



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

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

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

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

Name:	Fredonia
Campus Address:	280 Central Avenue Fredonia, NY 14063
Address(es) of Proposed Tax-Free NY Area(s) :	1) Fredonia Technology Incubator 214 Central Avenue Dunkirk, NY 14048

Address(es) of Proposed Tax-Free NY Area(s) cont'd :

- 2) Fredonia Campus  
280 Central Avenue  
Fredonia, NY 14063
  
- 3) Fredonia Foundation Building  
1 Cliffstar Avenue  
Dunkirk, NY 14048
  
- 4) Dunkirk Lakefront Property Parcel  
Dunkirk, NY 14048\*

\*Affiliated property owned by the City of Dunkirk

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

Four properties are identified in the Fredonia Campus Plan: A) The Fredonia Technology Incubator in Dunkirk, NY; B) Vacant land (4.13 acres) on the Fredonia campus; C) The Fredonia Foundation Office building in Dunkirk, NY, and D) A Dunkirk NY Lakefront parcel (1.86 acres) owned by the City of Dunkirk. The locations of these properties are shown in the map of Fredonia properties (Appendix E).

**A) Fredonia Technology Incubator (FTI) (ID# SU-105-2-B-0078-000-A)**

Location/Area

The Fredonia Technology Incubator (FTI) is located in the City of Dunkirk's Downtown Waterfront Business District. Dunkirk is adjacent to the Village of Fredonia, the home of the Fredonia Campus. An FTI map, photo, and floor plans are included in the appendices (A; A.1; A.2; A.3).

Dunkirk is located along Lake Erie, 50 miles southwest of Buffalo. The city is easily accessible by Interstate 90, and the region offers timely connections to all major metropolitan areas in the Midwest, Eastern United States, and Canada. Dunkirk harbor provides open access to Lake Erie. The city offers lakefront marinas, accommodations, lakefront parks, and beaches. An abundance of natural resources, workers, and technological support networks provide businesses with competitive opportunities for growth. Housing and commercial properties are diverse and affordable.

## FTI Facility

FTI is a modern, energy-efficient, 22,000 sf LEED Silver building with both shared and private client space available for occupancy. High-speed internet and wireless connectivity are available throughout the facility. The Incubator includes a state-of-the-art smart classroom/boardroom that seats 50. In addition, there are two smaller conference rooms, one on each floor, that accommodate six. Three dry labs (no chemicals or heavy machinery) are also available for use on the second floor of the building. These labs are approximately 600-800 sf. Each of the dry labs includes sinks, storage, offices, etc. The restrooms include a shower. Both large (~420 sf) and small offices (~210 sf) are available for occupancy. Larger offices are interconnected for ready expansion into office suites.

## **B) Fredonia Campus Property (ID #: SU-105-1-L-F.1.0-000-A)**

Fredonia State University of New York, established in 1826, is a four-year, residential liberal arts and sciences university that offers over 80 major and 40 minor academic undergraduate and graduate programs. Fredonia's few academic divisions are the College of Liberal Arts and Sciences, the College of Visual and Performing Arts, the College of Education, and the School of Business (Appendix E: Fredonia Properties).

The campus is located on approximately 250 acres in the historic village of Fredonia. All campus buildings have high-speed internet and wireless access. Current enrollment is approximately 5,300 undergraduate and graduate students. Although Fredonia is well known for its School of Music and its visual and performing arts programs, it is a comprehensive university with excellent programs in the sciences, humanities, business, and education.

The Fredonia College Lodge is owned and operated by the nonprofit Faculty Student Association (FSA). The Lodge ([www.collegelodge.com/About.aspx](http://www.collegelodge.com/About.aspx)), approximately 11 miles from campus in Brocton, NY, is situated on 200 scenic acres and includes a nature preserve and groomed trails for hiking and cross-country skiing. Businesses affiliated with the university find the location ideal for workforce training, professional seminars, and social functions. The property includes a gathering hall for events (with catering kitchen) and 90-bed sleeping lodge.

Vacant on-campus building space for public-private partnerships is currently very limited. However, the opening of the new Science Center in Fall 2014 will provide an opportunity for enhancing research affiliations. The new Science Center will add 57,415 net square feet to the campus inventory. Occupants of the Science Center will include the Departments of Biology, Chemistry, and Biochemistry, as well as faculty affiliated with Environmental Studies and Science Education programs. The Science Center will enhance academic programs and provide a modern, collaborative environment for research.

## Designated Fredonia Campus Property

Approximately 4.13 acres of campus land are being designated for development with partner businesses along the western border of campus (Appendix B: Fredonia Campus Property). According to our facilities planning staff, the property can accommodate two custom buildings - 45,000 – 60,000 sf each - on the designated campus land.

### Proposed Partnership

Early-stage proposals for the site are being considered. For example, one company has proposed building an energy-efficient biodigester on the site. This project is designed to take advantage of the industrial organic waste stream that exists in a small circumference around the campus to receive and process organic waste for power generation. The targeted Biomass fuel (feedstock) sources are the waste streams from production at a pet food manufacturing facility, two large fruit juice companies, a large ice cream manufacturing facility, a private label food processor, and the campus dining facilities. The plan proposes processing waste from these partners and gradually building up to larger capacity as additional feedstock is secured. The facility will utilize all byproducts of the AD system – energy in the form of gas and/or electricity and heat, and compost material – to create a financially viable project that meets the needs of its adjacent industrial partners and Fredonia.

### **C) Fredonia Foundation Office Building, Dunkirk, NY\*** **(ID# SU-105-2-B-FF1.0-000-A)**

\*Note: this property is owned by the Fredonia College Foundation. It is not a state-owned property and it does not, therefore, have a PSI number assigned.

The Fredonia Foundation office building was recently acquired as a gift to the university, following the sale of the Cliffstar corporation. This 25,290 sf office building, which was built in 1997, is located approximately a half-mile from the Fredonia Technology Incubator and 1.5 miles from the Fredonia campus (Appendix C: Fredonia Foundation Building map; C.1: Building Photo). This “turn-key” building features a wide, attractive foyer, an elevator, ample storage, conference rooms, a lunchroom, and an alarm system.

The two-floor facility offers Class A office space with ample parking. The building, which is the former headquarters of a major corporation, housed corporate data and financial centers and is wired for high-speed internet access and data transmission. Both floors of the building have windowed offices around the periphery and an open space in the large inner core of the building. The inner core space is well suited for work cubicles or subdivision as needed (Appendix C.2: Fredonia Foundation Office Floor Plans).

**D) City of Dunkirk Lakefront Land ( ID# SU-105-2-L-D.1.0-000-A)**

A 1.86 acre waterfront parcel owned by the City of Dunkirk has been committed as an affiliated property for the Fredonia Startup plan (Appendix D: Dunkirk Lakefrontland map). This parcel is located directly on Dunkirk Harbor within two blocks of the Fredonia Technology Incubator. The plot has 270 feet frontage on Route 5 - a major thoroughfare between Buffalo and Pennsylvania. It is adjacent to a marina, bicycle/ walking trails, a restaurant, and a Clarion Hotel. Significant investment has been committed for ongoing upgrades to the adjacent marina and sea wall improvements. This parcel provides an ideal opportunity for public-private partnership. One proposed use of this property, as an aquatic museum and science center, has been widely vetted and well received both on campus and in the community.

Several other large, city-owned parcels and buildings on or near the waterfront are also available for development. In addition, several large, shovel-ready parcels and buildings are available in the Village of Fredonia and the surrounding area. The City of Dunkirk, the Village of Fredonia, and the members of the Fredonia StartUp committee, are jointly developing a web site to list and describe available properties and buildings.

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

**1. Building Space: 47,290 sq. ft. total**

A) Fredonia Technology Incubator: 22,000 sq. ft.

C) Fredonia Foundation Building: 25,290 sq. ft.

