



The State University of New York

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

To: SUNY Chancellor

From: Dr. Kristine Duffy, President

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

Date: March 19, 2020

For campus Office of the President:

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

[Handwritten signature of Kristine D. Duffy]
Signature of campus President

Kristine D. Duffy
Print Name

FOR SUNY SYSTEM ADMINISTRATION USE ONLY

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

[Handwritten signature of Karren Bee-Donohoe]
Proposal Review Team Co-Chair

4/6/20
Date

Karren Bee-Donohoe
Print Name

For SUNY Office of the Chancellor:

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

[Handwritten signature of Grace Wang]
Signature of the Chancellor or designee

4.7.20
Date

Grace Wang
Print Name



The State University
of New York

NOTE: This Attestation Memo is signed after the 30-day notification of stakeholders
Pertaining to Brandsight Inc. Move to Ste. 409;
18 Division St., Saratoga Springs, NY

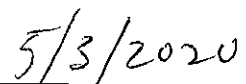
To: Mr. Eric Gertler, NYS Commissioner of Economic Development
From: President Kristine Duffy of Adirondack Community College
Re: Adirondack Community College's Campus Plan for Designation of Tax-Free Area(s)
Date: 4/30/2020

I, President Duffy of Adirondack Community College hereby certify the following:

- a.) we have provided a copy of the enclosed Campus Plan for Designation of Tax-Free NY Area, to the municipality or municipalities in which the proposed Tax-Free NY Area is located, local economic development entities, the applicable faculty senate, union representatives, and student government at least 30 days prior to submitting the plan to you and attached evidence of submission herewith; and
- b.) we comply with Public Officers Law Section 74; State University of New York's Policy on Conflict of Interest and; the college's Board of Trustee Conflict of Interest policy; the college's Employee Conflict of Interest Policy; and attached copies of the polices and/or guidelines herewith; and
- c.) we comply with the Commissioner's rules and guidelines on anticompetitive behavior (NY EDL, art. 21, sect. 440); and
- d.) we are aware of the non-governmental use limitations associated with state issued tax exempt bonds and if our proposed Tax-Free NY Area was financed with tax-exempt bonds, we will: 1.) make potential businesses aware of these limitations when marketing property; and 2.) take appropriate steps to ensure that non-governmental use of property funded with tax-exempt bonds will not jeopardize the tax exempt status of state issued bonds; and
- e.) we consulted with the municipality or municipalities in which such land or space is located prior to including such space or land in the proposed Tax-Free NY Area and we have given preference to underutilized properties; and
- f.) we have not relocated or eliminated any academic programs, any administrative programs, offices, housing facilities, dining facilities, athletic facilities, parking, or any other facility, space or program that actively serves students, faculty or staff in order to create vacant land or space to be designated as a Tax-Free NY Area; and
- g.) the information contained in the enclosed application is accurate and complete.



PRESIDENT'S SIGNATURE



DATE



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

Campus Name: Adirondack Community College
Campus Contact Name: Dr. Kristine Duffy
Campus Contact Title: President
Campus Contact E-mail: duffyk@sunyacc.edu
Campus Contact Phone: (518) 743-2237

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: Adirondack Community College |
| Campus Address: 640 Bay Road Queensbury, NY 12804 |
| Address(es) of Proposed Tax-Free NY Area(s) : |
| 1. 640 Bay Road Queensbury, NY 12804 |
| 2. 18 Division Street, Suite 309, Saratoga Springs, NY 12866 |
| 3. 1159 County Rte 24, Granville, New York 12832 |
| 4. 18 Division Street, Suite 409, Saratoga Springs, NY 12866 |
| Description of Physical Characteristics of Proposed Tax-Free NY Area(s): |
| 1. Vacant land located on a community college campus. |
| 2. Vacant office space totaling 166 square feet in the 18 Division Street building, suite 309 located in downtown Saratoga Springs. |
| 3. Vacant 56,000 SF Manufacturing/industrial building located in Granville, Washington County on 22.96 acres of land |
| 4. Vacant office space totaling 1278 SF in the 18 Division Street building, Suite 409 located in downtown Saratoga Springs, NY |

ii. Complete the Excel spreadsheet template provided with this document, noting the instructions on page 2. Include the official SUNY Physical Space Inventory (PSI) building number and a clear description of the spaces in the building or floor (when the entire floor is under consideration), or floor/wing (with outer rooms defining the space specifically listed). Include only properties sought to be designated now and exclude potential sites that may be considered in the future (see 2a below). Attach the completed spreadsheet to this plan.

iii. Provide also a representation of each proposed site drawn in AutoCAD on a scaled campus map with boundaries drawn clearly. Two versions should be created; one including an imbedded layer from Google Earth or other aerial photograph of the property. The second version should exclude the photographic imagery. Each parcel under consideration must have a unique alpha numeric identifier, clearly labeled on each plan which ties to identifiers in the

Excel spreadsheet. If digital files containing Polygon shapefile that delineates area for designation are available, provide these as well. Attach these materials to this plan.

- iv. Provide a campus map with each proposed building shaded. Label each building with the official building number as listed in the SUNY Physical Space Inventory (PSI) along with the building name. For each building shaded and labeled, include floor plans of all areas under consideration with the specific spaces clearly shaded and labeled with official PSI room numbers. If digital files containing Point shapefiles that provide locations of area for designation are available, provide these as well. Attach these materials to this plan.

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

| |
|------------------------------|
| Total Square Footage: 57,444 |
| Total Acreage 68.64 |

- 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.

