



STATE OF NEW YORK  
DEPARTMENT OF STATE  
ALBANY, NY 12231-0001

RECEIVED  
SEP 28 1995  
STATE OF NEW YORK  
BOARD OF SUPERVISORS

ALEXANDER F. TREADWELL  
SECRETARY OF STATE

September 28, 1995

HELEN R. MADDOCK  
COURTHOUSE AT  
26 CHURCH STREET  
LYONS, NY 14489

RE: County of Wayne, Local Law 3, 1995, filed 09/27/95

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,  
*Janice G. Durfee*

Janice G. Durfee  
Principal File Clerk  
Bureau of State Records  
(518) 474-2755

JGD:ml

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

City

Town

Village

of WAYNE-----

Local Law No. 3----- of the year 1995--

A local law amending Local Law No. 1-1956, as amended, entitled "A local law establishing  
(Insert Title)  
a plan of self-insurance as provided for in Article 5 of the Workmen's  
Compensation Law, and providing for the administration thereof", in  
relation to participants in the plan and apportionment of costs.-----

Be it enacted by the Board of Supervisors----- of the  
(Name of Legislative Body)

County

City

Town

Village

of Wayne----- as follows:

SECTION 1.

Section 7 of Local Law 1-1956, as amended, entitled "A local law establishing a plan of self-insurance as provided for in Article 5 of the Workmen's Compensation Law, and providing for the administration thereof" is hereby amended to read as follows:

7. Any of the Towns, Villages, Union Free and Central School Districts or Public Corporations as defined by Article V of the Workers' Compensation Law may elect to become a participant in the plan hereby established by filing with the Committee on or before the first day of July of any year a certified copy of the resolution of its governing body electing to become a participant in the plan, with membership to become effective on the first day of January following such filing.

SECTION 2.

Section 14 of such local law is hereby amended to read as follows:

14. (a) Definitions

(i) "Annual Estimate" is the annual estimate prepared pursuant to Section 67 of the Workers' Compensation Law.

(ii) "Incurred loss experience" includes paid losses plus reserves.

(iii) "Plan Group A" includes all school districts in the Wayne County Self-Insurance Plan.

(iv) "Plan Group B" includes the County of Wayne and all Towns and Village participants in the Wayne County Self-Insurance Plan.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(v) "Plan Group C" includes any public corporation as defined in Article 5 of the Workers' Compensation Law that participates in the Wayne County Self-Insurance Plan.

(vi) "Plan Group A loss distribution factor" shall be 31% of the total Plan assessment.

(vii) "Plan Group B&C loss distribution factor" shall be 69% of the total Plan assessment.

(viii) "Plan Group A three-year experience assessment" is the amount determined by multiplying fifty percent of the total annual estimate by the Plan Group A three-year loss distribution factor.

(ix) "Plan Group B&C three-year experience assessment" is the amount determined by multiplying fifty percent of the annual estimate by the Plan Group B&C three year loss distribution factor.

(x) "Participant's experience rating factor" for each Plan Group A participant is the participant's pro rata share, expressed as a percentage, of the incurred loss experience for all Plan Group A participants in the three consecutive calendar years immediately preceding the year in which the annual estimate is prepared.

(xi) "Participant's experience rating factor" for each Plan Groups B&C participant is the participant's pro rata share, expressed as a percentage, of the incurred loss experience for all Plan Group B&C participants in the three consecutive calendar years immediately preceding the year in which the annual estimate is prepared.

(xii) "Participant's payroll rating factor" for each Plan Group A participant is the participant's pro rata share, expressed as a percentage, of the total payroll for Plan Group A participants for the year immediately preceding the year in which the annual estimate is prepared.

(xiii) "Participant's payroll rating factor" for each Plan Groups B&C participant is the participant's pro rata share, expressed as a percentage, of the total payroll for Plan Groups B&C participants for the year immediately preceding the year in which the annual estimate is prepared.

(xiv) "Plan Group A payroll assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A loss distribution factor.

(xv) "Plan Groups B&C payroll assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Groups B&C loss distribution factor.

(xvi) "Participant's taxable property value rating factor" for each Plan Group A participant is the participant's pro rata share, expressed as a percentage, of the total taxable property value for Plan Group A participants for the year immediately preceding the year in which the annual estimate is prepared.