**2. Property: approximately 5.99 acres**

B) Fredonia campus property: 4.13 acres

D) Dunkirk NY Lakefront parcel: 1.86 acres

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

1) Jewett Hall, Fredonia campus:

Jewett Hall is home to Fredonia's Biology, Chemistry, Physics, and Geoscience programs. With the opening of our new 92,000 sq ft. (gross) Science Center in the Fall, programs will be relocating from Jewett to the new science center. Jewett Hall will be available for public-private partnership opportunities after the academic departments move into to the new science complex in August. One company has expressed an interest in the StartUP program and possible relocation to Jewett Hall.

2) 3213 Middle Road, Dunkirk, NY

This property has been purchased by a recycling company (Nulife Glass) that has expressed interest in the StartUP program. Once permits are obtained, the company plans to invest over \$2,000,000 into a furnace and other equipment. Nulife is an American branch of an English company. The parent company was established in 2001 with the goal of developing an environmentally safe process for recovering lead from cathode ray tube (CRT) glass. With over a decade of extensive testing, Nulife Glass has successfully achieved the design, build, and operation of a proprietary furnace to remove the lead from CRT glass.

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

1) Jewett Hall, Fredonia Campus: The building is a total of 62,685 net square feet. There is a basement and two floors. The building contains offices, classrooms, a large lecture hall and teaching labs. Jewett also contains a computer lab, a greenhouse, a museum, a herbarium, six walk-in environmental chambers, instrument rooms, and a dark room.

2) 3213 Middle Road, Dunkirk

Nulife Glass is located in a 44,000 square foot building located on a 23 acre plot. A separate 2,000 square foot storage facility is also on the property. The company has been working with the county IDA and others to explore state tax incentive programs, including StartUP.

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

Fredonia is a residential, comprehensive liberal arts and sciences university noted for our School of Music and programs in the Visual and Performing Arts. Fredonia has long-standing and highly regarded programs in mathematics and the sciences. Students matriculate in Applied Mathematics, Biochemistry, Biology, Chemistry, Communication, Computer Science, Computer and Information Sciences, Geochemistry, Geology, Geophysics, Environmental Sciences, Mathematics, Mathematics-Physics, and Molecular Genetics. In addition, strong complementary programs are also available through the School of Business: Finance, Management, Marketing, Accounting, and Economics. Excellent programs in the College of Education (Science Education), Social Sciences, and the Humanities are available to support local businesses.

Fredonia will be targeting four business clusters:

- 1) Agribusiness - including businesses that support the food processing industry (i.e. the supply chain).
- 2) Technology - particularly businesses related to visual arts, new media /social media, and communication applications.
- 3) Lake Erie research, development, and educational tourism business opportunities.
- 4) Businesses directly related to Fredonia's academic mission.

These clusters were identified through careful analysis of data provided by the Northern Chautauqua Community Foundation's Local Economic Development group (LED), the Western Regional Economic Development Council priorities, discussion with members of StartUp committee, community business leaders, and campus leaders. These clusters were among the high-priority business clusters identified by LED. Their report, the Northern Chautauqua Regional Profile and Competitive Assessment ("Regional Profile," 2012), stresses, "the concentration of such entities in one area have the effect of enhancing competition by increasing productivity of associated companies, driving innovation and stimulating new businesses in the field ... such concentrations amass resources and competencies that give the geographic region or area a competitive advantage" ("Regional Profile," 37).

Fredonia's target business clusters support the academic mission and ongoing efforts to enhance academic programs. Attracting businesses in these areas will provide challenging, real-world curricular and co-curricular learning opportunities for students. The rationale for selecting these clusters was strongly influenced by Fredonia's academic strengths, faculty expertise, and desire to enhance students' classroom and experiential learning. Fredonia has a rich tradition of excellence in the arts and sciences, as well as education programs and business leadership. Strengths in the humanities and social sciences provide additional value for recruited businesses.

Fredonia emphasizes experiential education that includes significant laboratory coursework, independent research, and internships. The target business clusters will help us build and enhance core academic strengths, facilitate the development of interdisciplinary curricula, and broaden the number and types of internships, research opportunities, and experiential learning opportunities available to our students. In addition to fitting the Fredonia campus mission and goals, the target clusters align with the economic development goals of local business leaders, the county IDA, the Chamber of Commerce, and county and local municipalities.

**1) Agribusinesses, including industries that support the food-processing industry (the supply chain)**

The Northern Chautauqua Community Foundation LED report “Regional Profile and Competitive Advantage” (2012) notes that while agribusiness is shared with counties throughout Upstate NY, Chautauqua County is the leader in agriculture related to grapes and other fruits. The report identifies the following major employers in this cluster: Cott Beverages, Carriage House Foods, Nestle Purina Pet foods, Flavor’s Inc., National Grape Cooperative (Welch’s), Growers’ Cooperative, Fieldbrook Foods, Double A Vineyards, Falcone Farms, and 23 independent wineries. The cumulative contribution of fruit and vegetable processing to Chautauqua County is around \$719 million annually. Local grape and fruit industry operations support 659 jobs that result in an economic impact of \$141 million annually. The annual retail value of juices and wines sold in the County is estimated to be over a \$100 million.

As the LED report points out, agribusiness in the county is driven by the availability of rich land and growing conditions, and businesses are also attracted to the region’s easy access to Interstate 90 and rail service, providing overnight access to over 40% of the U.S. population. The region is within driving distance (~ 500 miles) of major markets, including Buffalo, Toronto, Cleveland, Pittsburgh, Detroit, New York City, Philadelphia, Montreal, Boston, Washington, DC, and Chicago. (Buffalo Niagara Enterprise 2013 Economic Guide).

The opportunity to recruit businesses in this cluster comes, in part, from the clear strength of agribusiness which is the primary engine for the local economy. However, there is an opportunity to work collaboratively with these businesses, particularly the food processors in the area, to attract suppliers who provide packaging and other materials for their products and distribution. There is an opportunity for supply chain business relocations in support of regional food-processing businesses.

We are engaged in early discussions with an out-of-state company regarding the development of a large warehouse complex in neighboring Dunkirk NY that will include both cold and dry storage capacity. Local food processors currently truck their products to Pennsylvania and other locations for storage since there is not sufficient storage in the Dunkirk-Fredonia area. The transportation and storage of products has a substantial financial impact on major food processors. In addition, while the number of jobs created for local warehousing would provide a significant boost to the local economy, the long-term potential for job creation resulting from related initiatives is potentially even more significant. This project, which will be built on the site of a former brown field, has received support from the IDA and the City of Dunkirk.

Another opportunity in local agribusiness focuses on the expense of disposing grape husks and other waste byproducts. As noted previously, we are in discussions with a renewable energy company that has proposed building a system that uses an anaerobic digester to produce renewable energy, heat, and soil products from organic waste. The company is working with several area food processing companies to create a centralized alternative to the current waste management system that will turn organic waste into energy. If successful, this opportunity is likely to have ripple effects on other area businesses. Similarly, a Canadian company specializing in LED lighting and solar energy has expressed an interest in relocating office and manufacturing operations to Dunkirk. They are in contact with the principals involved in the warehouse project to explore the feasibility of providing light and heat options for the project. If negotiations are successful, they may bring office and manufacturing operations to the area.

## **2) Technology cluster (visual arts and new media, and new social media applications)**

Fredonia has attracted several business startups to the Fredonia Technology Incubator (FTI) that fit into this cluster. They will help support and attract larger companies and create a synergy with Fredonia's well-known academic programs in music, communication, and the performing arts.

FTI has attracted businesses such as Venture Productions, V3 studios, AVtick, and Silicon Wolves. Each of these businesses complements and will attract other businesses in our technology/media cluster. Venture Productions is a full service provider of highly innovative entertainment that is original and affordable. They also provide high quality dramatic education for all ages. V3 studio is a full-service creative and marketing agency specializing in video productions and operational management. AVtick is an audio and voice-based social media and networking company. Finally, Silicon Wolves Computing Society LLC (SWCS) develops high-performance computing systems for advanced workstations and computer gaming solutions. In general, the FTI small-business climate is rich for attracting technology businesses in the visual arts and new social media cluster, including computer gaming companies.