A maximum of 200,000 square feet in Warren, Washington and Saratoga counties including but not limited to:

1. Building located at 1043 State Route 9 Queensbury, NY 12804
2. McGregor Village Office Park – industrial park in Wilton, NY not far from Town of Malta and the Global Foundries plant
3. Chester Industrial Park
4. Queensbury Business Park
5. Tech Meadows
6. Glens Falls Tech Park
7. Quaker Ridge Tech Park
8. Carey Park
9. Bay Road Business Park
10. Warren/Washington IDA Park
11. Ciba Geigy Site
12. Town of Moreau Industrial Park
13. Pruyne's Island Business Park
14. Warren County Airport Properties
15. 36 Elm St. Glens Falls, NY 12801
16. 45 South St. Glens Falls, NY 12801
17. Mount McGregor Correctional Facility, 1000 Mt. McGregor Road, Wilton NY 12831
18. AD/Collins Joint Galusha 269 Ballard Rd, Wilton, NY 12831

- 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. 20,000 sq ft building
2. 3 acres and/or 100,000 sq ft building
3. 17 acres
4. 24 acres
5. 35 acres
6. 7 acres
7. 84 acres
8. 125 acres
9. 14 acres
10. 14 acres
11. 45 acres
12. 243 acres
13. 30,000 sq ft building and/or 100 acres
14. 60 acres
15. 15, 550 sq ft building
16. 7,000 sq ft building
17. 1,187 acres, 64 buildings totaling 575, 164 sq ft
18. 138.84 acres, 105, 135 sq ft building

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

The college seeks to attract businesses that enhance the academic experience for students at SUNY Adirondack and do not compete with existing businesses in its service area. Eligibility and anti-competitive language is clearly outlined in the Start Up NY regulations found here:

<http://startup.ny.gov/eligibility/>.

The primary focus for the college is to support partnerships in these types of businesses:

- 1) Manufacturing-large and small
 - Industrial and/or consumer products
 - Medical Device Manufacturing and supportive industries (medical device manufacturing can include design, manufacturing, packaging and labeling)
 - Industries that may utilize a clean room in their process
 - Agricultural-food and/or beverage production-particularly focused on utilizing local products
 - Recycling of industrial and/or consumer products
- 2) Software, IT, and new-media solutions development
- 3) Environmental research or product development
- 4) Biological/health sciences lab/research facility

It should also be noted that particular types of businesses are not eligible for the Start Up NY program and are included in the regulations outlined here: http://startup.ny.gov/wp-content/uploads/2014/02/START-UP_NY_2014_regulations.pdf

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

SUNY Adirondack is a teaching- and learning-centered community college that offers innovative instructional and student support programs, responds to the educational needs of its community, and serves as a stimulus for economic development, partnerships and leadership.

As indicated in the college's mission statement, SUNY Adirondack serves to stimulate the local economy and respond to the educational needs of the community. The college's strategic plan explicitly states the commitment to improve career readiness and specifically to increase ways to connect students to job opportunities. Students at SUNY Adirondack will be best prepared for workforce entry or transfer by connecting classroom learning with real world applications. Additionally, the college's strategic plan calls for increased partnerships with local businesses to enhance workforce readiness and engage in economic development (see attachment 5).

SUNY Adirondack seeks to provide increased opportunities for its students to be exposed to multiple types of businesses through experiential activities such as field trips, hands-on learning labs, job shadowing, internships, and co-ops. This initiative is outlined in the college's 2018-2021 strategic plan as a guiding principal to support student success: "Student learning occurs in and out of the classroom to prepare students for life in a diverse world." This also aligns with SUNY's initiative; SUNY Works. Many of the students at SUNY Adirondack begin their college experience with a limited understanding of and exposure to the employment opportunities in the community. In addition, 88% of our student body resides in the 3 county area surrounding the college (Warren, Washington and Saratoga counties) and the majority of those students reside and seek employment in the region after graduation. Washington County in particular is a rural county where students are accustomed to commuting a significant distance for education and business. We have sought to develop programming and support services to ensure a quality educational experience for these commuters while also bringing meaningful business partnerships with manufacturing and agricultural businesses to ensure successful transition to the world of work.

The college's science faculty are currently engaging students in research projects that take classroom learning to a new level. Businesses that can enhance the current research, and/or provide new ways to engage students in research will be welcomed. This is particularly important in the STEM fields, but we also see value in team class projects that will provide real world problems for student created solutions. Building critical thinking and problem solving skills are additional values held by the college.

Advanced manufacturing is an important industry in this region. The college's engineering students could benefit from exposure to real world applications of their classroom learning. This is particularly of interest as the college's program is a transfer preparation program where students are exposed to multiple engineering disciplines and by adding internships in local manufacturing facilities, students may better be able to select an area of interest upon transfer. Students have an option to choose computer, mechanical, or electrical engineering specialties during their program of study. The college also has an increasingly popular Electrical Engineering Technology program with plans to add an advanced manufacturing specialty. Students in this program would be able to advance their knowledge, gain potential immediate job skills, and connect for employment through partnerships with small or large manufacturing businesses.

The college has an agricultural business degree program with plans to continue its expansion in sustainable agriculture. Combining the science and application of local food production, the college would benefit from partnerships with businesses that will manufacture food or beverages, and particularly by utilizing local products, including some that are grown in the college's organic

garden. Agriculture continues to be a large economic driver in the college's service region and there is increased interest in creating a more sustainable local food community.

Students in the college's Information Technology or Computer Sciences degrees would be able to gain practical experiences by partnering with new businesses in need of creating or testing new software, establishing IT infrastructure for the success of the business, and introducing students to new technologies. It should be noted that the college's IT-Networking degree results in CISCO certification which may be of benefit to new businesses established under the Start Up NY program.

