§ 1285-t. Water infrastructure emergency financial assistance. 1. For purposes of this section, "municipality" means 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 a wastewater or drinking water infrastructure project, or any two or more of the foregoing which are acting jointly in connection with such a project.

2. Upon a municipality's formal declaration of an emergency, the municipality shall provide the department of environmental conservation or the department of health, as appropriate, with information to assess any situation in which the state of the municipality's wastewater or water infrastructure is causing or may cause an imminent hazard to the public health or welfare, or the environment. After its assessment, if either department determines the state of the infrastructure is resulting or may result in imminent hazard to the public health or welfare, or to the environment, the corporation shall provide temporary emergency assistance, within amounts appropriated, to the municipality in an amount not to exceed reasonable costs for infrastructure construction, replacement, or repair, and related engineering costs, that is immediately necessary to eliminate or substantially reduce such hazard.

3. The corporation and the municipality shall enter into an agreement signed by an officer duly authorized by the governing body of the municipality pursuant to which the corporation shall transmit emergency financial assistance in an amount determined by the department of environmental conservation or the department of health, as applicable, as necessary to address the imminent hazard, and shall provide the assistance payment to the municipality within two business days of receipt of such determination. The municipality shall submit an itemized cost estimate from the municipality's engineer or engineering consultant to the applicable department sufficient to make such determination.

4. No later than fourteen days after the cessation of the emergency, the municipality shall provide to the corporation documentation for all costs paid with the emergency assistance and refund to the corporation any portion of the financial assistance not used or committed to pay for the construction, replacement, or repair and related engineering costs determined to be necessary under subdivision one of this section.

5. Subject to appropriation or duly authorized indebtedness, the municipality shall repay the corporation within one year of its receipt of emergency financial assistance the full amount of such assistance provided to it under this section. The corporation may extend the time to repay for up to one additional year if the corporation determines in its sole discretion that such an extension is warranted under the circumstances.

6. Nothing in this section nullifies the eligibility of a municipality for other infrastructure funding, including grant, which may be provided by the state for water infrastructure directly related to the infrastructure for which emergency financial assistance is awarded under this section, including funding the municipality could use to repay the emergency financial assistance. If the municipality receives such other funding from the state or any financial assistance from a third party for the same infrastructure, the municipality shall within ten days first repay the corporation the outstanding balance of the emergency financial assistance before paying any remaining costs for the water infrastructure.