



New York State  
Department of Economic Development  
Division of Minority and Women's  
Business Development

---

In the matter of the appeal of

**Custom Printers of Guilderland, Inc.**

FINAL ORDER 16-58

From a denial of certification as a Women-owned Business Enterprise pursuant to Executive Law Article 15-A.

---

This order arises from an administrative appeal brought on behalf of Custom Printers of Guilderland, Inc. ("Custom Printers") pursuant to section 144.4 of title 5 of the New York Codes, Rules and Regulations. Appellant, Ms. Kathleen Szesnat, seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated July 15, 2016, to deny Custom Printers certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge P. Nicholas Garlick. Appellant, represented by Ms. Susan Bartkowski, Esq., appeared at a hearing regarding this matter on September 13, 2016. The Division was represented by Mr. Phillip Harmonick, Esq. A recording of the proceedings is contained in the appeal record.

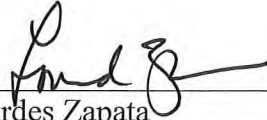
The issues on appeal were whether the Appellant made decisions pertaining to the operation of the business enterprise, and whether Appellant demonstrated control of business negotiations of Custom Printers through the production of signed contracts.

On November 29, 2016, the Division received from Administrative Law Judge Garlick a Recommended Order that affirmed the Division's determination to deny the application by Appellant to certify Custom Printers as a WBE. The Recommended Order recommended that the denial should be affirmed on each of the grounds identified in the Division's September 13, 2016 denial letter.

After considering the appeal record, I accept the recommendation of the Administrative Law Judge as it pertains to the facts of this case. Incorporation by reference is hereby made with respect to the findings and conclusions of the Recommended Order.

It is hereby **ORDERED** that the decision to deny certification, dated September 13, 2016 is affirmed. Accordingly, Custom Printers will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

December 01, 2016

  
\_\_\_\_\_  
Lourdes Zapata  
Executive Director  
Division of Minority and Women's  
Business Development