



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

LANCE CHEBIN - NACMIAS LAW FIRM 592 PACIFIC STREET BKLN,NY 11217	Summons No: 000853717J et al. (1 Summons) DEPT OF ENVIRONMENTAL PROTECTION, -against- THE PAY-O-MATIC CORP Hearing Date: 04/29/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$350.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000853717J	Sustained	01/02/2024	10 HANOVER Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BA51	24 -163	Sustained	\$350.00

Findings of Fact & Conclusions of Law

Authorized representative Lance Chebin appeared at the hearing by phone for Respondent. Michael Grosso appeared by phone for Petitioner. Respondent was charged with violation of 24-163 for idling of a motor vehicle engine for more than three minutes. Petitioner submitted photos, the citizen complaint, the affidavit of service, the license plate lookup and a video in support. Mr. Chebin argued that Respondent was an improper party as the name on the truck was different than Respondent's. He offered nothing further. Mr. Grosso stated that Respondent was identified by license plate lookup and that the name on the side of the vehicle did not matter.

I credit the summons as written as supported by Petitioner's evidence. I find Respondent to be a proper party as a vehicle's

title holder, lessee, or operator may each be properly named so long as they are found to have caused or permitted the idling which is the case here.

As there was no dispute in fact, I find Respondent in violation and impose the minimum penalty of \$350.00.



05/06/2025

05/06/2025

Daniella Caputo, Hearing Officer

Date