(xvii) "Participant's taxable property value rating factor" for each Plan Group B participant is the participant's pro rata share, expressed as a percentage, of the total taxable property value for Plan Group B participants for the year immediately preceding the year in which the annual estimate is prepared.

(xviii) "Plan Group A property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A loss distribution factor.

(xix) "Plan Group B property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group B loss distribution factor.

14.(b) Apportionment of Costs

(i) Twenty-five percent of the annual estimate of costs shall be apportioned to each Plan participant on a payroll rating basis. The share for each participant shall be determined by multiplying the participant's payroll rating factor by the participant's Plan Group payroll assessment.

(ii) Fifty percent of the annual estimate of costs shall be apportioned to Plan participants on an experience rating basis. The share of each participant shall be determined by multiplying the participant's experience rating factor by the participant's Plan Group experience rating factor.

(iii) The amount in excess of \$20,000 incurred for an individual claim in any calendar year shall not be used in determining a participant's loss experience for such calendar year.

(iv) If the total amount apportioned to a participant in any year exceeds twice the amount apportioned to such participant in the immediately preceding year, the excess amount shall not be charged to the participant but shall be apportioned to all other participants in such manner as shall be prescribed by the Committee.

(v) Twenty-five percent of the annual estimate of costs shall be apportioned to each Plan participant on a property value rating basis. The share for each participant shall be determined by multiplying each participant's taxable property value rating factor by the participant's Plan Group property value assessment.

(vi) Plan Group C members shall be exempt from assessment based on property value.

SECTION 3.

This local law shall take effect immediately.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 1995 of the (County)(City)(Town)(Village) of Wayne was duly passed by the Board of Supervisors on 9/19 1995, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 19\_\_\_\_, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 19\_\_\_\_, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 19\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 19\_\_\_\_, in accordance with the applicable provisions of law.  
*(Elective Chief Executive Officer\*)*

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

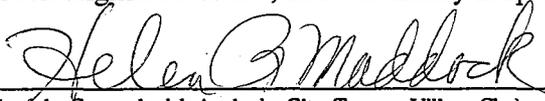
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 19\_\_\_\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 19\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ 1\_\_\_\_\_, above.

  
\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk  
or officer designated by local legislative body

(Seal)

Date: September 22, 1995

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK  
COUNTY OF Wayne

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Signature  
Wayne County Attorney  
\_\_\_\_\_  
Title

County  
City of Wayne  
Town  
Village

Date: September 22, 1995

BOARD OF SUPERVISORS  
WAYNE COUNTY

RESOLUTION NO. 446-95

ADOPT LOCAL LAW AMENDING THE WAYNE COUNTY SELF-INSURANCE PLAN

Mr. Ainsworth presented the following:

WHEREAS, a proposed local law in relation to amending Local Law No. 1-1956, as amended, entitled "A local law establishing a plan of self-insurance as provided for in Article 5 of the Workmen's Compensation Law, and providing for the administration thereof", in relation to participants in the plan and apportionment of costs was presented to the Board of Supervisors on August 15, 1995; and

WHEREAS, a public hearing on the proposed local law was held by the Board of Supervisors on September 19, 1995, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said local law is hereby adopted to read as follows:

COUNTY OF WAYNE - STATE OF NEW YORK

A local law amending Local Law No. 1-1956, as amended, entitled "A local law establishing a plan of self-insurance as provided for in Article 5 of the Workmen's Compensation Law, and providing for the administration thereof", in relation to participants in the plan and apportionment of costs.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

SECTION 1.

Section 7 of Local Law 1-1956, as amended, entitled "A local law establishing a plan of self-insurance as provided for in Article 5 of the Workmen's Compensation Law, and providing for the administration thereof" is hereby amended to read as follows:

7. Any of the Towns, Villages, Union Free and Central School Districts or Public Corporations as defined by Article V of the Workers' Compensation Law may elect to become a participant in the plan hereby established by filing with the Committee on or before the first day of July of any year a certified copy of the resolution of its governing body electing to become a participant in the plan, with membership to become effective on the first day of January following such filing.

SECTION 2.

Section 14 of such local law is hereby amended to read as follows:

14. (a) Definitions

(i) "Annual Estimate" is the annual estimate prepared pursuant to Section 67 of the Workers' Compensation Law.

(ii) "Incurred loss experience" includes paid losses plus reserves.

(iii) "Plan Group A" includes all school districts in the Wayne County Self-Insurance Plan.