Fredonia's Computer and Information Sciences (CIS) department has worked with local businesses and Incubator clients on a variety of media-related technology issues. They have, for example, offered new coursework (Ruby On Rails) to support Incubator businesses. CIS faculty expertise is available to assist in business areas such as database design, computer programming, software engineering and development, systems analysis, and project management.

Fredonia's renowned programs in music, arts, creative writing, and communication are available to support a media-based technology cluster. The Communication department offers a comprehensive program that includes majors in audio, video, communication studies, journalism, media management, and public relations. In addition, our programs in Music and the Performing Arts are enhanced by programs in Business Administration/Music Industry, Music/Sound Recording Technology, Visual Arts/New Media, Graphic Design, Photography, and Videography. The state-of-the-art Sound Recording Technology facilities range from labs and workshop spaces to technologically advanced studios and live rooms, and booths that rival the best in the nation. The University boasts two revolutionary music technology labs, equipped with a total of 30 Apple iMac Computers, each connected to an XP-30 multi-timbral synthesizer.

### **3) Lake Erie Research, Development and Educational Tourism**

A key to the economic revitalization of the Chautauqua region is to support and attract businesses to New York State's most precious natural resource, the Great Lakes. The Great Lakes, the largest body of fresh water in the world, are a major economic engine for communities around them. Fredonia is located approximately one mile from Dunkirk harbor, arguably the best open-water access on Lake Erie. As noted previously, the Fredonia Technology Incubator is located within two blocks of Dunkirk harbor.

#### **a) Lake Erie Research and Development**

The LED Regional Profile report notes that Lake Erie is being threatened by record algae bloom, an infestation of quagga and zebra mussels, and unprecedented pollutants. One indicator of the cumulative economic impact of these challenges is apparent in the U.S. The U.S. Fish and Wildlife Service estimated a \$5 billion impact on Great Lakes commercial fishing industry over the past five years alone. A concerted effort must be made to address the issues that are negatively impacting the Great Lakes and the regional economy.

There is currently little development along key areas on Lake Erie, including the Dunkirk and Barcelona harbors. Recognizing the essential balance between environmental concerns and appropriate commercialization, there is a pressing need to attract research and development that will contribute to the health of the Great Lakes and a vibrant local economy. Fredonia faculty members have expertise in aquatic microbiology, airborne contaminant chemistry, trophic pathways in organic pollutants, groundwater geophysics, environmental physiology of aquatic mussels, and groundbreaking research on plastics pollution in the Great Lakes. The university recently hired a new aquatic biologist/limnologist who has done extensive work on lake ecology. Her work focuses on ecological interactions between climate change and lake habitats. Existing degree programs that support aquatic research and development include those in biology, chemistry, biochemistry, geosciences, and environmental sciences. Faculty in geosciences are developing projects in lake sedimentology, oceanography, and physical limnology. Programs in public relations, journalism, marketing, economics, communication, science education, and business administration stand ready to develop field experiences and internships with new businesses attracted in this cluster.

While plastic pollution has been an area of scientific research in the oceans for the past 10-15 years, Fredonia researchers were the first to investigate this issue in the Great Lakes. Dr. Sherri Mason has found that samples taken from Lake Erie show concentrations of microplastics higher than any oceanic sample ever recorded (see <http://www.nytimes.com/2013/12/15/us/scientists-turn-their-gaze-toward-tiny-threats-to-great-lakes.html>). Her research has, in part, prompted findings that have led to a plethora of additional research questions and investigations, many of which interface with other environmental threats facing the Great Lakes, such as persistent organic pollutants (POPs). The size of the plastic particles allows for easy ingestion by aquatic organisms, providing a new way for POPs to move into the food web.

This Lake Erie research and development cluster fits well with the StartUp NY program. Fredonia has had fruitful interactions with a rapidly growing company that manufactures biodegradable plastics. The company has locations in Canada and Sweden, but not in the United States. They have expressed interest in developing a business foothold in Western New York. Fredonia's adjacency to Lake Erie provides this company, and others, access to marine-based starting materials, as well as industrial connections for end-product users of bio-resins. Great Lakes research, harvesting, and industrialization opportunities clearly establish the potential for job creation and workforce development in this cluster.

#### **b) Lake Erie Educational Tourism**

Although traditional hospitality and real estate businesses are prohibited under StartUp, we are committed to recruiting and fostering educational tourism. Tourism is the fifth largest employer in NYS, and this sector generated \$6.5 billion in state and local taxes in 2010. Capitalizing on the opportunities presented by New York's 84 miles of Lake Erie shoreline is key to the economic recovery of the upstate region. According to the 2011 University of Michigan report "*Vital to our Nation's Economy: Great Lakes Jobs*", Lake Erie conservatively supports 157,547 New York jobs. The report further asserts: "Water is a huge draw for people – coastal trails, clean beaches, and waterfront businesses add tremendous value to both metropolitan and semi-rural areas. In this new economic era, growth will be less linked to traditional manufacturing and more focused on quality of life and quality of the region's natural resources. Unless we protect and restore our best environmental asset – the Great Lakes – we will not be able to retain and attract strong new businesses and great human resources."<sup>1</sup> The report states further that 14% of Great Lakes jobs relate directly to tourism. Our goal is to attract educational tourism to augment ongoing efforts to enhance tourism and ecotourism in our region.

There are few in-state educational attractions west of Buffalo, and an educational museum featuring Great Lakes exhibits would draw significant tourism dollars to the local economy. There have been ongoing discussions about the feasibility of developing a local museum that focuses on the history and issues relating to the Great Lakes. An appropriate and unique lakes museum would stimulate regional economic revitalization and job growth through tourism, stimulate training for new STEM graduates, and significantly increase research and academic collaboration between Fredonia, other colleges and universities, and federal and state agencies. We are not, of course, targeting businesses that are prohibited under StartUp such as traditional hospitality businesses. Although hotels and restaurants would benefit from additional tourists in the region, they are not the focus of our efforts. Rather, we are seeking public-private partnerships that will develop, for example, an interactive museum that will educate children and adults on fresh water issues that impact the quality of life and economic vitality of our area.

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<sup>1</sup> <http://www.fws.gov/glri/documents/11-203-Great-Lakes-Jobs-report%5B1%5D.pdf>

Dunkirk Harbor restoration has been identified as a WNY Regional Economic Development priority, and the harbor is the site of significant private investment.

An aquatic museum, or similar educational tourist attraction, would provide a catalyst for coalescing local, state, and federal resources as a stimulus for regional economic development.

#### **4) Business opportunities directly related to Fredonia's academic mission**

A cornerstone of the Power of Fredonia Strategic Plan is to affirm and enhance Fredonia's reputation as a global community. To accomplish this goal, the Institutional Plan for Internationalization includes goals of increasing student participation in study abroad programs, developing additional short-term study abroad opportunities, attracting and supporting international students, ensuring integration of global issues into general education courses, and developing additional academic and co-curricular programs. The Fredonia international student population has grown significantly over the past several years, and we are actively examining ways to better serve these students.

The campus has engaged EC English ([www.ecenglish.com](http://www.ecenglish.com)), to provide English as a Second Language services to Fredonia's international students. The company, which currently has offices in Boston and New York City, is planning to open an office at Fredonia. The expansion plans will create additional local jobs, which will allow them to serve upstate NY and beyond. This example demonstrates the type of business partnership that may directly enhance our academic mission while creating new jobs under the StartUP NY program.

Similarly, the previously mentioned Fredonia Technology Incubator company, Venture Productions, is an example of a business that is directly related to our mission and expertise in the visual and performing arts.

- 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.

**Mission:** Fredonia is a four-year, residential, comprehensive liberal arts and sciences college. The recently revised mission statement reflects the goals for all students: "Fredonia educates, challenges, and inspires students to become skilled, connected, creative, and responsible global citizens and professionals. The university enriches the world through scholarship, artistic expression, community engagement, and entrepreneurship".

