

# MELODY LAKE NEWS

THE NEWSLETTER FOR THE MELODY LAKE ASSOCIATION MEMBERS

JANUARY 2023



## CHANGES IN THE BOARD OF DIRECTORS

Due to some personal changes in her life, Theresa Tyner has resigned as association Vice President as of 1/1/23. We thank her for the support and dedication she has given us while serving on the board during these difficult times. At this time, we would like to welcome member Eric Wortman to the association board for the rest of the term along with some changes of position to other board members. Effective immediately and until the elections to be held at the end of 2023, the Melody Lake Association Board will be:

- President – Bob Rosati
- Vice President – Bob Eastman
- Secretary – Kelly Cerroni
- Treasurer – Steve Smith
- Member at Large – Eric Wortman

Contact information for the board members can be found on the page 2 of this newsletter.

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**Melody Lake Association was formed on June 22<sup>nd</sup>, 1964 to:**

**Aid and promote the preservation and protection of Melody Lake and the land around it**

**To aid in the protection of fish and game in such lake and area**

**To promote and cultivate social relationships among its members**

**To undertake programs and activities calculated to advance the above purposes**

## IMPORTANT PHONE #'S, EMAILS, DATES AND INFORMATION

**Melody Lake Association**

**PO Box 95**

**Willet, NY 13863**

[www.stny.info/melodylake](http://www.stny.info/melodylake)

or visit us on Facebook

### HOW TO CONTACT:

#### Association Officers:

**President** – Bob Rosati (607)863-4425 [rcrosati@frontiernet.net](mailto:rcrosati@frontiernet.net)

**Vice President** – Bob Eastman (607)722-3294 [bob@ceserve.com](mailto:bob@ceserve.com)

**Secretary** – Kelly Cerroni (607)760-2311 [kellycccc7@gmail.com](mailto:kellycccc7@gmail.com)

**Treasurer** – Steve Smith (607)729-8823, [sjstev@gmail.com](mailto:sjstev@gmail.com)

**Member at Large** – Eric Wortman (607)440-1044,

[ericwortman@hotmail.com](mailto:ericwortman@hotmail.com)

**Webmaster** – Jim Pratt – (607)775-4925 [jpratt@stny.rr.com](mailto:jpratt@stny.rr.com)

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#### Emergency Response

NY State Police – (607)756-5604 or 911

Cortland County Sheriff – (607)753-3311 or 911

Fire & Ambulance – 911

#### NYS Dept of Environmental Conservation:

Conservation Officer – 1-844-332-3267 (24 hr)

Permits – 1-800-388-8244 or (607)753-3095 ext. 235

Dam Safety – (518)402-8185

#### Town Government Officials:

Willet Town Hall – 863-4877 (for building permits)

Town Supervisor – Alvin (Sandy) Doty – 863-3252

Town Clerk – Annie Wilcox – 863-4329

Highway Superintendent – Ted Kemak 863-3265

Tax Assessor – Frances J Butler 849-6966

#### Other:

Cortland County Health – 753-5035 (permits for wells & septic)

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#### DOGS AROUND THE LAKE:

*Remember that your dog must be under your control at all times. If the dog is loose, they must remain on your property. Every year we receive complaints from people walking around the lake that they are confronted by loose dogs. Excessive barking is also a nuisance and is in violation of the Town ordinance. All complaints should be referred to the Town of Willet Dog Warden. (Country Acres Animal Shelter – 749-2734)*

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There are new operating hours for the Willet Post Office:

Mon – Fri : 10 AM – 12 noon & 1 PM – 3 PM

Sat – 9 AM – 11:45 AM

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ASSOCIATION FAMILY PICNIC – TBD

THE MEETINGS FOR MELODY LAKE ASSOCIATION FOR 2023 WILL BE HELD AT 12:00 NOON ON THE SECOND SUNDAY OF JUNE, JULY, and AUGUST. ALL MEETINGS WILL BE HELD AT THE WILLET TOWN HALL (unless decided otherwise). THE MEETING DATES FOR 2023 ARE: JUNE 11<sup>th</sup> JULY 8<sup>th</sup> AUGUST 11<sup>th</sup>

YOUR IDEAS ARE IMPORTANT TO THE ASSOCIATION. PLEASE TRY TO ATTEND WHENEVER POSSIBLE. WE WILL ATTEMPT TO LIMIT THE MEETING TO ABOUT 1 HOUR HOWEVER WILL CONTINUE UNTIL ALL IMPORTANT TOPICS ARE DISCUSSED.

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The Town Of Willet Town Board Meetings are held on the third Wednesday of every month at 7:30 PM. The meetings for 2023 are:

January 18 <sup>th</sup>	February 21 <sup>st</sup>
March 22 <sup>nd</sup>	April 19 <sup>th</sup>
May 17 <sup>th</sup>	June 21 <sup>st</sup>
July 19 <sup>th</sup>	August 16 <sup>th</sup>
September 20 <sup>th</sup>	October 18 <sup>th</sup>
November 15 <sup>th</sup>	December 20 <sup>th</sup>

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**WE WOULD LIKE TO REMIND ALL PROPERTY OWNERS AND THEIR GUESTS THAT EVEN THOUGH MELODY LAKE IS A PRIVATE LAKE, ALL NYS LAWS APPLY. THIS INCLUDES, BUT IS NOT LIMITED TO FISHING, HUNTING, BOATING AND MOTOR VEHICLE LAWS. ALSO REMEMBER THAT ALL BOATS THAT ARE POWERED BY AN ELECTRIC MOTOR (INCLUDING PONTOON BOATS) MUST BE REGISTERED. ALL NON-NYS RESIDENTS MUST HAVE A NONRESIDENT FISHING/HUNTING LICENSE.**

