

**Board of Supervisors**  
**WAYNE COUNTY**

**RESOLUTION NO. 672-07: ADOPTION OF LOCAL LAW NO. 5-2007: AUTHORIZING 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**

Mr. Hammond presented the following:

WHEREAS, a proposed 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, was presented to the Board of Supervisors on August 21, 2007; and

WHEREAS, a public hearing on proposed Local Law No. 5-2007 was held by the Board of Supervisors on Tuesday, September 18, 2007 at 9:15 am, 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 No. 5- 2007 is hereby adopted to read as follows:

**COUNTY OF WAYNE - STATE OF NEW YORK**  
**LOCAL LAW NO. 5-2007**

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 14 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:

Section 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, B and C loss distribution factor" shall be 100% of the total Plan assessment.
- (vii) "Plan Group A, B and C three-year experience assessment " is the amount determined by multiplying fifty percent of the total annual estimate by the Plan Group A, B and C three-year loss distribution factor.
- (viii) "Participant's experience rating factor" for each Plan Group A, B and C participant is the participant's pro rata share, expressed as a percentage, of the incurred loss experience for all Plan Group A, B and C participants in the three consecutive calendar years immediately preceding the year in which the annual estimate is prepared.
- (ix) "Participant's payroll rating factor" for each Plan Group A, B and C participant is the participant's pro rata share, expressed as a percentage, of the total payroll for Plan Group A, B and C participants for the year immediately preceding the year in which the annual estimate is prepared.
- (x) "Plan Group A, B and C payroll assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A, B and C loss distribution factor.

- (xi) "Participant's taxable property value rating factor" for each Plan Group A and B participant is the participant's pro rata share, expressed as a percentage, of the total taxable property value for Plan Group A and B participants for the year immediately preceding the year in which the annual estimate is prepared.
- (xvii) "Plan Group A and B property value assessment" is the amount determined by multiplying twenty-five percent of the total assessment by the Plan Group A, B and C loss distribution factor.

SECTION 2.

This local law shall take effect immediately upon the date it is filed in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

Ms. Park moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

WAYNE COUNTY

**Board of Supervisors**  
LYONS, NEW YORK

**This is to Certify** that I, the undersigned, Clerk of the Board of Supervisors of the County of Wayne, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Board of Supervisors of said County at a session held on the 16th day of October 2007 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 Board of Supervisors of the County of Wayne, this 16th day of October 2007.

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Clerk of the Board