Fredonia emphasizes community engagement and entrepreneurship to enhance student learning and create better communities.

The Fredonia Technology Incubator was built in Dunkirk to stimulate economic recovery in the city and surrounding area. The mission of the Fredonia Technology Incubator is to nurture and support startup businesses that will, at maturity, create jobs in the region. The campus is also committed to providing real-world experiences for students through internships and structured interactions with FTI entrepreneurs. Ultimately, we strive to contribute to a vibrant regional economy that will attract and retain Fredonia graduates.

Incubator clients are committed to sharing their expertise with students and academic programs. Just as faculty and students contribute significantly to Incubator client businesses, many entrepreneurs have become involved in mentoring, supervising, and teaching students. This experience has helped to establish similar expectations for businesses that will be recruited under the StartUp program.

This campus vetting process for StartUp will ensure alignment of businesses with the campus mission. The intake process will evaluate how well businesses fit Fredonia values and strategic directions. The Fredonia StartUp NY committee, with participation from the broader community, will evaluate the strength and breadth of applicants' commitment to the campus and region. Consultation with relevant stakeholders - including business and community leaders, university administrators, faculty, staff, governance, and union representatives - will strengthen the intake process. Based on the factors outlined below, committee members will rate the strength of mission fit for each applicant business. Not all factors need be addressed by each applicant. Rather, a strong commitment to one or more factors, may, in some instances be sufficient to result in an endorsement. Lead reviewers from the StartUp committee will be asked to assign an overall rating of from 1 (low level of mission fit) to 5 (high level of mission fit). A final rating will be assigned based on discussions of the entire committee, and the rating and a description of mission fit will be passed along to the President and Cabinet for consideration.

StartUp businesses must be committed to partnering with Fredonia in the following areas:

- Support for undergraduate, graduate, and professional education:

Businesses must demonstrate a willingness to participate in formal and informal instruction. This may include classroom and co-curricular teaching, lectures, demonstrations, and contributions to course and curricular development. Other means of sharing expertise with faculty and students will also be a way for businesses to contribute to the learning environment. Alignment with a particular academic program, while desirable, may not be necessary, a business can show its ability to contribute in other areas.

- Research:

Support for the university's research mission may be demonstrated through research collaborations, student involvement in business research and development, support for acquiring research equipment, and funding for faculty and/or student research.

- Leadership:

Businesses may contribute to Fredonia's leadership goals by providing training and/or experiential learning activities for faculty, staff, and students, participating in university leadership training, and providing financial support for leadership development and training.

- Diversity/Culture:

Supporting Fredonia's mission means valuing experiences that lead to greater cultural competency. Businesses can contribute by committing to hire a diverse workforce and supporting cultural awareness and sensitivity in the community. Support for scholarships and programs that offer opportunities for all students to succeed is especially welcome, as is support for global connections and study abroad opportunities.

- Regional economic development:

Fredonia hopes to partner with companies that create jobs that match local workforce needs, support local and regional economic development and job training programs, participate in groups that target job growth and regional economic vitality, and purchase materials and products locally. Efforts that enhance the entrepreneurial culture and support university initiatives (such as the Fredonia Technology Incubator) will also be especially welcome.

- Internship and training opportunities:

Businesses may demonstrate their alignment with our mission by providing internships, integrating classroom and internship experiences, and enhancing student learning through structured observations and participation in business activities.

- Job opportunities for campus graduates:

Applicant businesses should specify the anticipated number and types of jobs that will become available. A willingness to work closely with Fredonia faculty and staff, especially the Career Development Office, to facilitate a mutual understanding of the knowledge, skills, and abilities needed to prepare students for graduation and employment will be highly valued.

- Internationalization:

Alignment with Fredonia’s goal of preparing responsible global citizens may be demonstrated by providing support for international travel, hosting international visitors, and providing opportunities for students to learn about a company’s international business practices.

- Other methods of supporting our academic mission

Businesses may contribute to Fredonia’s academic mission in other ways that enhance the learning community. They may, for example, provide support for the creative and performing arts, sponsor activities that enhance quality of life on campus and in the community, and support programs in local schools and service agencies.

- 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:

Chautauqua County, which includes the Village of Fredonia and the city of Dunkirk, NY, has been ravaged by job loss, out migration, and extensive, long-term poverty. The Dunkirk School District has the highest poverty rate in the county, the fifth highest in western NYS, and was recently ranked 420 out of 429 public school districts in all of Upstate New York by *Business First* for its academic performance. The 2010 Census cited a 4.9 percent decline in the overall population of Chautauqua County from 2000, with the 25 – 34 year age group showing a 33.1 percent decrease, resulting in the median age increase from 34.3 years in 1990 to 40.9 years in 2010. According to the Chautauqua County Department of Planning an Economic Development the decline in younger populations “could lead to difficulties in attracting or a decline in the future area workforce. This, in turn, could make the attraction and retention of businesses more difficult. Further declines in the ‘preschool’ and ‘school age’ age groups may urge education officials to seriously consider merging schools. Having seen a decline in the young population of Chautauqua County already, some concerns may be raised about the county's ability to retain and attract young persons to live and work here.”

The StartUp program represents a significant opportunity to attract businesses that can help reverse the decades-long economic decline in Northern Chautauqua County. We anticipate the following community benefits from the program: increased employment opportunities, increased opportunities for experiential learning for students, diversification of the local economy, environmental sustainability, increased entrepreneurship opportunities, positive, non-competitive, synergistic links to existing businesses, positive impact on the local economy. Similar to the evaluation of

a prospect company's fit with Fredonia's mission, the StartUp committee will evaluate overall community impact. That is, lead reviewers will provide an overall rating of community impact (1-low- 5-high) based on their assessment of community benefits. Following committee deliberation, a consensus rating, and description of contribution to the community, will be included in our report to the president.

- Increased employment opportunities:

According to the US Bureau of Labor Statistics and the NYS Department of Labor, Chautauqua County experienced an 8.3% decline in total jobs between 2000 and 2010, with a 32% decline in the manufacturing sector during the same period. The bleak employment prospects was recently underscored by the announcement that Conagra (Carriage House) is closing their food processing operations in the Dunkirk-Fredonia area with a resultant loss of over 400 jobs. Overall, an average of 64,200 individuals was employed in Chautauqua County in 2000, and that number has declined to 56,800 in 2013.

Companies in Fredonia's targeted business clusters will only be sponsored by the college if the application demonstrates a strong potential for net new jobs.

- Increased opportunities for internships, vocational training, and experiential learning for undergraduate and graduate study:

As noted above, businesses can demonstrate their alignment with our mission by providing internships, integrating classroom and internship experiences, and enhancing student learning through structured observations and participation in business activities. Our Power of Fredonia Strategic Plan emphasizes the centrality of experiential learning and community engagement, and StartUP businesses will facilitate our ability to provide real world educational opportunities for our students.

- Diversification of the local economy:

The decline of our local economy is directly related to an historical overreliance on jobs in the manufacturing and agriculture areas. The Fredonia StartUP plan business clusters will build on the success of FTI and our renowned academic programs to help attract technology businesses that utilize faculty expertise in the visual arts and new media.

Similarly, by capitalizing on our proximity to Lake Erie and other natural assets in the community, as well as our expertise in the sciences, our Great Lakes cluster will also help to diversify our regional economy.

- Environmental sustainability:

Our Lake Erie research and research and development cluster directly targets issues relating to environmental sustainability. This StartUP direction supports Fredonia's commitment to sustainability, which is outlined in the Power of Fredonia strategic plan (see PP. 13-15, above). Existing degree programs that

support aquatic research and development include those in biology, chemistry, biochemistry, geosciences, and environmental sciences. Faculty in geosciences is developing projects in lake sedimentology, oceanography, and physical limnology. Finally, as mentioned above, we are in discussions with environmentally responsible businesses in areas such as those involved in production of biodegradable plastics, anaerobic digestion of food waste, and solar energy.

