



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

**DECREE OF THE MERGER OF ST. PIUS X PARISH, GETZVILLE AND ITS
TERRITORY INTO ST. GREGORY THE GREAT PARISH, WILLIAMSVILLE**

THE FACTS

In 1919 there was a correspondence between Ms. Harinka Monkelbaan and Bishop William Turner about the necessity of establishing a parish in Getzville. Although the need was obvious to Ms. Monkelbaan, the Diocese of Buffalo would not appoint a Pastor for a new parish until 1958. That year Bishop James A. McNulty appointed the Rev. Joseph Weber as the founding pastor of St. Pius X Parish. The first parish Mass was celebrated on 2 June 1958 in the Getzville Fire Hall. Land was purchased which had a large farmhouse suitable for a rectory. A church was constructed and ready for use on Christmas Eve 1958.

The Rev. Francis R. Trapp replaced Rev. Weber in 1964. Under his leadership a new church was built in 1969, and the older building was renamed the Fr. Weber Center. The new church hosted its first Mass on Thanksgiving Day and has served its purpose as a place for divine worship to this day. Other notable construction on the campus includes the addition of classrooms for religious education in the late 1970s and a new rectory/office building in 1990.

An article in the *Western New York Catholic* notes that, by 1997 St. Pius X Parish was “totally cosmopolitan. It has become a cultural mosaic, made up of people of a dozen ethnic groups.” The article goes on to say, “St. Pius X...[has evolved] from a ‘friendly parish in the country’ to a ‘friendly parish in the middle of the suburbs.’” In July of 2023, St. Pius X Parish was included in Family #19 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. Pius X Parish has been identified as a community that could benefit by being joined with its sister community in Williamsville. Additionally, due to our need to amass a substantial sum of money to settle numerous civil claims in Federal Bankruptcy Court, the possibility of alienating this property has also been suggested. 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. Pius X Parish in particular, the research and consultation done by the Office for Renewal and Development has revealed that this community has been experiencing significant negative financial trends and would be better served by joining its resources to St. Gregory the Great 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. Pius X Parish into St. Gregory the Great Parish, Williamsville. Rev. Zielenieski pointed out that there would likely only be three available priests serving in Family #19 by 2030. St. Gregory the Great Parish is already a strong central hub of pastoral ministry in the area. This merger will further extend the reach of St. Gregory the Great by assigning it additional territory. This proposal received nearly unanimous support from the members of the Presbyteral Council present on 27 August.

Having heard the Presbyteral Council on this issue, I have chosen to merge St. Pius X Parish into St. Gregory the Great 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. Pius X Parish, Getzville be merged into St. Gregory the Great Parish, Williamsville and St. Pius X to be extinct thereby.

St. Gregory the Great Parish will be the recipient of the net assets and liabilities of St. Pius X Parish. The territorial boundaries of St. Gregory the Great Parish will henceforth include:

1. the territory south of S. Tonawanda Creek Rd.; Deer Run Rd. and Halston Pkwy. extended from Hopkins Rd. to Transit (Rte. 78);
2. the territory west of Hopkins Rd. from S. Tonawanda Creek Rd. to Deer Run Rd.; Transit (Rte. 78) from Clarence Center Rd. to Sheridan Dr.;
3. the territory east of Sweet Home Rd. from S. Tonawanda Creek Rd. to Ellicott Creek and Ellicott Creek between Sheridan and W. Klein Rd.;
4. the territory north of Sheridan Dr. from Transit (Rte. 78) to Ellicott Creek; North Forest Rd. at West Klein Rd. to North Ellicott Creek Rd.

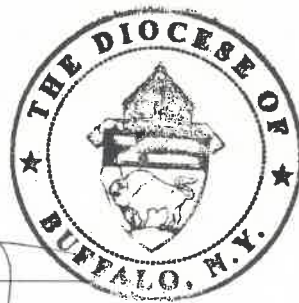
The intentions of the founders and donors regarding the temporal goods and patrimonial rights proper to the extinct St. Pius X Parish, insofar as they exist, must be respected. In addition, the temporal goods and patrimonial rights, and obligations of the extinct St. Pius X Parish must be defined and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

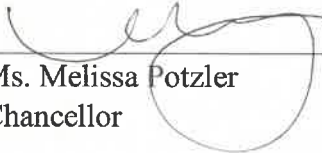
All the parish and sacramental records of the extinct St. Pius X Parish are to be properly preserved and safeguarded in the parish archives of St. Gregory the Great Parish, Williamsville, in accord with the norm of law.

This decree is to be effective on Friday 6 June 2025.

This decree is to be communicated to the Rev. Leon Biernat, 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 18^h day of February 2025.




Ms. Melissa Potzler
Chancellor


Most Reverend Michael W. Fisher
Bishop of Buffalo