Students in the college's liberal arts/mathematics & sciences degree are preparing to continue their students in STEM related fields. Exploring new environmentally responsible technologies, participating in testing of soil, water, or other land resources will allow SUNY Adirondack students to explore various scientific fields, conduct research early in their academic careers, and potentially increase the number of researchers in STEM.

The college boasts a very healthy enrollment in biology and due to space limitations in our nursing program, the college is seeking alternative programs of study for students interested in health sciences. Therefore, it would be helpful to partner with health/biology related labs for clinical research in support of the large health care industry. Our students could gain practical lab experience and even those who might go onto medical school or advanced biological studies, would be able to have experienced entry level lab work.

Finally, the college seeks opportunities to introduce its students to the global marketplace and growing diversity of the region. In fact, the college has identified the desire to globalize its curriculum and potential businesses that have a global reach would provide useful connections in assisting faculty in this initiative.

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

The college will work with businesses to help create direct pathways for SUNY Adirondack students to be qualified job applicants for future employment. Through experiential learning and on the job training for our students while in college, they will be exposed to employment opportunities in the communities they live, thereby, keeping workers in the community, reducing out-migration, and growing the local economy.

In addition, the college supports entrepreneurial enterprises and is a key provider of training in conjunction with the Adirondack Regional Chamber of Commerce and Small Business Development Center (SBDC). SUNY Adirondack is also an Operational Partner in Innovate 518,

the Capital Region's Innovation Hot Spot program through Empire State Development's Division of Science, Technology and Innovation, in partnership with the University at Albany as the grant lead. Our Office of Business Central is focused on programming for entrepreneurs and leading the development of productive relationships with business leaders spanning from the Capital Region up to the North Country areas of the Adirondacks.

Graduates of our Start-Up ADK program have opened several small businesses in the region and fostering the entrepreneurial spirit is not only embedded in our business curriculum, but supports one of SUNY's Six Big Goals-SUNY and the Entrepreneurial Century. According to the SBDC, while there was a decline in jobs in New York from 2009 to 2010, firms with 1-4 employees actually created more net new jobs.

The college will actively seek opportunities to partner with emerging and expanding businesses that will produce products that can grow the local economy and improve our region's ability to export products around the world. We know that the investment required to open or expand a business may stifle growth, the college hopes to not only support growth for students, but also support the growth of the region and reduce barriers to a strong, economic ecosystem. Through the addition of new, non-competitive businesses, the local region will be diversified in its employment base and better positioned for a sustainable future. In addition, the college would be open to partnering with businesses that meet the Capital Region REDC Opportunity Agenda priorities to enhance distressed urban areas which in this region would include the city of Glens Falls. The college has an interest in supporting businesses that enhance the urban renewal of downtown Glens Falls and spur positive economic growth.

Agriculture represents a major industry in New York and in our tri-county region and is an important component of our economic sustainability. Agriculture generated \$5.7 billion in gross income in 2017, up more than 23 percent from a decade earlier (USDA 2017 Census of Agriculture). In that same report, Washington County ranks 7th in New York State in terms of the number of farms at 915; Saratoga County has 591 farms; and Warren County had 80 farms. While the average age of farmers in New York is slowly rising from 54 to 57 over a 10-year period, the number of women in farming is rising as well. As of 2017, more than 37 percent of farmers were women. These data show that agriculture in New York and our region is an important economic area with potential growth.

Finally, the college's academic programs in business, new media, IT, sustainable agriculture, entrepreneurship, and STEM based courses inspire students to research new ways of doing business, producing products, supporting business growth, and leveraging the resources of the region to create a more economic and environmentally sustainable community.

- 6) Provide a description of the process the Sponsor 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. The criteria may include some or all of the following:

A. Academic and Research Alignment

1. Is the business in an industry aligned with current and/or developing University research, scholarly, and creative activity?

2. Does the business provide experiential learning and workforce opportunities (e.g., internships, fellowships, full-time jobs) for students and graduates?
3. Does the business provide areas for partnership and advancement for faculty and students?
4. Will the business provide access to research instrumentation, tools, and/or equipment necessary to advance the academic and research mission?
5. Will the business fund scholarships, campus facilities or other academic services or amenities?
6. Will the business and/or its employees contribute to instruction or provide student mentoring?
7. Does the business offer the use of company resources, intellectual property or expertise to support the academic mission?

B. Economic Benefit

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

C. Community Benefits

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

1. Businesses will be solicited in the following ways:

- Through the Start Up NY website-the college would expect to receive inquiries from companies that visit the website and review the properties listed
- The college has a close relationship with the Economic Development Council leaders of Warren, Washington, and Saratoga counties and expects to receive referrals from those agencies

2. The President's office will meet with interested businesses to discuss mutual interests and gain a more thorough understanding of the proposed business

3. If it is determined that the possibility of a beneficial partnership exists, the President's office would request that the business submit the Start UP NY Business Application to the college to be used as part of the decision making process, which clearly outlines several variables for the senior administration, college advisory council, and board of trustees to take into consideration

All of the information above would be shared with the college's senior administration, department chairperson(s) and faculty of the associated content areas for their review. The information provided to the college at this stage will be held in confidence until both parties agree to continue discussions.

4. A meeting would be held with the business representative and may include a tour of the potential facility (if identified) with the faculty identified by college administration and local municipality and/or economic development council representatives to discuss potential partnerships and determine if the business is a good fit for the college, the community, and our students

Sample questions asked by the faculty and administration described above would include:

- How will engaging with this business advance, complement, or introduce learning for SUNY Adirondack students?
- What specific learning activities will the business commit to supporting (these would ultimately be more clearly defined in the MOU)
- Will the business provide access to cutting edge technology or equipment that the college might not otherwise be able to afford to purchase?
- Will the business provide learning space for our students and faculty that enhances our program or course offerings?
- What are the potential new jobs for local citizens, particularly for our students?

