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Suffern settles Shabbos house lawsuits with operators and

BY KHURRAM SAEED • KSAEED@LOHUD.COM • JUNE 18, 2010

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SUFFERN — The village, federal government and director of a guesthouse used by observant Jews to visit patients at Good Samaritan Hospital have reached a settlement to allow the Shabbos house to continue to operate.

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There were no financial penalties involved, although a federal court still must decide if Suffern will have to pay more than \$200,000 in plaintiffs' legal fees.

In 2005, the Shabbos house was relocated from inside Good Samaritan Hospital to a home at 5 Hillcrest Road, which is across the street. The village claimed that the Shabbos house, which could provide respite for up to 14 people at a time, violated local zoning regulations since it was in a singlefamily zone.

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Bikur Cholim, the nonprofit agency that runs the house, and seven other plaintiffs, sued Suffern in federal court in 2006, claiming that Suffern violated the Religious Land Use and Institutionalized Persons Act of 2000, or RLUIPA, after it was unable to secure a variance from the village. The federal government later filed a civil rights lawsuit against Suffern.

The Shabbos house, which has operated in the village for more than 20 years at different sites, provides free kosher meals and lodging to observant Jews visiting patients of the hospital on the Sabbath and on 13 Jewish holy days. On those days, Jews are required to pray and refrain from activities such as using electricity, exchanging money and driving.

After spending years in court, the private plaintiffs and the village agreed to a settlement. The village then worked out a separate deal with the government.

http://www.lohud.com/article/20100618/NEWS03/6180339/-1/newsfront/Suffern-sett... 22/06/2010

"It was a long, protracted litigation, and the village board unanimously decided that settlement of the litigation was in the best interest of village taxpayers," Suffern Mayor Dagan LaCorte said Thursday afternoon.

District Judge Warren Eginton signed the deal between the private plaintiffs and Suffern on Thursday, a day after finalizing the government settlement.

As part of the consent decree, Bikur Cholim also agreed to go before the village Planning Board to receive approval for the operation of the site. That typically covers issues such as parking, landscaping and lighting. A site plan is expected to be submitted to village officials next week.

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