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#### CORTLAND/CHENANGO RURAL SERVICES

NEARLY NEW SHOP (gently used clothing)

2704 Lower Cincinnatus Rd, Cincinnatus, NY

Located at the Catholic Church (607)863-3828

Mon & Fri - 9:30 am – 11 am

Tues & Thurs – 9:30 am – 11:00 am & 2:00 pm – 4:00 pm

Wed – 9:30 am – 11:00 am & 3:00 pm – 4:30 pm

Sat–9 am –12 noon (also Local Farmers Market in season)

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**Remember that the speed limit on Melody Lake Rd. is 30 mph and on Melody Lane is 10 mph. Also parking on Melody Lake Road is prohibited unless you are completely off the road. Please remind your visitors and everyone that you may be doing business with such as contractors, fuel delivery companies, etc. Also remember that **NO OFF ROAD** vehicles are allowed on association property (Melody Lane, right of ways, etc.)**

*The views and opinions expressed in this newsletter by Melody Lake Association's diverse group of volunteers may not necessarily reflect the views held by the Association, its members, or its sponsors.*



## SOME THOUGHTS FROM A FRUSTRATED OLD MAN

By Bob Rosati

As we get older, we have a tendency to look back. What have I accomplished ? What would I or should I have done different? When I look back to when I was about 12 years old, my family would spend several weekends in the Adirondacks or the St Lawrence area camping in a tent. Then the price of gas went up to over 35 cents a gallon, my parants decided we could no longer afford that and it might be the time to either camp closer to home, or quit camping altogether. A neighbor told them about Melody Lake and they decided to look into it. I remember only the good times. the beautiful lake, the places we could hike to, and so much more. We could safely be wandering all day long without worrying about something bad happening. At that time, since we were staying at someone elses property, we were only able to spend a few weekends each year at this beautiful lake. Then something wonderful happened. My parents were able to purchase a double lot for less than \$1000 and by going without a few things in life, they were able to let us own our own little piece of heaven on earth. Even then there were "social differences" but we still got along and the protection of the lake was the first priority. For the first couple of years we did not have a cottage. We spent the entire summer in a 9x12 canvas tent, cooked over a wood fire, and were known by many as the "people in the woods". Dad would drive to work in Binghamton every weekday while me, my Mom, brother and sister would stay here at the lake, fishing, swimming or just enjoing living the good life. Dad would commute back and forth and most every night, would bring home a few rough cut boards from Beardsley Sawmill in Smithville Flats and spend the weekends putting them together to build the cottage (1362 Melody Lane). Even when the cottage was completed, Dad would never allow electricity ("if you want to watch tv then stay home") and that's the way it would be for the next several years. We would bring friends from home and continue to sleep in the tent while our parents enjoyed the cottage and we would be the envy of our friends back home. Then I graduated high school and joined the Army. When I returned from VietNam, I needed a place to get away and relax and Melody Lake was the place I wanted to be every chance I got. Back then, the people around the lake were neighbors who looked at what we all had in common rather then how we differed. We looked out for them, and they looked out for us. After a divorce when I needed to move, I decided this was where I wanted to be and bought a triple lot and built a place where I wanted to spend the rest of my life. Shortly after, we (all property owners) were faced with the NY State Dept. of Environmental Conservation (NYSDEC) and the Army Corp of Engineers (ACOE) condemning out dam and threatening that if we didn't repair or modify it, they would remove it. The estimated cost was to be 1.3 million dollars. By working together, the members were able to do much of the work together for \$60,000. I can't even imagine the results if something like that happened today.

Shortly after that, I got involved with the association board and the rest is history. Now after close to 30 years as association president we are approaching another election year. Every 2 years we are able to elect a new board or keep the current one and every 2 years I say that I am not running again. This year is different because I am announcing that I am again running and it will be up to you as to the results and where we go from here. We are facing some difficult times such as a few members destroying association property, doing things to their lakeshore that is harmful to the lake, harrassing the board and other members and more. What makes this worse is that much of this is being supported, and perhaps even encouraged by some long time members. As association president I feel that my #1 priority is not to try to make 80+ members happy, but to protect the lake. In the meantime, I will try to enforce the few rules we have rather then pass the problems on to the next board.

As I look back on what the past 30 years have done for me personally, I am proud of what I have done with the help of a suportive wife, a dedicated board and a few good friends. I have served on the board of the New York State Federation of Lake Associations (NYSFOLA) for close to 20 years and had the honor to serve as their president for 2 of those years. The Melody Lake Newsletter has taken 1<sup>st</sup> place more than 10 times and several 2<sup>nd</sup> place in a statewide competetion. I have written articles boasting the accomplishments of our association for 2 major magazines. I was a the *Conservation Partnership Award* by the Cortland County Soil and Water Conservation District for the dedication to the improvement of the water resources in Cortland County. I am the only person in NYS to be awarded the statewide *Lake Steward Award* twice by NYSFOLA. In 2011 I was awarded the *Lake Tear of the Cloud Award* which is NYSFOLA's highest award which is named for the "highest" lake in NY given annually to a person who has shown the highest dedication to lakes and watersheds , assisted NYSFOLA in its' mission and produced exceptional perfomance in his or her field of endeavor. (con't next page)

(con't from page 3) As I mentioned on the previous page, I do plan to run again for association president. While I do agree that there may be someone that has some new and better ideas for the future, I worry what if someone has their own interest rather than the interest of the lake in mind. I do admit that my circle of true friends continues to grow smaller, but I continue to believe that **"It is better to walk alone, or with just a few others, rather than with a large group going in the wrong direction"**. So, why do I say this? We only have to look at some of the things that have happened over the past couple of years. Let me first say that I will not mention names but, if you think some of the things I mention applies to you, or someone you know, you are probably right.