- Increased entrepreneurship opportunities:

Fredonia has invested in the development and support of the Fredonia Technology Incubator, and created a new division of Engagement and Economic Development, in part, to support the growth of entrepreneurship opportunities for our students and in the community. In support of our StartUP efforts we will be housing the Chautauqua Co. IDA, including the executive Director and its economic planning staff, in FTI. In addition, we are working with the Small Business Administration to support a county wide business competition in the fall. From a student perspective, we work closely with our student business club, ENACTUS, and professor Susan McNamara, who teaches entrepreneurship at Fredonia, and is a member of our StartUP committee. Finally, we are developing student internships that foster entrepreneurship, and we anticipate that our StartUP businesses will provide additional opportunities for experiential learning and exposure to real world entrepreneurs.

- Positive, non-competitive and/or synergistic links to existing businesses:

The StartUp legislation prohibits sponsorship of companies that compete with existing businesses. In addition, we are actively recruiting businesses that build on existing business opportunities in agribusiness, technology, video production, and the visual and performing arts, aquatics research, and companies that support and enhance Fredonia's mission.

These business clusters were selected precisely because they build on existing strengths at the university and in our business community.

- Effect on the local economy:

The decline in population in Chautauqua County is reflective of the sparse job opportunities in the County and the region: The net out-migration rate for all ages in Chautauqua County is -6.07%, a staggering figure when compared to the NYS rate of 1.86%, a figure largely attributed to the lack of job opportunities in the region. However, another figure not yet updated for the 2010 Census is also staggering: a US Census report released in 2004 reported the Jamestown-Dunkirk-Fredonia Metropolitan Statistical Area, formerly the Jamestown Metropolitan Statistical Area (MSA). Chautauqua County, had the greatest out-migration rate for the 'Young, Single, and College Educated' in NYS (-344.8 compared to NYS -11.3); nationally this represented the 34th highest net out-migration rate for this population out of the 198 MSA's experiencing negative growth. The decline in population in Chautauqua County reflects the startling lack of job prospects in the County and the region.

The StartUP program provides the incentives needed to attract net new jobs to our region, which has been devastated by job loss. Every job that we are able to retain, growth, or recruit into our region will have an immediate positive impact on our economy. Based on labor force comparisons for Chautauqua County (Jamestown-Dunkirk-Fredonia micropolitan statistical area) and the Buffalo Niagara Region, the creation of 100 jobs in Chautauqua Co. is equivalent to creating nearly 1,000 jobs in the Buffalo – Niagara region. Obviously, if the Fredonia StartUP program is moderately successful it will significantly impact our local economy.

- Opportunities as a magnet for economic and social growth:

As one of the largest employers in the county Fredonia is vital to the local economy. The college also serves as the hub of social and cultural activities in the area. Given that businesses accepted into the Fredonia program must support our mission, new businesses attracted through StartUP will enhance our social and economic centrality and impact. In addition to providing much needed jobs, our partner companies will support our mission and enhance academic programs and student learning in the visual and performing arts, business, and the natural and social sciences. In addition, contributions to our public programs will also enhance the quality of life in our community.

- 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.

Fredonia's StartUP NY Committee has been charged with developing an objective vetting process for rating business proposals submitted for the StartUP program. The committee serves in an advisory capacity to the President and Cabinet. Kevin Kearns, Vice President for Engagement and Economic Development, chairs the committee. Remaining members of the Fredonia StartUP Committee include the following individuals:

David Tiffany, VP for University Advancement; Executive Director of the Fredonia College Foundation  
Elizabeth Praetorius, VP for Finance and Administration  
Robert Fritzinger, Director of the Fredonia Technology Incubator  
Markus Kessler, Director Facilities Planning

Susan McNamara, Asst. Professor of Business Administration - Entrepreneurship  
John Staples, Assoc. Professor of History; United University Professionals Rep.  
Peter Reinelt, Assoc. Professor of Economics; Univ. Senate Planning and Budget  
Comm.  
Kevin Sanvidge, Director of Chautauqua County Industrial Development Agency  
Richard Alexander, former CC IDA Director; Fredonia College Council member.  
Anthony J. Dolce, Mayor, City of Dunkirk  
Dr. Len Faulk, Emeritus professor and community development leader  
Stephen Keefe, Mayor, Village of Fredonia  
Kevin Muldowney, Assistant to Sen. Cathy Young  
Steve Neratko, Director of Planning & Development, City of Dunkirk  
Andrew Tomidy, Student representative

The Committee has reviewed program guidelines, examined opportunities for business development, discussed clusters of businesses that align with the university, and drafted a process for reviewing proposals. The Committee has modified and will be using existing business evaluation processes adopted from the county IDA and the Fredonia Technology Incubator. Consistent with the StartUp NY Business Application process, prospective businesses must demonstrate financial stability, a plan for creating jobs, and fit with the campus and community. Proposals will be evaluated for their contributions to the Fredonia mission and to students.

The method used to review business proposals will be similar to a grant or bid review process. Each proposal will be read, critiqued, and rated by assigned lead reviewers who will subsequently present their assessment to the entire Committee for discussion. All Committee members will be asked to read and prepare to discuss each proposal. Following the group discussion, the business proposals will receive an overall rating indicating a) Strong support; b) Support with minor reservations; c) Insufficient information available; d) Not appropriate/not recommended. Committee recommendations will be presented to the President's Cabinet for input and further discussion prior to a final decision by the President.

The Cabinet includes the President, Dr. Virginia Horvath, and the Vice Presidents for Engagement and Economic Development (Dr. Kevin Kearns), Academic Affairs and Provost (Dr. Teresa Brown), Student Affairs (Dr. David Herman), Finance and Administration (Elizabeth Praetorius), and University Advancement (Dr. David Tiffany). Results will be communicated to the applicants by the Vice President for Engagement and Economic Development.

## **7) Distribution of draft Campus Plan to interested parties.**

The Fredonia StartUP Committee includes broad representation from the campus and community, and the campus plan has been widely distributed and discussed since early January 2014. The mayors of the Village of Fredonia and the City of Dunkirk, the Director of Chautauqua County IDA, and a representative from our State Senator's office are active members of our StartUP committee. Their participation and ongoing feedback have been critical to the development of the plan. Committee members have shared drafts of the plan with their constituents, and their feedback has been incorporated. In addition, the campus plan has been discussed with the Chautauqua County Legislature's Planning and Economic Development Committee, the County Executive, local business leaders, the Fredonia Rotary International, and the Lions Club. The campus plan was also presented and discussed in meetings of the Fredonia Technology Incubator Board of Directors, and at the Fredonia College Council, both of which include representatives from the local business community. The Fredonia plan was also presented and discussed at two open community forums at different locations across Chautauqua County. A handout distributed at these community forums is attached (Appendix F; Fredonia Campus Plan Handout).

The Fredonia Plan has also been widely distributed and discussed on campus. The StartUP Committee includes members from the School of Business, the University Senate Planning and Budget Committee, and the College Council. The draft plan was shared with University Senate Executive, the Senate Planning and Budget Committee, and campus union leadership (2/19/14). The University Senate Chair distributed the Campus

Plan to faculty and staff (2/28/14), and it was presented and discussed at meetings of the University Senate throughout the spring semester (2/3/14; 3/3/14; 4/4/14). Student leaders also had an opportunity to review and discuss the plan at a meeting of the Student Cabinet (3/21/14). Our draft plan has also been posted for university and community input (2/28/14 - (<http://www.fredonia.edu/engagement/startup.asp>)). As reflected in the University Senate minutes (below),

The President and Cabinet have also been involved in the development of the Fredonia campus plan. The Vice President for Finance and Administration and the Vice President for University Advancement are members of the StartUP Committee. In addition, the campus plan was discussed at a retreat of the President's Cabinet (1/3/14), and at weekly meetings of the president's Cabinet.

