



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

Decision

JOSHUA SANTIS - NACMIAS LAW FIRM PLLC 592 PACIFIC STREET NEW YORK, NY 11217	Summons# : 000879997Z et al. (2 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- COOPER ELECTRIC Hearing Date : 7/14/2025 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount : 440.00	Community Service(Hr): Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000859187Z	Dismissed	03/12/2024	405 ALBEE SQ W, Brooklyn

LINE ITEM	OATH CODE	" E	PENALTY
1	BA1J	24-163 (F)	Dismissed 0.00

Total Penalty for Summons: 0.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000879997Z	Sustained	03/12/2024	436 ALBEE SQ W, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1E	24 -163	Sustained	440.00

Total Penalty for Summons: 440.00

Findings of Facts & Conclusions of Law

000879997Z

Joshua Santis appeared on behalf of Respondent for a phone hearing on July 14, 2025 in response to the above-issued summons. No appearance on behalf of Petitioner Department of Environmental Protection.

Respondent denied the claims with no rebuttal. Respondent did not contest the underlying violation.

I credit the observations of the issuing officer and find that Petitioner proved this violation by a preponderance of the evidence . Therefore, the summons is sustained and a second offense penalty is imposed.

000859187Z

Joshua Santis appeared on behalf of Respondent for a phone hearing on July 14, 2025 in response to the above-issued summons. Senior Insp. Antwan Gibbs appeared on behalf of Petitioner Department of Environmental Protection.

Petitioner relied on the sworn statements contained in the summons. Petitioner submitted video evidence of the idling vehicle; the citizen complaint; school information; and photos showing the vehicle and license plate.

Respondent claimed that they would not know that they were adjacent to a school because the school is not identifiable as school by its name - "Basis Independence." Respondent did not contest the underlying violation.

I credit Respondent's argument and find that on the basis of Petitioner's submitted evidence, the school was not easily identifiable by signage or otherwise at the time a violation. Therefore, the summons is dismissed.

 07/14/2025	07/14/2025
Corey Lederman, Hearing Officer	Date