Several years ago it was suggested that we allow "off road vehicles" (ATV's, UTV', Golf Carts, etc.) on association property. After a check with our insurance company, we were advised not to allow them because these types of vehicles are usually unregistered and uninsured. They even went as far as to say that if we chose to allow them, they would probably not renew our policy. The decision was to not allow them and for the next several years everyone obeyed the rules. A couple years ago, one member decided that this rule did not apply to him and decided to use his UTV anywhere and anytime he wanted. Reminding him that he was not obeying the rules didn't seem to matter and the competition between a few members began and before you knew it, that one member was joined by others, including neighbors outside the association, using atv's, utv's, frontend loaders, farm tractors and other off-road vehicles being used to visit neighbors, check their mail and just taking their family for a ride. We have even changed insurance companies over the last few years and are being told by the new carrier that they will not dictate what we allow or don't allow, however they say that this practice is a definite liability and in the event of an incident involving them will not be covered and would probably result in a premium increase and perhaps even a policy cancellation. This leaves the association, along with all its members, liable for any claims or lawsuit. Even though we know this is putting all association members in jeopardy, some continue to allow or encourage it.

A year or so back we received a letter from a local equipment company offering us a reduced price, extended warranty on our recently purchased John Deere riding mower. While the deal sounded good, we decided not to take advantage of the offer, mainly because we did not recently purchase a new John Deere riding mower. After further investigation, we discovered that a certain member made the purchase and was able to use the association's name in saving several hundreds of dollars in sales tax. When asked why, we were told that since he occasionally used the mower on association property, he thought it would be ok to claim the association made the purchase. He was made to return to the dealer and remove the association's name from the transaction and pay the required tax. We later found out that if we had chosen to legally pursue this, it could have resulted in a fine of tens of thousands of dollars for knowingly attempting to avoid paying sales tax.

After having some concerns over some safety issues at the walkway over the dam, the board decided to place a few surveillance cameras at that location. Within a few days, a member, and past board member, was observed removing one of the cameras and when approached, set the camera down and left the area. Shortly after, the second camera was missing but after a few days was returned, however the chip had been erased.

We all know that most fireworks are illegal in NY State but they continue every holiday and some weekends in between. In an attempt to not make the association liable, the rule has always been that the use of fireworks must originate from your own private property and not on association property including the right of ways, Melody Lane, dam site, pasture property or the lake itself. Last year, while fireworks were being set off for the 4<sup>th</sup> of July, there was someone discharging fireworks out on the lake, either in a boat or on a floating dock, when the sparks set off the whole box of fireworks. Somehow the fire was extinguished before someone was hurt or worse. When this was mentioned at the next meeting, there was nothing but silence from those we think were involved. Once again, the association and all of it's members could have been liable for the stupidity of a few members.

Melody Lake has always been a quiet place to just get away to enjoy life. During the Covid scare many people hid out in their homes while we were lucky enough to have a place like Melody Lake to get away to. By practicing "social distancing" we were still able to take walks around the lake or sit around the campfire with friends. Somehow, we have to get back to the basics and realize that the actions of a few could, and will jeopardize the safety and investment of all of us. If you see a neighbor or friend doing something to infringe on the rights of another member, we should be letting them know that they are not welcome in our circle. My new theme song for Melody Lake Association is the theme from Monk...."It's a Jungle Out There" [www.youtube.com/watch?v=cVBppz64nA](http://www.youtube.com/watch?v=cVBppz64nA)



## **A few words from our newest board member, Eric Wortman**

When I was asked to replace Theresa on the board, I hesitated to accept. Melody Lake is my place for fun, relaxation, and peace. It's a place to get away from the mean spiritedness, division, and vengefulness you so frequently come across in life. But I accepted. I accepted because I know we each have a responsibility to maintain not just the lake itself, but the community it has drawn together. The lake and our community are simply what we make of them. As I finish out this last year of Theresa's term, I hope – paraphrasing Saint Francis - that I can be an channel of peace, seeking more to understand than to be understood, and remembering that it is in giving of ourselves that we receive.

