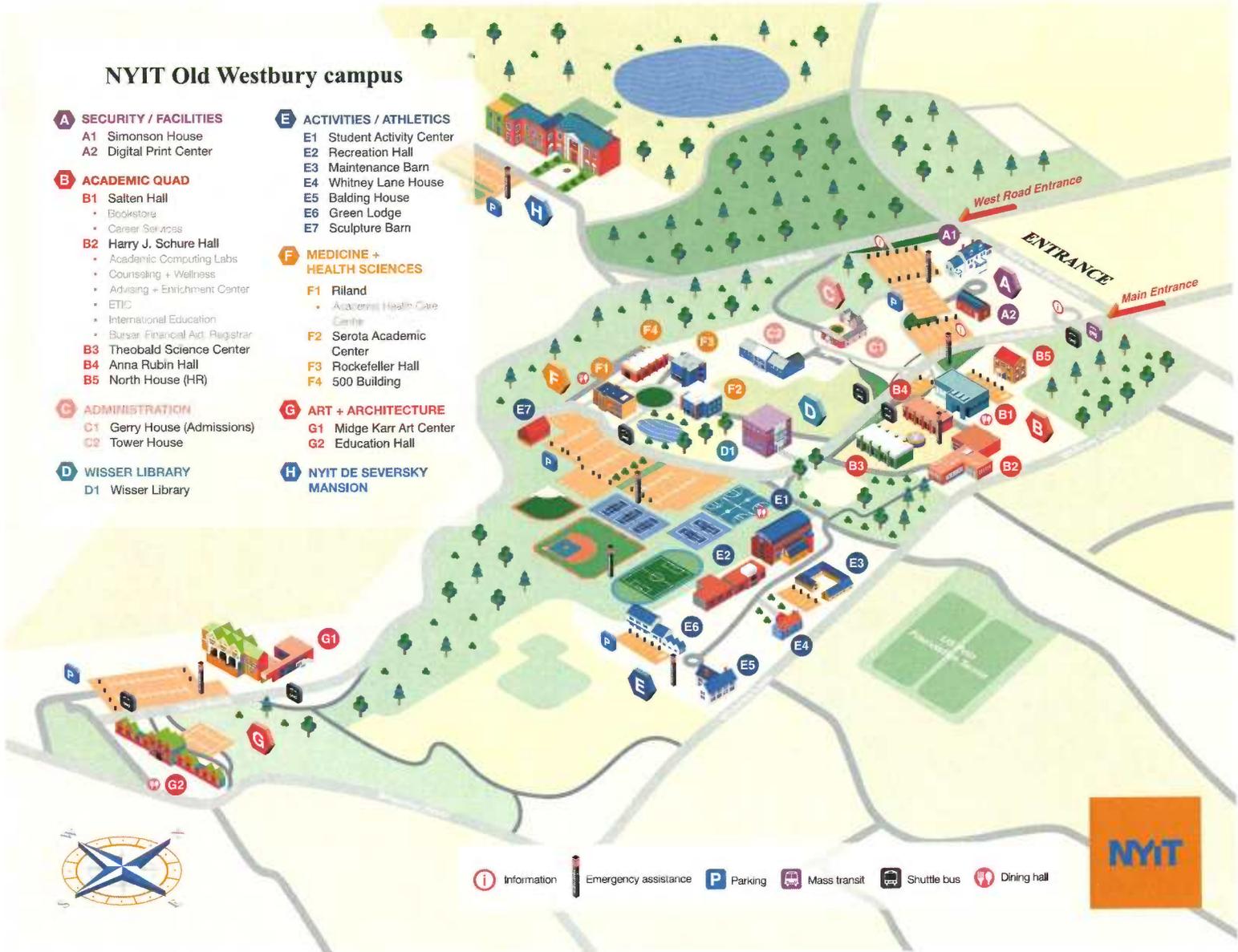
## F MEDICINE + HEALTH SCIENCES

- F1 Filand
  - Academic Health Care Center
- F2 Serota Academic Center
- F3 Rockefeller Hall
- F4 500 Building

## G ART + ARCHITECTURE

- G1 Midge Karr Art Center
- G2 Education Hall

## H NYIT DE SEVERSKY MANSION



- i Information
- Emergency assistance
- P Parking
- Mass transit
- Shuttle bus
- Dining hall



## Attachment 2

Excel File Property Listing, separate submission

## Attachment 3

StartUp NY space within ETIC, floorplan and photos, next under

**ENGINEERING REPORT**  
**For the Entrepreneurship and Technology Innovation Center (ETIC)**  
**at**  
**NYIT's School of Engineering and Computing Sciences**

**I. PROJECT COMPONENTS**

The Entrepreneurship and Technology Innovation Center (ETIC) will be located in a wing of Harry Schure Hall (HSH). This approximately 8,000 square feet space will be completely renovated to include ACM abatement, new interior with new fixtures, new HVAC tied into building's chiller plant, new electrical distribution, new lighting, new data connectivity and upgrade to the FA system as well as certain permanently fixed equipment and furnishing. A description of the specific components follows.

A. **Dedicated High Performance Data Center** consisting of server racks and cooling systems (~200 sqf) with connectivity to the Manhattan Campus. The Data Center will control all activities of the center and will provide cloud access, mobile solutions, wireless sensor networks, and software solutions in the Center's three focus areas, namely: *IT and Cybersecurity, Bio-engineering and Health Analytics, and Energy and Green Technologies*. The data center will be located in the basement of HSH, where it will be closer to the power supply, back-up generator and cooling system.

B. **Product and Project Collaborative Area** (1,100 sqf - rooms # 109, 108 & 107). Complete renovation to house a collaborative computing area to be divided between product/design project clusters, and a business incubator/company hoteling area. Visual collaboration solution systems, embedded on the walls, will help all project teams consolidate information from multiple sources, view it and manipulate it. The systems provide more flexibility and an environment for efficient collaborations between entrepreneurs, industry, faculty, students and angel investors.

B. 1. Product and Project design / research clusters will enable close partnerships with existing companies, with space to create new products or systems, conduct beta testing, develop prototypes, enabling demonstration and development of technologies and other applications.

B.2. Business incubator/ and new company hoteling area will primarily serve entrepreneurs and small businesses and help them bring their ideas from concepts to market. Entrepreneurs, including students, will be supported in several ways, including faculty advice, access to a network of angel capital investors, meeting rooms, an Entrepreneurs-in-Residence and Students Entrepreneurship programs offering entrepreneurial and training workshops and lectures, as well as regular office infrastructure and logistics, including a 3-D printer for prototyping.

This collaborative space will also provide a testbed area and enable the design, research and development of projects in:

- Information Technology
- Artificial Intelligence
- Cloud-Enabled and Crowd Source (e.g., for Disaster Detection and Needs Projection)

- Energy Efficiency Computing
- GIS and Emergency Evacuation Planning
- High Performance Network Research
- ITS for Transportation and Mobility Modeling
- Large Scale Data Mining
- Social Networking Research and Applications

C. **Cybersecurity Lab** (room # 104, ~300 sqf) will be a dedicated to cybersecurity projects. This area will enable collaborations and projects in:

- Cryptographic Algorithms for Biometric Authentication
- Cloud Computing Security
- The Efficient Integration of Compression, Encryption, and Error-Control Coding for Telemedicine
- Security Issues of Body Area Networks (BAN)

D. **Bio-engineering, Health Analytics and Medical Devices Lab** - Room # 103 (~300 sqf) will be a dedicated biomedical engineering lab and provide a testbed design area for body sensor networks for medical applications. Besides the School of Engineering and Computing Sciences faculty, professors from NYIT's School of Osteopathic Medicine and the School of Health Professions will also provide support.

This facility will include:

- Wet area with a sink, deionized water maker, compressed air, cabinetry, two circular cabinets for organic solutions, etc.
- Electronic equipment to develop bio-instrumentation and medical devices for patients with sensory/motor dysfunction profiles, and will include a soldering station.
- Testbed for body sensor networks for medical applications.
- Medical Informatics and Health Analytics area with 2-3 computer stations.
- Medical mobile solutions, including computer stations and mobile devices.

E. **Energy Research Area and Training Room** (Room # 102, 470 sq ft). This multi-purpose room will include an Energy Telemetry Laboratory for renewable energy resources and provide a testbed design area for energy and green technologies. Using telemetry systems, this lab will allow the remote (smart) monitoring and performance evaluation of, for example, small vertical wind turbines that may be used in residential, commercial and industrial applications, or solar power systems, in collaboration with the Sustainable South Bronx for example. Other equipment will include a micro-grid system, with generator protection and multifunction relays that will provide a basis for training in power engineering.

F. **Power Transmission & Control Graduate Research Room** (room # 106, 920 sq ft). This room will support graduate student research, with guidance by faculty, in power transmission and control. Such research will be leading to technology innovations and potential tech transfer activities by NYIT faculty, and graduate students in collaboration with industry.

G. **Small training /private meeting room** (room # 105; 470 sq ft). This room will include telepresence communication capabilities to enable collaborations with external industry partners as well as presentations to angel and capital investors. In addition, since the telepresence system is a coveted communication resource, it could be used by the incubator project teams for meetings and/or for internal capacity building training / lectures, by appointment.

H. **The Auditorium** will be completely renovated to serve as a conference space, training facility for professional development and to support virtual connectivity and ongoing collaborations with industry and businesses. The area will also be used for public events and outreach to potential investors. The renovated auditorium will provide improved and broader opportunities to foster integration with industry and companies across the NY metropolitan region.

The renovation will include ACM abatement, a new HVAC system, new electrical distribution system, new lighting system, new A/V system with acoustical treatment, upgrade to the FA system, new floors and stage area, and new interior furnishing, in particular theater-style fixed seating.

I. **Exhibit and Engineering & Technology Showcase Area** (Lobby/entrance). This ample area (~800 sq ft) would be the entrance to the Entrepreneurship and Technology Innovation Center. As such, it will be always open to the public (during regular hours) and will represent a significant resource for presentations to investors for various prototypes, products, and technologies to be developed at the Center. Therefore, the entrance space / lobby will be renovated to include a reception area and integrated with the new auditorium and the research areas:

i.1. A projects display area to showcase products and innovative technologies, including novel devices developed by ETIC partners including those created in collaboration with faculty and students.

i.2. An interactive display area with large monitors on the walls, to provide 4D visualization and introduce visitors to innovation research carried out at the Center. In addition, the area will have space for a multi-touch digital table and several computer stations that will be able to showcase projects during public events.

J. **Hallway** (750 sq ft) will be completely renovated to stand heavy foot traffic. The walls will be renovated to include sensor network research capabilities, which will enable research and testing of sensor activated devices (e.g. walkers for patients with Parkinson Disease; guidance systems for blind people)

## II. PROJECT SKETCH ATTACHED.

## III. FEASIBILITY ANALYSIS:

Central plant infrastructure at project location, first floor-Harry Shure Hall is aged, there are no air conditioning system serving the allocated rooms with exception of the auditorium of which the central unit is approaching 50 years of age. A new central plant for the auditorium and new AH units to tie into the building's chiller and steam plant will be needed as stated in the project components listing. New Electrical Power Distribution will be needed to include 208Y/120V-3phase-4W, NEMA 1 distribution and branch circuit panel boards throughout project space.

**IV. METHOD OF CONSTRUCTION:**

This project will be competitively bid via A/E design and CM construction.

**V. ESTIMATE USEFUL LIFE:**

The Estimated useful life of this project will be 20 – 25 Years. For the duration of the project life, the ETIC facilities will be managed, operated and maintained by the New York Institute of Technology.

**VI. PRELIMINARY CONSTRUCTION COST ESTIMATE:**

*CONSTRUCTION COST ESTIMATE ATTACHED.*

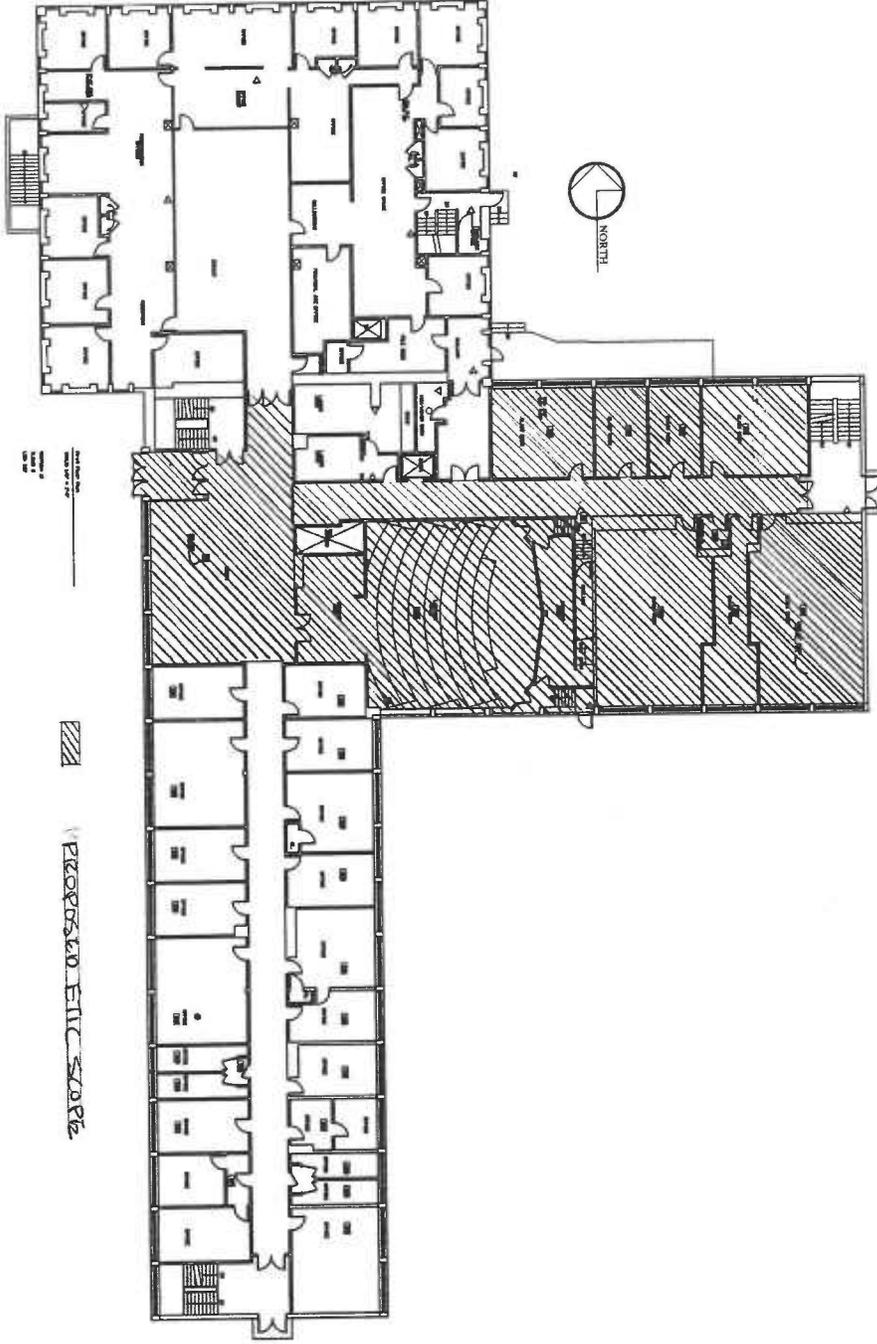
**VII. LIST OF PERMITS:**

While there no detail plans have been submitted yet, our team anticipates that the following permits and fees will be needed:

- a. Village of Old Westbury Building permit
- b. NYSDOL Asbestos Abatement Permit will be obtained prior to any demolition and disposal
- c. Fee building
- d. Village of Old Westbury fees
- e. Public Indemnity fee
- f. Reviewing of drawings fee

**VII. PROJECT DURATION:**

- (i) Program and Design – 4& 1/2 months
- (ii) Bids and Award – 1& 1/2 months
- (iii) Permit and Construction – 6 months



