



Hollidaysburg Community Watchdog VOTER'S GUIDE

MAY 16th 2023 ★ PRIMARY ELECTION

How Fire Department corruption tainted Borough government

Hollidaysburg — The Phoenix Volunteer Fire Department (PVFD), while chock full of excellent firefighters, was corrupted over the course of many years. But rather than force a restructuring to shore up the legal and fiscal integrity of Hollidaysburg's fire service, the Borough responded with a cover-up and a whitewash hatched in a series of closed-door meetings that, in the Watchdog's view, blatantly violated state transparency laws.

More than two years after the federal convictions for embezzlement and tax fraud of two senior members—including the former chief and treasurer Anthony Dibona—PVFD still calls the shots at Hollidaysburg Borough Council.

There was a brief period in 2021 where Borough funding of the PVFD was suspended pending the promised public release of its accounts. The release never happened, and the Borough resumed no-questions-asked funding of the PVFD in December 2021.

The decision to resume funding without requiring PVFD's books—or any organizational housecleaning—came after a November 23, 2021 meeting of the "PVFD Committee", held with no public notice, chaired by Borough Manager Jim Gehret. Other attendees included Bor-

ough council members James Mielnik, Brady Leahey and Joseph Pompa; Fire Marshall Amy Hazlett; and Borough Secretary Patti Duron. Also present were at least two members of the PVFD leadership, and Terri Johnson, a CPA hired by Dibona to clean up the PVFD books.

According to a witness, Gehret instructed meeting attendees not to take notes lest "the Watchdog get them" through a Right-to-Know request. Gehret later instructed attendees to return documents circulated by the CPA for the same reason, according to the same witness.

At the meeting, the CPA announced that the PVFD books were far from complete and would not be ready for release anytime soon. She also said it would take at least three years to restore the PVFD's IRS tax-exempt status, which had been lost at least 12 years earlier for failure to file tax returns.

The Committee nonetheless recommended to Borough Council that PVFD funding be restored immediately based on the company's "good-faith efforts". As a result, PVFD spending involving hundreds of thousands of taxpayer dollars—and an unknown but certainly larger amount of money from private community donations—remains entirely undocumented.

Dibona was convicted in May 2021 of embezzling \$57,242 from a \$5.2 million grant issued by the Federal Emergency Management Agency (FEMA). His colleague, former PVFD Assistant Chief Benjamin Allen Rhine, had already been convicted of stealing \$1.6 million from the same grant. Dibona remained *de facto* PVFD chief until he was sentenced. When the judge finally barred him from all fiduciary responsibilities at the fire company as a condition of sentencing, PVFD promptly installed Dibona's son, Brandon Dibona, as the new chief.

The Fed's crackdown on PVFD's pilferage appears to have followed years of larcenous financial mismanagement at the fire company. While Dibona and Rhine were actively seeking, winning and ultimately stealing from a \$5.2 million FEMA grant issued to recruit and retain volunteer firefighters, the PVFD was not even bothering to keep books. Under Dibona's watch, it had failed to file tax returns since at least as far back as 2009, resulting in the termination of PVFD's non-profit 501(c)(3) tax-exempt status. It nonetheless continued to raise money and acquire perks as if it were still a non-profit charitable organization. There's no way to determine how many people unlawfully wrote off their PVFD donations on their annual tax returns, not

Tainted, page 8

**School Board Races
page 2 & 3**

Key Watchdog Endorsements

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What is the Watchdog?

Hollidaysburg Community Watchdog is a civic organization, established in 2015, involving people of widely divergent political views. What keeps us together is a commitment to deterring corruption in local government through transparency and public participation.

While the Watchdog supports economic development and strong property rights, it also helps defend established neighborhoods from predatory or destructive development.

We're very cautious about election endorsements. We explicitly support Hollidaysburg Borough Council candidates whom we feel are ready to defend the community and open up our municipal government to public scrutiny. We also endorse candidates in county races — like treasurer, prothonotary, district attorney and sheriff — based on how we perceive their suitability and their commitment to the rule of law.

We don't, however, endorse candidates for school board, judicial positions, county commissioner or other races where the cultural, political or ideological orientation of the candidate is perceived to be as important as their ability to serve.



**Paid for by: Hollidaysburg Community Watchdog
511 Allegheny St., Hollidaysburg, PA**

Voter Guide editor: Andraé Holsey
President: Richard Latker
Public Affairs Officer: Bryan King
Government Relations: Carol Dannenberg
Treasurer: Regis Nale

HASD SCHOOL BOARD

Cultural issues bring division — and clarity

By **Andraé Holsey**

According to Kenneth B. Snyder, an incumbent candidate for Hollidaysburg Area School District (HASD) School Board: “Some people just want to sit on the board, but sit out. They just show up to raise their hands every so often.” With nine candidates in a highly contentious primary race for five open seats on the board, newly elected board members are unlikely to have that luxury. Wobbly district finances, acrimonious public debate over culture and curriculum, and increased debate over the influence of the teachers unions are just a few issues that will compel school board directors to take a clear stance, even when it is uncomfortable to do so.