Questions to be considered by the municipality and local economic development council representatives:

- How many net new jobs will be created in the first two years of operation?
- How will the company establish itself as a good member of the community?
- What evidence does the business have of economic benefit for the community?
- What type of municipal services/infrastructure would the business utilize?
- Is the business pursuing other federal or state economic development initiatives?

- 5) The senior administration solicits feedback from the department chairperson(s) and faculty, as well as the municipality and economic development council representatives involved, to inform decisions to partner.
- 6) The college solicits a memorandum of understanding (see attachment 6) with the proposed business to outline commitments of both parties to demonstrate a sustainable partnership with the college and would not move forward until received.
- 7) The senior administration will review the MOU and share with the President's Council.
- 8) The President seeks feedback from the President's Council (an advisory council to the President).

The President's Council is composed of the President, the Vice President for Academic and Student Affairs, the Vice President for Administrative Services and Treasurer, the Executive Director of the SUNY Adirondack Foundation, the Chair of the College Assembly, four (4) at large representatives of College Assembly, the President of the Faculty Association, the Chair of the Support and Confidential Staff Assembly, two (2) at large representatives from the Support and Confidential Staff Assembly, the President of the Educational Support Personnel Union and the President of the Student Senate.

- 9) The President will make a recommendation to the college's Board of Trustees to approve or deny a business application

10) If approved, the President's office will work with the business to submit an application to the Empire State Development for consideration.

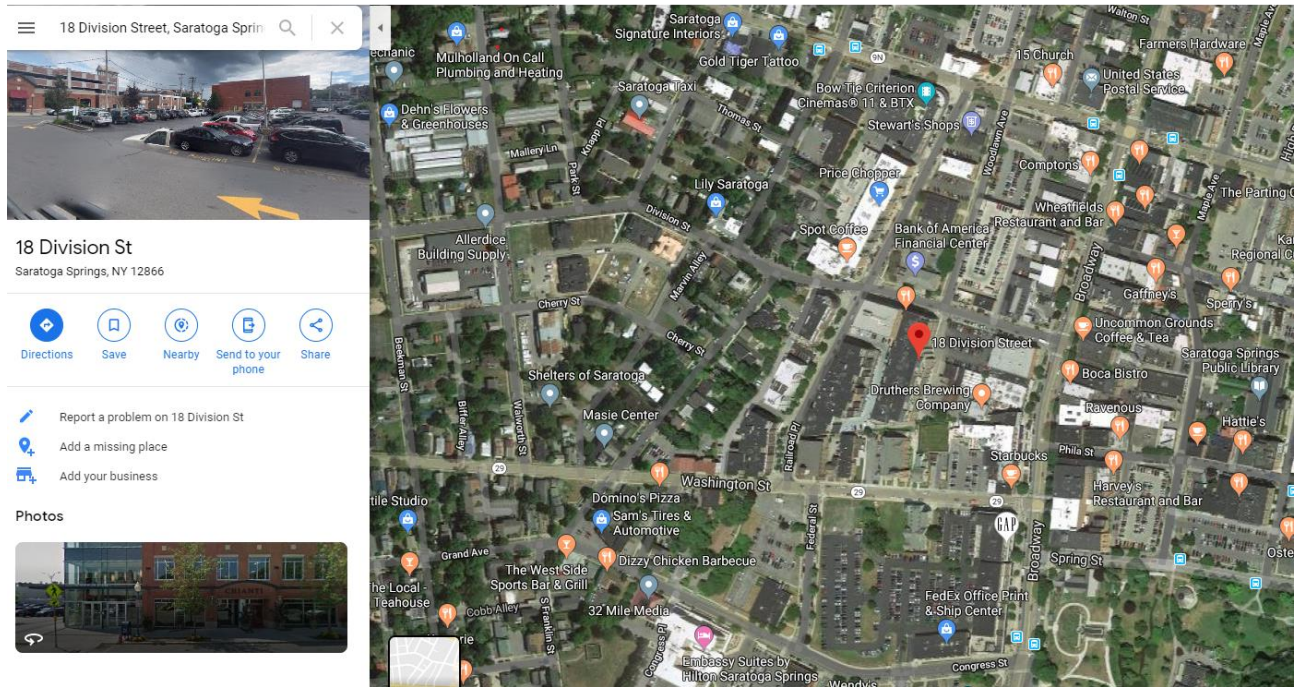
NOTE: Dependent upon time of year, the timeframe from initial contact from an interested business to recommendation to the college's Board of Trustees would be estimated at 60-90 days.