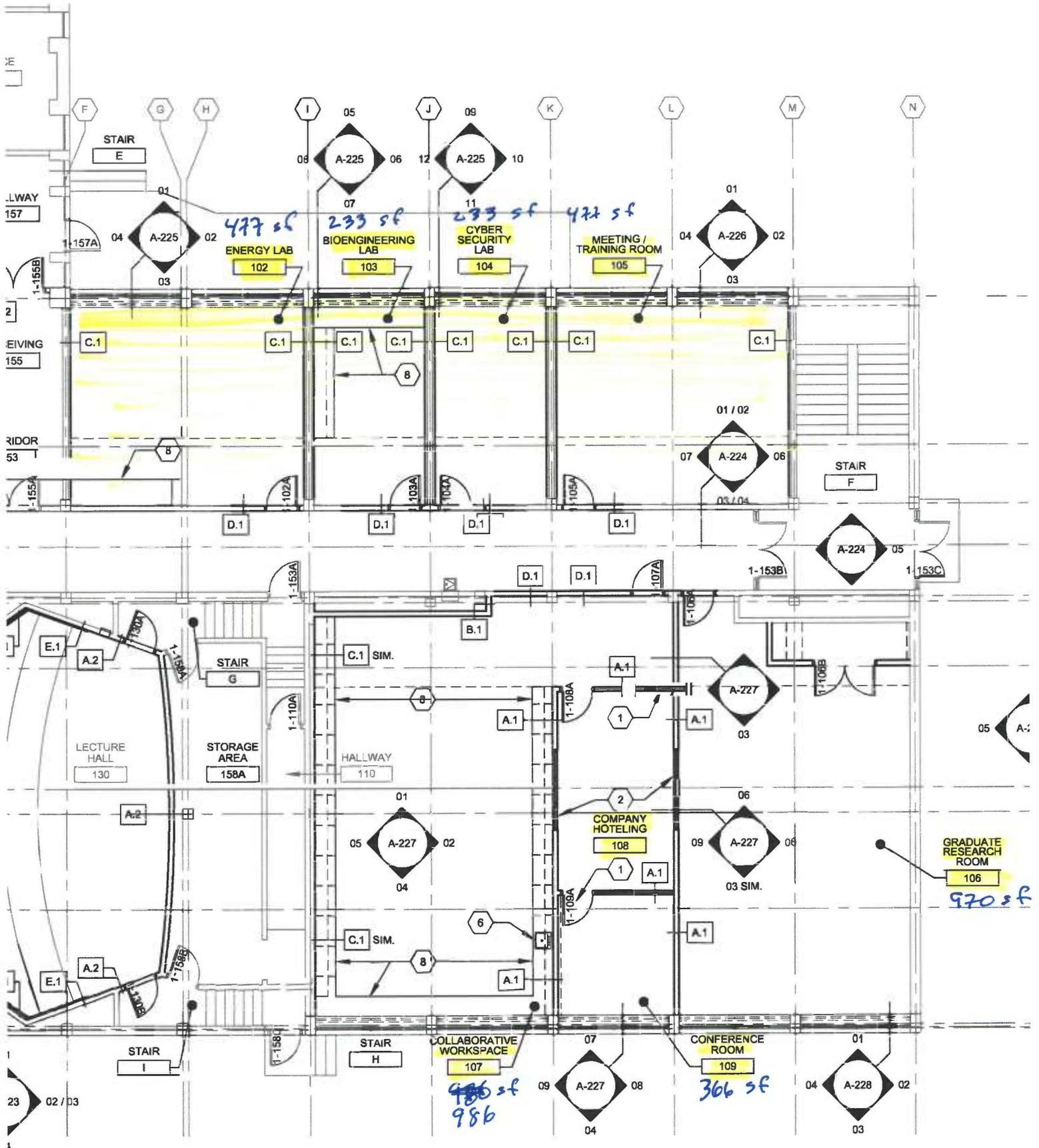
HJSH  
FIRST  
FLOOR  
PLAN

CAMPUS: OLD WESTBURY  
BUILDING: HARRY J SHURE HALL

DATE: 10/31/05  
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MIT  
NEW YORK INSTITUTE  
OF TECHNOLOGY  
 HARRY J SHURE HALL  
 225 WEST 125 ST  
 NEW YORK, NY 10012





477 sf

233 sf

233 sf

422 sf

970 sf

486 sf  
986

366 sf

157

155

53

23

STAIR E

ENERGY LAB 102

BIOENGINEERING LAB 103

CYBER SECURITY LAB 104

MEETING / TRAINING ROOM 105

LECTURE HALL 130

STAIR G

STORAGE AREA 158A

HALLWAY 110

COLLABORATIVE WORKSPACE 107

CONFERENCE ROOM 109

GRADUATE RESEARCH ROOM 106

STAIR F

STAIR I

STAIR H

01

02

03

04

05

06

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A-224

05

1-153C

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A.1

ETIC Energy Training Room/Classroom

102



ETIC Bioengineering Lab

103



ETIC Cybersecurity Lab

104



ETIC Product and Project Collaborative Area

107



ETIC



NET

ENTREPRENEURSHIP  
AND TECHNOLOGY  
INNOVATION CENTER

ETIC Business Accelerator

107A





## Attachment 4

ETIC Company Questionnaire, next under



School of  
Engineering &  
Computing Sciences

### NYIT ETIC Application

\*All fields are required. If not applicable, indicate N/A.

Company Name: \_\_\_\_\_

Current Location: \_\_\_\_\_

Founder/Applicant (First and Last): \_\_\_\_\_

Title: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell phone: \_\_\_\_\_

Referred by? \_\_\_\_\_

Category of product/innovation:

- Information & Cybersecurity
- Energy & Green Technologies
- Bio-Engineering and Medical Devices
- Other category? \_\_\_\_\_

What is the product/innovation?

\_\_\_\_\_  
\_\_\_\_\_

At what stage is the product development (concept, prototype, beta test, revenue generating)?

\_\_\_\_\_

Why does your company want to be located in the Accelerator? \_\_\_\_\_

\_\_\_\_\_

When do you wish to start activities at the ETIC? \_\_\_\_\_

Are you currently working with NYIT programs, faculty and/or students? If yes, describe. If no, identify ways in which you would like to work with NYIT (faculty and/or students). \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

What resources do you expect to use (coworking space, equipment) \_\_\_\_\_

\_\_\_\_\_

## Attachment 5

ETIC Statement of Work, next under

# STATEMENT OF WORK

**[name]**

**[short description]**

**Defined by:**

**[company name]**

**DATE: [DD MM YYYY]**



### About this SOW Template

This Statement of Work (SOW) Template has been provided by NYIT to help companies describe a project to be considered for implementation together. This is only a template and is designed as a guide that should be tailored to specific needs.

At a minimum, the SOW must include the description, objectives, staffing needs, resource requirements and project timeline.

Optional sections of this SOW template may be deleted if they are not relevant to a specific SOW. New sections may be added to meet specific needs.

## Table of Contents

<b>STATEMENT OF WORK</b> .....	<b>1</b>
<b>[name]</b> .....	<b>1</b>
<b>Defined by:</b> .....	<b>1</b>
<b>Table of Contents</b> .....	<b>2</b>
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1.2 Project Statement and Background: .....	3
1.3 Purpose and Objectives.....	3
1.4 Location(s).....	3
1.5 Tasks:.....	3
<b>2 Staffing</b> .....	<b>3</b>
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2.3 NYIT Students .....	4
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<b>3 Resources</b> .....	<b>5</b>
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NYIT - [company name]

Project: [name]

## 1 Project Description

### 1.1 Project Title

[Short title]

### 1.2 Project Statement and Background:

[Add company-specific information here about the background for the project]

### 1.3 Purpose and Objectives

The purpose of this Statement of Work (SOW) is to [short description].

Specific project objectives of this SOW are to:

1. [objective 1]
2. [objective 2]
3. [objective 3]

### 1.4 Location(s)

[Describe the location(s) where the project is expected to be developed. Typically this would be on an NYIT campus facility such as the ETIC.]

### 1.5 Tasks:

In order to meet the project requirements, the following tasks should be completed during the timeframe of this project (please see section 4 where tasks are linked to deliverables and timeline):

Task 1: [task 1]

Task 2: [task 2]

Task 3: [task 3]

Task 4: [task 4]

....

## 2 Staffing

Describe the quantity of people, experiences, qualifications and roles needed to make the project successful. Include any required education/degree levels, certifications or security clearances. Also refer to [Appendix A](#) for descriptions of project types from a student/faculty perspective.

NYIT - [company name]

Project: [name]

The general staffing requirements for this project are:

## 2.1 [company] Staff

[Describe who will fill the role of primary contact, project manager and onsite coordinator for the project]

## 2.2 NYIT Faculty

[Describe the faculty required to make the project successful – experiences, qualifications, background. Describe each of their roles.]

## 2.3 NYIT Students

[Describe the number and roles of students to make the project successful - experiences, qualifications, background. Describe each of their roles.]

[requirement 1= number of undergraduate student hours per week and qualifications/skills]  
[requirement 2 = number of graduate student hours per week and qualifications/skills]

NYIT - [company name]

Project: [name]

## 2.4 Training

[Describe any specific training requirements for staffing this project and how that training will be accomplished.]

## 3 Resources

Describe any hardware, software, lab equipment or other resources which will be needed to successfully complete the project. If specific software is required, the Provider indicates the party who will provide the software needed for this project.

Item Name	Description	Location	Provider	Est. Cost
	Short description	ETIC, Manhattan, other?	Company or NYIT	If needed to be purchased, a ballpark cost

## 4 Timeframe and Milestones

[Describe the desired timeline for the project along with any specific milestones/deliverables or events/items that define deliverable date].

Date	Description	Fixed or Desired

NYIT - [company name]

Project: [name]

## 5 Acronyms and Glossary of Terms

### 5.1 Acronyms and Definition

Acronym	Definition

### 5.2 Glossary of Terms

Glossary of Terms	Description

## **6 Appendix A – Project Types**

A business project may involve NYIT student and faculty in different forms. Each has different implications for students receiving credit or pay as well as faculty involvement.

### **6.1 Credit-bearing Capstone Senior Design project**

Students pursuing a BS in Computer Science (CS), Mechanical Engineering (ME) and Electrical and Computer Engineering (ECE) are required to take a "Capstone Design Project" course. Students in CS and ME are required to take a one-semester course, while students in ECE are required to take a two-semester course sequence. Students work in groups of 3-5 to complete a project that may be supplied by an industry partner.

### **6.2 Credit-bearing MS thesis or graduate project**

Students pursuing an MS in CS or ECE may choose to complete a two-semester course sequence leading to a Master's Thesis. Students work individually, under the guidance of a faculty member, to complete a scholarly thesis based on a combination of research and development activities.

Additionally, graduate students can take up to two semesters of project coursework. As in the undergraduate capstone courses, students work in groups of 3-5 to complete a project that may be supplied by an industry partner.

### **6.3 Research project against grant to faculty or joint grant with faculty**

Undergraduate and graduate students can participate in internally- or externally-funded research projects. Students are paid on an hourly basis with responsibilities negotiated directly with the faculty member. External funding can come from an industry partner.

### **6.4 Internships**

An internship is a short-term job related to a student's major or career goals, and provides experience in a typical workplace in a career field. It lasts at least one semester and typically requires a student to work a minimum accumulation of hours. For more information about employer responsibilities for internships, refer to [http://www.nyit.edu/experiential\\_learning/internships\\_and\\_externships/employer\\_policy](http://www.nyit.edu/experiential_learning/internships_and_externships/employer_policy)

### **6.5 Paid undergraduate or graduate level project**

Projects that don't fit prior categories above but will provide a direct level of compensation to the participating students from the business.

NYIT - [company name]

Project: [name]

## **7 Attachments**

[Attach any supporting documents that will provide information to clarify the project definition, requirements, special considerations, etc.]

### **7.1 Attachment A – [attachment title]**

### **7.2 Attachment B – [attachment title]**

## Attachment 6

NYIT Conflict of Interest Policy, next under

**New York Institute of Technology (NYIT)**  
**Conflict of Interest Policy Relating to START-UP NY Program**

**Purpose of the Policy**

NYIT has applied for participation in New York State’s START-UP NY program, which offers tax incentives for new and expanding businesses in New York State that are associated with a sponsoring university or college. As a potential sponsoring institution, NYIT must adopt a conflict of interest policy pursuant to New York Economic Development Law § 439 and 5 NYCRR § 220.20 that (1) prohibits persons from participating in any activity related to the institution’s START-UP NY program that would cause those persons to experience a conflict of interest and 2) requires the reporting of all actual or potential conflicts of interest the institution becomes aware of in the course of administering the institution’s START-UP NY program.

**Scope of this Policy**

This policy applies to:

1. “**Officials**,” defined as members of the NYIT Board of Trustees, NYIT employees at the level of Dean or above, and any other NYIT employee with decision-making authority over the NYIT START-UP NY program; and
2. “**Advisory Board Members**,” defined as any persons who serve on an advisory board for the NYIT START-UP NY program that recommends businesses for acceptance into the program.

**Definition of Conflict of Interest**

A “**Conflict of Interest**” means any circumstance in which the personal, professional, financial, or other interests of an Official or Advisory Board Member may potentially diverge from, or may be reasonably perceived as potentially or actually diverging from, his or her obligations to NYIT and the interests of NYIT in connection with NYIT’s START-UP NY program. It includes indirect conflicts, such as benefits provided to a Relative of an Official or Advisory Board Member. For purposes of this policy, “**Relative**” is defined as any person living in the same household as an Official or Advisory Board Member and any person who is a direct descendant of that Official’s or Advisory Board Member’s grandparents or the spouse of such descendant.

**Policy**

NYIT is committed to operating in an ethical manner and in compliance with applicable legal and regulatory requirements.

No Official or Advisory Board Member may participate in any aspect of the NYIT START-UP NY program that would result in that Official or Advisory Board Member experiencing a Conflict of Interest. Service as an Official or Advisory Board Member may not be used as a means for private benefit or inurement for the Official, Advisory Board Member, or Relative

thereof, or any entity in which the Official, Advisory Board Member or Relative has a Business Interest.

For purposes of this policy, “**Business Interest**” is defined as an interest in an entity where the person 1) owns or controls 10% or more of the stock of the 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 the entity.

No Official or Advisory Board Member who is a vendor, or employee of a vendor, of goods or services to NYIT, or who has a Business Interest in such vendor, or whose Relative has a Business Interest in such vendor, may vote on, or participate in, the administration by NYIT of any transaction with such vendor.

### **Procedures**

Officials and Advisory Board Members have a duty to disclose on an ongoing basis any current, proposed, or pending situations that may constitute a Conflict of Interest related to the NYIT START-UP NY program, including, but not limited to, the Business Interest of an Official, Advisory Board Member, or Relative thereof, in an existing or proposed vendor of NYIT that is a participant in the NYIT START-UP NY program.

Such disclosures should be made to the General Counsel.

If the General Counsel determines that an Official or Advisory Board Member has a Conflict of Interest related to the NYIT START-UP NY program, the General Counsel will determine next steps with respect to the Conflict of Interest. The existence and resolution of the Conflict of Interest must be documented by the General Counsel and reported to the NYIT President and Director, Internal Audit.

### **Record Keeping and Reporting**

The General Counsel will maintain a written record of all Conflicts of Interest disclosures made under this policy and will report such disclosures, on a calendar year basis, by January 31<sup>st</sup> of each year, to the President and the Director, Internal Audit. The Director, Internal Audit will forward such reports to the Commissioner of Economic Development, who will make public such reports.

## Attachment 7

### Tax-exempt Bond Attestation

STATE OF NEW YORK            )  
  ) ss:  
COUNTY OF NASSAU            )

**LEONARD AUBREY**, being duly sworn, deposes and says:

1. I am the Chief Financial Officer at New York Institute of Technology (“NYIT”).

As such, I have personal knowledge of the facts and circumstances stated herein.

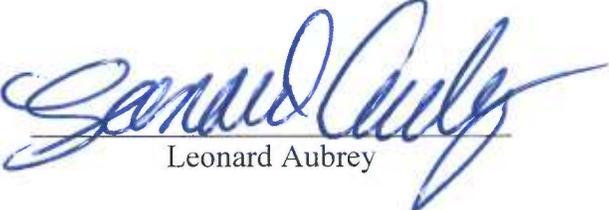
2. I submit this Affidavit in support of NYIT’s Campus Plan for Designation of Tax-Free NY areas as part of the Start UP NY program.

3. NYIT has one tax-exempt bond issue currently outstanding in Nassau County, the \$20,310,000 Nassau County Industrial Development Agency Civic Facility Revenue and Refunding Bonds (2000 New York Institute of Technology Project) (the “**2000 Bonds**”).

4. The 2000 Bond proceeds were used to (1) refund in whole \$9,300,000 Civic Facility Revenue Bonds (1999 New York Institute of Technology Project), the proceeds of which were used to finance a portion of the cost of the construction, furnishing and equipping of a civic facility (the “**1999 Facility**”) within Nassau County, New York for NYIT; and (2) finance or refinance a portion of the cost of the renovation, improvement, equipping and furnishing of a civic facility for NYIT (the “**2000 Facility**” and, together with the 1999 Facility, the “**Facility**”).

5. NYIT has designated an 3772 square foot portion in Harry Shure Hall, located on a portion of NYIT’s campus more particularly described as Section 19, Block A, Lot 390 (the “**Start UP NY Designated Area**”).

6. No portion of the Start UP NY Designated Area has been financed with tax-exempt bonds, including the 2000 Bonds.

  
Leonard Aubrey

Sworn to before me this  
30<sup>th</sup> day of November, 2015

  
Notary Public

NANCY A. ANES  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01AN6175196  
Qualified in Nassau County  
My Commission Expires October 09, 2019

Sponsor	Location	UniqueID	16V Incubator	Owner	Property Type*	StreetAddress	City	ZipCode	ParcelID	Building	SpaceType**	SqFt	Acres	Description	onCampus	Within1mileOfCampus
New York Institute of Technology	Old Westbury		no	New York Institute of Technology	1	Northern Blvd, Old Westbury	Old Westbury	11568		Harry J. Schure Hall	C	3772		first floor	Yes	no

\* 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

More than 1 mile off campus (requires waiver)	Latitude	Longitude	Note	County	
no	40.48.49.15	73.36.15.88		Nassau	



**Mount Saint Mary College**  
NEWBURGH, NEW YORK | LEADING · CARING · INNOVATING



**HUDSON VALLEY CENTER  
FOR  
INNOVATION**

innovation • invention • inspiration



**STARTUP NY APPLICATION**

**“StartUp Newburgh”**

Application September 12, 2016



# Mount Saint Mary College

330 Powell Avenue, Newburgh, New York 12550 • 845-561-0800 • Fax: 845-562-6762  
[www.msmc.edu](http://www.msmc.edu)

August 16, 2016

Mr. Kenneth Adams, Commissioner  
N.Y. S. Department of Economic Development  
633 Third Avenue  
New York City, New York 10017

Dear Commissioner Adams:

This letter serves to attest that the properties identified in Attachment A-2 of the StartUpNY Amendment Application (StartUp Newburgh) have not been financed with any tax-exempt bonds. In addition, Mount Saint Mary College has not relocated or eliminated any academic programs, administrative programs, offices, housing facilities, dining 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. In addition, as noted in attachments J1, J2, J3 and J4, this letter also attests that the college notified the City of Newburgh Mayor and Economic Development Director more than 30 days ago of our intention to pursue a StartUpNY site at the properties identified in Attachment A-2. Both the Mayor and the Economic Development Director attended the June 20, 2014 press conference where we jointly announced the plan and have also been regularly briefed on ongoing StartUpNewburgh developments.

