

MOST REVEREND DOUGLAS J. LUCIA
BISHOP OF SYRACUSE

DECREE
ON THE EXTINCTIVE UNION – AMALGAMATION OF THE
PARISH OF SAINT BERNADETTE, CONSTANTIA, NEW YORK
WITH THE PARISH OF DIVINE MERCY CENTRAL SQUARE, NEW YORK
AND THE REDUCTION OF THE
CHURCH OF SAINT BERNADETTE, CONSTANTIA, NEW YORK
TO PROFANE BUT NOT SORDID USE

Whereas the parish of Saint Bernadette was established, and its current church constructed in Constantia in 1959;

Whereas various factors (i.e., changing demographics of the town and the parish, financial concerns, limited resources, etc.) necessitated the linkage of the parish of Saint Bernadette with its neighboring parish, Divine Mercy (est. 2013) in 2015 for the sake of proper pastoral care;

Whereas the shortage of people in the parish and clergy in the Diocese of Syracuse necessitated the placement of the pastoral care of the parishes of Saint Bernadette and Divine Mercy under the direction of one pastor (can. 526 §1);

Whereas the parishes of Saint Bernadette and Divine Mercy have been and continue to function as one parochial entity (i.e., shared clergy, finance and pastoral councils, faith formation and parish programs, bulletin, etc.) with two worship sites;

Whereas the current pastor to whom the parish is entrusted, Reverend Christopher Seibt, reviewed with the parish trustees, finance council, and pastoral council, the sacramental statistics, Mass attendance, vitality, limited financial resources, and maintenance concerns of the church building of the parish of Saint Bernadette as well as the shortage of clergy in the Diocese of Syracuse;

Whereas the status of the parish and its church building (demographics, finances, maintenance, etc.) was presented at three town hall meetings with parishioners, which resulted in a consensus to petition me to canonically merge it with the parish of Divine Mercy and relegate the church of Saint Bernadette to profane but not sordid use for the purpose of alienating the property in order to ensure the existence and vitality of the parish;

Whereas Reverend Christopher Seibt petitioned me to relegate the church of Saint Bernadette to profane but not sordid use because: (1) there is a steady population decline in Constantia, (2) there is a significant decline in the number of people attending Mass and celebrating the sacraments at the parish, (3) the needs of the parish for worship are being adequately met at the church of Divine Mercy, which has functioned as the principal church of the parochial entity since 2015, (4) the church of Saint Bernadette is in need of substantial repairs and continual maintenance, and (5) the financial resources of the parish are limited and diminishing;

Whereas where 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 hereby (canon 1222 §2);

Whereas the grave cause of relegation to profane but not sordid use may exist not in one obvious grave cause but may arise from a combination of many just causes which combined together manifest a grave cause (see Congregation for Clergy, *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*, April 30, 2013, Prot. No. 20131348);

Whereas, having examined the facts of the present case, it has been well established that grave reasons required by canon 1222 §2 are present, even if some of the reasons invoked may not by themselves constitute a grave cause, they do so when taken together;

Whereas after a careful examination, it was established that nobody could legitimately claim rights for themselves in the church, understood primarily as patrimonial rights or rights associated with patrimonial rights (see Supreme Tribunal of the Apostolic Signatura, Final Decree of the College of Judges, 21 November 1988, *Communicationes* 20 [1988] 93);

Whereas, I convoked the Presbyteral Council on 6 June 2023 and presided over it according to the norm of law (cans. 127 §1, 166 §1, and 500 §1), placing the modification (extinctive union- amalgamation) of the parish of Saint Bernadette to the parish of Divine Mercy as well the relegation of the church of Saint Bernadette on the agenda ahead of time, ensuring that a summary of its status was provided to the members of the Council (can. 50), proposing the modification and relegation separately, seeking the informed and free counsel of the members concerning each individual proposed action (can. 515 §2), listening to arguments both for and against the proposed modification and relegation, and receiving unanimous support for the proposed modification and relegation;

Therefore, I the undersigned Bishop of Syracuse, after prayerful consideration, having weighed all the reasons and causes, have decided as follows:

DECREE


1. The parish of Saint Bernadette is hereby united via an extinctive union - amalgamation with the parish of Divine Mercy for the sake of proper pastoral care. The name of the parish will be, "Divine Mercy Parish and The Mission of Saint Bernadette." The members and geographical territory of the parish of Saint Bernadette will become the members and geographical territory of the parish of Divine Mercy. All sacramental registers hitherto preserved at the parish of Divine Mercy are to remain there where they are to be faithfully preserved according to the norms of can. 535 §§ 1-5.
2. The church of Saint Bernadette, located at 1667 NY-49, Constantia, New York, of the parish of Divine Mercy and The Mission of Saint Bernadette is hereby reduced to profane but not sordid use according to the prescripts of canon 1222 §2 for the grave causes mentioned above.
3. The church of Divine Mercy located at 592 South Main Street, Central Square, New York, is hereby officially designated as the sole church of the parish.
4. Negotiations that may lead to the sale of the property of Saint Bernadette can begin, following the proper procedures for alienation.
5. Prior to alienation, all sacred objects, relics, sacred furnishings, stained-glass windows, bells, confessionals, altars, etc. are to be removed for use in other sacred edifices or to be stored in ecclesiastical custody. In case the altars cannot be removed, they must be destroyed (see canons 1212 and 1238).


This merger and relegation will become effective on 16 July 2023, the feast of Our Lady of Mount Carmel.

I further order this decree to be made public to all the faithful through its publication on this day, 8 July 2023. This publication on the diocesan website (www.syrдио.org), in the local diocesan newspaper (The Catholic Sun), on the parish website, and in the parish bulletin will be the legitimate notification. A notarized copy of the decree will be sent to the pastor.

This decree may be challenged by anyone who feels aggrieved by it within the peremptory time limit of ten useful days from the legitimate notification of the decree, that is, on 8 July 2023, by seeking its revocation or emendation directly from me (can. 1734 §2).

Given at the Chancery of the Diocese of Syracuse on this sixth day of July in the year of our Lord, two-thousand twenty-three, the Memorial of Saint Maria Goretti


Mrs. Danielle E. Cummings
Chancellor


Most Reverend Douglas J. Lucia
Bishop of Syracuse