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### **Fredonia University Senate Minutes:**

University Senate Minutes, Feb. 3, 2014

#### Start-UP NY Report: Kevin Kearns

Vice-President Kearns gave a brief report on the Start-UP NY progress. Each campus that participates in Start-UP NY has to submit a campus plan, he said. There's a draft that the committee has put together. The committee has broad representation, including the PBAC, and members of local businesses, and local mayors. The draft of the plan has been shared primarily with the Senate Executive Committee. It will be shared more broadly, and will be posted once it's submitted. Feedback will be sought, Dr. Kearns said. The draft plan requires the university

to find space where businesses will join us for partnership. This includes on- and off-campus locations. We're allowed space of up to 200,000 square feet. The incubator had been identified as one space, as well as the Dunkirk harbor and other office spaces. We're also required to seek business clusters or targeted businesses. They include agri-businesses and tech businesses, especially as they relate to arts and new media. These businesses will be vetted widely. The plan has 3 basic criteria: viability; will they create jobs; fit with the university. Language has been drafted to include internships, how the relationship would pertain to classes, etc.

There were no questions for Vice-President Kearns.

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University Senate Minutes, March 3<sup>rd</sup>, 2014:

StartUp NY (Kevin Kearns)

Vice-President Kearns said that there's a hand-out in the back of the room that outlines the plan to date. The program is one that provides tax incentives for recruiting new businesses and start-up businesses. The incentives provide tax-free incentives for businesses for up to 10 years. No sales or corporate tax, and no business tax, etc., would be paid. For those in the new jobs, no income tax will be paid for up to 10 years. It's a broad-based tax incentive, he said. For the first time, a program is university centric, rather than just focusing on the business committee. The logic is quite elegant, Vice-President Kearns said. Since the SUNY schools are across the state, there's an opportunity for broad-based benefits. This program only goes forward if we, the university and the community, say so. That way, there's broad-based input.

What businesses are eligible? Quite a few. Service-oriented businesses, however, are not eligible. There are some general requirements for our campus, Vice-President Kearns said. On-campus businesses are eligible. Up to 200,000 sq. ft. of property off-campus may also be eligible. Those properties do not have to be owned by the university. The Start-Up NY committee membership is broad based, from members of the community to individuals from campus. The committee is open to feedback. The committee will not be vetting proposals by themselves, but will be seeking input from those with business expertise as well.

In terms of space, Vice-President Kearns said, there's not a lot of vacancy on campus. He said that he hopes that the new science center will be open to partnerships, but new businesses wouldn't be able to move in. Properties on the west side of campus, near or on Brigham Road, are a possibility as well. The incubator is available, as is the Cliffstar building. The waterfront parcel on Dunkirk harbor that was identified for SUNY 2020 proposal is available as well.

The types of business that we want to involve include: agribusiness; technology; Lake Erie Research and Development, and Educational Tourism; and business opportunities related to our academic mission.

Vice-President Kearns discussed the mission fit of Start-Up NY. Businesses have to support our academic programs, he said, but they don't need to specifically work with them. Such things as internships and co-curricular activities would be a good example.

Sen. Zubairi asked if mission fit was part of the proposal. Dr. Kearns said that this was part of the proposal. Certainly, any business that relates to our teaching, we would be interested in supporting.

Sen. Grady asked if the Senate could hear more about the deal that's been made with EC English. Have they been offered space on campus? Will they be taking over any of our classes? Is this a precedence we should worry about? Dr. Kearns said no, it won't replace any one or anyone's duties. They will be providing a service that we can't afford. Pres. Horvath said that they'd need a few rooms and office space. They would not be offering any courses. The students will be living in residence halls, eating in cafeterias, etc., regardless of how long they are here. One of the spaces being explored is vacated Jewett Hall, once they move to the new science building this summer.

Sen. Telly said that he is neither for nor against Start-Up NY. He does want to know why we are doing this. Do we need the money? Is it an important opportunity? Will we become business oriented? Provost Kearns said that our strategic plan is clear about our being an engaged community. There's a new division that he's heading for engagement and economic development. This gives the students and the university an opportunity to engage in real world learning. We won't be getting rich from this, he said. We hope that this will help to benefit the community. We're losing our graduates to other areas, he said. Our hope is that we can facilitate economic recovery in the area, and create good, well-paying, attractive jobs. This isn't about money, but creating the opportunity for our students and graduates, and enhancing the quality of life in our region.

Pres. Horvath said that that explains our position. This was not developed by our campus. The governor developed Start-Up NY. This is a way of asking if universities have an obligation to the communities they serve. What she likes about the proposal is that it asks how this makes sense for our campus. How could we benefit?

Dr. Jeanette McVicker asked if, in the worst case scenario, another university could claim this region as part of their mission for Start-Up NY. Provost Kearns said that there have been lots of questions about chumming the waters. But he's been amazed at the level of cooperation in the region. He and Pres. Horvath have had good talks with people from JCC and have gone before the county legislature to say that we're in this together. We have, through the incubator, been approved as a hot spot designation, so we're affiliated with UB and SUNY Alfred as a tax zone for supporting new businesses. The hope is that this will provide a net for faculty and students to benefit from the largess of other universities. This is potentially the most transformative opportunity this region has ever had. This is the first significant investment in this region, and is an opportunity for collaboration.

Sen. Cole asked how the process of who comes is decided. The Vice President said that there's a broad-based committee with wide representation. They've asked if the union would be interested in participating. Once they've seen the business proposal, it'll be rated as "strongly recommend", "we need more questions", or, essentially, that the proposal is a bust. It will then go to cabinet and the president. Those approved businesses will be giving information to the committee, and will be vetted before approved.

There were no questions for Vice-President Kearns.

University Senate Minutes April 4<sup>th</sup>, 2014

*StartUp NY (Kevin Kearns)*

Dr. Kearns said that he's here to follow up and answer questions that people have. The campus proposal is posted on the engagement and economic development website. The program has generated lots of interest already – 8 to 10 companies, several from out of state, one from out of the country – and they are very excited about attracting jobs and companies that will support our mission.

Chairperson Deemer said that there was an article in the *Buffalo News* about how JCC is looking at their satellite buildings, including the one in Dunkirk, to use as part of Start-Up NY. Is there a conflict, Chairperson Deemer asked. Vice-President Kearns said that there's been a tremendous amount of cooperation. Their plans are different from ours. We hope that there will be businesses that help their and our missions.

What businesses are eligible? Quite a few. Service-oriented businesses, however, are not eligible.

There are some general requirements for our campus, Vice-President Kearns said. On-campus businesses are eligible. Up to 200,000 sq. ft. of property off-campus may also be eligible. Those properties do not have to be owned by the university. The Start-Up NY committee membership is broad based, from members of the community to individuals from campus. The committee is open to feedback. The committee will not be vetting proposals by themselves, but will be seeking input from those with business expertise as well.

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There were no questions for Vice-President Kearns.

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Enclosures:

- 1.) POL§74
  - 2.) SUNY Conflict of Interest Policy
  - 3.) RF Conflict of Interest Policy
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## PUBLIC OFFICERS LAW

### § 74. Code of ethics.

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

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

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

### 3. Standards.

- a. No officer or employee of a state agency, member of the legislature or legislative employee should accept other employment which will impair his independence of judgment in the exercise of his official duties.
  
- b. No officer or employee of a state agency, member of the legislature or legislative employee should accept employment or engage in any business or professional activity which will require him to disclose confidential information which he by reason of his official position or authority.
  
- c. No officer or employee of a state agency, member of the legislature or legislative employee should disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests.
  
- d. No officer or employee of a state agency, member of the legislature or legislative employee should use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself or others, including but not limited to, the misappropriation to himself, herself or to others of the property, services or other resources of the state for private business or other compensated non-governmental purposes.
  
- e. No officer or employee of a state agency, member of the legislature or legislative employee should engage in any transaction as representative or agent of the state with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.
  
- f. An officer or employee of a state agency, member of the legislature or legislative employee should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.
  
- g. An officer or employee of a state agency should abstain from making personal investments in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.
  