Sincerely,

Dr. David A. Kennett  
Interim President

Attachment H & I



# Mount Saint Mary College

330 Powell Avenue, Newburgh, New York 12550 • [www.msmc.edu](http://www.msmc.edu)

August 5, 2014

Mr. Kenneth Adams, Commissioner  
N.Y.S. Department of Economic Development  
633 Third Avenue  
New York City, New York 10017

Dear Commissioner Adams:

This letter certifies that the information contained in the attached StartUpNY application submitted by Mount Saint Mary College for StartUp Newburgh, including all attachments, is complete and accurate to the best of our ability.

Sincerely,

A handwritten signature in black ink that reads "Anne Carson Daly".

Anne Carson Daly  
President

1. StartUp Newburgh will be located on property owned or leased by Mount Saint Mary College (MSMC) which has its principle address at 330 Powell Avenue, Newburgh NY 12550. The following persons are designated the main and alternate contact for the college:

Main contact: James Raimo  
Vice President for Facilities and  
Operations 330 Powell Ave.  
Newburgh, NY 12550  
James.raimo@msmc.edu  
845-569-3227

Alternate contact: Michael J. O'Keefe  
Executive Director of Operations and  
Security/Safety 330 Powell Ave.  
Newburgh, NY 12550  
Michael.okeefe@msmc.edu  
845-569-3597

John Lonczak  
Acting Director of Campus and  
Community Affairs  
330 Powell Ave. Newburgh, NY  
12550  
john.lonczak@msmc.edu  
845-569-3373

2. **Identification of the space and/or land being designated**

337 Liberty Street and 351 Liberty Street, Newburgh NY  
12550

337 Liberty Street is a two story warehouse that is partially used for college warehouse and storage space. It has public street access via a garage door and a separate pedestrian door entrance. Trucks and utility vehicles can drive into the building, and there is a loading dock at the rear of the building that provides direct access to the second floor.

351 Liberty Street is a 0.1 acre adjacent property which provides access to the rear loading dock of 337 Liberty St. The lot has its own street access, provides storage space for college vehicles and equipment, and is secured with a gated fence.

The college leases this commercial building and lot, and re-negotiated the lease in 2013 to include the second floor in addition to the previously leased first floor. The college is the sole tenant and has exclusive rights to the entire building and the adjacent secured parking lot and loading dock. The duration of the lease was also extended until June 30<sup>1</sup> 2018. We have spoken with the landlord regarding use of the

space as part of StartUpNY and he has requested that if the application is approved, the lease be re-negotiated. We will seek to extend the lease to cover a ten-year period. MSMC seeks to use 7,698 SF of unused space on the second floor of 337 Liberty Street. We are also including 5,322 SF at 218 Ann Street.

218 Ann Street, Newburgh NY 12550

5,322 SF at 218 Ann Street for production operation and offices. The term of the lease is 5 years. This parcel has public street access via a garage door and a separate pedestrian door entrance. It also has another garage door on building side accessible via an adjoining gated fenced area (Parking Lot) which is the exclusive use of 218 Ann Street. Trucks can drive in through either door.

The mailing address is 218 Ann Street which actually is 220 Ann Street on Tax map. The parking lot adjacent to it, is actually 218 Ann Street (35-2-34). Offices at the rear of 218/220 Ann Street are actually the rear section of 221 Broadway and appears as 219 Broadway on Tax Map.

The total square footage being designated is 13,020SF.

- 2.1 Digital files containing the building locations and specifications as polygon shape files: Attachment E – 337 and 351 Liberty. Attachment E-2-218 Ann Street. Special software required to open. ArcGIS was used to create files.
- 2.2 Digital files containing the building locations and specifications as point shape files: Attachment E. Special software required to open. ArcGIS was used to create files.
- 2.3 Pdf file of campus property and designated space and land: Attachment F-337 and 351 Liberty. Attachment F-2-218 Ann Street
- 2.4 Spreadsheet with specific building information: Attachment A-337 and 351 Liberty. Attachment A -218 Ann Street
- 2.5 Floor plan/sketch of 337 Liberty Street: Attachment D –337 and 351 Liberty. Attachment D-2-218 Ann Street
- 3.1 A description of the type of business(es) that the campus intends to locate in 337 Liberty, 351 Liberty and 218 Ann Street

StartUp Newburgh is an affiliation between Mount Saint Mary College and the Hudson Valley Center for Innovation Inc. (HVCFI, a.k.a. iCANny), formed for the purpose of providing a launch pad with experienced oversight for prospective StartUpNY applicants and a tax free zone to attract new sustainable economic development in the City of Newburgh. MSMC is an undergraduate and graduate private academic institution with an emphasis on healthcare, life- sciences, nursing, teaching and business education. It is the only college offering and seeking to integrate programs such as Masters in Business Administration, Masters In Nursing, and Masters In Education along the west bank of the Hudson River between Albany and Nyack.

HVCFI, an Empire State Development Corporation Certified Business Incubator, has assisted start-up companies as well as emerging and mature-stage entities develop and commercialize products and services via its network of qualified executives, mentors, coaches and professionals since 2005. The City of Newburgh is a small city afflicted with all the elements associated with urban blight, lack of opportunities and distress. It does, however, possess an excellent city infrastructure, strategic location, wide ranging culture, and an emerging revitalization.

Together, MSMC as the lead academic organization, and HVCFI as the supporting manager will launch a physical launch pad for start-ups, early stage ventures and international companies anxious to commercialize products and services in the United States from the Hudson Valley. Operating as StartUp Newburgh, MSMC and HVCFI will offer technical and business guidance to start-ups as well as emerging and mature entities engaged in the development and commercialization of: information technology, renewable and alternative energy products, energy efficiency management systems and products, educational products, medical devices, pharmaceutical manufacturing, physical fitness products, bio-tech, media products, food harvesting and production, and green products/production.

StartUp Newburgh will foster the development of new businesses relevant to emerging cultural/commerce trends and entities that seek an affiliation through the StartUpNY economic development program, adding economic and social vitality to the City of Newburgh and the Hudson Valley.

The HVCFI was awarded its status as a Certified Business Incubator as the result of a successful 2013 Consolidated Funding Application. The affiliation with MSMC and the launch of StartUp

Newburgh is in compliance with the CFA award to generate new and expansive sources of assistance to Hudson Valley start-ups, emerging, mature and international companies seeking opportunities for commercialization. HVCFI will function as the "manager" and will incorporate its business and technical resources, access to the investment community, and its global network for commercialization, as they relate to mentors, advisors, executives, and professionals.

StartUp Newburgh will attract companies with areas of concentration in:

- Educational and training products
- New educational delivery platforms
- Health and Fitness products and software
- Healthcare business intelligence and analytics products
- Medical device development and testing
- Pharmaceutical manufacturing
- Market Research in Social, Health and Educational Areas
- Bio-tech
- Green Products
- Agricultural and Food Production
- Media Products
- Integration of fitness, education and life science business opportunities
- Integration of environmental sciences and business opportunities
- Applied Social Sciences that:
  - o improve access and quality healthcare in distressed communities

- o address/communicate preventative and responsible health practices
- o utilize The City of Newburgh as a research lab for tailored solutions and test market
- o engage motivated individuals to uncover and commercialize business propositions
- o promote partnerships between public and private entities

No business will be considered that is prohibited per the StartUpNY program regulations.

### **3.2 Academic mission of the sponsor-Mount Saint Mary College**

Mount Saint Mary College is an independent, coeducational institution committed to providing students with a liberal arts education to prepare them for lives of leadership and service.

Through a variety of majors and professional programs, students are also prepared for career entry or graduate and professional studies.

Consistent with Judea-Christian values and the Dominican tradition of education that values the inherent worth of the individual, the mission of Mount Saint Mary College is to create an environment which fosters close student-faculty interaction that enables students to reach their full potential as lifelong learners.

Mount Saint Mary College strives to provide a stimulating environment that promotes the intellectual and personal growth of undergraduate, graduate and continuing education students.

### **3.3 How the anticipated businesses will align with or further the academic mission of the campus in knowledge creation, knowledge diffusion, and formation of values as factors in its consideration of a tax-free zone**

The City of Newburgh, New York is culturally, racially, socially and economically diverse with an excellent infrastructure including hospitals, private and public colleges, broadband and access via private and public transportation. However, with the demise of its manufacturing base, the City has evolved to become an economically distressed community with a high level of unemployment and a lack of opportunities for meaningful and sustainable jobs or career training for its citizens. MSMC is a beacon of higher education that is fully integrated in the community and spiritual life of Newburgh. Many MSMC graduates remain in the area to serve the community in the areas of healthcare and nursing through the region's hospitals, clinics and community healthcare facilities; in the areas of teaching through the local primary and secondary school systems; and in business, social services and financial endeavors.

The StartUp Newburgh program will offer students in teaching, life sciences and business programs opportunities to experience nontraditional career paths by working with StartUp Newburgh companies or establishing pursuits in social and commercial entrepreneurship. This experience will prepare students to enter a workforce with entrepreneurial experience and initiative skills, adding value to employers. Additionally, students will understand how to initiate their own job

opportunities having been prepared to address societal and commercial realities and opportunities with their acquired know-how based on solid ethical standards.

### 3.4 Comprehensive undergraduate, graduate education and professional education

Mount Saint Mary College undergraduate programs leading to Bachelor Degrees include:

Business, Education, Nursing, Mathematics, Information Technology, Natural Sciences, Philosophy & Religious Studies, Social Sciences, Psychology, Human Services, Communications, Marketing, Media, Public Relations and Journalism.

Mount Saint Mary College graduate programs leading to a Masters Degree include:

Education, Nursing, and Business (MBA)

### 3.5 Research

An MSMC/StartUpNY program will serve to build on the college's research center initiatives and develop products that address critical societal issues confronting our country and economy.

These include the very relevant areas of "education", "gerontology" and "adolescence", all which have been studied at MSMC for decades. Utilizing this knowledge base to develop products and marketable research is the basis for local and nationally oriented business building.

Mount Saint Mary College has three main research centers:

The **Mount Saint Mary College Center for Adolescent Research and Development (CARD)** is a clearinghouse for research initiatives. These include the psychological, social, cultural,

educational, and health-related issues endemic to contemporary adolescents and young adults. The center assists in appropriate research-based program development for schools, agencies, and families, and hosts an annual conference each spring focused on Adolescence in the 21st Century. The center also assists in appropriate research-based program development for schools, agencies, and families.

The **Mount Saint Mary College Collaborative for Equity Literacy and Learning (CELL)** mission is to actively conduct research that has a direct impact on classroom literacy instruction and the preparation of teachers of literacy, and that provides support and outreach to teachers, schools, and other stakeholders who have the goal of promoting literacy equity in the surrounding communities.

The **Mount Saint Mary College Center on Aging and Policy (COAP)**, established in 2006, with funding from a National Institute of Health (NIH) grant, promotes an interdisciplinary perspective, dedicated to excellence in research and scholarship in the field of gerontology. It is a national resource for the Area Agencies on Aging (AAAs).

Undergraduate students engage in research during summer sessions as part of the **Summer Undergraduate Research Experience (SURE)** program. Students from all disciplines work with faculty mentors to conduct a research project and analyze and

present the results. In the fall semester the students present their findings as part of the SURE Symposium.

### 3.6 Diversity

The City of Newburgh is culturally, economically and racially diverse. It has a population of about 29,000 residents living within its 3.8 square miles. This population swells during the work day due to a number of businesses, medical practices and St. Luke's Cornwall Hospital. According to the 2010 Census the City of Newburgh ethnicity is as follows: 47.9% Hispanic/Latina, 30.2% Black/African-American, 39.4% Non-Hispanic White, and 5.2% persons reporting 2 or more races. The median household income is \$36,153.00.

An MSMC/StartUpNY endeavor would provide training and work experience for its base community to develop relevant marketable business skills and associated compensation. This would equate to higher incomes than that of existing low skill labor. It would move people off of public assistance programs and create hope and opportunity in a somewhat hopeless economic climate. Another element of diversity is to retain or attract MSMC alumni making them social and economic contributors to the community. Attracting companies that work in the targeted commercial disciplines will stimulate local job growth and economic development. Ideally, they would utilize the many vacant buildings that await adaptation and reutilization into contemporary/new age industries. Slowing the exodus of young people and college graduates from the Hudson Valley in pursuit of better opportunity is a major goal. This trend is decades old and affects families of all economic levels in the City of Newburgh. Many social programs for young at-risk children have been getting the attention and support to move them out of poverty through educational programs. Instead of contributing back to the community that nurtured them, they realize that they must leave the area due to lack of opportunity. The City of Newburgh hasn't been the beneficiary of these programs, but its children have and it's been a ticket to somewhere else.

### 3.7 Culture

Historically The City of Newburgh has been the cultural center of the Mid-Hudson Valley. Although this reputation has diminished over the last 50 years, it still has many institutions which offer excellent cultural venues.

**The City of Newburgh boasts the second largest designated Historical District in the state.** This district includes architecture that exhibits historic designs by Calvert Vaux, Andrew Jackson Downing and Frederick Law Olmstead. Its East End Historic District, recognized by the National Register of Historic Places and the Montgomery-Grand-Liberty Streets Historic District, has the most contributing properties of any historic district in the state. Contrasting this is an active chapter of Habitat for Humanity. In over a decade it has rehabbed or built over 75 homes, providing great living opportunities for deserving residents and rebuilding neighborhoods in the process.

Due to the two colleges - Mount Saint Mary College and Orange County Community College, additional cultural venues for students and the local community are many. The U.S. Military Academy at West Point, located about 10 miles south of the City of Newburgh, also offers many cultural options to local residents.

The City of Newburgh waterfront is home to about a dozen restaurants which draw customers from the entire region to enjoy fine dining and views of the Hudson Highlands. Other restaurants around town are also destinations to those willing to capture the local vibe.

In recent years, the city has seen an influx of citizens and businesses move in from Brooklyn and New York City. Newburgh has been described as "just like Brooklyn, only affordable." This influx is bringing demand for supporting businesses like restaurants, shops, galleries and other urban-hip venues. But new local economic opportunities have been limited.

### 3.8 Regional economic development

Healthcare, life sciences, nursing and social sciences are critical components of the infrastructure of the community. The overall healthcare sector is a leader in sustainable job creation in the Hudson Valley region. The Mid-Hudson Regional Economic Development Council (MHREDC) 2009 report on industry ranking by job count in the Hudson Valley region ranked healthcare related jobs first through sixth. The MHREDC foresees job growth in the health care sector due to the implementation of the Affordable Care Act.

With the implementation of the Affordable Care Act and the increase in the age demographic of the region, the healthcare sector will play an increasingly important role in the growth of the region and to support the continually expanding minority and impoverished in the region.

The region is also home to specialized manufacturing, distribution centers, farming, food and beverage production, and a wide range of growing artisanal and creative arts industries.

Traditional technology based business in entrepreneurial form isn't as prevalent as it is in other New York areas. Although IBM has been a significant player in the Mid-Hudson Valley, other high technology organizations are scarce, particularly on the west side of the Hudson.

StartUp Newburgh will attract start-ups, emerging and mature companies in industries stated in section 3.1. It is projected that each member company will grow into a position to offer internships to students, specific job training to local citizens, full time permanent jobs in sustainable industries, encourage member companies to remain in Newburgh and establish a hub for development of new industries.

### 3.9 Internship and training opportunities

Coinciding with the academic mission of the sponsor (MSMC), opportunities will exist for

both undergraduate and graduate students to have internships at StartUp Newburgh affiliated companies both in the areas of healthcare and business.

Those students involved in healthcare, nursing and the life-sciences will interface with member companies and participate in the areas of:

- Product and/or service development and implementation
- Product or service validation and testing
- Interfacing with community needs
- Exposing students to entrepreneurial pursuits in the healthcare industry
- Integration of new technologies (wearables, virtual, telephony, etc.)

Graduate students in teaching and business will be involved with member companies through:

- Exposing and incorporating students to the applicant process, evaluation and due diligence
- Assisting to identify, engage and converge academic, entrepreneurial and community leaders, partners and objectives
- Working as and with HVCFI mentors, advisors, coaches and executives to facilitate creation and execution of business processes such as business plans, marketing plans, financial strategies, feasibility studies and investor materials
- Promotion of member technologies and services to the global community
- Establish distance entrepreneurial and business education curriculum to businesses and academic institutions in emerging nations
- Assist in the creation of job training curriculum for Newburgh residents in manufacturing, assembly, customer service, critical care facilities and many other essential sustainable healthcare jobs
- Explore reductions in healthcare costs by implementing tele-health, mobile health and remote critical care options
- Design financing strategies for emerging healthcare entities (venture, crowdfunding, angel, and corporate)
- Opportunities for small businesses and nonprofit research organizations that conduct research leading to the development of products and services that improve the quality of life, health and well-being of older people

### **3.10 Direct job opportunities for campus graduates**

Through aforementioned internships and working relationships, undergraduate and graduate students will gain critical insights and participate directly in the business development process which may lead to permanent jobs/venture opportunities within the community. These jobs will fortify retention of MSMC graduates and foster community growth and involvement.

### **3.11 Internationalization**

A key component of StartUp Newburgh is the creation of an International Landing Zone (ILZ) where foreign companies are encouraged to take advantage of New York's Hudson Valley as a location to launch sales, manufacturing, and distribution of new products and services for the U.S. market. StartUp Newburgh will be a launch point to commercialize healthcare, medical and clean-tech products along with other types of technologies. The majority of entities in the StartUp Newburgh ILZ

will have US-based and trained staff, with technical and non-technical job opportunities. StartUp Newburgh will provide the location, interns, administrative and managerial staffing as well as connectivity to local and regional manufacturers, logistics, service providers, professional and technical advisors.

