



Pennsylvania
Office of Open Records

Standard Right-to-Know Law Request Form

Please read carefully. Complete this form and retain a copy of **both** pages; this copy may be required if an appeal is filed. You have 15 business days to appeal after a request is denied or deemed denied. More information about the RTKL is available at <https://www.openrecords.pa.gov>. In most cases, a completed RTKL request form is a public record.

SUBMITTED TO AGENCY NAME: City of DuBois, Pennsylvania (Attn: AORO)

Date Request Submitted: 1/12/25 Submitted via: Email U.S. Mail Fax In Person

PERSON MAKING REQUEST:

Full Name: Judith Suplizio

Company (if applicable): _____

Please send response via: Email U.S. Mail

If you wish to obtain records that only exist in hard copy, or must be provided on an electronic storage device, you may be required to provide a mailing address to the agency. See Section 703.

Email: [REDACTED]

Mailing Address: 314 Hamor Street

City: DuBois State: Pa Zip: 15801 Telephone: [REDACTED]

How do you prefer to be contacted if the agency has questions? Telephone Email U.S. Mail

By checking this box, I affirm that my full name and contact information is true and correct, and that I am a legal resident of the United States. I understand that failure to check this box may result in the denial of my request and the dismissal of any appeal filed with the Office of Open Records.

RECORDS REQUESTED: Provide as much detail as possible, including subject matter, time frame, and type of record sought. RTKL requests must seek records, not ask questions. Use additional pages if necessary.

RTK #012A...COUNCILWOMAN'S ACKNOWLEDGEMENT OF MISTAKES

In a recent newspaper article, a councilwoman was quoted as saying "...and I have made mistakes and I have said things that I shouldn't have and I am hoping that the next year all of us can...is it butterflies and something that we can move forward...".

We applaud this public official. An admission of fault and failure followed by an inferred act of public contrition is a mature first step in core identification of an innate deficiency reasoning process that should be analyzed, studied, adjusted, and improved. Then followed with healing for the good of moving the community forward, ultimately for community success, not oneself.

*Form continues on page 2. Retain a copy of **both** pages.*

RECORDS REQUESTED (continued):
RTK 12A (cont.)

However, in this instance more effort may be needed to differentiate reality from mirage. This councilwoman's record of pillaged undertaking, consistent with all of the failed goals of her allies in council and those like her in chambers, was not successful nor beneficial to those she fictitiously served. Anticipating and expecting complete, unconditional absolution of self-confessed, willfully obtuse behavior caused when her broken actions were necessarily challenged, considering the chaotic, dysfunctional condition the community has unfortunately been put in almost overnight by herself and her hostile allies, may require something more measurable than a simple statement of shallow sorrow. Aberrant, recalcitrant, demeaning and convoluted behavior requires a systemic, professional counselling interaction and oversight program in order to achieve and then confirm authenticity, progress, believeability, and sincerity. Further, and more directly, involvement in and supportive of bizarre schemes to upset community welfare and community good are not indicative of normal, in-line expected behavior nor allows the public trust needed in order to move the community forward. In accordance with the State of Pennsylvania's RTK Law, and strictly consistent with HIPAA Privacy Rules, please provide all records, documents, recorded conversations, counselling sessions, and/or agreements in place or planned to properly and effectively rehabilitate and then monitor this rehabilitation of this public official's disguised behavior, and who and how this retaliatory personality will be monitored in order to "move forward". And be consistent with leadership expectations historically realized and provided in the past to the citizens of DuBois.

DO YOU WANT COPIES? Yes, printed Yes, electronic No, in-person inspection

Records shall be provided in the medium requested if they exist in that medium; otherwise, they shall be provided in the medium in which they exist. See Section 701. Your request may require payment or prepayment of fees. View the Official RTKL Fee Schedule for more details.

I understand that my request may incur fees. Notify me before further processing if fees will be more than \$100 (or) \$_____.

Do you want certified copies? Yes (*may be subject to additional costs*) No

ITEMS BELOW THIS LINE FOR AGENCY USE ONLY

Tracking: _____ Date Received: _____ Response Due (5 bus. days): _____

30-Day Ext.? Yes No (If Yes, Final Due Date: _____) Actual Response Date: _____

Request was: Granted Partially Granted & Denied Denied Cost to Requester: \$_____

Appropriate third parties notified and given an opportunity to object to the release of requested records.

Retain a copy of both pages of this Form.



