



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

**DECREE REDUCING THE CHURCH OF OUR LADY OF THE ROSARY, WILSON  
AND ITS ASSOCIATED PROPERTY TO PROFANE BUT NOT SORDID USE**

***THE FACTS***

The community of Wilson, New York can trace its roots to the early 19<sup>th</sup> century. Shortly before the War of 1812, Mr. Reuben Wilson, Mr. John Eastman, and Mr. Gilber Purdy made their way from Canada to what is now Wilson in 1810. One hundred years later the first Catholic Mass is recalled having been celebrated in this area. The first church would be established in Cambria in 1868. This small church was soon supported by a slightly larger church in the beginning of the 20<sup>th</sup> century. It was formally dedicated by the Rt. Rev. Charles Colton on 6 November 1910. The new sacred edifice was dedicated to the Immaculate Conception.

In 1915 a movement began to build a church in Wilson. The land for such a church was purchased in 1919. The Rev. Vincent McCarthy was sent by the Rt. Rev. William Turner in 1920 to establish a parish in Wilson and take over the pastorate of Immaculate Conception, Cambria. Under his direction, the church was completed in 1920. The first Mass was celebrated in this new sacred building on 15 August 1920. It for formally dedicated by the Rev. Msgr. Nelson Baker on 20 August of the same year.

In 1931 there was a desire to expand the worship space. A Presbyterian church had recently been vacated and, with the permission of the Bishop of Buffalo, the congregation purchased the structure and fitted it for Catholic Worship. Bishop Turner, a proud Irishman, wanted to dedicate the church in honor of Blessed Oliver Plunkett. This was rejected by the authorities in Rome and the name Our Lady of the Rosary was applied instead. This new church received its blessing on 16 August 1931.

A study conducted as part of the Journey in Faith and Grace determined that, given the changing demographics of the parish territory, there was a need to consolidate the territory and discontinue the existence of Our Lady of the Rosary an independent parish. Consequently, it was decreed to be merged with St. Bridget Parish and St. Charles Borromeo Parish to form the new St. Brendan on the Lake Parish, Newfane on 23 April 2008 with an effective date of 1 June 2008.

For many years, Our Lady of the Rosary church served its intended purpose of providing a sacred building dedicated to divine worship for the people of that part of Niagara County. The church has known many wonderful Pastors. In September of 2022, St. Brendan on the Lake Parish was united to a cluster of neighboring parish communities to form Family #10 in the diocesan Road to Renewal.

Looking at the realities of St. Brendan on the Lake Parish in light of the current Road to Renewal initiative, the question of what to do with Our Lady of the Rosary church has arisen. St. Brendan on the Lake Parish already has a large parish church capable of accommodating the faithful from the entire future parochial territory. Due to the fact that St. Brendan on the Lake Parish foresees itself laboring under financial strains, a future prediction of a lack of priests, the coming need to contribute toward the diocesan Chapter 11 Bankruptcy settlement, and the need to better equip itself for future ministerial opportunities, it was proposed to alienate the sacred edifice and relevant property of Our Lady of the Rosary church.

### *THE LAW*

Canon 1212 remarks, "Sacred places lose their dedication or blessing if they have been destroyed in large part, or have been turned over permanently to profane use by decree of the competent ordinary or in fact." A church can remain in relatively good structural condition and still be reduced to profane use if it is no longer needed or if it cannot be sustained by the means at the disposal of the parish who uses it.

Canon 1222 §2 states, "Where other grave causes suggest that a church no longer be used for divine worship, the diocesan bishop, after having heard the presbyteral council, can relegate it to profane but not sordid use, with the consent of those who legitimately claim rights for themselves in the church and provided that the good of souls suffers no detriment thereby." Here the necessity of a grave cause stands out as the essential motivating factor for such reduction of "a sacred building designated for divine worship to which the faithful have the right of entry" (c. 1214). Additionally, the bishop must have previously consulted both the presbyteral council and those who have a legal claim on some aspect of the church building. Following the general norm of canon 50, although not strictly speaking required by the present canon, it is also advisable to consult with those who will be affected by the closure. With this consultation in mind, as long as the good of the faithful is not seriously inconvenienced, a church building may be reduced for profane/secular use.