Conversely, products developed at the StartUp Newburgh facility by US-based entities, where applicable, will be made available to the international community for licensing, sale, partnering, and collaboration through the Global NY initiative.

MSMC's Office of International Programs provides opportunities for current students to engage in academic and internship programs throughout the world. A second focus of the office is the establishment of programs on MSMC's campus for international students. Students from Puerto Rico, Brazil, and other South American countries have already participated. This program aligns well with the creation of an ILZ.

### **3.12 Specific area specialization of the campus**

Mount Saint Mary College is recognized for its Education, Nursing, Business, Life Science and Liberal Arts programs. The Mount Saint Mary College Center for Adolescent Research and Development (CARD), Mount Saint Mary College Collaborative for Equity Literacy and Learning (CELL), and The Mount Saint Mary College Center on Aging and Policy (COAP) afford additional basis of specialization directly actionable with StartUp Newburgh's proposed focus.

## **4. Mount Saint Mary College's StartUp Newburgh program will generate positive community and economic benefits**

During the recent launch of the Affordable Care Act people seeking insurance were asked to enroll through a website, signifying the infiltrating nature of the internet on our society. The Pew Research on Smartphone Ownership in 2013 revealed that 91% of citizens have cell phones and almost 60% have smart phones. This includes the impoverished and lowest income communities such as the City of Newburgh. Thus, the delivery of healthcare services and information along with remote-patient monitoring via smartphones becomes relevant to the function of StartUp Newburgh.

StartUp Newburgh will support start-up and emerging enterprises in their development of new technologies, and products targeting the medical profession, including collaboration with relevant academic and corporate partners.

### **4.1 Increased employment opportunities**

StartUp Newburgh will create employment opportunities for MSMC graduates, local services and other employee prospects via:

- the growth of "Landing Zone" companies in the accelerator (management, research, development and manufacturing jobs),
- the adaptation and implementation of accelerator IP, knowledge or know-how by local healthcare markets/industries, and
- the establishment of new business resulting from the accelerator activities

### **4.2 Opportunities for internship, vocational training and learning experiences for**

## **undergraduate and graduate study**

The expectation is that all of the college's academic divisions will have the opportunity for their students to partake in experiential learning opportunities at the undergraduate and graduate level.

Employment opportunities generated by StartUp Newburgh companies will provide the necessary training for employees to become valuable contributors to their endeavors. These experiences will also generate the skills necessary for the new economy thereby making the employees desirable to other businesses.

### **4.3 Diversification of local economy**

As noted earlier, the Industry Ranking by Job Count in the Hudson Valley region showed healthcare related jobs first through sixth. The MHREDC also reported this past year's expansions at several of the region's hospitals. The MHREDC foresees job growth in the health care sector due to the implementation of the Affordable Care Act. Diversifying beyond this growth trend will be five-fold. The 1<sup>st</sup> area will be to utilize this existing healthcare, educational and social services assets as a research, product development and test bed, building opportunities/products that can be utilized by vital local industries. The 2<sup>nd</sup> area will include businesses that build upon the region's life science, environmental and farming/food focus. The 3<sup>rd</sup> area of diversification will be to build upon the clean technology sector which has been established albeit struggling in the region. The 4<sup>th</sup> area of diversification will address advanced

manufacturing processes and associated opportunities. The 5<sup>th</sup> area of diversification will address expanding on the established local artisanal business.

The potential for new business in the area is highly desirable, as it will facilitate Newburgh's economic expansion by utilizing its excellent infrastructure and strategic location. A commercialization launchpad that utilizes existing MSMC and local educational and business elements, and instills capability, confidence and processes is crucial to advancing the economic resurgence of the City of Newburgh and the Mid-Hudson region.

### **4.4 Environmental sustainability**

This region is as sensitized to the value and sustainability of the environment as any area in the

U.S. The City of Newburgh, sited on Newburgh Bay, offers a majestic view of the natural surroundings, including Storm King Mountain, the subject of a 1962 event that spawned the birth of the modern environmental movement and led to the National Environmental Policy Act (NEPA) and New York's State Environmental Quality Review Act (SEQRA). Across the river and in clear view from Newburgh is the Beacon Institute, another bastion of environmental study. Peter Seeger's Clearwater was founded within the sights of Newburgh. Newburgh is home to sustainable movement and it should also be home to sustainable emerging technologies. Local economic initiatives,

such as "ARiverOfOpportunities-www.newburghny.org", have been soliciting sustainable businesses in green and clean tech. A StartUp Newburgh endeavor would build upon this and aid businesses that are already seeking to relocate here.

Targeted StartUp Newburgh industries include businesses in food, life sciences and environmental development, clean energy technologies, traditional and holistic health care, education and new educational platforms or methods, and advanced manufacturing processes. They all have a critical basis in environmental sustainability.

#### **4.5 Entrepreneurship**

StartUpNewburghintendstopromoteentrepreneurshipwithinthetypicalfieldsoflife science, healthcare technology, and business/management. Perhaps where StartUp Newburgh is most unique will be in the attempt to stimulate entrepreneurship in the fields of nursing and teaching. These areas traditionally train students for institutionalized service roles such as those in hospitals or schools and not those of entrepreneurial or inventive pursuit. However, it is our belief that teachers and nurses are uniquely qualified to pursue entrepreneurial endeavors.

They are typically the key player at the point of constituent contact and the provider of medical or educational technology. This first hand vantage point provides the knowledge and opportunity to uncover new methods or technologies addressing products and solutions from a human or behavioral aspect. It would engage and encourage nursing and teaching students and professionals to brainstorm and develop solutions to healthcare and educational products that could only be derived from direct use and constituent contact. This viewpoint could also be the basis of a business opportunity that offers existing technology companies critical insight and market research on both constituent and provider roles and acceptance.

In addition to the aforementioned focus of StartUp Newburgh, entrepreneurship centered on broad based emerging technology, cultural trends, societal needs, environmental opportunities and food production/processing will be sought out and undertaken.

#### **4.6 Positive linkages to existing business not in competition with START-UP businesses, especially smallscale businesses**

U.S. small business make up a major percentage of all new hiring, according to the U.S. Department of Commerce. Each company housed within StartUp Newburgh will require services from surrounding local entities such as office supplies, food, fuel, transportation and travel services. Once a business cluster is established and an atmosphere of business and services are present, it can be leveraged to attract major business employers. Utilizing the local region as a research center for new product development either from informational gathering or product testing scenarios will be valuable to both StartUpNY companies and established nearby metro NYC companies and will likely develop into a thriving StartUpNY business itself. Encouraging commercial pursuits based upon knowledge gained by working professionals in either government, social, educational or health roles will likely stimulate additional new business. Local trucking and transportation services, materials and supplies businesses, packing and fulfillment businesses, accounting and law services, as

well as cleaning and maintenance services will benefit from the increased business due to a StartUpNY classification in the City of Newburgh.

#### **4.7 Boost to local economy**

A StartUpNY tax-free zone will generate great interest and draw business and jobs to the area. As noted above, the City of Newburgh is ripe for economic support, and provides excellent potential as a place to build businesses with its many available buildings. A willing and capable workforce is ready to get to work. Opportunities for their children would become available, thereby limiting the current and typical generational city flight.

#### **4.8 Magnet for economic and social growth**

Geographically the City of Newburgh is at crossroads of multiple interstate highways- Interstate Route 84 with east-west routes, Interstate Route 87 (NY State Thruway) with north-south routes, international air service (Stewart International Airport- Newburgh), commercial rail with intermodal facilities given its Hudson River Port, and maritime shipping. It's important to note that the Port of The City of Newburgh was a historic key to the industry and commerce of the Mid-Hudson Region. This port, which has both rail and road access, is a unique asset of the City of Newburgh that has been somewhat dormant in the near past but is currently being revitalized.

The strategic location, midway between New York City and Albany, at all transport crossroads and with easy access to other regional markets and business centers, and situated on arguably the most picturesque viewshed of the Hudson Highlands is becoming rediscovered as an ideal

location to live and work. Its attraction has lured young professionals and artisans being priced out of New York City area communities as well as those looking for alternative quality of life situations. As a small city, once a manufacturing, economic and cultural stalwart, but afflicted with corporate flight and urban blight over the last half century, it does have problems typical of such cities. However, the city has seen a number of promising social and cultural developments that point to renewal and its community is dedicated to advancing the cause at many levels. A StartUp Newburgh endeavor would be a welcome component to the city's resurgence by utilizing existing long term city stakeholders like Mount Saint Mary College, the healthcare and educational communities, concerned and dedicated citizens, and numerous supporting small business and workforces.

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

The StartUp Newburgh Review Committee will ensure that applicants meet the criteria of the academic mission of MSMC and the mission of HVCFI.

StartUp Newburgh will follow the admission guidelines of its partner, HVCFI. These admission policies include:

- 1 Submitting and acceptance of the StartUpNY Application
- 1 Completing the StartUp Newburgh Application
- 1 Review and interview by the StartUp Newburgh Review Committee

This committee will consist of two Mount Saint Mary College members, two HVCFI members, the Chair of the School of Business or his/her designee, additional MSMC faculty as needed based on the applicant's business, and at least one member of the local IDA or City of Newburgh Economic Development representative. For certain technical or unusual applicants an ad hoc representative with subject matter expertise may be added. Final decision making authority rests with the MSMC representatives.

The process for selecting companies into the StartUp Newburgh program will be as follows:

1. Qualify companies that conform to the scope of StartUp Newburgh businesses as detailed in 3.1 and 3.2. They may be established, local, regional, distant or off-shore companies or companies who have graduated from a certified NY incubator.
2. Qualify companies that are aligned with the academic mission/programs of the college.
3. Qualify companies that have positive community and economic benefit.
4. Qualify the company's management team.
5. Qualify the validity/marketability of their business plan, product, process and service.
6. Qualify prospects for potential academic internships, collaboration or project funding.
7. Qualify prospects for local job creation, sustainability and ability to gain funding.
8. Qualify prospects for commitment to the StartUpNY program, MSMC and the HVCFI.
9. Obtain company signature of acceptance and commitment to StartUpNy and StartUp Newburgh.
10. Orientation process for StartUp Newburgh company. This will include aspects that include: academic department review, administrative processes, facility review and selection.
11. Ensure establishment of Academic/Mentorship/Business advisor review, schedule/timetable review as per needs defined in prior steps.
12. Ongoing periodic review process, evaluation, direction, remedial actions and sign-off.

**6.1 Conflict of interest guidelines-** See attachment G

**6.2 Attestation regarding tax-exempt bonds-** See attachment H

**6.3 Certification regarding non-elimination of space or programs-** See attachment I

6.4 Certification of 30-day required submissions- See attachment J

6.5 Statement regarding accuracy and completion of application- See attachment K

### Attachments

A. Excel spreadsheet with building information- Liberty + Ann Streets

B. City of Newburgh Tax Map, Key Map- 337 Liberty

B-2. City of Newburgh Tax Map with 218 Ann Street

C. City of Newburgh Tax Map, Section 11 – 337 Liberty Street

C-2. City of Newburgh Tax Map, Section 11 – 218 Ann Street

D. Floor plan/sketch of 337 Liberty Street

D-2. Floor plan/sketch 218 Ann Street

E. GIS file of 337 & 351 Liberty Street, and campus property

E-2. GIS file of 218 Ann Street

F. PDF file of campus property and designated space and land

F-2. PDF file of 218 Ann Street designated space and land

F-3 Aerial image of 337 Liberty Street warehouse,

L-2A Aerial Image of 218 Ann Street

L-28 Aerial Image of 218 Ann Street Relative to Campus

G. Conflict of interest guidelines

H. Attestation regarding tax-exempt bonds

I. Certification regarding non-elimination of space or programs

J. Certification of 30-day required submissions

K. Statement regarding accuracy and completion of application

L. Aerial image of 337 Liberty Street warehouse,

L-2A Aerial Image of 218 Ann Street

L-28 Aerial Image of 218 Ann Street Relative to Campus

### CONFLICT OF INTEREST POLICY

1. **Scope.** The following statement of policy applies to each member of StartUp Newburgh. It is intended to serve as guidance for all persons participating in any capacity with StartUp Newburgh.
2. **Service.** Service as an official of Mount Saint Mary College 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.
3. **Vendor.** No official who is a vendor or employee of a vendor of goods or services to Mount Saint Mary College, 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 College as the case may be, of any transaction with such vendor.
4. **Disclosure.** Upon becoming aware of an actual or potential conflict of interest, an official shall advise the president of the College of his or her or a relative's business interest in any such existing or proposed vendor with the College
5. **Records.** The College shall maintain a written record of all disclosures of actual or potential conflicts of interest made pursuant to paragraph four (Disclosure) of this policy and shall report such disclosure, on a calendar year basis, by January 31st of each year, to the auditor for the College. The auditor shall forward such reports to the commissioner, who shall make public such reports.

The following definitions are provided to help you decide whether a relationship should be disclosed:

*Business Interest:* An official of the College has a business interest in an entity if the individual 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 serves as an officer, director or partner of the entity.

*Relative:* A relative of an official of the College 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.

*Official:* An official of the College shall mean an employee or other person involved in the administration of the College at the level of dean and above, a member of the college's board of trustees, as well as any other person with decision-making authority over the College's StartUp NY Program.

StartUp Newburgh  
Attachment A

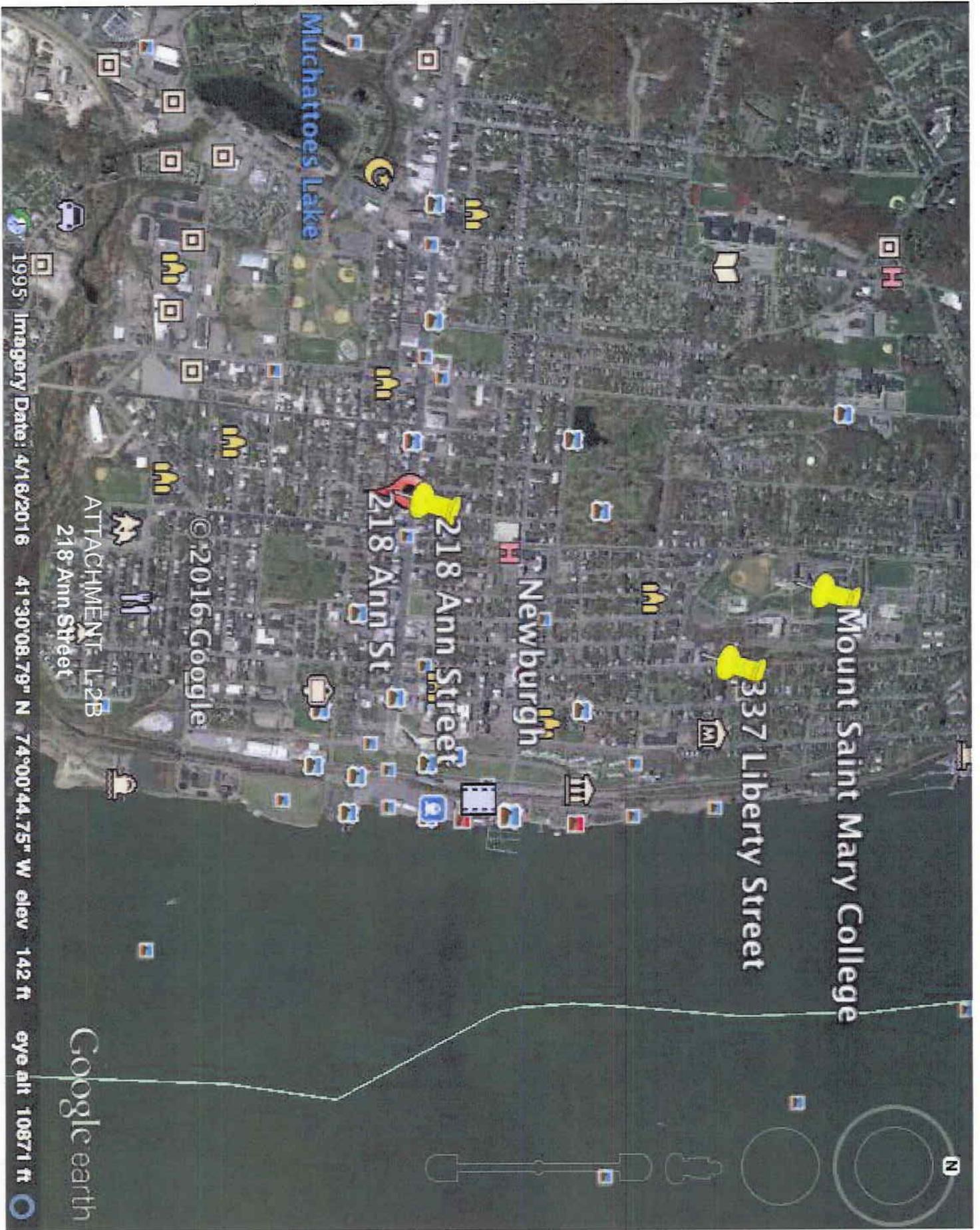
Location	Property owner	Property type	Street address	City	County	Zip code	Parcel ID#	Space type	Sqft	Acres	Description	On-campus	W/in 1 mile of campus	Latitude	Longitude	Note
City of Newburgh	R.H. Campbell, Inc.	1	337 Liberty St.	Newburgh	Orange	12550	Tax map# 331100 S.B.L. # 11-4-29	B	7,698	N/A	2nd floor	Yes		41.508372	-74.011069	Leased
City of Newburgh	R.H. Campbell, Inc.	1	351 Liberty St.	Newburgh	Orange	12550	Tax map#331100 S.B.L. # 11-4-25	D	n/a	0.1	Parking lot	Yes		41.508722	-74.011203	Leased
City of Newburgh	Newburgh Commert	2	220 Ann Street	Newburgh	Orange	12550	Tax Map#331100 S.B.L. # 35-2-36.1	F	4,182	N/A	Warehouse	No	Yes	41.29566	-74.010197	Leased
City of Newburgh	Newburgh Commercial 2		219 Broadway	Newburgh	Orange	12550	Tax Map #331100 S.B.L. # 35-2-13	F	1,140	N/A	Office	No	Yes	41.30005	-74.010206	Leased