## **A LITTLE HISTORY OF THE ASSOCIATION PASTURE PROPERTY**

At one time, what we know as Melody Lake, and most of the property around it, was owned by a couple local families. At that time, it was known as Ellis Lake. We are not 100% sure when it became Melody Lake but we have been told by several "old timers" in Willet the following story. Back in the late 1940's and early 50's the locals in town had rights to use Ellis Lake whenever they wanted to. The property at the far end of the dam (now Diane Accardi) was owned by the Dillenbecks, a Christian family from the Binghamton area, who would often have their church group up to the lake to worship. The people in town would come up and gather along the town road to enjoy the music. Don't know if it's true but have heard the story from several locals so it makes sense. In the late 1950's and early 1960's the property was divided into 100+ lots and was sold to individual property owners. At that time, the lake itself was still owned by the original owners. In 1964, the property owners of the lots around the lake decided that in order to protect the lake and their investment of an average of about \$600-\$800 per lot, they should group together and form a lake association. Melody Lake Association of Cortland County was incorporated in June of 1964 and the lake, Melody Lane and several of the right of ways were deeded to the association. All properties within this subdivision were required to join the association in order to obtain lake rights and all deeds had a written covenant stating *"This conveyance is made and accepted subject to the bylaws, rules and regulations adopted or hereafter adopted by the Melody Lake Association of Cortland County"*. *This conveyance continues to be placed in all deeds within the subdivision.* This gives total control of the lake to the association and its members. There was however one concern which was a 4.16 acre parcel known as the pasture property because it was fenced in and actually had cows roaming around. This parcel was at the end of Melody Lane and was not included in the Melody Lake Sub division since it had a Forshee Rd. address and even though it had no lake rights, the association members knew that this would be a headache in the future and would be difficult to attempt to enforce the rules of the association. There was also a concern that future development of this property could jeopardize the health of our lake. Because of this property, Melody Lane ended at what is now the Kipp property and access to the two cottages on the far side of the dam (now Elliot and Accardi) was legally from Melody Lake Rd, by using the footbridge at the dam. In the early 1970's the owner of this parcel defaulted on a Farmers Home Administration loan. The property went up for auction and the association was able to purchase it by assuming the balance of the loan and on February 5, 1976 the association became the legal owner which gave us total control of the entire lakeshore. It was first suggested that Melody Lane be extended all the way to the dam but it was thought that that might be opening it up for unwanted uses. At a, 1984 meeting, a motion was made and unanimously approved to keep this property "forever wild" and to never subdivide, trade or sell. The motion also was to continue to have Melody Lane end at the current location (1312 Melody Lane) and from that point on be used as a foot path only to allow members to walk around the lake. An amendment was then made and approved to allow vehicle access for the property owners of the 2 cottages at the dam (now Elliott and Accardi) and their invited guests. Until recently, this has protected the lake and association property however we now see certain members using this property to run their unauthorized off-road vehicles, causing damage by rutting up the property and destroying blue berry bushes that have been enjoyed by our members for 20 or more years. We are also seeing non members using it as an access from Forshee Rd and possibly jeopardizing the safety of our members on the far end of Melody Lane. If you see any member, or non-member using motor vehicles on this property please remind them that this is a foot trail only and their use for any other reason is prohibited.

**On-the-lake parties with several pontoon boats, kayaks and similar boats gathering are becoming more and more common, we offer the following information for your safety and the association's liability. This information was furnished by the NYS Depts. Of Parks and Recreation and the Dept. of Environmental Conservation.**

## **Boating While Intoxicated**

No one may operate a vessel on the waters of NYS while impaired or intoxicated through the consumption of either alcohol or drugs. New York law now prescribes heavy fines, imprisonment, and the suspension of operator privileges for violators.

It is important to realize that on the water, even small amounts of alcohol may greatly impair one's ability to function in three critical areas: balance, coordination, and judgment.

Alcohol will decrease your coordination. Simple tasks such as climbing a ladder or reaching for your sunglasses on the other side of the boat may become challenging. Your ability to survive should you find yourself unexpectedly immersed in the water decreases when under the influence. Alcohol will not only make it more difficult to reach for and put on a PFD, it may also increase one's disorientation upon entering the water, reducing your chances of rescue.

## **Non Motorized Boats**

Paddling is an increasingly popular way for people to enjoy time on the water. Paddle craft, such as kayaks, canoes, rowboats, and stand-up paddle boards are relatively inexpensive, highly portable, and easy for beginners to maneuver. Even though paddle craft do not typically have a motor, they are still considered boats and paddlers need to be familiar with the navigation laws in NYS.

## **Lifejackets**

Did you know that in 2021 paddle craft users were involved in 25% of all boating accidents in New York and accounted for 50% of the recreational boating fatalities for the year? One of the best ways to stay safe on the water as a paddler is to always wear your lifejacket. Hidden hazards in the water, inclement weather, and unpredictable currents are as much a danger to paddlers as they are to motorized boaters, and wearing your lifejacket helps protect you and your family in unexpected circumstances. Please note that in New York State, lifejacket wear is required for all boaters under 12 years of age and for all recreational boaters (including paddle craft users) aboard a vessel less than 21 feet in length from November 1-May 1 (cold water months).

All boats - including paddle craft - **MUST** have one lifejacket for each person on board. Your lifejacket must be:

- US Coast Guard approved
- Easily reached in an emergency (readily accessible)
- Free of fading, rips, or tears
- The proper size for the intended wearer

## **Remember that the best place to store your lifejacket is on your body.**

There are different styles of lifejackets designed with paddle craft users in mind. These styles feature larger arm holes for greater range of motion, mesh or high back panels for a less bulky fit, and more points of adjustability. Stand up paddleboard users often opt for an inflatable waist belt type PFD

## Motorboats (including electric powered)

### Brianna's Law

If you were born on or after May 1, 1996 you will need a boating safety certificate.

Under a new law known as Brianna's Law, all motor boat operators born on or after Jan. 1, 1993 will need a boating safety certificate beginning in 2020.

Those born on or after Jan. 1, 1988 will need a boating safety certificate beginning in 2022.

Those born on or after Jan. 1, 1983 will need a boating safety certificate beginning in 2023.