Regarding the grave cause required by this canon, the 2013 Instruction from the Congregation for Clergy helpfully points out that, "To assess the gravity of a cause, each must be considered individually, weighing the whole context of the situation. At times, the gravity of a cause will arise only from a combination of just causes, each insufficient in itself, but which together manifest the seriousness of the situation" ("Procedural Guidelines for the Modification of Parishes, the Closure or Relegation of Churches to Profane but not Sordid Use, and the

*Alienation of the Same*” *Jurist* 73 [2013] 217). This Dicastery clearly establishes that a diocesan bishop is not bound to produce only one grave cause to be able to utilize canon 1222 §2, a constellation of just causes taken together are also sufficient.

Canon 1238 §2 makes clear that “Altars, whether fixed or movable, do not lose their dedication or blessing if the church or other sacred place is relegated to profane uses.” The first paragraph of this canon points the reader back to canon 1212 which discusses the loss of dedication or blessing begin dependent on destruction of the sacred place or object, or its being turned over to profane use “by decree of the competent ordinary.” Thus, applying this norm to the altar(s) of a church, they must be mentioned specifically if they are to be included in the reduction of the sacred building.

### ***THE ARGUMENT***

In assessing the ongoing pastoral care of those who have traditionally attended Our Lady of the Rosary church, it is necessary to point out that, from the front door of Our Lady of the Rosary church, St. Charles Borromeo church (St. Brendan on the Lake Parish, Olcott) is 6.7 miles away and St. Bridget (St. Brendan on the Lake Parish, Newfane) church is 10 miles away. These are not unreasonable distances for a rural environment typical of this part of Niagara County. In fact, the vast majority of the individuals who worship at Our Lady of the Rosary church arrive by automobile. The distance to either of the abovementioned churches will not add more than twelve minutes for those who have until now been worshipping at Our Lady of the Rosary church.

On 30 August 2024, I consulted the Presbyteral Council regarding the potential reduction of the church building to profane but not sordid use. Reasons for the reduction and alienation included the need to reduce financial strain on St. Brendan on the Lake Parish, the shortage of priests available for ministry in the area, the assessment of those in charge of the Road to Renewal initiative, and a need to generate income to contribute to the diocesan Chapter 11 Bankruptcy settlement. It was also noted at this meeting that this plan was presented to the diocese as a whole and the faithful, in conjunction with their pastors, were given the opportunity to comment on the propositions. The plan to close Our Lady of the Rosary church was supported by the counter proposal offered to the diocese. The matter was discussed, and each member of the Council had the opportunity to vote. The Council decided unanimously to support the proposition.

I further consulted the archives of the Diocese of Buffalo to see if any individual could be identified as claiming legitimate rights regarding the church or its property. The land purchased by the Rev. Daniel Kieran in 1908 is owned by the parish corporation with no restrictions for future use. This search being completed, no individuals or heirs were identified who qualify for this consideration.

Considering the inability of St. Brendan on the Lake Parish to maintain their current quantity of worship sites and buildings going forward, in addition to the reasons cited above, I have recognized a sufficiently grave cause and decided to reduce Our Lady of the Rosary church to profane but not sordid use following the norm of canon 1222 §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 canons 1222 §2 do hereby decree that the church of Our Lady of the Rosary, located at 345 Lake Street, Wilson, New York 14172, be reduced to profane but not sordid use. In addition to the church building itself, I decree that all altars within the church lose their consecration, dedication, or blessing by this same decree (c. 1238).

This decree is to be effective on Tuesday 7 January 2025.

This decree is to be communicated to the Rev. Matt M. Nycz, the Moderator of the priests *in solidum* assigned to care for St. Brendan on the Lake Parish (c. 520 §1) and both the churches within that territory (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 9<sup>th</sup> day of December 2024, the Solemnity of the Immaculate Conception.



*Michael W. Fisher*  
+  
Most Reverend Michael W. Fisher  
Bishop of Buffalo

*Melissa Potzler*  
Ms. Melissa Potzler  
Chancellor