

Wayne County Board of Supervisors

Courthouse at
26 Church Street, Lyons, New York 14489



tel. 315-946-5400

Helen R. Maddock
Clerk
Ray Groover
Deputy Clerk

December 16, 1991

Mr. Robert Oaks
Wayne County Clerk
County Office Building
Lyons, New York 14489

RE: Wayne County Local Law No. 5-1991

Dear Bob:

Enclosed herewith is a certified copy of Wayne County Local Law No. 5-1991 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".

This law is submitted for filing in your office pursuant to Section 27 of the Municipal Home Rule Law.

Very truly yours,

Helen R. Maddock, Clerk
Wayne County Board of Supervisors

Enclosure

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Clerk
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December 16, 1991

State Records and Law Bureau
Department of State
162 Washington Avenue
Albany, New York 12231

RE: Wayne County Local Law No. 5-1991

Gentlemen:

Enclosed herewith is the original and two copies of Wayne County Local Law No. 5-1991 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".

This law is submitted for filing in your office pursuant to Section 27 of the Municipal Home Rule Law.

Very truly yours,

Helen R. Maddock, Clerk
Wayne County Board of Supervisors

Enclosure

(Please Use this Form for Filing your 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~~ of.....WAYNE.....
~~Town~~
Village

Local Law No.5..... of the year 19 ..91

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

Be it enacted by theBOARD OF SUPERVISORS..... of the
(Name of Legislative Body)

County
~~City~~ of.....WAYNE..... as follows:
~~Town~~
Village

SECTION 1.

Section 3 of Local Law No. 1-1956 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:

3. The plan of self-insurance hereby established shall be administered by Standing Committee No. 3 (Assessment, Equalization, Apportionment, Insurance Committee) of the Wayne County Board of Supervisors.

SECTION 2.

Section 7 of such local law is hereby amended to read as follows:

7. Any of the Towns, Villages, or Union Free and Central School Districts 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. A participant is herewith deemed to mean any public corporation participating in the plan and is not limited to those corporations aforementioned.

SECTION 3.

Section 9 of such local law is hereby amended to read as follows:

9. Any participant shall be entitled to withdraw from participation in the plan 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 withdraw from the plan effective at the end

(If additional space is needed, please attach sheets of the same size as this and number each)

of such year. The withdrawing participant shall be assessed an amount of money equivalent to its proportionate share of the cost of the operation of the Wayne County Self- Insurance Plan for the preceding twelve months, plus a sum of money equivalent to its then proportionate share of the actuarial value of all claims which are then outstanding.

SECTION 4.

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 district participants in the Wayne County Self-Insurance Plan.

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

(v) "Plan Group A three-year incurred loss distribution factor" is the ratio, expressed as a percentage, of the incurred loss experience of all Plan Group A participants in the three consecutive calendar years immediately preceding the year in which the annual estimate is prepared to the incurred loss experience of all Plan participants in such three-year period.

(vi) "Plan Group B three-year incurred loss distribution factor" is the ratio, expressed as a percentage, of the incurred loss experience of all Plan Group B participants plus the incurred loss experience pursuant to the Volunteer Fire Fighters Benefits Law and the Volunteer Ambulance Workers' Benefits Law in the three consecutive calendar years immediately preceding the year in which the annual estimate is prepared to the total incurred loss experience of all Plan participants in such three-year period.

(vii) "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 incurred loss distribution factor.

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

(ix) "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.

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

(b) Apportionment of Costs

(i) Fifty percent of the annual estimate of costs shall be apportioned to each Plan participant in the proportion that the full valuation of the participant's taxable real property bears to the aggregate full valuation of all Plan participants. The full valuation of taxable real property shall be determined by the use of state equalization rates.

(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 in Plan Group A shall be determined by multiplying the Plan Group A three-year experience assessment by the participant's experience rating factor. The share of each participant in Plan Group B shall be determined by multiplying the Plan Group B three-year experience assessment by the participant's experience rating factor.

(iii) 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.

SECTION 5.

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 6.

This local law shall take effect immediately, and the apportionment of costs provision set forth in Section 4 of this local law shall apply to the Wayne County Self-Insurance Plan budget for calendar year 1992.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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.5..... of 19..91...
County
of the ~~City~~ of WAYNE was duly passed by the BOARD OF SUPERVISORS
~~Town~~ (Name of Legislative Body)
~~Village~~
on December 12 19..91 in accordance with the applicable provisions of law.

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

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

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the ~~City~~ of was duly passed by the
~~Town~~ (Name of Legislative Body)
~~Village~~
on 19..... and was approved not disapproved by the
repassed after disapproval Elective Chief Executive Officer *
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
general
thereon at the special election held on 19....., in accordance with the appli-
annual
cable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. of 19.....
County
of the ~~City~~ of was duly passed by the ON
~~Town~~ (Name of Legislative Body)
~~Village~~
..... 19..... and was approved not disapproved by the ON
repassed after disapproval Elective Chief Executive Officer *
..... 19..... Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
..... 19....., in accordance with the applicable provisions of law.

*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 chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with 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 § 36 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 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 of 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 paragraph1..... above.

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

Date: December 16, 1991

Helen R. Maddock, Clerk
Wayne County Board of Supervisors

(Seal)

(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.

.. Donald Crowley, County Attorney.....
Title

Date: December 16, 1991

County
~~City~~ of ...WAYNE.....
~~Town~~
~~Village~~