CITY OF DUBOIS, PENNSYLVANIA

PO BOX 408 16 W. SCRIBNER AVE. DUBOIS, PENNSYLVANIA 15801

TELEPHONE: 814-371-2000

FAX: 814-371-1290

January 24, 2025

Judith Suplizio
314 Hamor Street
DuBois, PA 15801

Ms. Suplizio,

The City of DuBois (“the City”) acknowledges receipt of your request submitted on January 12, 2025 (“the request”) under the Right to Know Law (“RTKL”), Act of February 14, 2008, P.L. 6, 65 P.S. §§ 67.101-67.3104. Upon review, the request is denied.

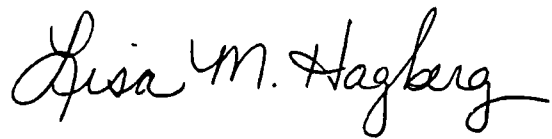
Under the “records requested” section of the request, the records request in the second to last sentence of the request’s diatribe and vituperation advanced against a City councilwoman states as follows:

“In accordance with the State of Pennsylvania’s RTK Law, and strictly consistent with HIPAA Privacy Rules, please provide all records, documents, recorded conversations, counselling sessions, and/or agreements in place or planned to properly and effectively rehabilitate and then monitor this rehabilitation of this public official’s disguised behavior, and who and how this retaliatory (sic) personality will be monitored in order to ‘move forward.’ And be consistent with leadership expectations historically realized and provided in the past to the citizens of DuBois.”

“The burden of proving a record does not exist . . . is placed on the agency responding to the right-to-know request . . . [, and] an agency may satisfy its burden of proof that it does not possess a requested record [by] . . . a sworn affidavit of nonexistence of the record.” *Hodges v. Pa. Dep’t of Health*, 29 A.3d 1190, 1192 (Pa. Commw. 2011). Furthermore, “[w]here . . . no evidence has been presented to show that [an agency] acted in bad faith, the averments in [the agency’s] affidavit[] should be accepted as true.” *McGowan v. Pa. Dep’t of Env’tl. Prot.*, 103 A.3d 374, 382-83 (Pa. Commw. 2014).

Here, as evidenced in the attached affidavit of Benjamin Kafferlin, Interim City Manager for the City, the “records” requested do not exist. Therefore, the request is denied.

Respectfully,

A handwritten signature in black ink that reads "Lisa M. Hagberg". The signature is written in a cursive style with a long horizontal flourish at the end of the word "Hagberg".

Lisa Hagberg
Interim City Manager
City of DuBois, Clearfield County

LH/cls

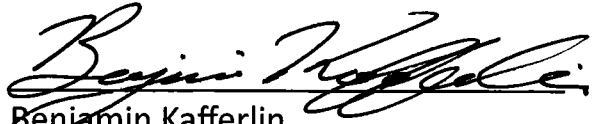
Affidavit

I, Benjamin Kafferlin ("Affiant"), being duly sworn according to law, depose, state, and verify that I am the acting Interim City Manager for the City of DuBois, Clearfield County, Pennsylvania, and that I am authorized to make and execute this Affidavit on behalf of the City of DuBois in my capacity as acting City Manager for the City of DuBois. As Affiant, I am submitting this Affidavit to verify certain facts contained in the City of DuBois' written response to the right-to-know request of Judith Suplizio dated January 12, 2025 ("the request").

Regarding the request, I hereby depose, state, and verify as follows:

- That I reviewed the request with Matthew P. Gieg, Esquire, solicitor for the City of DuBois;
- That, upon receiving the request, I diligently searched documents and records in the possession and control of the City of DuBois to ascertain whether the requested records existed;
- That the documents requested – specifically, "all records, documents, recorded conversations, counselling sessions, and/or agreements in place or planned to properly and effectively rehabilitate and then monitor this rehabilitation of this public official's disguised behavior, and who and how this retaliatory (sic) personality will be monitored in order to 'move forward.'" – do not exist;
- That, based upon the fact that the records requested do not exist, the determination was made to deny the request; and

- That the determination to deny the request because the alleged records sought in the request do not exist is based upon my verified statements made herein.


Benjamin Kafferlin

Interim City Manager
City of DuBois, Clearfield County, PA

COMMONWEALTH OF PENNSYLVANIA : SS
COUNTY OF CLEARFIELD :

On this, the 24 day of June, 2025, before me, a Notary Public, the undersigned officer, personally appeared Benjamin Kafferlin, Interim City Manager for the City of DuBois, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Affidavit, and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Commonwealth of Pennsylvania - Notary Seal
Thomas M. Nowak Jr., Notary Public
DuBois City, Clearfield County
My Commission Expires: November 29, 2026
Commission Number: 1259192



Notary Public

My Commission Expires:

11-29-26