Those born on or after Jan. 1, 1978 will need a boating safety certificate beginning in 2024.

All motor boat operators regardless of age will need a boating safety certificate beginning in 2025.

Approved courses include those offered by NYS Parks, the [U.S. Coast Guard Auxiliary](#), the [U.S. Power Squadrons](#) or [U.S. Powerboating](#). Certain allowances to this law have been made for visitors to New York, persons renting a boat from a livery and persons purchasing a new boat for the first time. Please refer to [Frequently Asked Questions](#) for more information

### NYS Open Burning Law

Open burning is prohibited in NYS, with several exceptions:

- Camp fires or any other outdoor fires less than 3 feet in height and 4 feet in length, width or diameter are allowed.
- Small cooking fires are allowed.
- Ceremonial or celebratory bonfires are allowed. Disposal of flags or religious items in a small-sized fire is allowed, if it is not otherwise prohibited by law or regulation.
- Only charcoal or dry, clean, untreated or unpainted wood can be burned.
- Fires cannot be left unattended and must be fully extinguished.

In towns with a total population less than 20,000, you may burn tree limbs with attached leaves.

The limbs must be less than 6 inches in diameter and 8 feet in length (also referred to as

brush). **However, this is not allowed from March 16 through May 14 due to the increased risk of wildfires. Burning loose leaves or leaf piles or the burning of any type of refuse or garbage is**

**illegal at all times. More information regarding the open burning law can be found at :**

[www.dec.ny.gov/chemical/32060.html](http://www.dec.ny.gov/chemical/32060.html)

## **ATV'S, UTV'S AND OTHER OFF-ROAD VEHICLES**

In New York, an all-terrain vehicle (ATV, UTV or similar Off Road Vehicles) operated anywhere in the state, including on the owner's property, must be registered with the Department of Motor Vehicles (Vehicle and Traffic Law §§ 2280-2413) and the registration receipt must be carried by the operator.

Liability insurance is mandatory except if the vehicle is operated only on the owner's own property. Minimum coverage limits are \$50,000 (one person) and \$100,000 (two or more people) for death, \$25,000 (one person) and \$50,000 (two or more people) for injury, and \$10,000 for property damage in any one accident.

Someone from ages 10 through 15 may only operate an ATV (1) under adult supervision, (2) without supervision if on land owned or leased by his parent or guardian, or (3) on land where ATV use is permitted without adult supervision if the operator has completed an approved ATV safety course and carries his safety certificate while operating. Someone under age 10 may only operate an ATV with adult supervision or, without supervision, on his parent's or guardian's property. In this context, the law defines adult supervision as being accompanied by someone who is at least age 18 or by a 16- or 17-year old who holds an ATV safety course certificate from an approved program.

ATV operating rules under New York law require (1) crossing a highway at approximately a 90-degree angle at a place where no obstructions prevent a quick and safe crossing, (2) completely stopping and yielding to all traffic before crossing, and (3) crossing a divided highway only where it intersects another street or highway. An ATV may not cross an interstate or other controlled-access highway under any circumstances.

ATVs, or similar vehicles may not be operated on any public highway unless it has been designated and posted for such use by a state or local authority. (Usually, only a part of a highway between two off-highway trails will be posted for ATV use.) ATVs may only be operated on public land when it has been specifically designated for ATV use and a sign is posted to that effect. To operate on any private land, the operator must have the property owner's or lessee's written permission.

Local laws may impose additional restrictions or rules on ATV operation, but localities may not require additional licenses or registrations. However, localities may require a permit to use an ATV in a local park or other public land and may charge a permit fee. Local restrictions and conditions on ATV operations must be consistent with the authority to protect "order, conduct, health, safety and general welfare" of people and property.

Violations of ATV registration requirements are traffic infractions.

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## **WHAT NEW TOYS ARE ON THE HORIZON????**

As you look around the lake, it's easy to see that there seems to be a competition as to who can have the biggest and the most toys. Not a day goes by that you don't see an ATV, UTV, or maybe even a front end loader or backhoe being used to visit a neighbor, check their mail, and everything else you could possibly think of. While this might not seem like a big deal to you, but our insurance company doesn't agree. We have been forewarned the they look at this as a liability and may use this as a reason to raise our premiums or maybe even cancel our coverage.

Now that the politics of the world are leaning towards all electric vehicles, the possibilities are endless. I see that Yamaha has developed a rechargeable electric jetski that is capable of going over 60 mph. It is not yet available but may be on the market within the next 2 years. Given the competition as to who has the most and best toy, God only knows what the future looks like here at Melody Lake. This is something we must address in the near future.



# ARE WE AN HOA OR A LAKE ASSOCIATION.....

## AND DOES IT REALLY MATTER??

For years. We have heard several members refer to Melody Lake Association as a Home Owners Association (HOA) and for that time, us old timers have disagreed. It seems that many think of an HOA as more of a "Gated Community" giving them bragging rights as to their social status in life. After hours of phone calls talking to the people at the NYS Dept. of State and the NYS Attorney General's Office, and talking to a few HOA's both in state and out of state, it is now official that we are legally a lake association, period. The reason I say this is that our Certificate of Incorporation states that we are "Melody Lake Association of Cortland County" and all legal transactions should reflect that.

So, why does it really matter. The actual law says that they are basically the same however, usually a lake association only says what you can or can't do on association property (in our case the lake, Melody Lane, various parcels owned by the association, dam site, etc.) where an HOA can actually tell you what you can or cannot do on your own personal property.