**Property Type**

- 1 - on campus
- 2 - 1 mile off campus
- 3 - State asset

**Space Type**

- 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



Mount Saint Mary College

337 Liberty Street

218 Ann Street

218 Ann St

Newburgh

Muchattoes Lake

©2016 Google

ATTACHMENT L 2B  
218 Ann Street

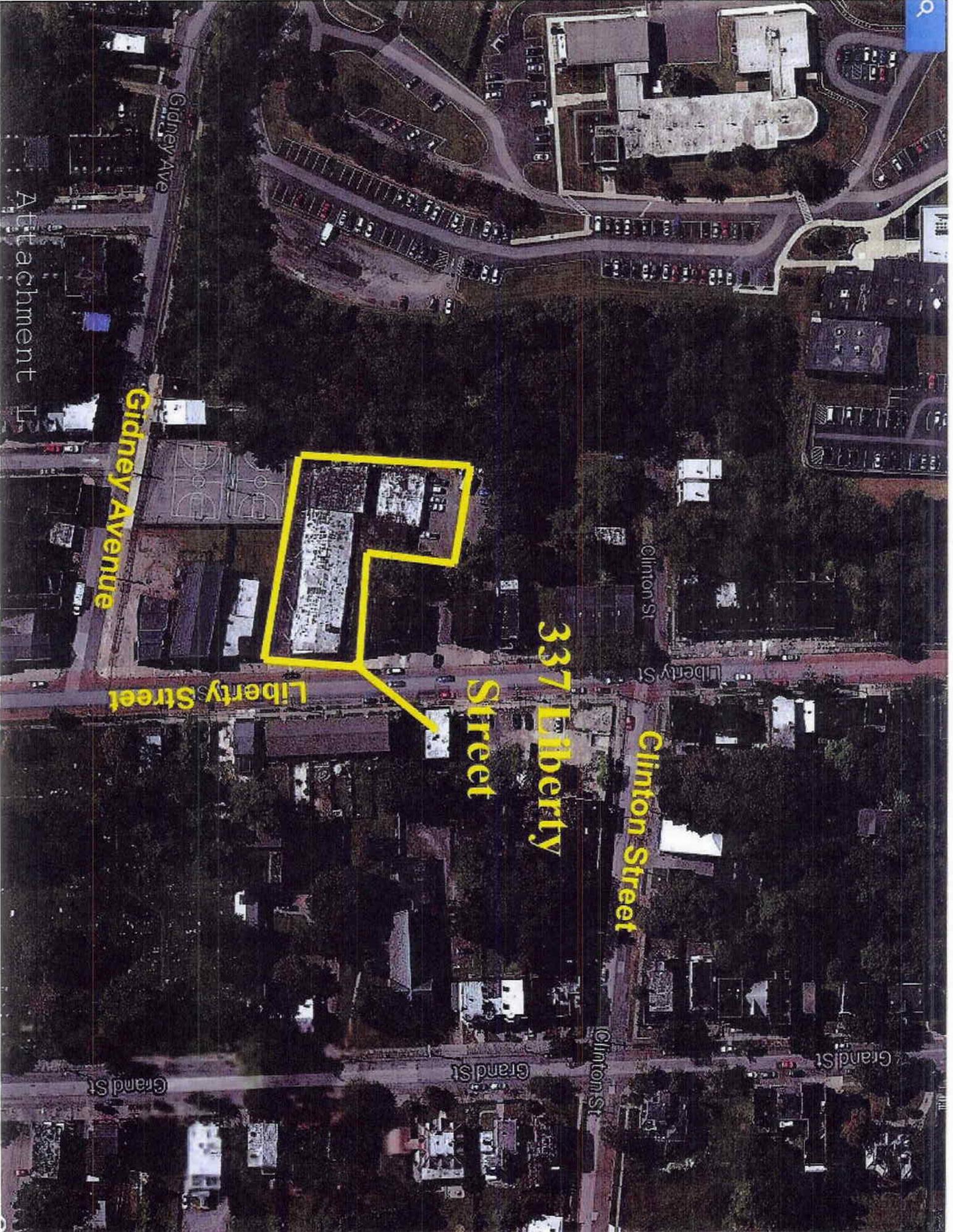
1995 Imagery Date: 4/16/2016 41°30'08.79" N 74°00'44.75" W elev 142 ft eye alt 10871 ft

Google earth









Attachment L

Gidney Ave

Gidney Avenue

Liberty Street

Street

337 Liberty

Clinton Street

Clinton St

Liberty St

Grand St

Grand St

Clinton St

Grand St

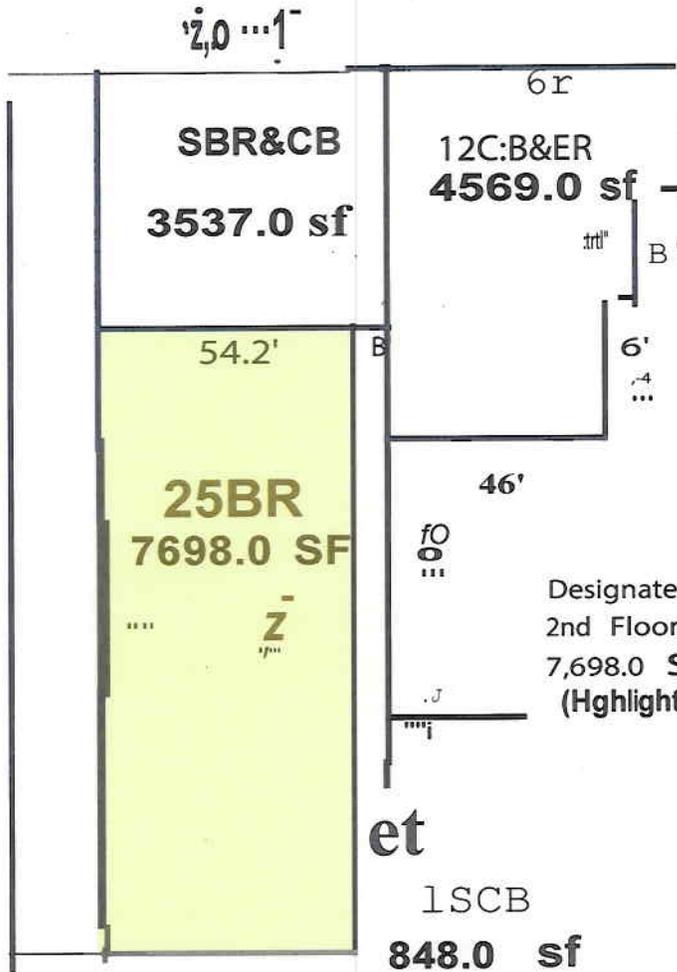
337 Liberty Street  
Newburgh, N.Y.

Loading dock

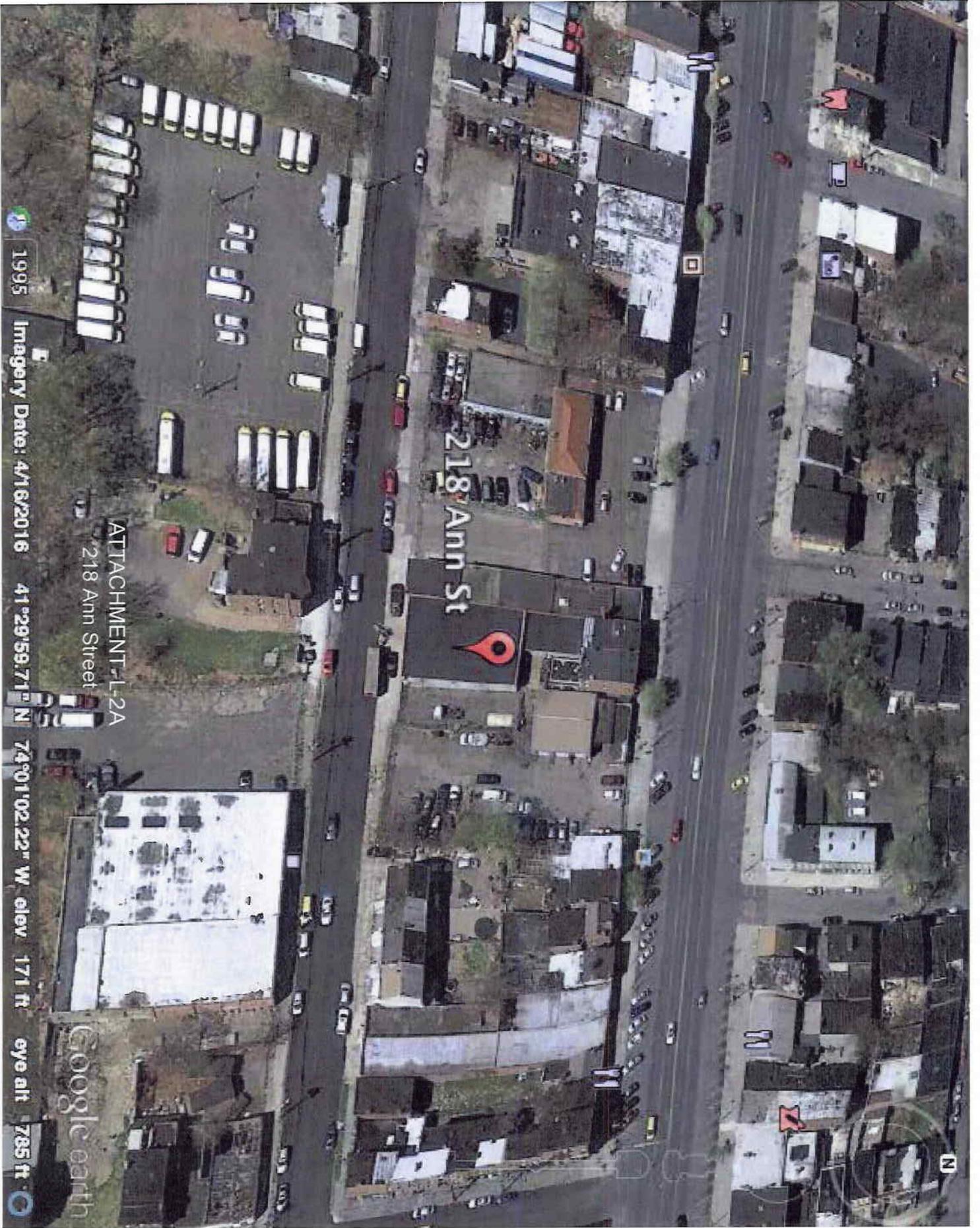
18'

**CPS/L02**  
**848.0 sf**

**1SBR**  
**3903.0 sf**



**Attachment D**



218 Ann St

ATTACHMENT-L-2A

218 Ann Street

1995

Imagery Date: 4/16/2016

41°29'59.71" N

74°01'02.22" W elev 171 ft

eye alt

785 ft

Google earth

218 Ann Street Office,  
Aka 219 Broadway on  
Tax Maps with a mailing  
address of 221 Broadway.  
There is no access to  
Broadway

218 Ann Street  
Newburgh, NY 12550  
Aka 220 Ann Street on  
Tax Maps

Parking Lot  
Aka 218 Ann Street  
on Tax Maps

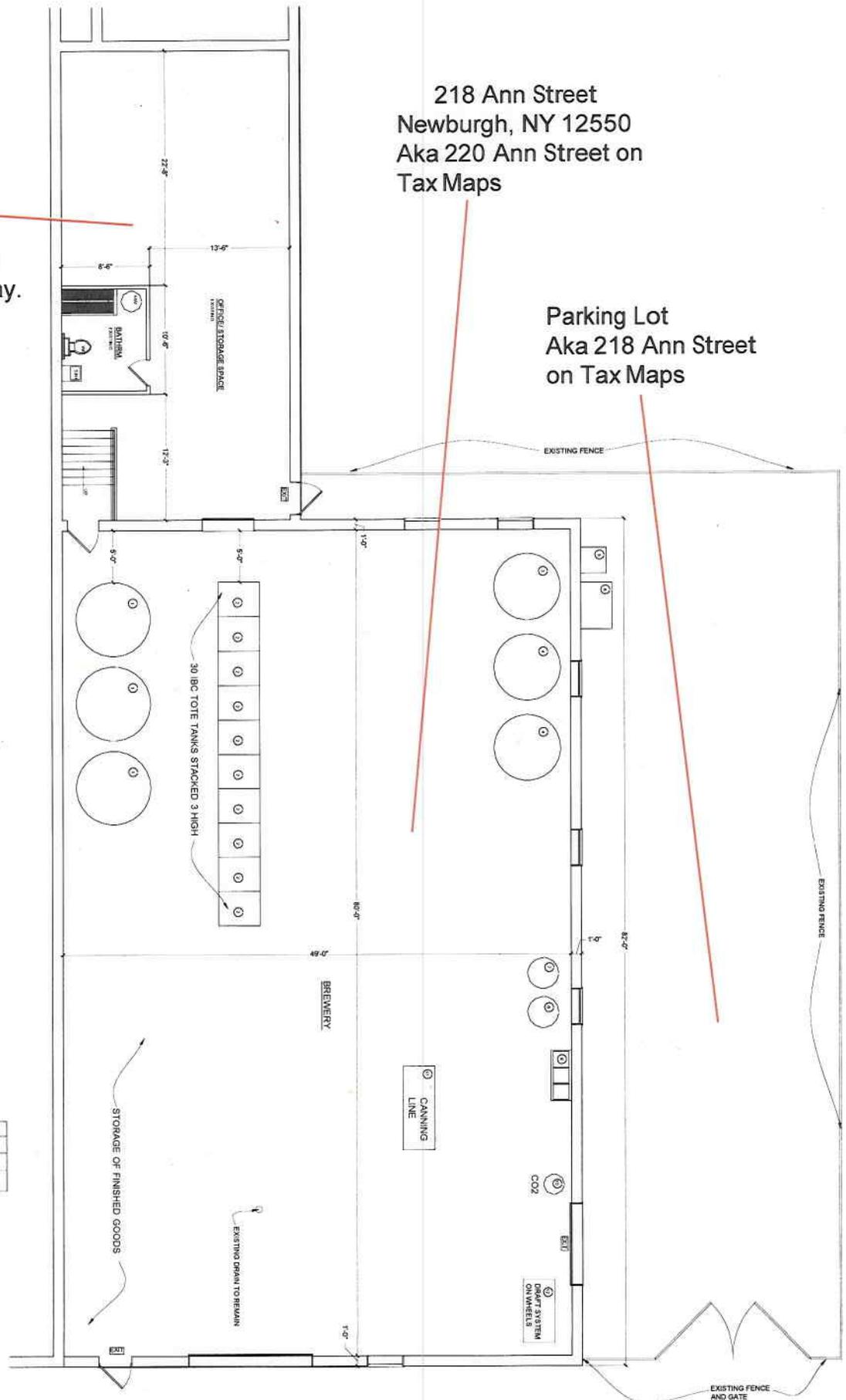
#	NAME	MANUFACTURER / MODEL	REMARKS
1	BULK STORAGE TANK	CHINA TANKER VC08200000	1000 GALLON
2	IBC TOTE TANK	MTI RT200	48" L x 36" W x 57" H 300 GALLONS
3	80 IBC FEEDER	FEEDER CHRYSTERS	80 IBC FEEDER 100 BARREL CAP
4	40 IBC LIFT TANK	WALKER	40 IBC LIFT TANK 100 BARREL CAP
5	AC HEAT PUMP	COOLMAN COMMERCIAL RHS11200-200	10 TON
6	GLYCOL CHILLER	GLD CHILLERS RHS1000-100N	40 TON
7	WATER HEATER	WATERS WFE-200A	15 TON 15 TON 37" L x 27" W x 4" H GAS FIRED
8	AIR COMPRESSOR	INGERSOLL RAND 4000	40 TON 90 GALLON
9	3 COMPARTMENT SINK	WILCOX WILCOX-1000	3 COMPARTMENT SINK PREFECT DRAIN CONNECTIONS
10	CO2 TANK	WILCOX	800 LB CAPACITY
11	DRAFTING SYSTEM	WILCOX WILCOX-1000	30 TON 100 LB
12	DRAFT SYSTEM	WILCOX	100 LB

