

LOCAL LAW
INTRODUCTORY NO. 8-22
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING THE CHAUTAUQUA COUNTY SELF-INSURANCE PLAN
AND PROVIDING FOR THE ADMINISTRATION THEREOF
PURSUANT TO ARTICLE 5 OF THE WORKERS' COMPENSATION LAW

BE IT ENACTED, by the County Legislature of the County of Chautauqua as follows:

Section 1. The Chautauqua County Self-Insurance Plan ("Plan") provided for by Local Law 4-1984, as amended by Local Laws 3-1989, 7-1993, 4-2007, 5-2014, and 4-22, and adopted pursuant to Article 5 of the Workers' Compensation Law, is hereby amended in Section 4 to add a new subsection (c), as follows:

Section 4. (a) The County of Chautauqua shall be a participant in the Plan. The cities of Dunkirk and Jamestown, the towns and villages located within the geographical boundaries of Chautauqua County, and other eligible public entities within the County which are not members of the Plan, may elect to become participants in the Plan. Any eligible municipality or public entity electing to become a participant shall file a certified copy of the local enactment of its governing body electing to become a participant on or before the 1st day of July in any year, with membership to be effective on the 1st day of January following such election, provided, however, that the County Legislature may impose fair and equitable terms and conditions to be fulfilled by such new participant as a condition precedent to acceptance as a participant in said Plan. Any municipality or public entity which has been a participant in the plan under the terms and conditions of Local Law 4-1984, as amended, shall continue to be deemed a participant in the plan and shall not be required to file a certified copy of its election to become a participant, as aforesaid.

(b) Any participant may withdraw from the Plan, effective at the end of their fiscal year, by filing a certified copy of a local enactment of its governing body electing to withdraw by the preceding July 1 upon the condition that it agree to pay its Proportionate Share of the estimated Outstanding Liabilities of the Plan, together with an amount equal to its share of Future Administration Costs for a period of five (5) years minus a Proportionate Share of Plan Reserves at the time of its withdrawal. No later than March 31 of the year following a municipality's withdrawal from the Plan, the municipality's final Proportionate Share shall be determined by multiplying their Proportionate Share times the Plan's terminal liability as of December 31 of their final year of participation in the Plan. This payment shall be due to the Chautauqua County Plan Administrator no later than April 15 of the year following their termination from the Plan. If payment is not received by April 15, Chautauqua County may offset the amount due against the municipality's sales tax payments until the Plan is made whole. Payment of such liabilities shall be made in a lump sum or the Administrator may, with the

authorization of the County Legislature, permit said payment to be made in installments.

(c) Notwithstanding the foregoing, and subject to any further conditions imposed by the County Legislature, the Director of Finance may extend the deadlines set forth in this Section 4, and may approve alternative withdrawal terms for participants, if there is no negative financial impact on the Plan.

Section 2. This local law shall become effective upon filing with the Secretary of State.

Sponsored by Chairman Chagnon