Attachment 1: Aerial View 640 Bay Road Queensbury Total Acreage: 45.68

Unique ID: SU-301-1-L-SITEA-000-A; SU-301-1-L-SITEB-000-A; SU-301-1-L-SITEC-000-A



Attachment 2: Aerial View: 18 Division St., Unique ID SU-301-2-B-000-A



Attachment 3: 18 Division St., Ste 309; Saratoga Springs; SF 166

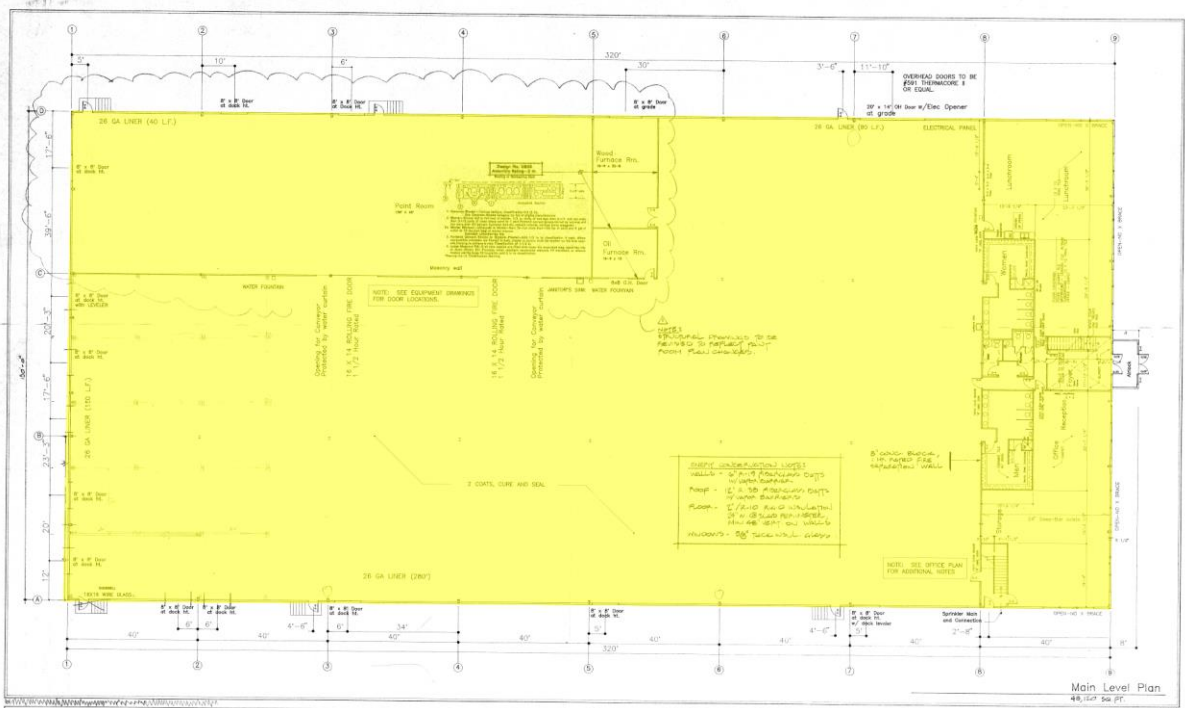
START-UP NY UNIQUE ID: SU-301-2-B-000-A



**Attachment 4: Aerial View 1159 County Route 24 Granville Unique ID: SU-301-2-C-000-A
Total Acreage: 22.96**



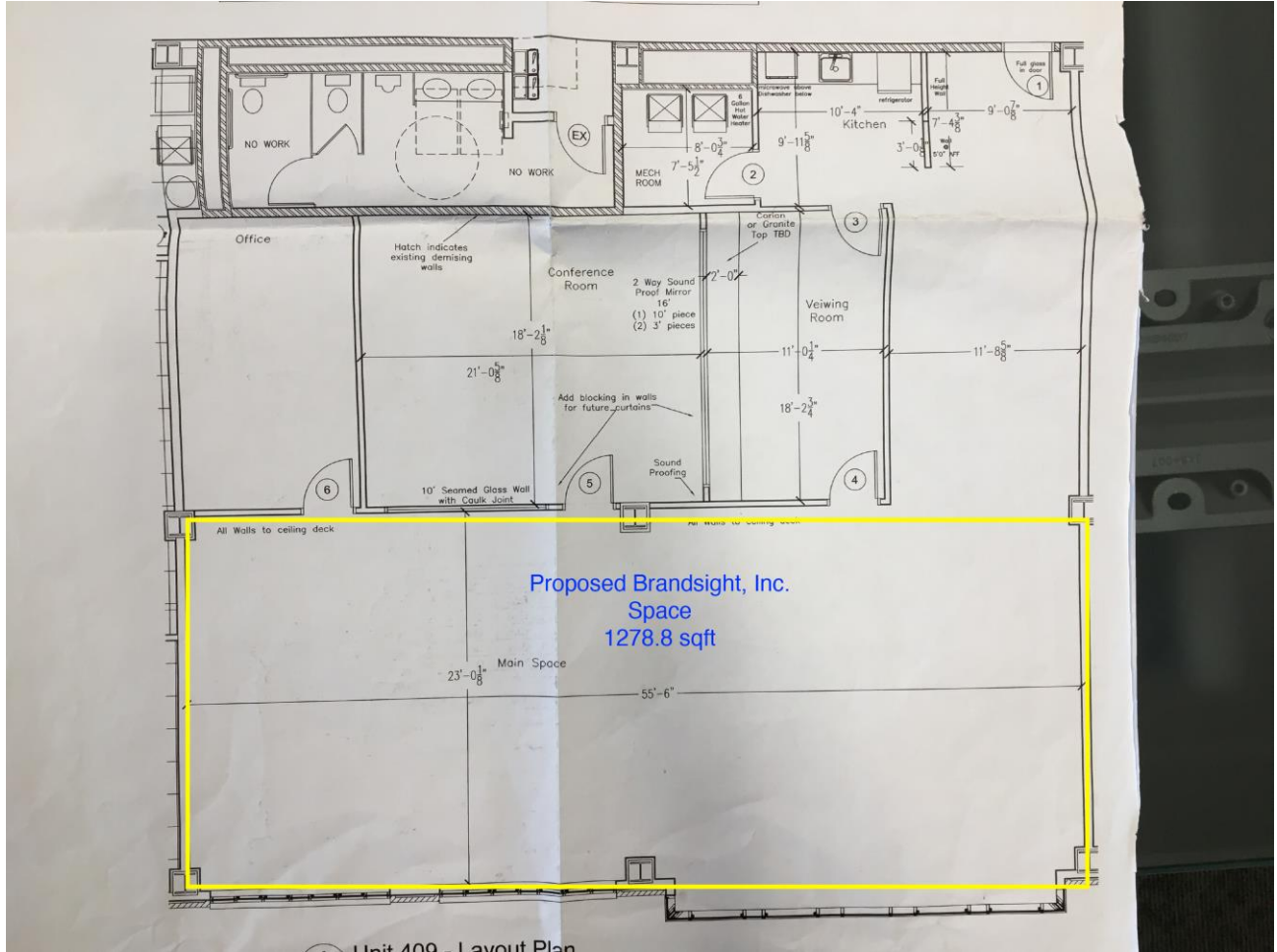
Attachment 5: Floor Plan 1159 County Route 24 Granville Unique ID: SU-301-2-C-000-A
Total SF: 56,000



