



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
Hearings Division

**DECISION**

|                                                                                       |                                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>NORA BROWN - NACMIAS LAW FIRM PPLC</b><br>592 PACIFIC STREET<br>Brooklyn, NY 11217 | <b>Summons No: 000922532J et al. (1 Summons)</b><br><br><b>DEPT OF ENVIRONMENTAL PROTECTION,</b><br><br><b>-against-</b><br><br><b>THE PAY-O-MATIC CORP</b><br><br><b>Hearing Date: 09/23/2025</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$350.00</b>        |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b> |
|------------------|----------------------------|---------------------------|----------------------------|
| 000922532J       | Sustained                  | 12/16/2024                | 7022 18 AVENUE Brooklyn    |

| <b>LINE<br/>ITEM</b> | <b>OATH<br/>CODE</b> | <b>CODE<br/>SECTION/RULE</b> | <b>RESULT</b> | <b>PENALTY</b> |
|----------------------|----------------------|------------------------------|---------------|----------------|
| 1                    | BA51                 | 24 -163                      | Sustained     | \$350.00       |

**Findings of Fact & Conclusions of Law**

A hearing was conducted by telephone on September 23, 2025. Nora Brown appeared for the respondent. Senior Inspector Dantney Parks appeared for the petitioner. The summons alleged a violation of NYC Admin. Code sec. 24-163 in that the respondent's truck was idling for longer than three minutes while parked or standing. The petitioner presented an evidence packet that included a video recording of the respondent's truck idling for over three minutes while parked. The respondent also submitted an evidence packet that included a letter from the DEP dated July 29, 2021 informing the respondent that it had been granted an idling variance that was due to expire on July 15, 2024. The petitioner later stated that the respondent had not renewed its variance and was, therefore, not exempt from idling restrictions at the time of the violation. The respondent did not demonstrate that the truck was using a processing device that would allow it to be exempt from any idling restrictions. I,

therefore, credit the summons allegations and the petitioner's evidence, uphold the summons, and impose a penalty of \$350.



09/23/2025

09/23/2025

Chin Ho Cheng, Hearing Officer

Date