EQUIPMENT LIST

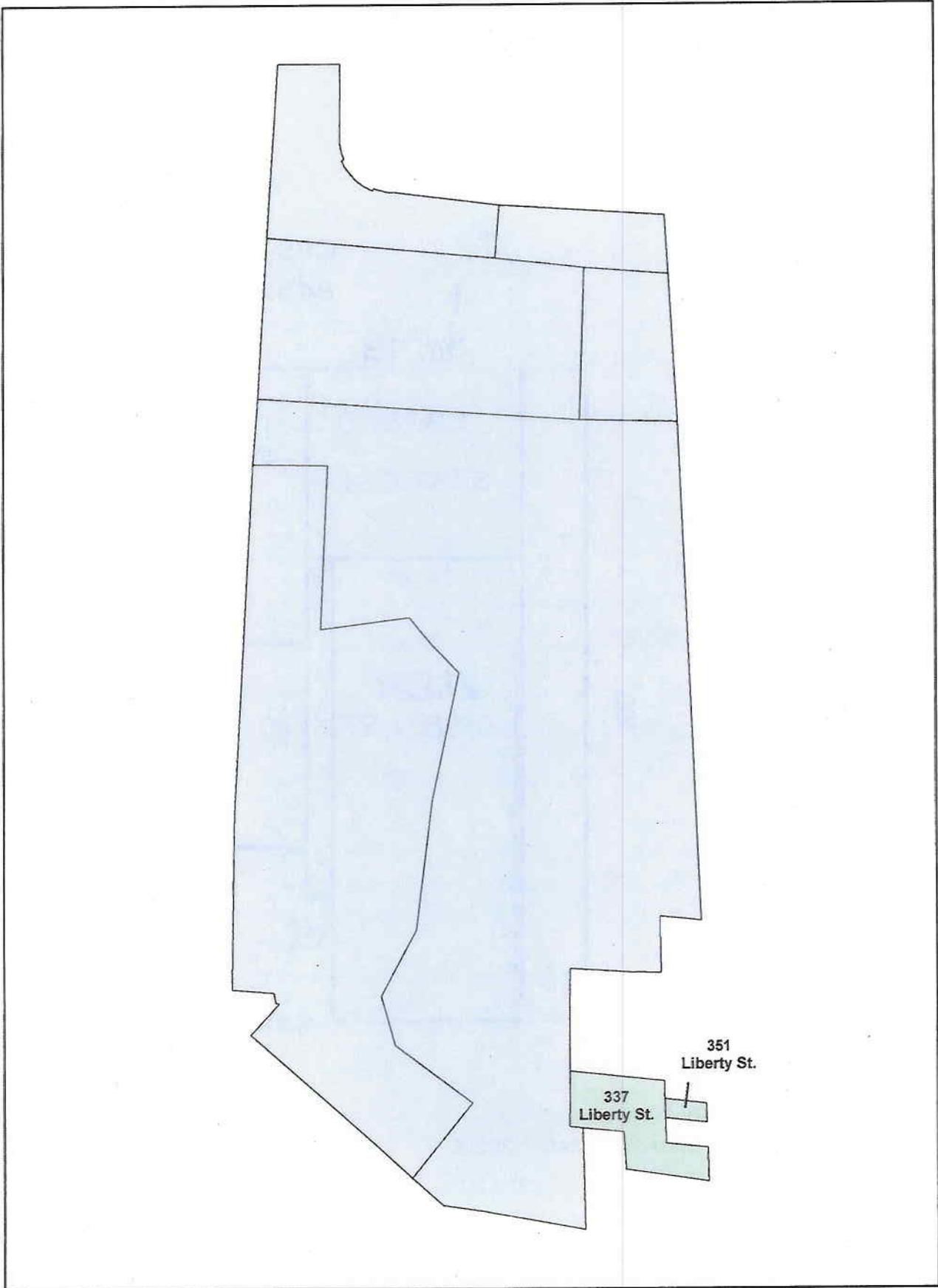
#	ROOM NAME	WALL FINISH	FLOOR FINISH	CEILING FINISH
1	BREWERY	CONCRETE BLOCK EXPOSED	CONCRETE	CONCRETE
2	OFFICE	PAINTED CONCRETE	CONCRETE	CONCRETE
3	STORAGE	PAINTED CONCRETE	CONCRETE	CONCRETE

ROOM FINISH SCHEDULE

Building Square Footage  
Brewery - 4,182  
Office - 1,140  
Total - 5,322



# Designated Space Map

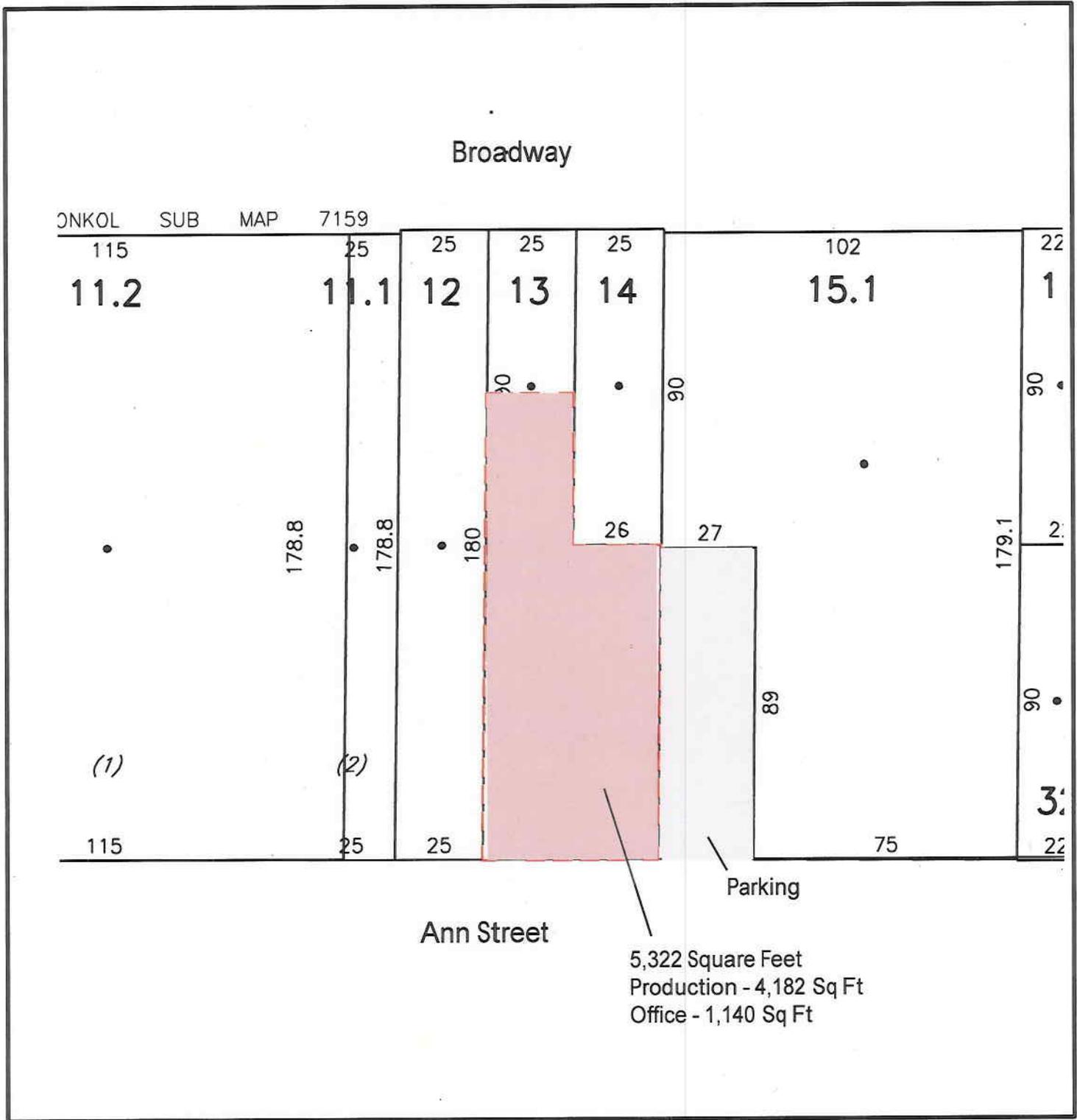


-  Mount St. Mary Parcels
-  Selected Parcels

0 150 300 600 Feet

7/31/14

# Designated Space Map





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

Re: Rochester Institute of Technology Campus Plan for Designation of Tax-Free Area(s) ("Campus Plan")

Date: 4/11/16

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**For campus Office of the President:**

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



William W. Destler, President

To: Howard Zemsky, President & CEO, Empire State Development and  
Commissioner, NYS Department of Economic Development

From: President William W. Destler of Rochester Institute of Technology

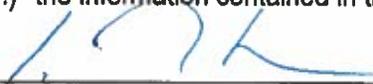
Re: Rochester Institute of Technology's Campus Plan for Designation of Tax-Free Area(s)

Date: April 11, 2016

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I, President Destler of Rochester Institute of Technology hereby certify the following:

- a.) we have consulted with the chief executive officer of the municipality or municipalities and notified the local economic development entity representing the area that a proposed Tax-Free NY Area is locating outside the campus boundaries; and
- b.) we comply with Conflict of interest guidelines; and attached copies of the policies and/or guidelines herewith; and
- c.) 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
- d.) the information contained in the enclosed application is accurate and complete.

  
\_\_\_\_\_  
William W. Destler, President

  
\_\_\_\_\_  
DATE

**Attachments/Enclosures:**

- 1.) Tax-Free Area Plan with Polygon shapefile of campus area (if available) and/or point data of vacant space (if available), **OR** AutoCAD rendering of proposed tax-free area on a scaled campus map and/or campus map shaded to indicate building containing proposed tax-free space
- 2.) Excel spreadsheet of property to be designated
- 3.) Applicable conflict of interest policies
- 4.) Where applicable, comments received from interested parties



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

Campus Name: Rochester Institute of Technology  
Campus Contact Name: Dr. Ryne Raffaele  
Campus Contact Title: Vice President of Research  
Campus Contact E-mail: rprsps@rit.edu  
Campus Contact Phone: 585-475-2055

**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 college/university 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: Rochester Institute of Technology
Campus Address: 30 Lomb Memorial Drive, Rochester, NY 14623
Address(es) of Proposed Tax-Free NY Area(s): (1) 40 Franklin Street, Rochester NY 14604 (2) 125 Tech Park Drive, Henrietta, NY 14623 (3) 195 E. Main St., Rochester NY 14604
Description of Physical Characteristics of Proposed Tax-Free NY Area(s): (1) Free standing building in core business area of Rochester, NY (2) Free standing building in office park adjacent to campus (3) Free standing building in core business area of Rochester, NY

ii. Complete the Excel spreadsheet template provided on the START-UP NY Website. Include only properties sought to be designated. Attach the completed spreadsheet to this plan and provide in electronic form.

iii. Provide also a representation of each proposed site drawn on a scaled campus map with boundaries drawn clearly. Two versions should be created; one including an imbedded layer from Google Earth or other aerial photograph of the property. The second version should exclude the photographic imagery. Each parcel under consideration must have a unique alpha numeric identifier, clearly labeled on each plan which ties to identifiers in the Excel spreadsheet. If digital files containing Polygon shapefile that delineates area for designation are available, provide these as well. Attach these materials to this plan.

iv. Provide a campus map with each proposed building shaded. Label each building with the official building number with the building name. For each building shaded and labeled,

include floor plans of all areas under consideration. 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:

61,911 Square Feet

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

RIT will seek to establish partnerships through the START-UP NY program with high-tech, high-growth potential, job-generating companies that are aligned with RIT's academic and research and economic development priorities.

RIT has core strengths in sustainability, green technology, manufacturing, sustainable manufacturing, game design and development, film and animation, software development, information technology, cybersecurity, access technologies, aerospace, and imaging, among others.

- 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.

RIT's mission is to provide a broad range of career-oriented educational programs with the goal of producing innovative, creative graduates who are well-prepared for their chosen careers in a global society. RIT's cooperative education program, which requires career-related on-the-job experience as part of our degree programs, provides the university, and its students and graduates, with unique and extensive corporate partnerships. RIT has ongoing partnerships with nearly 2,000 companies across the country that employ our co-op students and graduates; each year 3,500 RIT students engage in cooperative education, more than 40 percent of these experiences are with companies in the greater Rochester region. In a typical year, one-third to one-half of greater Rochester's top 100 privately-held firms are employer partners of RIT.

- 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.

All of the properties proposed would be occupied by companies whose business and relationship to RIT will generate positive community and economic benefits.

#### ***40 Franklin Street***

The property at 40 Franklin Street is located in an economically distressed area in the City of Rochester and will soon house the Center for Urban Entrepreneurship on the 1<sup>st</sup> floor.

The Center for Urban Entrepreneurship (CUE), located in the heart of the downtown business district at 40 Franklin Street (the historic Rochester Savings Bank), will help reshape the regional economy and build wealth within the urban community by being the hub for urban entrepreneurial programs and research. CUE provides a viable and successful vehicle to develop a new culture of entrepreneurship in the region, with a particular emphasis on the most underserved populations in the nine-county region. RIT is proposing the second, third and fourth floor of 40 Franklin Street for tax-free designation. Companies that will occupy this space will be high-tech businesses that will employ Millennial Generation young professionals dedicated to and supportive of the transformation of Rochester's urban core. RIT anticipates proposing businesses for 40 Franklin Street that have elected to grow in New York because of their immediate access to our students through our cooperative education program as well as our graduates. 21,075 SF (leasable) will be available on the designated floors.

#### ***Venture Creations***

RIT's Venture Creations incubator is a place where mid-seed stage companies can advance their concepts on their way to joining the ranks of profitable, viable businesses in New York State. Located at 125 Tech Park Drive, adjacent to RIT's main campus, Venture Creations facilitates regional economic development and supports its member companies through a two-fold mission:

- To support the creation of new technology-based businesses which create well-paying jobs in the Finger Lakes region of New York State.
- To provide experiential learning in entrepreneurship to RIT's students and faculty

In furtherance of its mission, Venture Creations provides companies with:

- Experienced on-site staff who can provide assistance in evaluating business opportunities, support for developing business plans or preparing grant applications, and coaching/guidance in the development of your business
- Access to RIT's faculty and wide range of resources
- Access to our service provider network
- Connections to potential investors
- Student co-ops and interns
- A venture mentoring service

RIT's Venture Creations incubator has had a strong track record of success in graduating companies and retaining those companies and their employees in the region. At least two of the current companies located in Venture Creations are poised to "graduate" and have the potential to take advantage of the START-UP NY program. RIT will work with these companies to help them identify appropriate START-UP facilities in the

region for them to relocate. This will free up space in Venture Creations for new companies to locate and to utilize the benefits of START-UP NY in our START-UP designated space. We are proposing designation of the entire Venture Creations space as eligible for START-UP, and as new companies come to us we will work with them to develop their applications for START-UP benefits

***The Metropolitan (195 E. Main St.)***

Originally completed in 1973 as the Lincoln First Tower, this iconic 26-story building is a fixture in the Rochester Skyline. Distinguished by its white clad fins and outward curves at the base, The Metropolitan soars at 392 feet. Located in Rochester's emerging Downtown Innovation Zone, The Metropolitan is a short walk from RIT's Center for Urban Entrepreneurship and the planned Finger Lakes Business Accelerator Cooperative to be located in the Sibley Building.

Since purchasing the tower in March 2015, Gallina Development has been working to create a new vision in re-positioning the tower into a true mixed-use building. This ambitious initiative will entail creating a new drive-up entrance loop off Clinton Avenue, a renovated lobby and elevators, market rate apartments on floors 4-21, and soon after, condominiums on floors 22-26. Office space will continue to be offered on floors 4-13.

Our campus plan will include 11,000 square feet on the 11<sup>th</sup> floor which is currently vacant.

NOTE: The developer has indicated that they are in the process of changing the street address of The Metropolitan from 195 E. Main St. to 1 S. Clinton Avenue.

RIT expects to use the space to house companies that wish to have a presence in downtown Rochester. As with 40 Franklin, we would expect many of these companies to be started by and to employ younger professionals who wish to experience the vitality of urban life.

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

**A. Academic and Research Alignment**

1. Is the business in an industry aligned with current and/or developing University research, scholarly, and creative activity?
2. Does the business provide experiential learning and workforce opportunities (e.g., internships, fellowships, full-time jobs) for students and graduates?

3. Does the business provide areas for partnership and advancement for faculty and students?
4. Will the business provide access to research instrumentation, tools, and/or equipment necessary to advance the academic and research mission?
5. Will the business fund scholarships, campus facilities or other academic services or amenities?
6. Will the business and/or its employees contribute to instruction or provide student mentoring?
7. Does the business offer the use of company resources, intellectual property or expertise to support the academic mission?

