



YVETTE M. AGUIAR
Town Supervisor

TOWN OF RIVERHEAD
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EXECUTIVE ORDER DECLARING A STATE OF EMERGENCY WITHIN THE TOWN OF RIVERHEAD

No. 2023 SOE-1

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, 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, the Federal government has failed or refused to anticipate, appreciate and react to the volume of migrants overwhelming the southern border and has failed to defend the sovereignty of the Nation, resulting in thousands of migrants and asylum seekers crossing the U.S. border virtually unchecked; and

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FILED IN OFFICE OF
DAVID H. WILHELM
TOWN CLERK

WHEREAS, certain States located on the Southern border have pled for, but have not received adequate assistance from the Federal government and have, in response, relocated migrants to various "sanctuary" municipalities including Washington D.C., Chicago and New York City ; and

WHEREAS, on December 16, 2016 the City of New York declared itself to be a "sanctuary city", with the City Council finding that "The City will not abandon immigrant New Yorkers and we will support and defend their rights; and that "The City's commitment to the rule of law and the protection of immigrant New Yorkers is deep and strong"; and

WHEREAS, as recently as May 5, 2023, as a result of Federal mismanagement of asylum seekers and migrants entering this Nation's Southern border, and exacerbated by the sanctuary city policies of the government of the City of New York, the Mayor the City of New York conceded that "the City now faces an unprecedented humanitarian crisis that requires it to take extraordinary measures to meet the immediate needs of the asylum seekers while continuing to serve the tens of thousands of people who are currently using the NYS DHS Shelter System;" and

WHEREAS, New York City's state of emergency is the result of being overwhelmed by the number of migrants and asylum seekers accepting the offer of sanctuary extended by New York City; and

WHEREAS, New York City has demonstrated a clear and present intent to alleviate the influx of asylum seekers to whom it has advertised refuge through sanctuary city policies and support for the open, unrestricted border immigration policies of the Federal government by exporting migrants arriving in New York City to neighboring counties, including Rockland and Orange Counties; and

WHEREAS, as there is nothing humanitarian about a sanctuary city sending busloads of people to a rural Town that does not have the infrastructure to care for them, especially since social services funding is not applicable to undocumented individuals; and

WHEREAS, the Town of Riverhead, a rural municipality of approximately 36,000, is not capable of receiving and sustaining any number of migrants whom New York City seeks to export; and

WHEREAS, migrants exported by the largest city in the country will compound the in need for Town and school district services requiring expenditure of local tax dollars with no aid from the Federal Government or the sanctuary city that encouraged, but failed to fund and properly manage this crisis; 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.

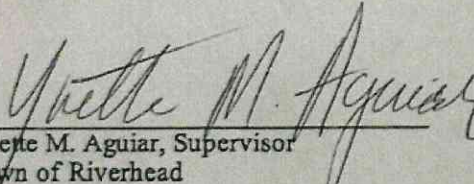
WHEREAS, through enforcement of local zoning codes, said migrants and/or asylum seekers will face refusal, or eviction from illegal hotels and transient use facilities, resulting in large-scale homelessness for these migrants and asylum seekers; and

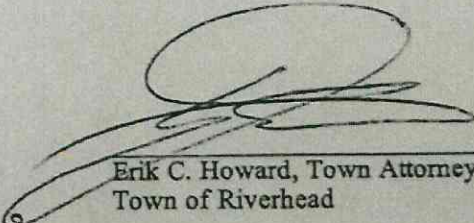
WHEREAS, the Town of Riverhead must be reimbursed by the City for any expenses incurred as a result of New York City's program to move asylum seekers to the Town of Riverhead; now it is declared that

NOW, 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 declare a State of Emergency within the Town of Riverhead; and

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.

This order shall take effect **IMMEDIATELY**.


Yvette M. Aguiar, Supervisor
Town of Riverhead


Erik C. Howard, Town Attorney
Town of Riverhead

DATED: May 16, 2023