§ 209-y. Establishment of hazardous materials emergency response teams. 1. By resolution, the governing body of each county is authorized to establish a hazardous materials emergency response team. Such teams shall be coordinated in accordance with a plan developed pursuant to section two hundred four-f of this chapter.

2. The governing bodies of two or more counties may by mutual agreement form one or more regional hazardous materials emergency response teams. Such regional teams shall be coordinated in accordance with a plan developed pursuant to section two hundred four-f of this chapter.

3. Counties are authorized to appropriate and expend such sums as are deemed necessary to establish or maintain hazardous materials emergency response teams pursuant to this section.

4. Notwithstanding any other provision of law to the contrary, any person who is by training or experience and attainment qualified to participate as a member of a hazardous materials incidents response team recognized under this section and who voluntarily and without expectation of monetary compensation serves as a member of such team shall not be subject to a penalty or to civil liability for damages or injuries alleged to have been sustained by any person or entity by reason of an act or omission in the course of such service. Nothing in this section shall be deemed or construed to relieve from liability for damages or injuries any person who (a) is alleged to have caused said damages or injuries as the result of gross negligence or reckless, wanton, or intentional conduct, (b) is under a legal duty to respond to a particular incident, or (c) receives compensation other than reimbursement for out-of-pocket expenses for services in response to a particular incident.