**B. Economic Benefit**

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

**C. Community Benefits**

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

--

**INSERT:**

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

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

**3.) WRITTEN RESPONSES OR COMMENTS  
RECEIVED THROUGH CONSULTATION WITH THE  
CEO OF THE MUNICIPALITY(IES) AND LOCAL  
ECONOMIC DEVELOPMENT ENTITY(IES)**



**PROPERTY LISTING**

Sponsor	Location	16V Incubator		Owner	PropertyType*	StreetAddress	City	ZipCode	ParcelID	Building	SpaceType**
		UniqueID	no								
RIT	Rochester	RIT-1	no	RIT	1	40 Franklin St.	Roch.	14604	106.80-1-30	40 Franklin	B
RIT	Henrietta	RIT-2	yes	RIT	1	125 Tech Park Dr.	Roch.	14623	161.03-1-18.1	125 Tech Park Dr.	A
RIT	Rochester	RIT-3	no	Gallina Development	2	195 E. Main St.	Roch.	14604	121.240-01-036	The Metropolitan	G

• 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

SqFt	Acres	Description	onCampus	Within1mleOfCampus	More than 1 mile off campus (requires waiver)	Latitude	Longitude	Note	County
21,075	n.a.	2nd, 3rd & 4th Floors	Yes	n.a.	n.a.	43°09'31" N	77°36'17" W		Monroe
29,836	n.a.	1st & 2nd Floors	Yes	n.a.	n.a.	43°04'27" N	77°39'47" W		Monroe
11,000	n.a.	Part of 11th Floor	No	yes		43°09'22" N	77°36'24" W		Monroe



Rochester Institute of Technology

125 Tech Park Drive

John St

Bailey Rd

Bailey Rd

Bailey Rd

41

Bailey Rd

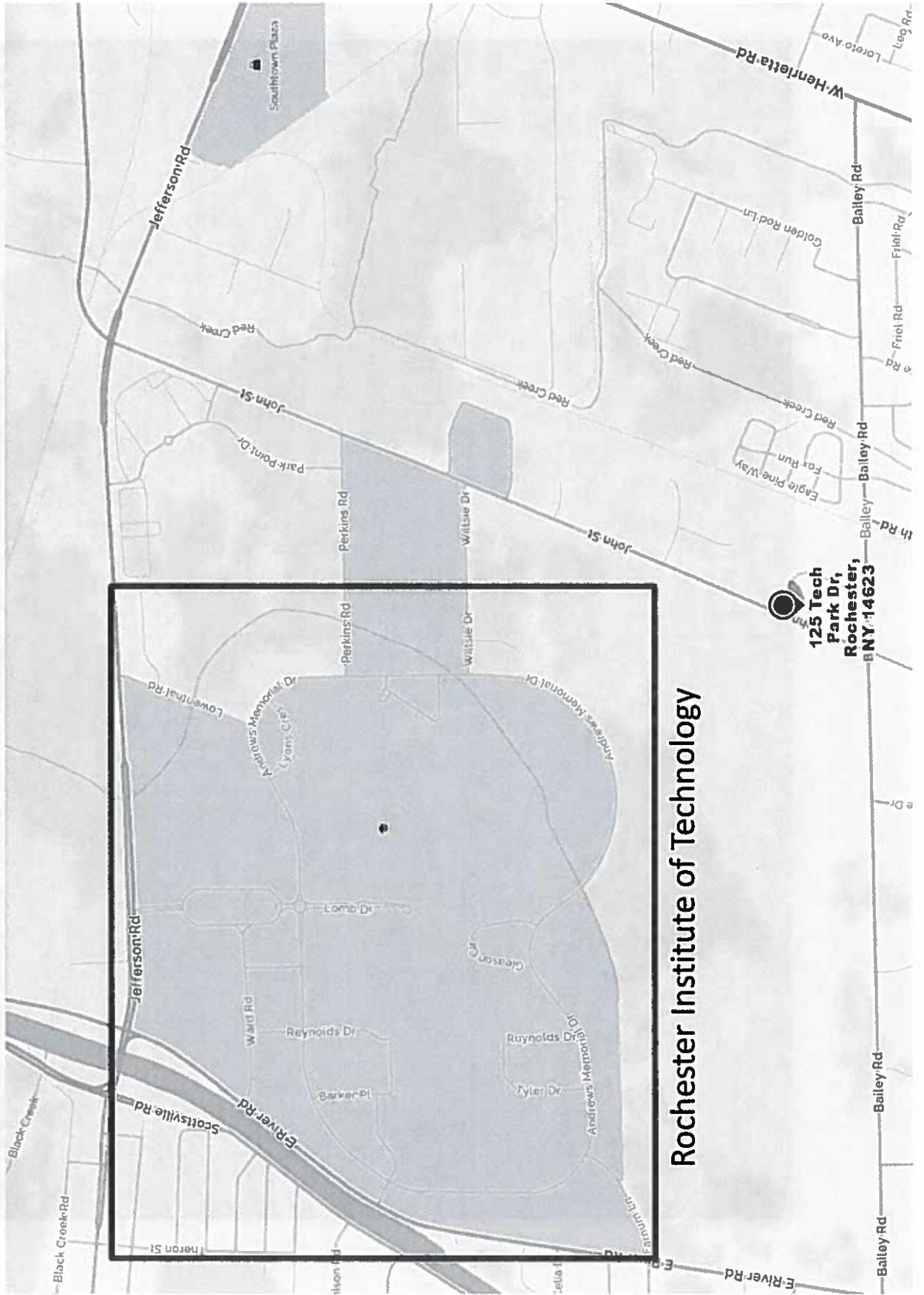
East River Rd

303

41

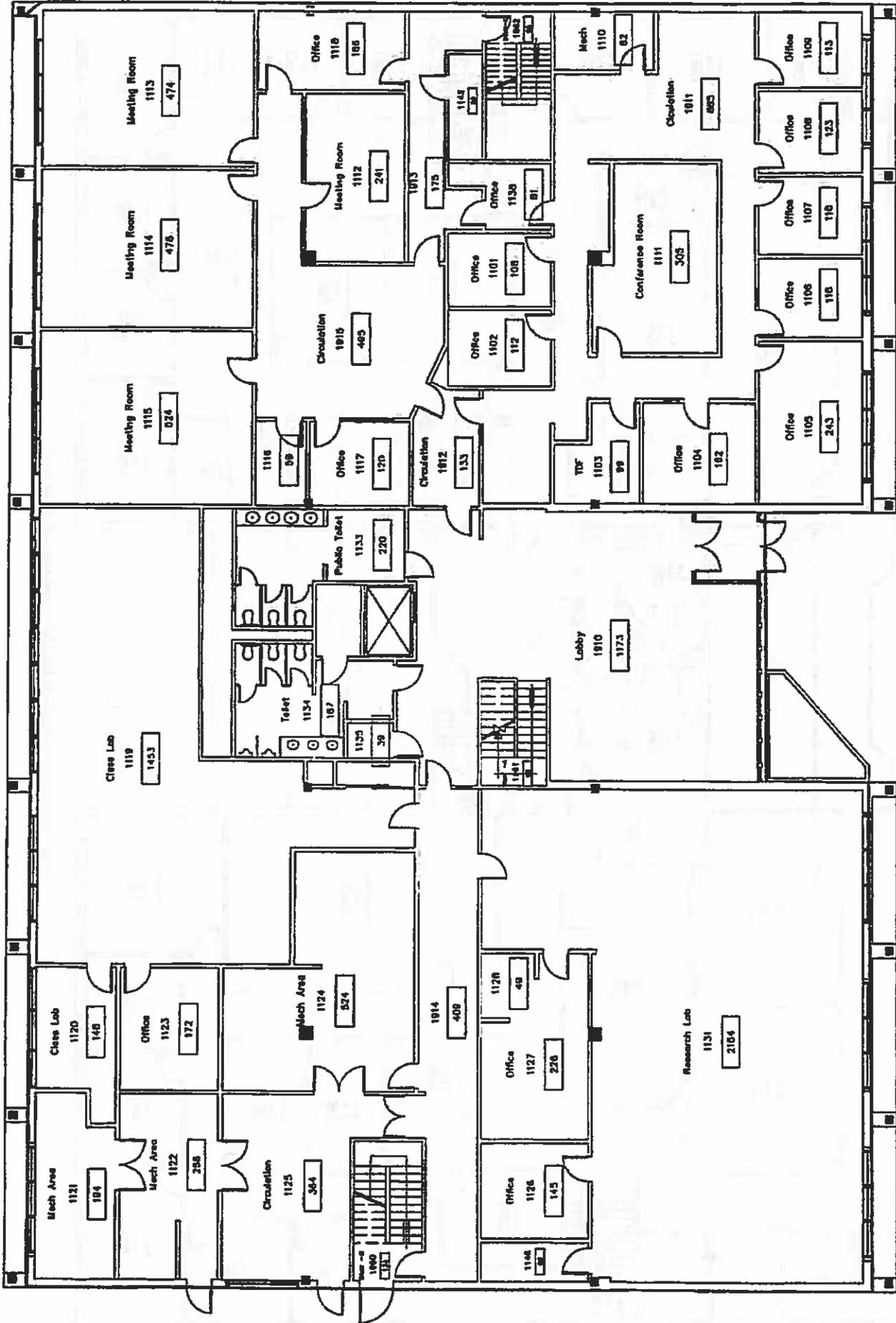
266

East River Rd



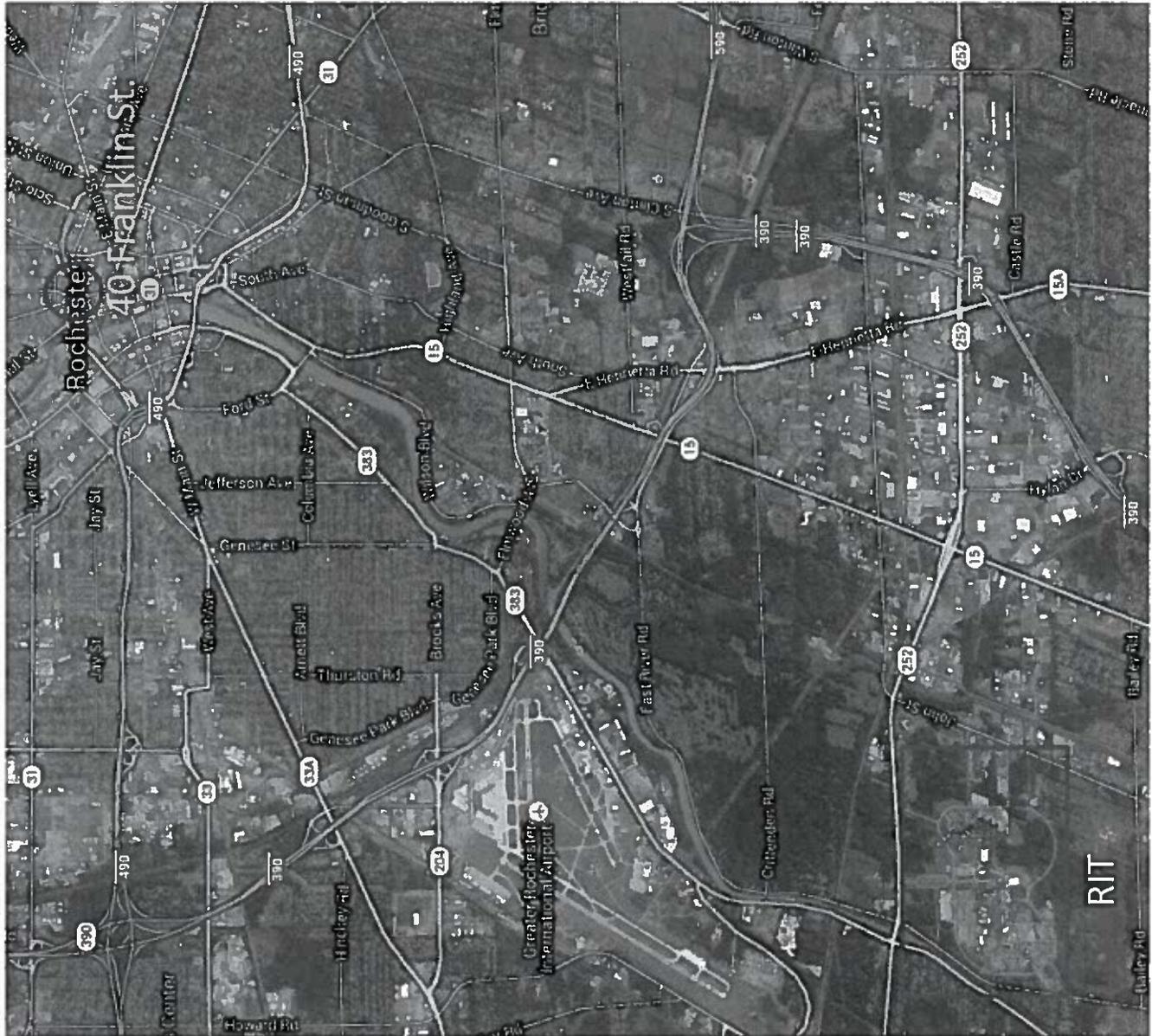
# Rochester Institute of Technology

125 Tech  
Park Dr,  
Rochester,  
NY 14623



Venture Creations Incubator-VCI-Building 150-First Floor Plan

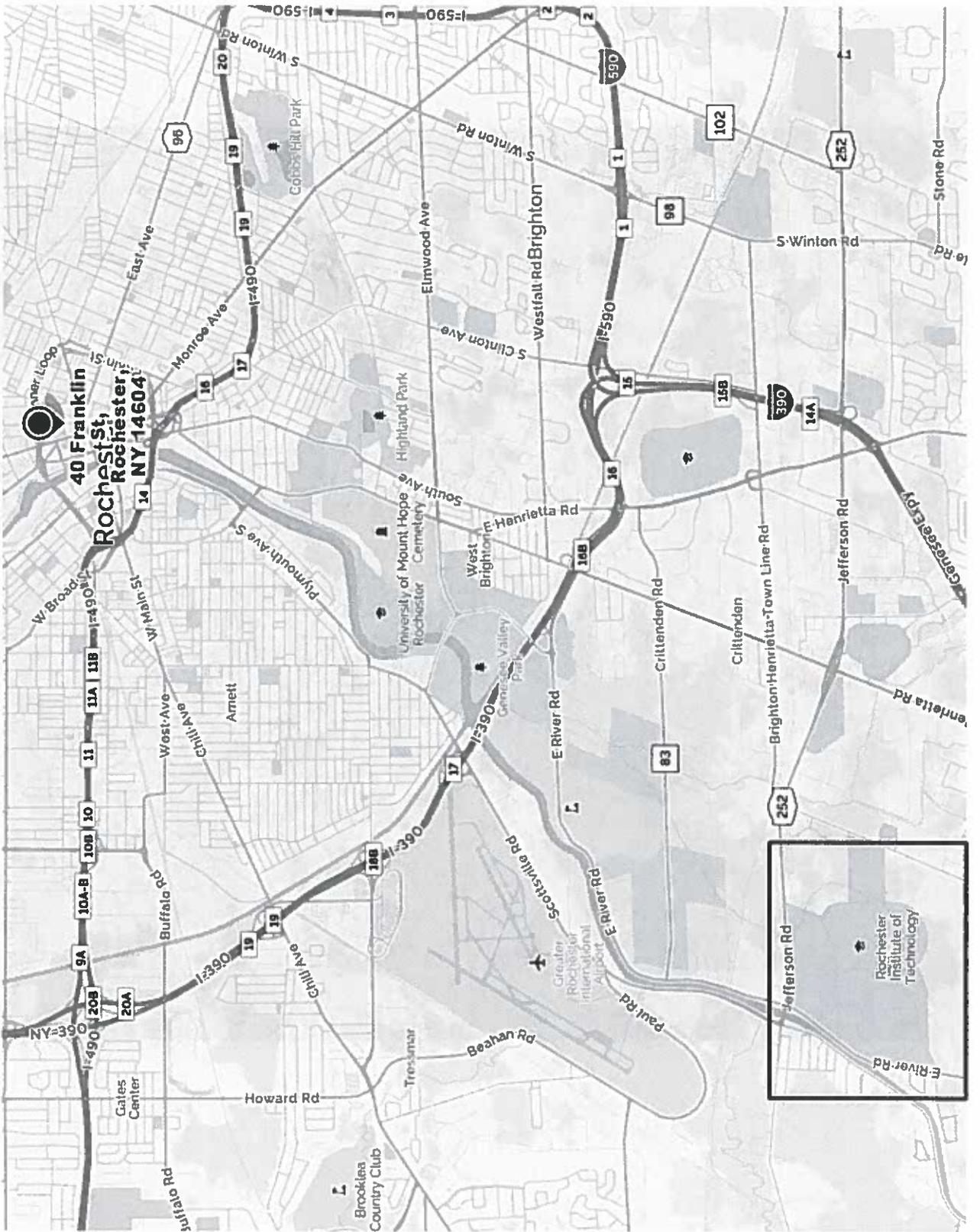




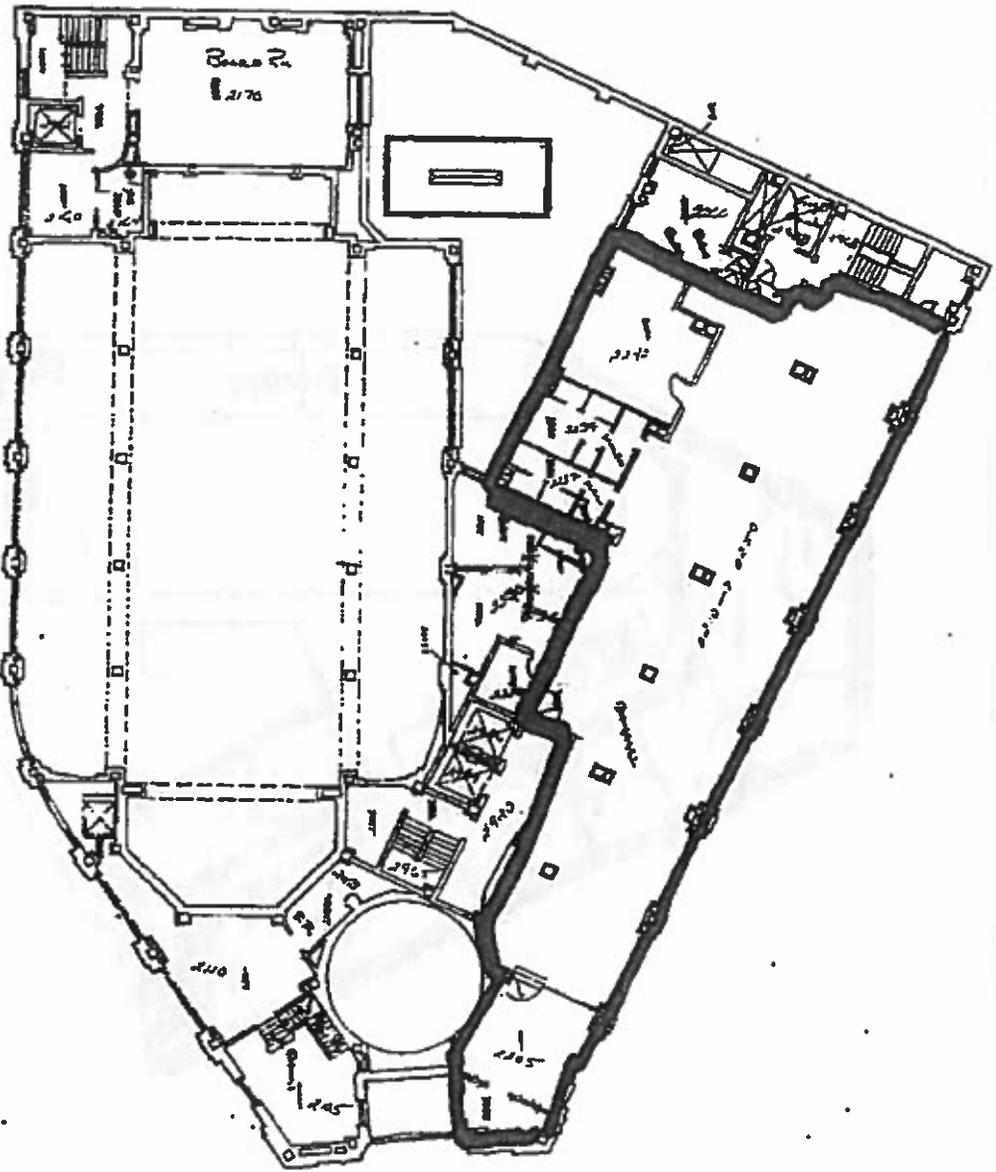
Rochester  
40 Franklin St

Greater Rochester  
International Airport

RIT



SECOND FLOOR





Comment: None and Logo

Comment: None and Logo

Approved Project Information  
Drawn by: \_\_\_\_\_ Checked by: \_\_\_\_\_  
Proj. No. \_\_\_\_\_ Proj. # \_\_\_\_\_  
Date: \_\_\_\_\_

