



HIS EXCELLENCY
MOST REVEREND MICHAEL W. FISHER
By the Grace of God and the Authority of the Apostolic See
BISHOP OF BUFFALO

**DECREE MERGING ST. JOHN GUALBERT PARISH, CHEEKTOWAGA AND ITS
TERRITORY INTO ST. STANISLAUS, BUFFALO**

THE FACTS

After the First World War, natives of Poland began to purchase land around the area of what would become St. John Gualbert Parish. This land was originally owned by the Rev. John Pitass and, upon his death, was divided into lots with one to be reserved for the building of a new parish church. In 1916, Rev. Pitass's nephew, the Rev. Alexander Pitass, began to organize the parish even though there was still only a small number of Polish families in the area. The following year, the community gathered money and broke ground on a new church building. On 3 June of that year, construction was complete, and the combination church/school was blessed by Bishop Dennis J. Daughtery. The first Mass in the church took place subsequently and the recently honored Rev. Msgr. Alexander Pitass was appointed as the first Administrator. The school was administered by the Felician Sisters and opened in the Fall of 1917 with 128 students.

On 18 January 1918, St. John Gualbert Parish received its first Pastor in the person of the Rev. Peter J. Adamski. At the time of his appointment, Rev. Adamski lived at St. Stanislaus and commuted to the church and school. He oversaw the construction of the present church building starting in 1928. The church was open for use on Easter Sunday 1929.

In 1959 a new school building was erected. Taking advantage of the economic growth of the day, the Rev. Msgr. Stanislaus Sierakowski created one of the most modern school buildings in the area. The parish school ran until 1990 when it became Kolbe Catholic Regional School. This school was closed in 2007, and the property was leased to Baker Victory Services.

As part of the Journey in Faith and Grace initiative, Queen of Peace Parish, Buffalo was merged into St. John Gualbert Parish on 27 November 2007. The same decree discontinued the use of Queen of Peace church relegating it to profane but not sordid use in accord with canon 1222 §2 CIC/83. Prior to this merger, Holy Name of Jesus Parish had been merged into Queen of Peace Parish.

On the Solemnity of All Saints 2016, Bishop Richard Malone signed a decree establishing the Diocesan Shrine of the Holy Relics of the Saints. This followed the donation of over 1,000 relics to the parish by its Pastor, the Rev. Michael Burzynski, Ph.D. In the first part of 2023, St. John Gualbert Parish was included in Family #30 as part of the Road to Renewal program.

The Road to Renewal has allowed the diocese to gain a more realistic picture of the financial and sacramental situations in its parishes. St. John Gualbert Parish has been identified as a community that could benefit by being joined with the community of believers who worship at St. Stanislaus in Buffalo. This was discussed with members of the Chancery and especially with the Reverend Bryan Zielenieski, Vicar for the Renewal. As a result of these conversations, I hereby issue the following decree.

THE LAW

Because a parish is a public juridic person (cc. 116, 515 §3) and therefore established perpetually (c. 120), it can only be extinguished by legitimate authority according to the norm of law. Canon 515 §2 states, "It is only for the diocesan bishop to erect, suppress, or alter parishes. He is neither to erect, suppress, nor alter notably parishes, unless he has heard the presbyteral council."

Unstated in this norm is the requirement for at least a just cause in augmenting the structure of a parish. As a parish is defined in law as "a certain community of the Christian faithful stably constituted in a particular church, whose pastoral care is entrusted to a pastor (*parochus*) as its proper pastor (*pastor*) under the authority of the diocesan bishop" (c. 515 §1), the focus of such augmentation is primarily concerned with the pastoral care of a group of people and only secondarily interested in specific worship sites. Thus, a merger of parishes falls under the governing authority of the diocesan bishop in accord with canon 374 §1.

Following the norm of canon 121, when two public juridic persons "are so amalgamated that one aggregate, itself with a juridic personality, is formed, this new juridic person obtains the goods and patrimonial rights proper to the prior ones and assumes the obligations with which they were burdened." The eminent canonist Reverend Robert Kennedy notes, "Canon 121...focuses on what, in the United States, is called a consolidation, in which two or more juridic persons are so joined that each of them loses its own juridic identity and in their stead a new juridic person is constituted. A consolidation involves both the suppression and creation of juridic persons" ("Chapter II: Juridic Persons" in *New Commentary on the Code of Canon Law*

(New York: Paulist Press, 2000) 168). Since the norm of canon 121 assumes a consolidation in which two juridic persons go out of existence to form a new juridic person from the amalgamation of the former entities, it does not strictly apply to the situation of a parochial merger in which one entity absorbs another.

When the principle of law contained in canon 121 is applied to the canonical merger of one parish into another, the receiving parish must assume all net assets and debts of the merging parish. Here the term “net assets” is used to indicate that the merging parish is responsible for paying off its debts before an accurate assessment of what constitutes the temporal goods of the merging parish can be determined. “Commutative justice,” the *Catechism of the Catholic Church* reminds us, “obliges strictly; it requires...paying debts” (n. 2411). This amount, once established, will be transferred to the receiving parish. What would be a clear *a iure* transfer of assets and liabilities to a newly constituted juridic person described in canon 121, is only partially applicable to the situation of a merging parish and can thus be addressed in terms of “net assets” to be identified at a future date.