| | | |
|---------------------------------------|--------------------------------------------------|------------------------------------------------------------------------------------------|
| <p><i>MANCHESTER WOOD FACTORY</i></p> | <p><i>Main Level Floor Plan</i></p> | <p>August 25, 1989 R. J. ... 3/32" = 1'-0"</p> |
| <p><i>GRANVILLE, NEW YORK</i></p> | <p><i>WOODEN INDIAN INC., Manchester, VT</i></p> | <p>A1</p> |

Attachment 6: 18 Division St., Ste 409; Saratoga Springs; Total SF 1278

Unique ID: SU-301-2-B-001-A



Attachment 6: Applicable Conflict of Interest Policies

PUBLIC OFFICERS LAW

§ 74. Code of ethics.

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

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

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

3. Standards.

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

him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.

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

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


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

Table of Contents

[Summary](#)

[Policy](#)

[Definitions](#)

[Other Related Information](#)

[Procedures](#)

[Forms](#)

[Authority](#)

[History](#)

[Appendices](#)

Summary

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

Policy

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

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

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

1. University faculty and staff may not engage in other employment which interferes with the performance of their professional obligation.

2. University faculty and staff are expected to comply with the New York State Public Officers Law provisions on conflict of interest and ethical conduct.
 3. University faculty and staff, to the extent required by law or regulation, shall disclose at minimum whether they (and their spouses and dependent children) have employment or financial interests or hold significant offices, in external organizations that may affect, or appear to affect, the discharge of professional obligations to the University.
 4. University campuses shall ensure that all faculty and staff subject to pertinent laws and regulations disclose financial interests in accordance with procedures to be established by the Chancellor or designee. Campuses shall retain the reported information as required, identify actual or apparent conflicts of interest and seek resolution of such conflicts.
 5. Each campus president shall submit to the chancellor's designee the name and title of the person or persons designated as financial disclosure designee(s) and shall further notify the chancellor's designee when a change in that assignment occurs. The chancellor's designee shall also be notified of any reports regarding conflict of interest that are forwarded to state or federal agencies.
-

Definitions

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

Other Related Information

[Outside Activities of University Policy Makers](#)

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

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

Procedures

There are no procedures relevant to this policy.

Forms

There are no forms relevant to this policy.

Authority

[42 CFR 50, Subpart F](#)

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

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

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

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

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

History

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

Appendices

There are no appendices relevant to this policy.

Relevant Adirondack Community College Conflict of Interest Policies

2.11 Board of Trustee Conflict of Interest

The Board of Trustees recognizes the responsibility of each member of the Board to guard against conflicts of interest that might compromise their ethical values and their perception, integrity and objectivity. The Board will comply with all applicable state and local laws dealing with conflicts of interest including Sections 800-813, Article 18 of New York State General Municipal Law.

Trustees will identify as early as possible all individual interests which may conflict with their obligations as Trustees and announce potential conflicts of interest with respect to any matter being considered by the Board of Trustees as soon as possible so that appropriate action may be taken to avoid problems, using the disclosure statement provided in Appendix 2.2.

Appendix 2.2

Board of Trustees

2019 Conflict of Interest

Disclosure Statement

[Attach additional pages if necessary]

| |
|---------------|
| Name |
| Committee(s): |

1. Do you currently own any equity or other financial interests in an entity that does business with the College? No Yes; complete below

| | |
|----------------|---------|
| Name of Entity | Address |
|----------------|---------|

2. Do you have a Related Party (your spouse, domestic partner, significant other, family member, dependent, member of household or business partner) who currently owns any equity or other financial interests in any entity that does business with the College? No Yes; complete below

| | | |
|-----------------------|------------------------|----------------------------|
| Name of Related Party | Nature of Relationship | Name and Address of Entity |
|-----------------------|------------------------|----------------------------|

3. Do you hold any office, trusteeship, directorship, partnership or position of any type, whether or not compensated, with any firm, corporation, association, partnership or other organization that conducts business with SUNY Adirondack? No Yes; complete below

| Name of Entity | Description of Position |
|----------------|-------------------------|
|----------------|-------------------------|

4. Do you have a Related Party (your spouse, domestic partner, significant other, family member, dependent, member of household or business partner) that holds a position of any kind with SUNY Adirondack or any entity that conducts business with SUNY Adirondack? No Yes; complete below

| Name of Related Party | Nature of Relationship | Name and Address of Entity | Description of Position |
|-----------------------|------------------------|----------------------------|-------------------------|
|-----------------------|------------------------|----------------------------|-------------------------|

5. Have you received anything of monetary value that exceeds \$75, including but not limited to gifts, loans, salary, entertainment and/or other payments for services (e.g. consulting fees, paid travel, honoraria, or speaker's fees) from any outside entity that interacts with SUNY Adirondack?