- h. An officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.

- i. No officer or employee of a state agency employed on a full-time basis nor any firm or association of which such an officer or employee is a member nor corporation a substantial portion of the stock of which is owned or controlled directly or indirectly by such officer or employee, should sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the state agency in which such officer or employee serves or is employed.

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

 <p>Category: HR / Labor Relations Legal and Compliance</p> <p>Responsible Office: <a href="#">University Counsel</a></p>	<p>Policy Title: Conflict of Interest</p> <p>Document Number: 6001</p> <p>Effective Date: October 01, 1995</p> <p>This policy item applies to: State-Operated Campuses</p>
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## Summary

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

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## Policy

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

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

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

1. University faculty and staff may not engage in other employment which interferes with the performance of their professional obligation.
2. University faculty and staff are expected to comply with the New York State Public Officers Law provisions on conflict of interest and ethical conduct.
3. University faculty and staff, to the extent required by law or regulation, shall disclose at minimum whether they (and their spouses and dependent children) have employment or financial interests or hold significant offices, in external organizations that may affect, or appear to affect, the discharge of professional obligations to the University.
4. University campuses shall ensure that all faculty and staff subject to pertinent laws and regulations disclose financial interests in accordance with procedures to be established by the Chancellor or designee. Campuses shall retain the reported information as required, identify actual or apparent conflicts of interest and seek resolution of such conflicts.

5. Each campus president shall submit to the chancellor's designee the name and title of the person or persons designated as financial disclosure designee(s) and shall further notify the chancellor's designee when a change in that assignment occurs. The chancellor's designee shall also be notified of any reports regarding conflict of interest that are forwarded to state or federal agencies.
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## Definitions

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

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## Other Related Information

[Outside Activities of University Policy Makers](#)

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

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

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## Procedures

There are no procedures relevant to this policy.

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## Forms

There are no forms relevant to this policy.

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## Authority

[42 CFR 50, Subpart F](#)

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

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

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

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

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

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### **History**

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

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### **Appendices**

There are no appendices relevant to this policy.



Category:  
Academic Affairs

Community Colleges  
Legal and Compliance  
Research

**Policy Title:**

START-UP NY Program Participation Policy

Document Number:

Effective Date:

February 10, 2014

This policy item applies to: Community  
Colleges

State-Operated Campuses

Responsible Office:  
[Academic Affairs](#)

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**Summary**

START-UP NY is a state economic development program that positions SUNY campuses as magnets for entrepreneurs and businesses from around the globe. START-UP NY aligns with SUNY's mission of teaching, research and public service; enabling engagement with industry, knowledge acceleration, translation of research into practical applications, and delivering the 21<sup>st</sup> century workforce businesses need to grow and thrive.

START-UP NY will transform university communities to deliver unprecedented economic benefits to New York. To participate in the program, all campuses must comply with this policy and any applicable rules and regulations issued by the NYS Commissioner of Economic Development.

This policy governs the review process that all participating campuses must follow to secure SUNY's approval of the

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

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## Policy

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

## 6800 - START-UP NY Program Participation Policy

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

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

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

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

### 6800 - START-UP NY Program Participation Policy

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

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

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

**Tax-Free NY Area** means vacant land or space designated by the Commissioner of Economic Development Article 21 of the Economic Development Law that is eligible to receive benefits under the START-UP NY program.

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## **Other Related Information**

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

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

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

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## **Procedures**

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

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## **Forms**

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

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

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

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

[6800 - START-UP NY Program Participation Policy](#)  
[ESD START-UP NY Business Application Instructions](#)

[ESD START-UP Business Application](#)

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## **Authority**

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

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

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## **History**

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

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## **Appendices**

There are no appendices relevant to this policy.



## Conflict of Interest Policy

**Effective Date:** March 15, 2013  
**Supersedes:** Conflicts of Interest Policy pursuant to 95-5 Resolution and the Procedure of Investigating Conflict of Interest Policy  
**Policy Review Date:** February 2016  
**Issuing Authority:** Research Foundation President  
**Responsible Party:** Chief Compliance Officer  
**Contact Information:** (518) 434-7145  
[rfsunyny.org](mailto:rfsunyny.org)

### Reason for Policy

As Research Foundation Board Members, Officers, and Employees, we hold positions of trust and must act in the best interests of the Research Foundation. We must avoid any activity that impairs or would reasonably appear to impair the ability to perform our duties with independence and objectivity. A conflict of interest arises if our personal relationships, activities, or finances interfere, or appear to interfere, with our ability to act in the best interests of the Research Foundation.

Research Foundation Board Members, Officers, and Employees must incorporate, where necessary and possible, the following rules into their services on behalf of the Research Foundation. Research Foundation Officers and Employees must adhere to the standards outlined in the New York State Public Officers Law Section [74](#). This policy incorporates the key standards outlined in Section [74](#).

### Statement of Policy

Research Foundation Board Members, Officers, and Employees may not have any interest or engage in any outside activity which results in an unmanaged conflict of interest. To this end, Board Members, Officers, and Employees must disclose their interests and outside activities, and those of a Related Party, which may affect their ability to perform their duties with independence and objectivity. A conflict of interest must be managed so the conflict is reduced or eliminated, and compliance with conflict of interest management plans should be monitored where necessary.

### Prohibited Conflicts of Interest

A conflict of interest exists if you or a Related Party has a Financial or Other Interest that will or may reasonably be expected to:

## 6800 - START-UP NY Program Participation Policy

- substantially conflict with the proper discharge of your duties in the Research Foundation's best interests;
- result in the disclosure of the Research Foundation's information that you have gained by reason of your position or authority; or
- impair your ability to exercise independent judgment in the performance of your duties and responsibilities.

### **Conflicts of Interest Posed By Outside Employment, Investments, or Other Business Activities**

As a Research Foundation Board Member, Officer or Employee, you must not make personal investments in enterprises that you have reason to believe may be directly involved in decisions to be made by you or will otherwise create substantial conflict between your duty on behalf of the Research Foundation and your private interest.

If you or a Related Party has a Financial or Other Interest in any business entity, you may not represent the Research Foundation in any transaction with that entity and must disclose the interest in accordance with this policy and the Procedure for Managing Conflicts of Interest.

Procurement of goods or services by the Research Foundation shall be conducted consistent with the Foundation's established procurement policy.

You may not accept employment or engage in any business or professional activity that will impair the independence of your judgment in the exercise of your duties for the Research Foundation or require you to disclose confidential information that you gained by reason of your affiliation with the Research Foundation.

### **Prohibition Against Disclosure or Use of Confidential Material for Personal Gain**

The Research Foundation prohibits disclosure of information that is confidential to the Research Foundation, acquired by any Board Member, Officer, or Employee in the course of his/her duties, except as required by law or as expressly authorized in writing by an Officer or other designated representative of the Research Foundation.

Board Members, Officers, and Employees may only use such confidential information in furtherance of their duties as a representative of the Research Foundation and shall not use such confidential information to further their personal interests or that of a Related Party.

You must not accept employment or engage in any business or professional activity that will require you to disclose confidential information that you gained by reason of your official position or affiliation with the Research Foundation.

### **Use of Research Foundation or State Resources**

You may not misappropriate the property, services or other resources of the Research Foundation, SUNY, or others, whether for yourself or someone else.

### **Avoiding the Appearance of Impropriety**

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Board Members, Officers, and Employees shall not, by their conduct, give reasonable basis for the impression that any person can improperly influence them or unduly enjoy their favor in performance of their duties, or that they are affected by the kinship, rank, position, or influence of any party or person.

You may not use, or attempt to use, your position to secure unwarranted privileges or exemptions for yourself or others.

Similarly, bribery, extortion, and other attempts to exert undue influence are strictly prohibited. The Research Foundation expects Research Foundation Board Members, Officers, and Employees to avoid any conduct that may give the appearance of engaging in acts that are in violation of their trust.