Drawing Name: \_\_\_\_\_

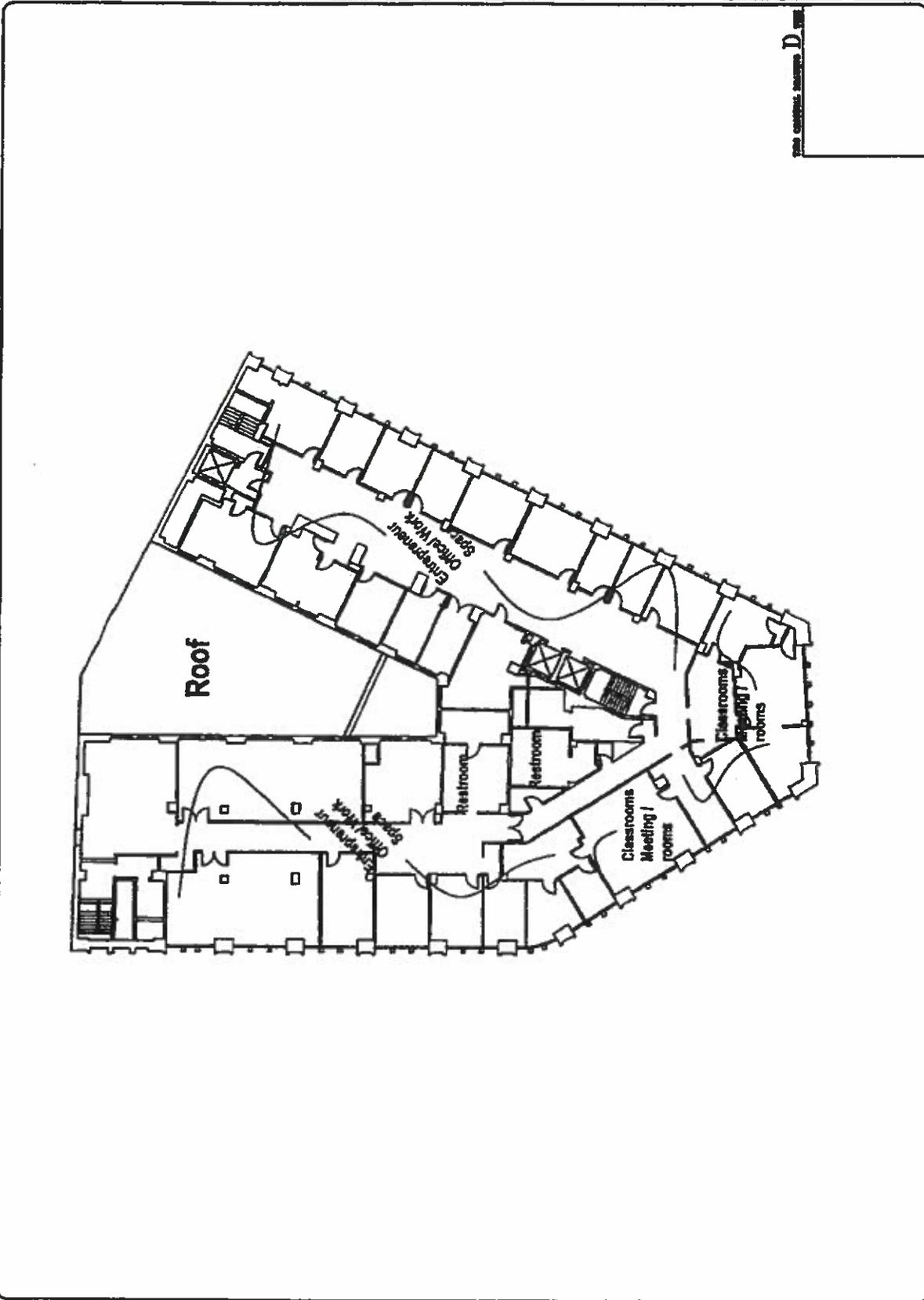
Approved Signatures & Dates  
Contractor: \_\_\_\_\_ Date: \_\_\_\_\_  
Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
Architect: \_\_\_\_\_ Date: \_\_\_\_\_



**R I T**  
RIT Building Corp.  
40 Franklin St.  
Rochester, NY  
RIT Bldg. No. \_\_\_\_\_  
RIT Project Mgr  
40 Franklin St.  
RIT Proj. # 00000

Issued by: \_\_\_\_\_  
Description: \_\_\_\_\_

Scale: \_\_\_\_\_  
40 Franklin St.  
Fourth Floor





The Metropolitan  
1 S. Clinton Ave.  
Rochester 14604



**The Metropolitan  
1 S. Clinton Ave.  
Rochester 14604**

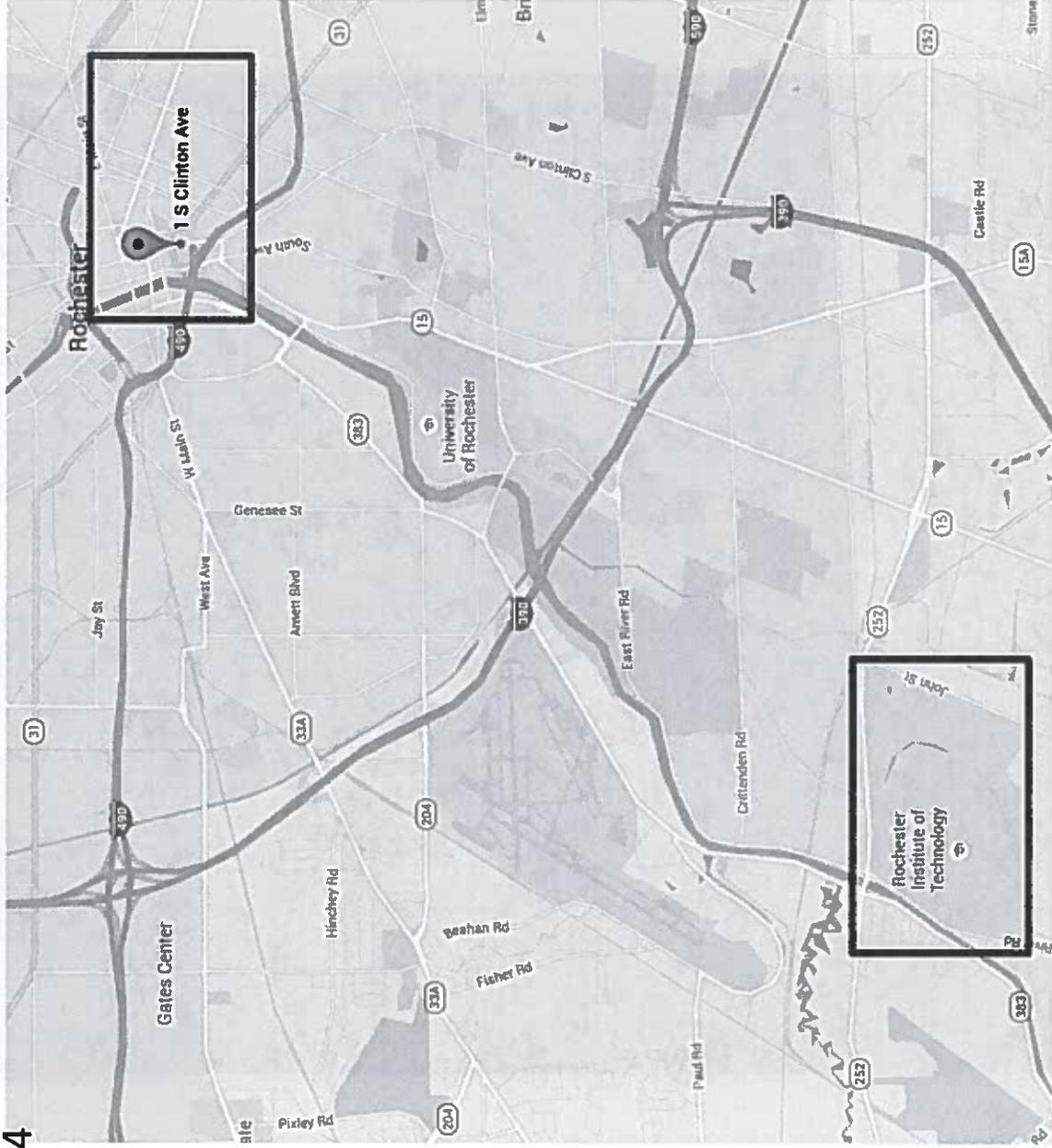
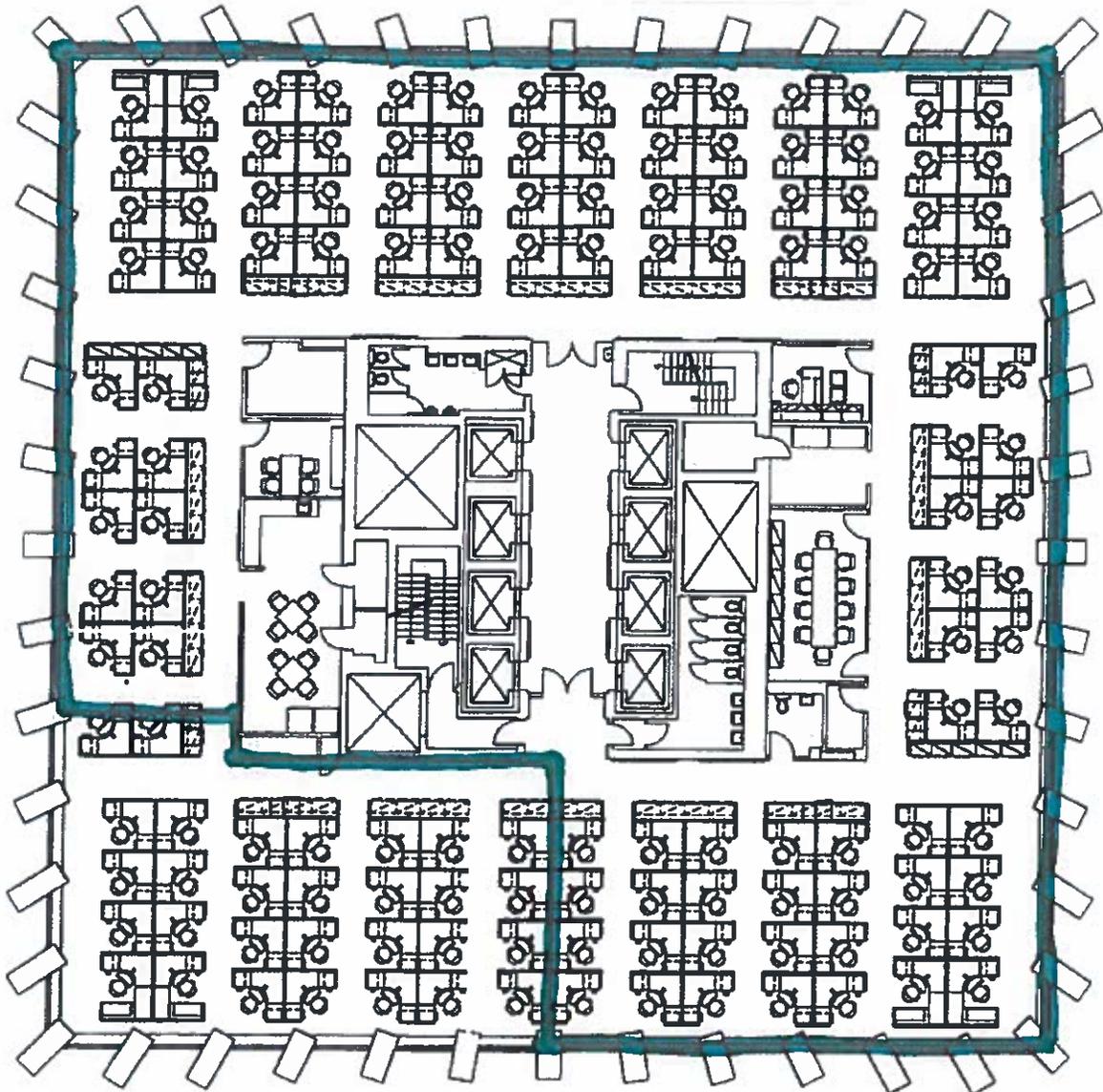


EXHIBIT A

DEMISED PREMISES (HIGHLIGHTED IN GREEN)





## Conflict of Interest Policy for START-UP New York Program

### I. Introduction

Rochester Institute of Technology (the "University") participates in New York State's START-UP NY program, which offers tax incentives for new and expanding businesses in New York State that are associated with a sponsoring university or college. As a sponsoring university, the University must adopt a conflict of interest policy pursuant to New York Economic Development Law § 439 and 5 NYCRR § 220.20 that (1) prohibits persons from participating in any activity related to the University's START-UP NY program that would cause those persons to experience a conflict of interest, and (2) requires the reporting of all actual or potential conflicts of interests the University becomes aware of in the course of administering the University's START-UP NY program. This policy states the University's Conflict of Interest Policy as it relates to the Start-Up New York Program and is designed to protect the integrity of the University and the Start-Up New York Program.

### II. Scope of Policy

This policy applies to Officials of the University and requires that any Conflict of Interest, real or perceived, be self-disclose to the President of the University.

### III. Definitions

The definitions in this policy are drawn primarily from the New York Economic Development Law § 439 and 5 NYCRR § 220.2.0. Terms not defined elsewhere in this policy are defined below:

"Conflict of Interest" means any circumstance in which the personal, professional, financial, or other interests of a University Official may potentially or actually diverge from, or may be reasonably perceived as potentially or actually diverging from, his or her obligations to the University and the interests of the University in connection with the University's START-UP NY program. It includes indirect conflicts, such as benefits provided to a Relative of a University Official. Notably, University Official does not have to actually do anything 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 University Official's judgment.

"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 descendant of that individual's grandparents or the spouse of such descendant.

"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.

**"University Official"** means any Trustee of the University, any employee or other person involved in the administration of the University at the level of dean and above, as well as any other person with decision-making authority over the University's START-UP NY Program.

#### **IV. Statement of Policy**

The University is committed to operating in an ethical manner and in compliance with applicable legal and regulatory requirements.

No Official who is a vendor, or employee of a vendor, of goods or services to the University that is a participant in the START-UP NY Program or who has a Business Interest in such vendor, or whose Relative has a Business Interest in such vendor, may vote on, or participate in, the administration by the University of any transaction with such vendor. Service as a University Official shall not be used as a means for private benefit or inurement for the University Official, a Relative thereof, or any entity in which the University Official or Relative thereof has a Business Interest.

#### **V. Procedures**

Upon becoming aware of an actual or potential conflict of interest, a University Official shall advise the University president of his or her or a Relative's Business Interest in any such existing or proposed vendor with the University. The University president, in consultation with appropriate individuals, shall determine whether the Conflict of Interest exists, and the appropriate resolution. The existence and resolution of the Conflict of Interest must be documented by the University president or his or her designee, and reported to the Vice President of Research, and the University's auditors. The University shall forward such reports to the Commissioner of Economic Development for the State of New York annually.

#### **VI. Record Management**

The existence and resolution of the Conflict of Interest must be documented by the University president or his or her designee, and reported to the Vice President of Research and the University's auditors. The University shall forward any such reports to the Commissioner of Economic Development for the State of New York by January 31 of each year.

#### **VII. Responsible Office**

The Office of Vice President of Research, in consultation with appropriate University offices, shall may make changes to this policy from time to time, as deemed appropriate. The Vice President for Research shall oversee the implementation of this policy.



**Rochester Institute of Technology**

Office of the President  
George Eastman Hall  
2 Lomb Memorial Drive  
Rochester, NY 14623-5604  
585-475-2394 Fax: 585-475-7470

February 28, 2014

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

Dear Kenneth:

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

Upon approval of our Plan for the designation of a Tax Free New York Area, we will be permitted to market the designated property to businesses who wish to participate in the Start-UP NY Program.

We commit to ensuring that interested businesses are aware that Tax-Advantaged Bonds may have been used to finance the designated property and that non-governmental use may be limited in order to preserve the tax benefits associated with the interest on the Tax-Advantaged Bonds in accordance with applicable federal, state or local tax law and regulations ("Tax Compliance Measures").

We commit to taking all appropriate steps, including any appropriate Tax Compliance Measures, to ensure that non-governmental use of property funded with tax exempt bonds for START-UP purposes will not jeopardize the tax exempt status of any Tax-Advantaged Bonds impacting designated Tax Free New York Areas.

We confirm our understanding that approval of our Plan for designation of a Tax Free NY Area or our participation in the Start-UP NY Program does not replace or modify any existing obligations or requirements related to any Tax-Advantaged Bonds or Tax Compliance Measures.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Bill Destler'.

William W. Destler, Ph.D.  
President