No Yes; complete below

| Name of Entity | Description of what you received and approximate value |
|----------------|--------------------------------------------------------|
|----------------|--------------------------------------------------------|

6. Do you have any warrants, stocks, securities and/or other investment interests which amount to an ownership interest of greater than 15%? (*note: this includes any interests in limited or general partnerships at time of filing.*) No Yes; complete below

| |
|--------------------------------------------------|
| List names of the applicable issuing entity(ies) |
|--------------------------------------------------|

7. Does your spouse, domestic partner, significant other, family member, dependent, member of household or business partner have any warrants, stocks, securities and/or other investment interests which amount to an ownership interest of greater than 15%? No Yes; complete below

| Name of Related Party | Nature of Relationship | Name of issuing entity |
|-----------------------|------------------------|------------------------|
|-----------------------|------------------------|------------------------|

8. Do you or a Related Party (your spouse, domestic partner, significant other, family member, dependent, member of household or business partner) have any additional financial or other interest that you believe may be relevant to or in conflict with the exercise of your duties on behalf of SUNY Adirondack (i.e. any affiliation with a competitor of SUNY Adirondack or SUNY)? No Yes; complete below

| |
|------------------|
| Provide details: |
|------------------|

I certify that the above information is true and correct to the best of my knowledge and that I have read and agree to be bound by the SUNY Adirondack Conflict of Interest policy. I further certify that I will advise the College immediately upon any material change in circumstance that may occur.

Signature

Date

7.12 Employee Conflict of Interest

College employees with budgetary and/or supervisory responsibilities are to fill out an annual conflict of interest form. College employees should avoid even the appearance of a conflict of interest which might embarrass the Board or the College.

If any employee has a concern that an activity is a prohibited conflict of interest, the employee may request a written determination from the President of the College. Within 15 days of the receipt of the President’s determination, the employee may appeal the determination to the College’s Board of Trustees, who will render a written decision on the appeal.

Any employee who violates this policy, or who fails to comply with the decision rendered by the President or Board of Trustees determining that an activity represents a prohibited conflict of interest, shall be subject to discipline in accordance with the applicable policies of the College, collective bargaining agreements, or New York State Law.

Attachment 7: Evidence of Submission of Tax-Free Area Plan to Interested Parties

Evidence of submission of the amended plan to interested parties (“stakeholders”) will be included when this amendment is submitted to ESD. We will not distribute the amended plan to our stakeholders for comment until the amended plan has been approved by SUNY.

Attachment 8: Adirondack Community College (SUNY Adirondack) Strategic Plan

The Adirondack Agenda 2.0

Envisioning the Future The Strategic Plan for 2018-2021

Vision Statement

We are the educational provider of choice and pathway to success.

Mission Statement

SUNY Adirondack is a teaching- and learning-centered community college, which fosters a diverse, equitable, inclusive learning environment and campus community; offers innovative instructional and student support programs; responds to the educational needs of its community; and serves as a stimulus for economic development, partnerships and leadership.

Values

With student success at the heart of our work, we believe in:

Lifelong Learning

Education is transformative through endless learning.

Thriving Communities

We are successful when we partner as a community, for the community.

Open Access

Higher education opportunities for all, inclusive of diverse backgrounds, ages, goals and learning styles.

STRATEGIC GOALS

- Ready and engaged learners
- Students prepared for life
- Outstanding student-success outcomes
- Relevant and effective services and programs
- Effective and efficient use of modern technology and facilities
- Engaged employees

GUIDING PRINCIPLES

- Student learning occurs in and out of the classroom to prepare students for life in a diverse world.
- Programs, services and facilities should be relevant, responsive, and sustainable.
- Project-management tools and assessment processes are essential to our success.
- Engaged employees and strategic management of priorities creates a stronger learning and work community for all.

SUCCESS MEASURES RELATED TO

- Student success related to developmental education, campus engagement, persistence and progression to graduation
- Increased transfer and employment success rates
- Increased offerings for workforce development and training
- New sources of revenue to support capital and programmatic needs
- Implementation and increased use of new technologies to support student success
- Enrollment growth from service area, at extension center in Saratoga County, and of adult learner
- Increased employee engagement and satisfaction

Attachment 9: MOU Between Adirondack Community College and The Business

Memorandum of Understanding Between Adirondack Community College and WYTHE WINDOWS

This Memorandum of Understanding (the Memorandum) is made on this 11th day of ~~November~~, 2019, by and between Adirondack Community College, an educational corporation organized and existing under the laws of the State of New York, and having its principal place of business located at 640 Bay Road, Queensbury, New York 12804, hereinafter referred to as "SUNY Adirondack" and WYTHE WINDOWS, having its current address at 50 Spring Street, Ramsey, NJ 07446 (collectively "the Partners", for the purpose of achieving the various aims and objectives relating to START-UP NY (the Project).

WHEREAS SUNY Adirondack and WYTHE WINDOWS desire to enter into memorandum of understanding which SUNY Adirondack and WYTHE WINDOWS will work together to complete the Project; and

WHEREAS SUNY Adirondack and WYTHE WINDOWS are desirous to enter into a Memorandum of Understanding between them, setting out the working arrangements that each of the Partners agree are necessary to complete the Project;

Purpose

The purpose of this Memorandum is to provide the framework for any future binding contract regarding the START-UP NY partnership between SUNY Adirondack and WYTHE WINDOWS.

Obligations of the Partners

The Partners acknowledge that no contractual relationship is created between them by this Memorandum, but they agree to work together in the true spirit of partnership to ensure that there is a united visible and responsive leadership of the Project and to demonstrate administrative and managerial commitment to the Project by means of the following individual services.