I have spent several hours this season researching the rules of various HOA's both online or in person and found that there are several things they have in common, such as the ability to collect and enforce the paying of dues and the ability to make and enforce rules and set fines for not obeying those rules. There are however, some things that are common in HOA's but not in most Lake Associations such as:

- How long your garbage cans can be visible from the road
- What color your house can be painted along with the type and color of your roofing material
- While many HOA's do allow "golf cart" type vehicles, ATV's and UTV's are prohibited, even on your own private property
  - What type of holiday decorations you can display and how long they can remain
  - Length of time your own vehicle can be in your own driveway. Many only allow a certain # of vehicles that can be at your property so visitors may have to park in a common parking lot away from your property.
  - Hanging laundry on a clothes line is usually prohibited
  - There are even some that do not allow an American flag to be displayed except on federal holidays
  - Not only are annual dues charged, a monthly "maintenance fee" is charged to maintain HOA assets
  - Certain landscaping is prohibited such as using plants, soil, trees, etc. that are not native to the area
  - Most HOA's have a board to review any additions or improvements you would like to make to your property and if that board does not agree you are not able to proceed.
  - Construction equipment is prohibited anywhere within most HOA's unless performing work approved by that board

These are only a few of the differences. Keep in mind, if someone in a future leadership position believes that an HOA is the way to go, their motive might be to make the rules more restrictive. In other words, if you find it difficult obeying the few rules of Melody Lake Association, you sure as hell will have a hard time obeying the many rules of Melody Lake Home Owners Association.

## DUES

Dues run for a calendar year (January – December) and are due no later than February 15<sup>th</sup>. If yours are not yet paid, we ask that you please send a check for \$100, made payable to “Melody Lake Association”, to Steve Smith, 824 Tyler St, Johnson City NY 13790. Each year, the same members require several reminders before they pay, and many times we go well into the summer before we reach 100%. Not only does this take time to send out the reminders, the cost of postage continues to rise. Most of the dues go into the general fund and are used for normal association needs except for \$2500 which goes into the dam fund to cover dam maintenance and mandatory DEC dam inspections. If you would like to donate a little extra for a special project such as a pavilion, please make a note on the check. Many associations charge a late fee for PAST DUE dues and this should be addressed at a future meeting in 2023. Keep in mind, the NYS Not For Profit Corporation states: *“As authorized by its certificate of incorporation or by-laws and subject to any limitations stated therein a corporation may levy initiation fees, dues and assessments on its members, whether or not they are voting members, and may impose reasonable fines or other penalties upon its members for violations of its rules and regulations.”*

Speaking of dues, last year at the August association meeting, member Scott Harris brought up the concern that our dues have remained at \$100 since 2009. Many in attendance agreed that most people and organizations have a slush fund to allow repairs or improvements to their assets. If you look at the financial reports Steve Smith presents at the association meetings you will see that many years we spend more than the \$8600 we receive from the annual dues. While we do have a separate Dam Fund and we do have a couple small cd’s we do only have a small amount in discretionary or emergency funds. For now the dues will remain at \$100 but will be a topic at a future meeting.

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## The Word of the Year:

Each year, the people at Merriam-Webster pick the “Word of the Year” by researching millions of internet searches and other means. In 2022, the clear winner was “GASLIGHTING”. It was suggested that due to the mistrust and paranoia caused by Covid, it is easy for a “gaslighter” to spread doubt between certain individuals and others they have trusted for years. While it might just be a coincidence, if you look at certain happenings around Melody Lake you just might agree with their choice for the word of the year.

The definition of Gaslighting is: *the psychological manipulation by a person over an extended period of time that causes a person to question the validity of the thought, or perception of some, leading to the confusion or loss of confidence resulting in the dependence on the perpetrator.*

In some cases, gaslighting usually is an attempt at a deliberate conspiracy to mislead in a larger plan which usually tends to involve organizations rather than individuals. A simpler way to look at it is: *the practice of grossly misleading others usually for the lead main gaslighter’s advantage.* We see this happening here at the lake where a small group of individuals try to stir the pot and convince others of the Chicken Little syndrome .....*The Sky is Falling*  
Let’s all hope for a more positive Word of the Year for 2023.

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**“As property owners on Melody Lake we have the obligation to change our way of life to protect the lake instead of changing Melody Lake to protect our way of life.” – Bob Rosati**

## CHINESE MYSTERY SNAIL CONCERNS CONTINUE

Did you realize that the first full week of June is Invasive Species Awareness Week in NYS?

As you look around the lake it is obvious that our Chinese Mystery Snail problem is getting worse. There is no place around the shoreline that you don't see hundreds of them. In 2022 we had several events trying to reduce their population.

Last year on Tuesday, June 7<sup>th</sup> we were joined by the NYSDEC Region 7 Sustainability Committee and Cortland County Soil and Water, along with several of our association members in our *"Mystery Snail Removal on Melody Lake"* where thousands of snails were removed from the lake. Since manual removal is the only safe way to remove them without harming other species from the lake, we encourage all members to do their own removal events at their shoreline or right of way. Member Bill Matola has graciously dug a hole to dispose of the snails. Contact Bill (6065 Melody Lake Rd).



Please plan to Join us in early June as we attempt to remove even more from our lake. Cortland County Soil and Water is offering to help us with some door prizes and supplies. Right now, we are working on the first 20 people to attend will receive their own "Melody Lake Snail Snagger" bucket. There may also be some other prizes for certain categories such as largest snail, youngest snaggers, most snagged, etc) more details will be available as the time nears.

