



FILED IN OFFICE OF
DIANE H. WILCOX
TOWN CLERK

2023 MAY 22 A 10: 27

YVETTE M. AGUIAR
Town Supervisor

TOWN OF RIVERHEAD
200 Howell Avenue, Riverhead, NY 11901

Tel: (631) 727-3200 / Fax: (631) 727-6712
www.townofriverheadny.gov

EXECUTIVE ORDER EXTENDING A DECLARED STATE OF EMERGENCY WITHIN THE TOWN OF
RIVERHEAD

No. 2023 SOE-2

I, Yvette M. Aguiar, Supervisor of the Town of Riverhead, pursuant to Article 2-B Section 24 of the New York State Executive Law, hereby certifies as follows:

WHEREAS, by Executive Order issued on May 16, 2023, pursuant to Section 24 of the Article 2-B of the Executive Law of the State of New York, I declared a State of Emergency within the Town of Riverhead based upon the following findings, recognitions, and/or information:

WHEREAS, there exists an estimated 224 overcrowded or over-occupied homes in and around the Riverhead area; and

WHEREAS, the Town of Riverhead presently maintains an inventory of approximately 1,675 rental properties; and

WHEREAS, there exist an estimated 91 unlawful apartments and 35 unsafe buildings and structures in and around the Riverhead area; and

WHEREAS, two (2) large-scale, non-transient homeless shelters exist within the Town of Riverhead at the Greenview and Wading River Motels and fourteen (14) sober homes within the Town of Riverhead; and

WHEREAS, it is well-documented that Riverhead Central School District schools, including elementary, middle, junior and high schools maintain enrollments near or beyond maximum capacities; and

WHEREAS, it is well-documented that three (3) outdoor homeless encampments exist upon undeveloped properties within the Town of Riverhead; and

WHEREAS, in recent months, thousands of "asylum" seekers have been arriving in New York City from the Nation's Southern border, without the ability to provide for their own basic needs, including food, shelter and medical services; and

WHEREAS, once placed within the Town of Riverhead, there is no reason to believe that these migrants or asylum seekers will leave the Town once New York City or the State of New York ceases to pay for the housing and any services they are presently receiving or that the practice of exporting migrants to the Town of Riverhead will cease; and

WHEREAS, the Town of Riverhead is experiencing the practical and socioeconomic impacts of natural migration into the Town and the Riverhead Central School District, and currently provides and bears the burden of a disproportionate share of low-income housing as compared with surrounding municipalities; and

WHEREAS, there is reasonable apprehension of immediate danger of public emergency of hundreds, or potentially, thousands of persons being transported to the Town of Riverhead; and

WHEREAS, on information and belief, the Mayor of New York City or designees acting on his behalf have contacted hotels and motels located within the Town of Riverhead to assess availability of such facilities for delivery of migrants from New York City; and

WHEREAS, Riverhead Town Code does not permit the use of transient hotels, motels, bed and breakfast facilities, inns, cottages, campgrounds or other transient lodging units for use as residential housing; and

WHEREAS, the use of dwelling units whether single, two and/or multi-family require strict adherence to application, inspection and approval requirements pursuant to Chapter 263 of the Riverhead Town Code, entitled Rental Dwelling Units; and

WHEREAS, through enforcement of local zoning codes, said migrants and/or asylum seekers will face refusal, or eviction from illegal hotels and transient use facilities, resulting in large-scale homelessness for these migrants and asylum seekers; and

WHEREAS, the Town of Riverhead must be reimbursed by the City for any expenses incurred as a result of New York City's program to move asylum seekers to the Town of Riverhead.

WHEREAS, the circumstances and dangers upon which my declaration is predicated have not abated and such conditions do or threaten to imperil the health, safety and general welfare of the residents of and visitors to the Town of Riverhead.

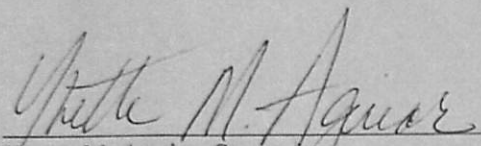
NOW, THEREFORE, As Chief Executive and Supervisor of the Town of Riverhead, I, Yvette M. Aguiar, do hereby exercise the authority given to me under New York Executive Law, Article 2-B, to preserve the public safety and hereby render all required and available assistance vital to the security, well-being and health of the citizens and visitors of the community; and

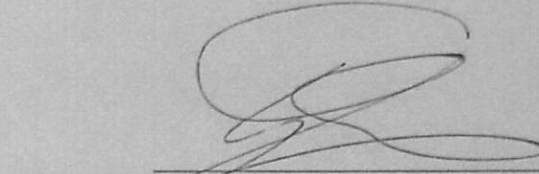
THEREFORE, I, Yvette M. Aguiar, Supervisor of the Town of Riverhead, pursuant to Section 24 of the Article 2-B of the Executive Law of the State of New York, and based upon all of the foregoing, do hereby further extend the Declaration of a State of Emergency in the Town of Riverhead for any period of time not inconsistent with law; and

FURTHER, pursuant to Section 24 of Article 2-b of the New York State Executive Law, I do hereby:

1. Order that all hotels, motels, bed and breakfast facilities, inns, cottages, campgrounds or any other transient lodging units and/or any facilities allowing short-term rentals do not accept said migrants and/or asylum seekers for housing within the Town of Riverhead; and I further,
2. Order that any shelter facilities for homeless individuals operating within the Town of Riverhead refrain from displacing housed individuals with no confirmed permanent housing for the purpose of providing shelter to other persons.

This order shall take effect **IMMEDIATELY**.


Yvette M. Aguiar, Supervisor
Town of Riverhead


Erik C. Howard, Town Attorney
Town of Riverhead

DATED: May 21, 2023