



Brothers of Mercy of Montabaur
4520 Ransom Road
Clarence, NY 14031

RECEIVED

OCT 16 2013

CF. PAGE TWO OF LETTER FOR
FOLLOW-UP BY BISHOP GROSZ

DIOCESE OF BUFFALO

October 14, 2013

10/17/13

Most Reverend Richard J. Malone, Th.D.
Diocese of Buffalo
795 Main Street
Buffalo, New York 14203

Dear Bishop Malone:

With all of your many problems, I am sorry to bring another one to you. As you may know, we are the Brothers of Mercy which operates a Health Care Facility in Clarence.

Our problem is regarding our Chaplain, Father Art Smith, who was appointed as noted in your letter of November 20, 2012. Unfortunately I have been given two complaints concerning him during the last month. I am writing this letter because it is important that you are aware of this information.

The complaints are:

A young man (age 19), employed in one of our dietary departments, reported to the administrator that there were some inappropriate remarks and touching. However, the young man did not want the administrator to say anything to Father. He said he wanted to talk to him first.

A novice brother (age 25), asked for permission to attend Mass in the village, because of touching by Father Art. Brother took care of the sacristy after Mass and was in the sacristy with Father alone. The novice in question is not in any way unreliable or exaggerating the situation. I do not believe that the touching was sexual in nature, meaning, I do not believe that the private parts of the body were involved. The touching was only inappropriate. It is rather difficult for me to ask for details from the people involved.

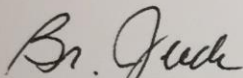
Since Father John Sardina (our chaplain for many years) had to retire due to age and failing health, Monsignor LiPuma asked me if we would consider Father Art to act as our chaplain. At that time, Monsignor gave me a little of Father Art's background.

However, we were happy to have a chaplain since we were without a priest for several months. We were willing to take a chance with Father Art, despite his particular circumstance. We have 500 souls on this campus whom we care for.

I have not spoken to Father Art regarding this matter.

Once again, Bishop, I am sorry to have to bring this situation to your attention, but at this point, I have no choice.

Sincerely in Christ,



Br. Jude Holzfoerster, f.m.m.

Regional Superior / General Assistant

CC: Br. Fidelis Verrall, Director. Spiritual Care Nursing Home
Br. Gabriel-Joseph Parisi, Director of Formation

THURSDAY, OCT. 17, 2013 FROM BISHOP GROSZ CONTACT: BROTHER JUDE

BISHOP MALONE ASKED ME TO CONTACT BROTHER JUDE AND ASK BROTHER JUDE TO MEET WITH FR. ART AND CONVEY THE CONCERNS THUS FAR RAISED BY THE TWO INDIVIDUALS. I CALLED BROTHER JUDE WHO INDICATED HE WILL MEET WITH FR. ART ON MONDAY MORNING, OCT. 21ST. BOTH AGREED, BISHOP GROSZ WILL PHONE BROTHER JUDE AT 2 P.M. NEXT MONDAY AFTERNOON FOR A REPORT ON THE MEETING.

CONTACT: FR. CROGLIO

AS PER THE REQUEST FROM BISHOP MALONE, BISHOP GROSZ CONTACTED FR. JIM CROGLIO AT THE DIOCESAN COUNSELING CENTER TO ALERT HIM TO THE COMPLAINTS ABOUT FR. ART SMITH





Brothers of Mercy of Montabaur
4520 Ransom Road
Clarence, NY 14031

October 25, 2013

Most Reverend Richard Malone, Th.D.
795 Main Street
Buffalo, New York 14203

Dear Bishop,

Due to the unfortunate circumstances involving Fr. Arthur Smith and in particular his inappropriate conduct with employees, we no longer consider him a member of our Spiritual Care Department. Regrettably, Father Smith's actions have become a matter for gossip in our facilities.

I regret we must terminate Fr. Smith's work on our Campus.

I am sincerely in the Lord,

Br. Jude Holzfoerster, FMM
Regional Superior