## Keep Standing Dead Trees or "Deadwood"

Some of the most important trees in your woodlot are the ones that are no longer alive. Large, standing dead or dying trees—called snags—are an important component of healthy forests and a critical habitat feature for wildlife. They provide places for many birds and mammals to forage, den, nest, perch, and roost. Snags are particularly important for cavity nesting birds like woodpeckers, nuthatches, and chickadees; for bats that roost within cavities, crevices, and flaky bark; and for countless species that rely on the abundant insects, fungi, and lichens as a food source.

As long as they aren't in a hazardous location such as near a road or building, consider leaving snags for wildlife. In woodlands where snags are sparse or absent, it's possible to create a few by topping, girdling, or simply leaving several mature trees as legacy trees that may become snags in the future. Biologists recommend having at least three large snags (>12" diameter) per acre to benefit wildlife. These stately spires also add structural complexity, provide an element of visual interest, store carbon, reflect a forest stand's past, and will enrich soils in the future.



## Central New York's 2022 Weather Event to Remember

by Jim Brewster, National Weather Service Binghamton

2022 was New York's 19th warmest year since recordkeeping began in 1895. The state's annual average temperature of 46.5°F was 0.5°F warmer than normal. Notably warm months included the 12th warmest May, the ninth warmest August, and the 14th warmest November. New York's annual precipitation totaled 42.84 inches, which was slightly below normal. The state saw its 12th wettest February, 13th wettest April, and 19th wettest September. A few major weather events of 2022 are highlighted below.

The marquis weather event of 2022 in Central New York was the powerful late season winter storm that brought over a foot of snow to many areas from April 17–19. This storm formed along the Atlantic seaboard near the Virginia Capes and moved toward southern New England. Late season winter storms are not uncommon in our region, but this storm system was unique in that near surface temperatures remained cold enough to keep precipitation all snow, but not quite cold enough to produce the typical mid-winter light and fluffy characteristic. T

The snow that fell over Central New York had a low snow-to-liquid ratio, and was therefore very dense which allowed it to readily stick to newly budding tree limbs and also powerlines. This effect resulted in hundreds of downed lines and power outages leaving tens of thousands of people in the dark for days. In some cases, power remained out for over a week. Once again, the volunteers of NY CoCoRaHS showed their mettle in providing accurate snowfall, depth and liquid equivalents during this challenging time when many were likely feeling the after effects of this storm

Outlooks for 2023 The three-month period from February–April is expected to be wetter than normal for western, central, and northern New York, according to NOAA's Climate Prediction Center. "Normal" varies by location: normal precipitation for February–April in Rochester is 7.61 inches, in Buffalo is 8.75 inches, in Syracuse is 8.98 inches, and in Watertown is 9.16 inches. Equal chances of below-, near-, or above-normal precipitation were predicted for the rest of the state. It is important to note that "precipitation" includes rain and the liquid equivalent of snow and ice, so wetter than normal does not necessarily mean snowier than normal. The temperature outlook for February–April favors above-normal temperatures for all of New York. Normal average temperatures for February–April include 27.5°F in Lake Placid, 32.0°F in Watertown, 33.8°F in Binghamton, 35.2°F in Syracuse, 35.4°F in Buffalo, 36.9°F in Albany, 41.0°F in Islip, and 44.1°F in New York City. While the three-month period is expected to be warmer than normal, most areas will still see some colder-than-normal days during these months

## Neighborhood Directory

Over the past year, a group of members have suggested that since contact information for all members is kept by the association, it should be shared with all association members. While we do agree that the not-for-profit law does require that all corporations maintain a member list and does not require that the list remain private, however the law does say that we must use that information for corporation business only and we should protect that information from being used for private uses. There is a reason for that which I will attempt to explain.

When we send out a "welcome letter" to a new owner it always includes: ***"At your earliest convenience could you please send me an email at [rcrosati@frontiernet.net](mailto:rcrosati@frontiernet.net) with a current phone number and email address. I assure you that this information will be used for association business only and will not be shared"***

How many times in the past week have you received a call from a telemarketer and wondered "how the heck did they get my information?" The way the world is today, it's hard to keep our personal life private without someone sharing it without your knowledge. At one time the association did maintain a membership list which was shared with all members. At this time, all members started receiving mailings from a major insurance carrier informing all members of the dangers of being underinsured when it comes to owning property that is unoccupied many times throughout the year. Just the way the letter was worded and how it was distributed, it was obvious that somehow the company had been given access to our entire membership. Another time, a member started questioning why the dues were based on the number of property owners rather than the amount of property owned. That member used the information from the list and made copies of all the deeds for property within the Melody Lake Sub-division and used that information to contact all members that would have benefited from changing the way that dues were determined to attempt to change the by-laws. Even though the attempt did not succeed, it gave us another reason to keep the list private.

It is agreed that it is important for members to be able to talk to neighbors but it seems that each member should have the option as to who they share their contact information with. Just remember that once this information is shared, you then lose the means to control what it is used for. It is easier, and safer to just get to know your neighbor and share thoughts with those you have a common interest with. Once you share that information, it is difficult, or maybe even impossible to "unshare" it.