Cooperation

The activities and services for the Project shall include, but are not limited to:

- a. Services to be rendered by SUNY Adirondack include:
 - Prior to the business application and the campus application being submitted for approval to the Empire State Development Corp., SUNY Adirondack will convene faculty from relevant academic areas and the business representatives to outline academic activities to be included in the Project.
 - Submission of the campus application to the Empire State Development Corp.
 - Upon approval of the applications by the Empire State Development Corp., SUNY Adirondack will assign an academic liaison (liaison) to facilitate activities between associated faculty and Wythe Windows.
 - The liaison at the college will follow-up with Wythe Windows and faculty to ensure stated activities are functioning as planned and will create proper assessments to evaluate the success of the partnership.

Dispute Resolution

In the event of a dispute between the Partners in the negotiation of the final binding contract relating to this Project, a dispute resolution group will convene consisting of the Chief Executives of each of the Partners together with one other person independent of the Partners appointed by the Chief Executives. The dispute resolution group may receive for consideration any information it thinks fit concerning the dispute. The Partners agree that a decision of the dispute resolution group will be final. In the event the dispute resolution group is unable to make a compromise and reach a final decision it is understood that neither party is obligated to enter into any binding contract to complete the Project.

Term

The arrangements made by the Partners by this Memorandum shall remain in place from the date of the last signature hereon until the expiration of the START-UP NY benefit, or upon mutual agreement of the parties, whichever occurs first. The term can be extended only by written agreement of all of the Partners.

Notice

Any notice or communication required or permitted under this Memorandum shall be sufficiently given if delivered in person or by certified mail, return receipt requested, to the address set forth in the opening paragraph or to such other address as one party may have furnished to the other in writing.

Governing Law

This Memorandum shall be construed in accordance with the laws of the State of New York.

Assignment

Neither party may assign or transfer the responsibilities or agreement made herein without the prior written consent of the non-assigning party, which approval shall not be unreasonably withheld.

Amendment

This Memorandum may be amended or supplemented in writing, if the writing is signed by both parties obligated under this Memorandum.

Severability

If any provision of this Memorandum is found to be invalid or unenforceable for any reason, the remaining provisions will continue to be valid and enforceable. If a court finds that any provision of this Memorandum is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision will be deemed to be written, construed, and enforced as so limited.

Prior Memorandum Superseded

This Memorandum constitutes the entire Memorandum between the parties relating to the Project and supersedes all prior or simultaneous representations, discussions, negotiations, and Memorandums, whether written or oral.

Understanding

It is mutually agreed upon and understood by and among the Partners of this Memorandum that:

- a. Each Partner will work together in a coordinated fashion for the fulfillment of the

- b. Services to be rendered by WYTHE WINDOWS include:
- Meet with SUNY Adirondack to discuss the necessary academic activities.
 - Submit the business application to the Empire State Development Corp.
 - Provide at least one paid internship per year to a qualified student.
 - Work with SUNY Adirondack Director of Business Central to ensure proper paperwork is completed.
 - Coordinate with the appropriate faculty on learning lab experiences
 - Coordinate with appropriate faculty to identify topical discussions in class or on site
 - Participate in activities related to promoting careers in Advanced Manufacturing, to potentially include STEM Roundtable and the annual Manufacturing Day in October at SUNY Adirondack
 - Participate in relevant assessments coordinated by the liaison
 - Meet annually, or at the request of SUNY Adirondack, with associated faculty and administration to review experiences and address any concerns from either parties

Resources

The Partners will endeavor to have final approval and secure any financing necessary to fulfill their individual financial contributions at the start of the planning for the development of the Project.

- a. SUNY Adirondack agrees to provide the following financial, material and labor resources in respect of the Project;
- Administrative time from the Director of Business Central as the START-UP NY campus liaison and the Coordinator of Career Readiness to support the Project and ensure that the Services above are rendered effectively.
- b. WYTHE WINDOWS agrees to provide the following financial, material and labor resources in respect of the Project;
- Administrative time from a company officer to support the Project and ensure the Services listed above are rendered effectively
 - At least one paid internship per year to a qualified student

Communication Strategy

Marketing of the vision and any media or other public relations contact should always be consistent with the aims of the Project and only undertaken with the express agreement of both parties. Where it does not breach any confidentiality protocols, a spirit of open and transparent communication should be adhered to. Co-coordinated communications should be made with external organizations to elicit their support and further the aims of the Project. Any marketing or communications using the SUNY Adirondack name or logo will require prior approval from the Director of Marketing and Communications.

Liability

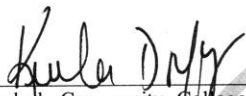
No liability will arise or be assumed between the Partners as a result of this Memorandum.

- Project.
- b. In no way does this agreement restrict involved Partners from participating in similar agreements with other public or private agencies, organizations, and individuals.
 - c. To the extent possible, each Partner will participate in the development of the Project.
 - d. Nothing in this memorandum shall obligate any Partner to the transfer of funds. Any endeavor involving reimbursement or contribution of funds between the Partners of this Memorandum will be handled in accordance with applicable laws, regulations, and procedures. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the Partners involved and shall be independently authorized by appropriate statutory authority. This Memorandum does not provide such authority.
 - e. This Memorandum is not intended to and does not create any right, benefit, or trust responsibility.
 - f. This Memorandum will be effective upon the signature of both Partners.
 - g. Any Partner may terminate its participation in this Memorandum by providing written notice to the other Partner.

The following Partners support the goals and objectives of the START-UP NY project:

Signatories

This Agreement shall be signed on behalf of Adirondack Community College by Dr. Kristine Duffy, President, and on behalf of WYTHE WINDOWS by Ross Vizzari, CEO. This Agreement shall be effective as of the date first written above.



Adirondack Community College
By Dr. Kristine Duffy, President
Date:



WYTHE WINDOWS
By Ross Vizzari, CEO
Date: 11-08-2019