



**Division of Minority  
and Women's  
Business Development**

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

---

In the matter of the appeal of

**Northern Snow & Dirt, Inc.**

FINAL ORDER 17-58

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 Northern Snow & Dirt, Inc. ("Northern Snow") 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 August 19, 2016, to deny Northern Snow certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge P. Nicholas Garlick. Ms. Shelly Pitcher submitted a written appeal on behalf of Appellant on September 08, 2016. Mr. Phillip Harmonick, Esq. submitted a response to the appeal on September 01, 2017. The submissions of the parties are contained in the appeal record.

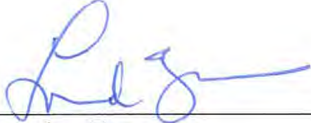
The issues on appeal were whether the woman owner of Northern Snow: contributed money, property, equipment, or expertise proportionate to her equity interest in Northern Snow; and made decisions pertaining to the operations of the business enterprise.

On September 28, 2017, the Division received from Administrative Law Judge Garlick a Recommended Order that recommended affirmation of the Division's denial of the application to certify Northern Snow as a WBE on the grounds set forth in the Division's August 19, 2016 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 August 19, 2016, is affirmed. Accordingly, Northern Snow will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

September 28, 2017



---

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