## 2022 Dam Inspection

By Bob Rosati

On Sept 7<sup>th</sup>. I met with the NYSDEC Dam Inspector for our bi-annual dam inspection. Also in attendance was Board Member Bob Eastman and Association Member Joanne Sweeny. Even though the official written report will not be back until 6-8 weeks, verbal comments received were that the dam continues to be well maintained and all past concerns have been corrected. Also mentioned that from looking at past reports and photos, the seepage continues and did not look any different, but should continue to be monitored. All annual reports from the association have been submitted on time. The inspector also commented that the bridge over the dam appeared to be good and suggested that the telescopic poles that were purchased by the association and installed by Scott Harris be left in place and should not interfere with the winter thaw or future high-water events. There are also a few new boards that should be replaced as time allows

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These same sponsors have supported us for years. A couple are even Association Members. Need a place for overflow guests? Try **Rosati's Cabin** for rent. Members Bob and Andrea Eastman have been major sponsors of this newsletter with **Eastman Studio & Gallery** and **C&E Electronic Display**. Need some professional painting done? Contact Rob @ **Pickett Painting**. Want to help the health of the lake? Contact Bob @ **Robert Pendell Septic Service**. Bob is seen around the lake year-round. This guy really knows his.....STUFF. Need some tree work done? There is no one better than Ron Dingman of **Precision Cut Tree Care**. He has many satisfied customers around the lake. Whether it's just a trimming or complete chipping and stump removal, he's the one to call. Expecting some company? Make sure you have some "adult cocktails" available from **The Point Wine and Sprints** in Whitney Point or if you're in the Union Springs Area try their sister store "**DOC**" **SIDE WINE & SPIRIT**. Is it time to upgrade your boat or dock on the lake? Most of the small paddle boats and many of the docks and kayaks you see on the lake were purchased from **96 Power and Paddle**. If you are not sure what you want, owner Jim Signs even has a pond next to his showroom so you can try before you buy. They also sell boating supplies, chainsaws and safety equipment, work boots and much more. Last but not least is the **Cincinnatus Home Center** or what I like to call the "Cincinnatus Mall". Nowhere else can you find lumber, hardware, paint, fresh flowers, beer, fresh made subs, groceries, and more all under one roof. Owner Bill Cobb, daughter Kristin, son Mark and staff have always supported us in more ways than this newsletter. Most association meetings and every association family picnics includes a donated item from Bill which brings several \$\$\$ into our available funds. Please support these sponsors whenever you can and let them know you saw their ad in the *Melody Lake Newsletter*.

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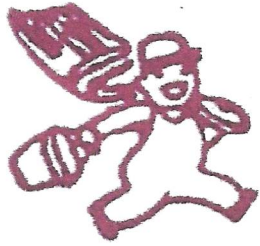
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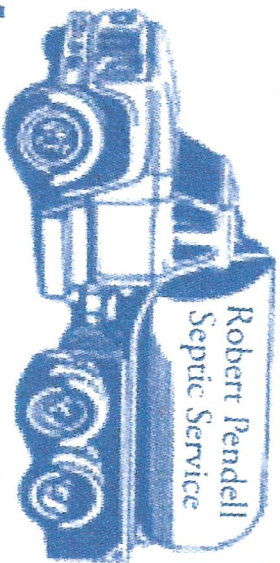
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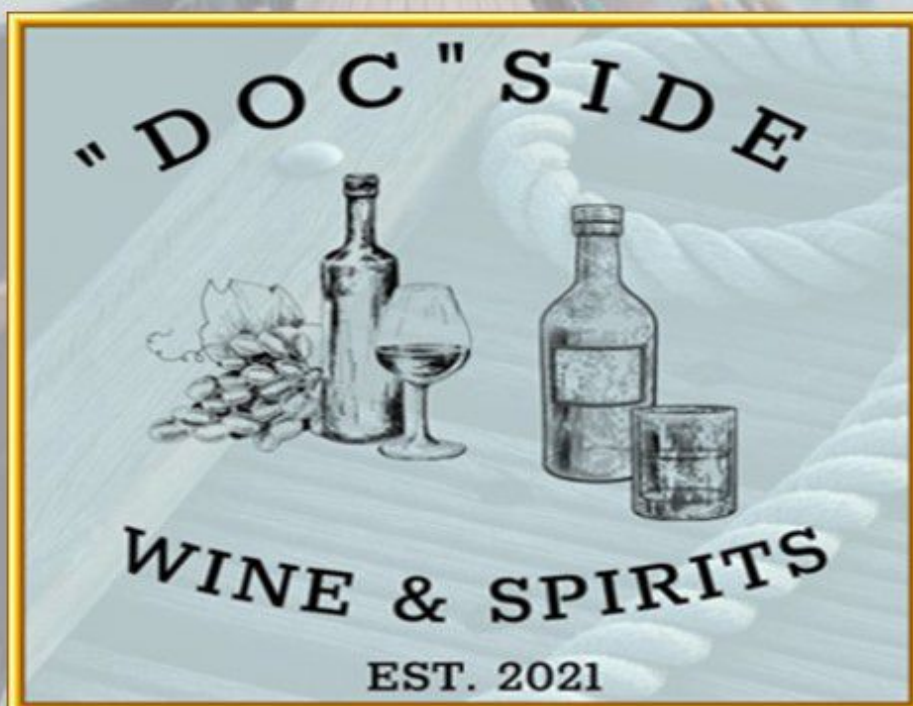




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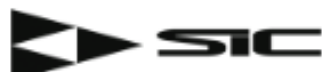
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