



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: 1/16/25 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 # 019...RIGHT TO KNOW (RTK)

As referenced and quoted in a recent 1/14/25 Newspaper Article on the topic of RIGHT TO KNOW REQUESTS, a local resident questioned and noted that..."I do see what's being requested. I wonder if people are submitting things, not understanding the Law and maybe we as the public need to be educated a little bit more on what's perceived." And..."If you don't mind me asking you percentage wise, how much time and money has the city spent on (requests)?"

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

RECORDS REQUESTED (continued):

RTK 019 (cont.) This resident needs to be acknowledged. Requesting clarification to make a naive populus smarter so the city is more efficient and save taxpayer money is both noble and a model in how to be civic-minded, a trait necessary for all in the community. Similarly, and in concert with this resident's patriotic RTK comments and apparent fiscal conservatism, a complete investigation and study of what caused the current broken state of the city, why this toxic attack on her city occurred and who caused it, (and who should pay for every bit of it) is a fundamental element in remedy. And it all starts with determining and holding accountable those who wrote the cowardly, defamatory unsigned baseless United Way (UW) Letter to the State of Pa Attorney General starting the smear campaign that somebody in the community felt he or she was empowered to do. Together with this city analysis, address the letter of concern sent to the previous city manager in 2020 alerting him of impending harm. The investigation and solution to their smear campaign will automatically resolve this resident's bogus concern as to fiscal savings and right to know procedures compliance. Consequently, and in accordance with Pa. RTK Law, and in support of this resident's and those like her in her group's spurious concern for the city, please provide all documents, records, meeting minutes, recorded conversations, investigations, and city-obligated analysis of who wrote the unfounded UW Letter, what was their devious intent, who else was in concert, why they did it and who and how they weaponized the Government to succeed in their mission to undermine two decades of solid, predictable harmonius city-driven success and replace it with their now puzzled disorder.

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 17, 2025

Judith Suplizio
314 Hamor Street
DuBois, PA 15801

Dear Ms. Suplizio,

Thank you for writing to the City of DuBois with your request for information pursuant to the Pennsylvania Right-To-Know law. On January 17, 2025, we received your request for records, documents, meeting minutes, recorded conversations, investigations and city-obligated analysis of who wrote the unfounded United Way letter.

Pursuant to Section 902(a) of the Right to Know Law, the City of DuBois requires an additional 30 days to respond to the request:

- A timely response to the request cannot be accomplished due to bona fide and specified staffing limitations.

The City of DuBois expects to respond to your request on or before February 16, 2025.

Respectfully,

Lisa Hagberg
Interim City Manager
City of DuBois, Clearfield County

LH/kl



CITY OF DUBOIS, PENNSYLVANIA

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

TELEPHONE: 814-371-2000

FAX: 814-371-1290

January 29, 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 16, 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.

The “records requested” section of the request states, in relevant part, the following:

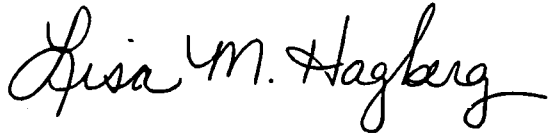
“[I]n accordance with [the] Pa. RTK Law, and in support of this resident’s and those like her group’s spurious concern for the city, please provide all documents, records, meeting minutes, recorded conversations, investigations, and city-obligated analysis of who wrote the unfounded [United Way] Letter, what was their devious intent, who else was in concert, why they did it and who and how they weaponized the Government to succeed in their mission to undermine two decades of solid, predictable harmonious city-driven success and replace it with their now puzzled disorder.”

“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 affidavit of Lisa Hagberg, Interim City Manager for the City, no records exist which are responsive to the request. Accordingly, the request is denied.

If you wish to appeal the denial of your request, you must file an appeal with the Pennsylvania Office of Open Records within fifteen (15) days from the date of this written response issued by the City. Further instructions for filing an appeal to the Pennsylvania Office of Open Records can be found at <https://www.operecords.pa.gov>.

Respectfully,

A handwritten signature in black ink that reads "Lisa M. Hagberg". The signature is written in a cursive style with a large initial "L" and a long, sweeping underline.

Lisa Hagberg
Interim City Manager
City of DuBois, Clearfield County

LH/kl

Affidavit

I, Lisa Hagberg (“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 16, 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, “documents, records, meeting minutes, recorded conversations, investigations, and city-obligated analysis of who wrote the unfounded [United Way] Letter, what was their devious intent, who else was in concert, why they did it and who and how they weaponized the Government to succeed in their mission to undermine two decades of solid, predictable harmonious city-driven success and replace it with their now puzzled disorder.” – 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.

Lisa Hagberg

Lisa Hagberg
Interim City Manager
City of DuBois, Clearfield County, PA

COMMONWEALTH OF PENNSYLVANIA : SS
COUNTY OF CLEARFIELD :

On this, the 29 day of JAN, 2025, before me, a Notary Public, the undersigned officer, personally appeared Lisa Hagberg, 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

Thomas M. Nowak Jr.

Notary Public

My Commission Expires:

Nov 29 2024