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

In the matter of the appeal of

Northern Scapes, Inc.  FINAL ORDER 18-31

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 Northern Scapes,
Inc. ("Northern Scapes") pursuant to section 144.4 of title 5 of the New York Codes, Rules
and Regulations. Appellant seeks reversal of the decision of the Division of Minority and Women’s
Business Development (the “Division”), dated April 18, 2017, to deny Alpha Drilling certification
as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge Daniel P. O’Connell. Jennifer K.
Harvey, Esq. represented the Appellant at an appeal hearing concerning this matter on March
20, 2018. Phillip Harmonick, Esq. represented the Division. A recording of the proceedings is
contained in the appeal record.

The issues on appeal were whether Northern Scapes demonstrated that Pamela Allen,
President of the company, made decisions pertaining to the operations of the business
enterprise in accordance with 5 NYCRR 144.2(b)(1); and had adequate managerial experience or
technical competence to operate the enterprise as required by 5 NYCRR 144.2(b)(1)(i).

On June 6, 2018, the Division received a Recommended Order from Administrative Law
Judge O’Connell that recommended reversal of the Division’s denial of the application to certify
Northern Scapes as a WBE.

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 April 18, 2017, is reversed. Accordingly, Northern Scapes will be listed in the Division’s directory of certified Minority and Women-owned Business Enterprises.

July 5, 2018

Nicole Stent
Acting Executive Director
Division of Minority and Women's
Business Development