(iv) "Plan Group B" includes the County of Wayne and all Towns and Village participants in the Wayne County Self-Insurance Plan.

(v) "Plan Group C" includes any public corporation as defined in Article 5 of the Workers' Compensation Law that participates in the Wayne County Self-Insurance Plan.

(vi) "Plan Group A loss distribution factor" shall be 31% of the total Plan assessment.

(vii) "Plan Group B&C loss distribution factor" shall be 69% of the total Plan assessment.

(viii) "Plan Group A three-year experience assessment" is the amount determined by multiplying fifty percent of the total annual estimate by the Plan Group A three-year loss distribution factor.

(ix) "Plan Group B&C three-year experience assessment" is the amount determined by multiplying fifty percent of the annual estimate by the Plan Group B&C three year loss distribution factor.

(x) "Participant's experience rating factor" for each Plan Group A participant is the participant's pro rata share, expressed as a percentage, of the incurred loss experience for all Plan Group A participants in the three consecutive calendar years immediately preceding the year in which the annual estimate is prepared.

(xi) "Participant's experience rating factor" for each Plan Groups B&C participant is the participant's pro rata share, expressed as a percentage, of the incurred loss experience for all Plan Group B&C participants in the three consecutive calendar years immediately preceding the year in which the annual estimate is prepared.

(xii) "Participant's payroll rating factor" for each Plan Group A participant is the participant's pro rata share, expressed as a percentage, of the total payroll for Plan Group A participants for the year immediately preceding the year in which the annual estimate is prepared.

(xiii) "Participant's payroll rating factor" for each Plan Groups B&C participant is the participant's pro rata share, expressed as a percentage, of the total payroll for Plan Groups B&C participants for the year immediately preceding the year in which the annual estimate is prepared.

(xiv) "Plan Group A payroll assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A loss distribution factor.

(xv) "Plan Groups B&C payroll assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Groups B&C loss distribution factor.

(xvi) "Participant's taxable property value rating factor" for each Plan Group A participant is the participant's pro rata share, expressed as a percentage, of the total taxable property value for Plan Group A participants for the year immediately preceding the year in which the annual estimate is prepared.

(xvii) "Participant's taxable property value rating factor" for each Plan Group B participant is the participant's pro rata share, expressed as a percentage, of the total taxable property value for Plan Group B participants for the year immediately preceding the year in which the annual estimate is prepared.

(xviii) "Plan Group A property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A loss distribution factor.

(xix) "Plan Group B property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group B loss distribution factor.

#### 14. (b) Apportionment of Costs

(i) Twenty-five percent of the annual estimate of costs shall be apportioned to each Plan participant on a payroll rating basis. The share for each participant shall be determined by multiplying the participant's payroll rating factor by the participant's Plan Group payroll assessment.

(ii) Fifty percent of the annual estimate of costs shall be apportioned to Plan participants on an experience rating basis. The share of each participant shall be determined by multiplying the participant's experience rating factor by the participant's Plan Group experience rating factor.

(iii) The amount in excess of \$20,000 incurred for an individual claim in any calendar year shall not be used in determining a participant's loss experience for such calendar year.

(iv) If the total amount apportioned to a participant in any year exceeds twice the amount apportioned to such participant in the immediately preceding year, the excess amount shall not be charged to the participant but shall be apportioned to all other participants in such manner as shall be prescribed by the Committee.

(v) Twenty-five percent of the annual estimate of costs shall be apportioned to each Plan participant on a property value rating basis. The share for each participant shall be determined by multiplying each participant's taxable property value rating factor by the participant's Plan Group property value assessment.

(vi) Plan Group C members shall be exempt from assessment based on property value.

SECTION 3.

This local law shall take effect immediately.  
and be it further

RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to number the local law in conformance with the filing requirements of the Secretary of State and to file the local law with the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

Mr. Colvin moved the adoption of the resolution. Seconded by Mr. Pascarella. Upon roll call, all Supervisors voted Aye. Absent - Supervisor Healy. The Chairman declared the resolution adopted.

Office Clerk of Board of Supervisors,  
County of Wayne

I, hereby certify that I have compared the foregoing copy of a resolution with the original duly adopted by the above mentioned Board at a session held on the 19th day of September, 1995 and that the same is a true copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the said Board, this 20th day of September, 1995.

*Kay S. Groover, Deputy* Clerk