### **Disclosing a Real, Apparent, or Potential Conflict of Interest**

Board Members, Officers, and Employees must disclose all real, apparent, or potential conflicts of interest for review as described below. At an Operating Location, those disclosures should be made to the operations manager or his/her designee in accordance with this policy and the Procedure for Managing Conflicts of Interest. Disclosures are required in three instances:

1. **Annual Disclosures By Research Foundation Board Members, Officers, and Key Employees.** Board Members, Officers, and Key Employees must report Direct or Indirect Financial or other Interests that pose or may pose a real, apparent, or potential conflict of interest on an annual basis. These disclosures must be updated both annually and as new reportable interests are obtained or as new reportable activities occur.
2. **Grant-Related Disclosures.** Principal investigators must follow the policy at their respective campus locations.
3. **Situational Disclosures.** Board Members, Officers, and Employees must report any Direct or Indirect Financial Interest or other activity that may pose a conflict of interest under this policy. Such situational disclosures must be made as soon as practicable after the individual learns of the potential conflict.

When a disclosure is made under this policy, the actual, apparent, or potential conflict of interest will be reviewed pursuant to Procedure for Managing Conflicts of Interest. If a conflict of interest is found to exist, the Research Foundation must take steps to manage, reduce, or eliminate the conflict of interest. Individuals may appeal determinations with which they disagree. Please consult the Procedure for Managing Conflicts of Interest for more information.

### **Violation**

In addition to any penalty contained in any provision of law or federal or state policy, individuals who knowingly and intentionally violate any of these provisions may be subject to action by the Research Foundation. For employees, this may include action under the Research Foundation's progressive discipline policy, including suspension or termination from employment.

### **Recordkeeping**

The operating location operations manager must designate an appropriate office of record and must ensure that records related to the disclosure, review, and management of a potential, apparent, or actual conflict of interest are retained and documented. In addition to any recordkeeping process established by the operations manager,

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all final determinations or management plans must be included in the personnel file of the individual with potential, apparent, or actual conflict of interest.

At the central office, the chief compliance officer must ensure that records related to the disclosure, review, and management of a potential, apparent, or actual conflict of interest for all disclosures, at the central office or otherwise brought to the attention of the chief compliance officer, are retained and documented. In addition to any recordkeeping process established by the chief compliance officer, all final determinations or management plans must be included in the personnel file of the individual with potential, apparent, or actual conflict of interest.

### **Campus Policy**

An Operating Location may adopt a policy no less restrictive than this Policy. If a local policy is adopted, then a copy of that policy must be filed with the RF's chief compliance officer.

### **Staffing Services**

Employees employed by the RF under an agreement or contract, other than the 1977 Agreement between the RF and SUNY must adhere to the conflicts of interest policy in place by the entity the employees are employed to support. In the absence of a policy, the conflicts of interest policy effective at the associated operating location must govern.

### **Responsibilities**

The following table outlines the responsibilities for compliance with this policy:

<b>Responsible Party</b>	<b>Responsibility</b>
Board Members, Officers, and Key Employees	Annual Disclosures
Principal Investigators	Grant-Related Disclosures
Employees	Situational Disclosures as needed

### **Definitions**

*Board Member:* A member of the Research Foundation's board of directors.

*Direct or Indirect Financial or Other Interests:* Financial or Other Interests held by the Research Foundation Employee or by their spouse, domestic partner, significant other, family member, dependent, member of household, or business partner.

*Employee:* Officers, Key Employees, and any individual compensated employee of the Research Foundation.

*Financial or Other Interests:* Shall include, but are not limited to, the following:

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- ownership or investment in any outside enterprise;
- serving as a director, officer, partner, consultant, broker, agent, or representatives of any outside enterprise;
- outside professional activity; or
- outside employment.

*Key Employee:* A “Key Employee” for purposes of this Policy includes:

1. Vice presidents;
2. Operations managers;
3. Deputy operations managers;
4. Chief research officers;
5. Technology transfer directors;
6. Sponsored program office directors or equivalent;
7. Other appointed officers
8. At the central office:
  1. Vice presidents
  2. Senior directors;
  3. Assistant Vice-Presidents; and
  4. Directors;
  5. Other appointed officers; and
9. Any other persons who have procurement authority equal to or exceeding \$100,000 per transaction.

*Officer:* An officer elected under the Research Foundation’s bylaws, including the Research Foundation’s president, general counsel, secretary, and chief financial officer and those appointed pursuant to Article IV Section 13 of the RF’s bylaws as appointed officers.

*Operating Location:* Research Foundation office located at a SUNY campus location or other SUNY location supporting the Research Foundation mission and SUNY operations overseen by an operations manager.

*Operations Manager:* An individual appointed to the position of operations manager by the Research Foundation.

*Principal Investigator:* Primary individual(s) in charge of a research grant or other project administered by the Research Foundation. The term “Principal Investigator” includes those individuals serving as co-principal investigators.

*Related Party:* A Research Foundation Employee’s spouse, domestic partner, significant other, family member, dependent, member of household, or business partner.

*Research Foundation (or Foundation or RF):* The Research Foundation for The State University of New York.

## **Related Information**

[Management of Conflicts of Interest Procedure](#)

## 6800 - START-UP NY Program Participation Policy

### [Managing Conflicts of Interest Guidelines](#)

NYS Public Officer's Law Sections [73](#) & [74](#)

### [Conflicts of Interest in Public Health Service Sponsored Programs](#)

### [Nepotism Policy](#)

### [Gifts to Employees from Non-RF Sources Policy](#)

## **Forms**

### [Conflict of Interest Annual Disclosure Statement](#)

### [Conflict of Interest Situational Disclosure Statement](#)

## **Change History**

Date	Summary of Change
December 7, 2012	Clarifies who is required to disclose conflicts, how, and when. Also allows for locations to use their own conflicts of interest policies and procedures, provided the policy is submitted to the compliance office and is no less restrictive than RF policy. Effective 3/15/2013

## **Feedback**

Was this document clear and easy to follow? Please send your feedback to [webfeedback@rfsuny.org](mailto:webfeedback@rfsuny.org).

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## Appendices

- A: Fredonia Technology Incubator (FTI) Map
- A.1: Fredonia Technology Incubator
- A.2: Fredonia Technology Incubator Floor Plans -1<sup>st</sup> floor
- A.3: Fredonia Technology Incubator Floor Plans – 2<sup>nd</sup> floor
- B: Fredonia Campus Property
- C: Fredonia Foundation Office Building Map
- C.1: Fredonia Foundation Office Building
- C.2: Fredonia Foundation Office Building Floor Plans -1<sup>st</sup> floor
- C.3: Fredonia Foundation Office Building Floor Plans – 2<sup>nd</sup> floor
- D: Dunkirk Lakefront Property Map
- E: Fredonia StartUP Property List
- F: Fredonia Campus Plan Handout

Location	UniqueID	Owner	PropertyType	StreetAddress	City	ZipCode	ParcelID	Building	SpaceType	SqFt	Acres
Dunkirk, NY	SU-105-2-B-0078-000-A	Fredonia Technology Incubator	2	214 Central Avenue	Dunkirk	14048	See Zip Files: Appendix C	Fredonia Technology Incubator	A	22,000	
Fredonia, NY	SU-105-1-L-F.1.0-000-A	Fredonia Campus	1	280 Central Avenue	Fredonia	14063	Appendix E		D		4.13
Dunkirk, NY	SU-105-2-B-FF1.0-000-A	Fredonia Foundation Building	2	1 Cliffstar Avenue	Dunkirk	14048	Appendix C	Turn key office space	F	25,290	
Dunkirk, NY	SU-105-2-L-D.1.0-000-A	Dunkirk Lakefront Land	2	Lake Shore Drive	Dunkirk	14048	Appendix C		E		1.86

* 1= on campus	** A=entire building
2= 1 mile off campus	B=floor within building
3= State Asset	C=Room within building
	D=land on campus
	E= land off campus
	F=entire building off campus
	G=partial building off campus
	H=state asset

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

