

**Village of Afton**  
**Board of Trustees Public Hearing**  
**Jack D. Bolster Community Center, Afton, NY**  
**May 18, 2022**

Minutes of the public hearing on violation of water rules and regulations held by the Board of Trustees on May 18, 2022 at 7: 00 pm in the Susquehanna Room, 105 Main Street, Afton.

**Present:** Mayor Nickerson, Trustee Humphrey, Trustee Komorowski, Trustees Winans, Clerk/Treasurer Palmatier, DPW Supervisor DeBetta, Village Attorney Nathan VanWhy and Coughlin & Gerhart, Gina Middleton.

**Absent:** Trustee Lawrence.

**Visitors:** Attorney Albert Millus and Sandra Conpropst.

- Meeting called to order at 7:07 pm by Mayor Nickerson.
- Mayor Nickerson asked for a motion to enter into executive session to discuss potential litigation against the Village.
- A motion made by Trustee Humphrey to enter into executive session at 7:09 pm to discuss potential litigation against the village. Seconded by Trustee Winans. All in favor, motion passed.

DPW Supervisor DeBetta was asked to join the executive session

- A motion made by Trustee Winans to exit out of executive session at 7:41 pm. Seconded by Trustee Komorowski. All in favor, motion passed.

**Recognition of Visitors:**

- Visitor Attorney Albert Millus spoke on behave of his client Mrs. Sandra Conpropst. He stated that his client purchased the property located on Pixley Drive in April of 2021, from Mr. Frank Caratelli. At that time the water lines were already in place. He states that his clients feel as though they should not be responsible for installing a water line or a shut off value on the property. Mr. Millus stated that DPW Supervisor DeBetta helped his client with the water line connection.
- Mayor Nickerson stated that there are water rules & regulations that are governed by the Village Board of Trustees that have not been met by Mr. & Mrs. Conpropst. No more than one dwelling shall be connected to the same water main line, unless a special permit is granted by the Village Board of Trustees. There must be turn off valves to each separate location, for safely precautions.

- DPW Supervisor DeBetta stated that he never helped Mr. Shane Conpropst with any water line installation. DPW Supervisor DeBetta stated that in early August of 2020 he had just returned to working for the Village of Afton, when he had a request from Mr. Shane Conpropst to turn the water off at this location. DPW Supervisor DeBetta states that he assumed that Mr. Shane Conprost was fixing a plumbing issue. The water was turned back on later this same day in August of 2020. In August of 2021 DPW Supervisor DeBetta was called to turn the water off once more. At this time DPW Supervisor DeBetta realized that a new house had been built on the property. DPW Supervisor DeBetta told the property owner that hooking into the existing water from the adjacent property would be unacceptable. DPW Supervisor DeBetta expressed that both houses could not be on one curb box or one water service line, and that he and the property owner discussed that each house requires their own separate curb box, one being placed on the existing water line and the one that he ran to his new house. The home owner felt as though it was not his responsibility to do so.
- A motion made by Trustee Humphrey to approve the water shut off date as of June 6, 2022 for the property located on Pixley Drive owned by James & Sandra Conpropst, with an extension automatically granted through August 6, 2022 provided that the property owners apply for a special permit before June 6, 2022, with the potential for additional extensions if they were diligently proceeding with the special permit application. Seconded by Trustee Komorowski. All in favor, motion passed.
- It was agreed that Mr. & Mrs. Conpropst would make restitution on past water usage.
- There were ongoing discussion with the Village Board of Trustees and the Village Attorney, Mr. VanWhy about Village Codes & Regulations.
- Attorney VanWhy asked that DPW Supervisor DeBetta check with the Department of Health to see what the requirements are for psi – pounds per square inch for public water systems.
- A motion made by Trustee Humphrey to adjourn our regular meeting at 8:34 pm. Seconded by Trustee Winans. All in favor, motion passed.

Respectfully Submitted

Ann Palmatier  
Clerk / Treasurer