§ 1285-s. New York state intermunicipal water infrastructure grants program. 1. For purposes of this section:

(a) "water quality infrastructure project" shall mean "sewage treatment works" as defined in section 17-1903 of the environmental conservation law or "eligible project" as defined in paragraphs (a), (b), (c) and (e) of subdivision four of section eleven hundred sixty of the public health law.

(b) "construction" shall mean:

(i) for sewage treatment works, the same meaning as defined in section 17-1903 of the environmental conservation law; and

(ii) for eligible projects, the same meaning as defined in section one thousand one hundred sixty of the public health law.

(c) "municipality" shall mean any county, city, town, village, district corporation, county or town improvement district, school district, Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of New York state, any public benefit corporation or public authority established pursuant to the laws of New York or any agency of New York state which is empowered to construct and operate an intermunicipal water quality infrastructure project, or any two or more of the foregoing which are acting jointly in connection with an intermunicipal water quality infrastructure project.

2. (a) The environmental facilities corporation shall undertake and provide state financial assistance payments, from funds appropriated for such purpose, to municipalities in support of intermunicipal water quality infrastructure projects provided, however, in any such year that funds are appropriated for such purpose, each project shall receive an award of up to ten million dollars of appropriated funds; provided that such monies shall not exceed sixty percent of the total project cost; and provided further that the total state financial assistance payment for the project does not represent a disproportionate share of the total amount of available funding in any given year.

(b) Intermunicipal water quality infrastructure projects shall serve multiple municipalities and may include a shared water quality infrastructure project or interconnection of multiple municipal water quality infrastructure projects and shall be awarded only to water

quality infrastructure projects for:

(i) construction, replacement or repair of infrastructure provided, however, that such assistance shall not be awarded for construction to exclusively support residential or commercial development; or

(ii) compliance with environmental and public health laws and regulations related to water quality.

(c) Cooperating municipalities may make an application for an intermunicipal water infrastructure grant, in a manner, form and timeframe and containing such information as the environmental facilities corporation may require provided however, such requirements shall not include a requirement for prior listing on the intended use plan.

(d) Cooperating municipalities shall not be required to accept environmental facilities corporation loan financing in order to obtain a state financial assistance payment pursuant to this section if it can provide proof of having obtained similarly low cost financing or other funding from another source.

(e) In awarding financial assistance payments, the corporation shall be prohibited from requiring as a condition of receipt, or otherwise giving preference to, applicants who agree to participate in the design, creation, or implementation of a municipal consolidation plan.

3. Intermunicipal water quality infrastructure projects financed with state financial assistance made available pursuant to this section shall be subject to the requirements of article eight of the labor law, the requirements of article seventeen-B of the executive law and the requirements and provisions of all applicable minority- and women-owned business mandates including, but not limited to article fifteen-A of the executive law.