THE ARGUMENT

The reshaping of the diocese to prepare it for more effective ministry in the future requires a certain consolidation of resources. The goal of the Road to Renewal is to reduce the strain on our already limited number of priests while at the same time uniting communities to foster a greater drive to “go out to all the world and preach the Gospel to all creation” (Mk 16:15). Part of this process requires the merging of parishes and the overall reduction of physical worship sites throughout the diocese. Looking at St. John Gualbert Parish in particular, the research and consultation done by the Office for Renewal and Development has revealed that this community would be better served by joining its resources to St. Stanislaus Parish in an extinctive merger.

On 27 August 2024, the presbyteral council met at the Catholic Center of the Diocese of Buffalo. At this meeting, I consulted the council about the possibility of merging St. John Gualbert Parish into St. Stanislaus Parish. Rev. Zielenieski pointed out that there would likely only be two available priests serving in Family #30 by 2030. St. Stanislaus Parish was identified as a more vibrant community with more useable space for parochial gatherings and events, and therefore a better chance of serving the communities of Family #30 into the future. This proposal received nearly unanimous support from the members of the Presbyteral Council present on 27 August.

At that first consultation, it was not clear that St. Stanislaus was a personal parish rather than a territorial parish. Research into our diocesan archives identified this fact and the Presbyteral Council was consulted a second time on 8 October 2024. Here, the members of the Council were asked to consider the alteration of St. Stanislaus from a personal parish into a territorial parish. This consultation received unanimous support from the Council. As a result, I decreed the establishment of St. Stanislaus Parish as a territorial parish and merged the territory

of St. John Kanty Parish into St. Stanislaus Parish on 12 November 2024. This decree becomes effective 16 May 2025.

Having heard the Presbyteral Council on this issue on 27 August, I have chosen to merge St. John Gualbert Parish into St. Stanislaus Parish in accord with canon 515 §2.

Thus, having done the requisite consultations and having gained the required consents, I, the undersigned Most Reverend Michael W. Fisher, Bishop of Buffalo, exercising my ordinary power in virtue of canon 515 §2, do hereby decree that St. John Gualbert Parish be merged into St. Stanislaus Parish in an extinctive merger.

St. Stanislaus Parish will be the recipient of the net assets and liabilities of St. John Gualbert Parish. The territorial boundaries of St. Stanislaus Parish will henceforth include:

1. the territory south of Sycamore St. from Filmore Ave. to the train tracks east of Lathrop St., north along the tracks to Walden Ave., east on Walden Ave. to St. Louis Ave., north on St. Louis Ave. to Genessee St., east on Genessee St. to Zelmer St., south on Zelmer St. to Doat St., east on Doat St. to Gualbert Ave., north on Gualbert Ave. to Starley Ave., east on Starley Ave. as far as Reo St.;
2. the territory west of Reo St. extended south to Broadway; Rte. 62 from Broadway to Clinton (Rte. 354);
3. the territory east of Filmore Ave. from Sycamore to Broadway, west on Broadway to Detroit St., south on Detroit St. to Peckham St., east on Peckham St. to Filmore Ave., south on Filmore Ave. to Clinton St. (Rte. 354);
4. the territory north of Clinton St. from Filmore to Bailey (Rte. 62) and north of Broadway from Bailey (Rte. 62) to Reo St. extension.

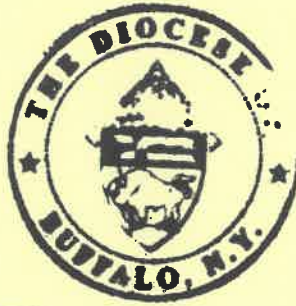
The intentions of the founders and donors regarding the temporal goods and patrimonial rights proper to the extinct St. John Gualbert Parish, insofar as they exist, must be respected. In addition, the temporal goods and patrimonial rights, and obligations of the extinct St. John Gualbert Parish must be defined and allocated according to the norm of law (cf. cc. 121-122) as interpreted by this document.

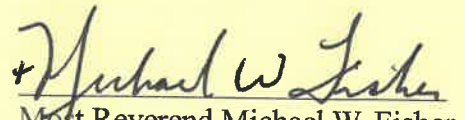
All the parish and sacramental records of the extinct St. John Gualbert, Queen of Peace, and Holy Name of Jesus Parishes are to be properly preserved and safeguarded in the parish archives of St. Stanislaus Parish, Buffalo, in accord with the norm of law.

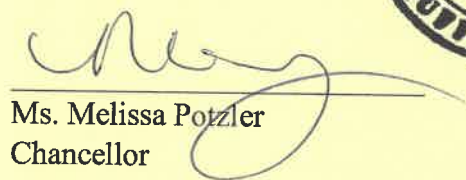
This decree allows for the celebration of merger ceremonies beginning Sunday 27 April 2025 and is to be canonically effective on Saturday 17 May 2025.

This decree is to be communicated to the Rev. Cole T. Webster, the Pastor of both parishes (c. 532) and the two parishes affected by this extinctive merger (cf. cc. 7, 54 §1). Anyone who feels his or her rights have been legitimately harmed by this decree may present a challenge by requesting its revocation or emendation to its author within ten (10) useful days from its legitimate notification. Further recourse will follow the norms of canons 1734-1739.

Given at the Chancery of the Diocese of Buffalo on this 21st day of January 2025.




Most Reverend Michael W. Fisher
Bishop of Buffalo


Ms. Melissa Potzler
Chancellor