



MOST REVEREND DOUGLAS J. LUCIA
BISHOP OF SYRACUSE

DECREE
ON THE REDUCTION OF THE
CHURCH OF SAINT PETER,
OF THE PARISH OF THE HOLY CROSS
UTICA, NEW YORK
TO PROFANE BUT NOT SORDID USE

Whereas the parish of Saint Peter was established in 1872 and its current church was dedicated in 1969;

Whereas the parish of Saint Peter merged (true and proper fusion) with the parish of Saint Mark, Utica, New York, to form the parish of the Holy Cross on 10 July 2025 and the church of Saint Peter became an auxiliary church of the parish for devotion and worship;

Whereas the current pastor to whom the parish is entrusted, Reverend Thomas Servaitus, reviewed with the parish trustees, finance council, and pastoral council the need and limited resources of the parish and, as a result, commissioned Teitsch, Kent, and Fay Architects to do a building condition survey of the church of Saint Peter to ascertain the feasibility of maintaining it, the result of which established the financial impossibility of doing so;

Whereas the results of the building condition survey and the overall status of the parish was presented at a town hall meeting with parishioners, which resulted in no opposition, but rather a consensus to petition me to relegate the church of Saint Peter 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 Thomas Servatius petitioned me to relegate the church of Saint Peter to profane but not sordid use because: (1) the territory of the parish continues to experience a population decline, (2) there is a corresponding decline in the number of people attending Mass

and celebrating the sacraments, (3) the needs of the parish for worship are being adequately met at the church of Saint Mark, which is the principal church of the parish, (4) the church of Saint Peter is in need of substantial repairs and continual maintenance, (5) the resources of the parish (personnel, financial, etc.) are limited and diminishing, and (6) the fact that the church of Saint Peter is an underutilized building is a liability;

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 5 October 2026 and presided over it according to the norm of law (cans. 127 §1, 166 §1, and 500 §1), placing the relegation of the church of Saint Peter 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 relegation, seeking the informed and free counsel of the members concerning the proposed modification (can. 515 §2), listening to arguments both for and against the proposed relegation, and receiving unanimous support for the proposed 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 church of Saint Peter of the parish of the Holy Cross is hereby reduced to profane but not sordid use according to the prescripts of canon 1222 §2) for the grave causes mentioned above.
2. Negotiations that may lead to the sale of the property can begin, following the proper procedures for alienation.
3. 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).

I order this decree to be made public to all the faithful through its publication on 16 October 2026. This publication on the diocesan website (www.syrдио.org), on the website of the local diocesan newspaper (thecatholicsun.com), on the website of the parish of the Holy Cross, and in the bulletin of the parish of the Holy Cross 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 days from the legitimate notification of the decree, that is, on 16 October 2026, by seeking its revocation or emendation directly from me (can. 1734 §2).

Given at the Chancery of the Diocese of Syracuse on this fourteenth day of October in the year of our Lord, two-thousand twenty six.



Most Reverend Douglas J. Lucia
Bishop of Syracuse



Mrs. Danielle E. Cummings
Chancellor