Fiscal stability

Concerns over taxation and spending sustainability in the not-so-large school district continue to mount, though solutions are as elusive as ever. At a Candidate-Teacher forum held May 4, 2023, several candidates stated that they would like to “see the numbers,” before committing to specific fiscal recommendations. These numbers might prove helpful:

National Center for Education Statistics (NCES) data show 3,192 students in Hollidaysburg (compared to Altoona’s 7,265) in 2022, with 6.2% falling below the poverty level (compared to 22% in Altoona). The population and poverty differences between the Altoona Area School District (AASD) and HASD means that Altoona receives nearly twice as much federal and state funding. HASD makes up the shortfall with local tax revenue (\$8,350 per student vs. Altoona’s \$4,346). That taxation is a significant point of disquiet, despite the correlation between spending and excellence in education. As candidate Ying Li opined, “we cannot expect to fix deficits just through taxes.”

HASD’s 2023-2024 budget, passed May 10 on a 6-2 vote with conservative board members Jennifer Costanza and Carmen Bilek opposing, does not raise taxes, and specifies a deficit of roughly \$3.11 million—\$53.21m in estimated revenue against \$56.32m in expenditures. Those revenues include federal COVID-related grants set to expire in 2024.

Culture & Curriculum

Every candidate has had to address cultural-divide issues after a November 2022 incident that sparked national headlines. When parents complained that an English teacher was displaying the controversial graphic novel “Gender Queer” on her 7th-grade classroom desk, debate erupted

over gender & sexual orientation discussions in schools. Some parents saw “Gender Queer” as a deliberate cultural provocation, demanding that the teacher be disciplined, while others saw the reaction as evidence of unrestrained bigotry that posed a threat to LGBTQ+ students and staff.

In response, campaign literature from candidates Li, Snyder, and John Wells calls for “defense of childhood innocence.” Candidate Heather DeStefano, by contrast, says incidents like the one above are “isolated” and argues that the “superintendent and director of curriculum are doing a good job ensuring the curriculum is in the right place.”

Teachers Unions

The influence of teachers unions is another source of controversy, with some candidates decrying their perceived attempts to influence school board elections and policy outcomes. Conservative candidates like Snyder argue that dealing with unions “feels like going through a separate administration,” while Wells says unions are actively promoting a left-wing cultural agenda within the schools.

Other candidates view the unions as benevolent, or at least benign. Jesse Blank says unions “make total sense,” adding that “they provide an effective way to make sure groups of people are heard.” Incumbent Doug Stephens argued that “our local union typically weighs what’s in the best interest of our faculty equally with what’s in the best interest of our district,” and says union representatives have “been reasonable and willing to compromise.”

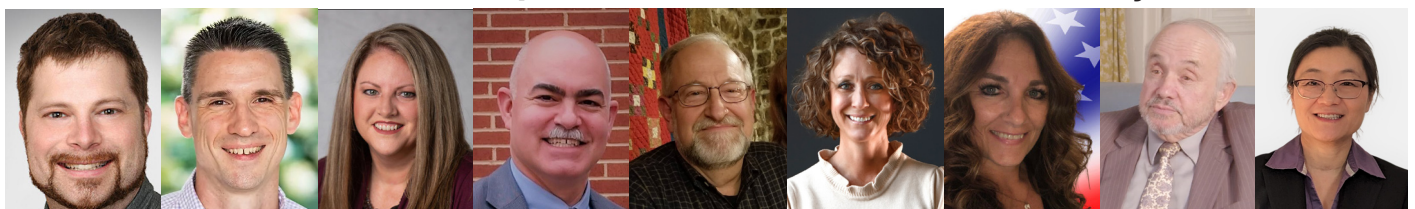
In response to the “Gender Queer” controversy, conservative school board members moved to revise a policy on adult-student boundaries to forbid teacher-initiated discussions about gender identity & sexual orientation. Mike Rawlins, President of the Hollidaysburg Area Education Association (HAEA), told WJAC that the “policy will eventually hurt students, where students won’t know who is their trusted adult in the building.” A separate policy passed earlier this year restricting classroom political displays has also been challenged by the union under “impact bargaining” rules.

The unions chimed into the debate over raising school taxes in 2022, arguing that a failure to increase revenue jeopardized the quality of education in the district. The teachers union has also, at least informally, endorsed preferred candidates for the May 16 primary election.

Hollidaysburg School Board candidates, left to right

A comparative analysis by our resident political scientist, **Andraé Holsey**.

Blank Hartman DeStefano Stephens Wells Sullivan Luther Snyder Li



SCHOOL BOARD CANDIDATES

Jesse Blank **B H C**

Dr. Blank is a local physician making his first run for office. A former home-schooled student, Blank says his time in public university makes up for his limited experience with public K-12 schools. He has no children in the district. Blank says he “support[s] the rights of parents,” as “obviously they’re the ones that know their children and their needs the best.” A registered Democrat, Blank says that he leans towards the “liberal side of the divide,” but argues that being a doctor has given him “the ability to merit the positions of others.” He says schools “should be teaching our children to be good members of society, respect other viewpoints, and be prepared for the job force when they grow up.”

Heather DeStefano **B H C**

A registered Republican and first-time candidate, DeStefano brings a classic school board resumé to the campaign. A businesswoman, mother of five, and PTO President at Foot-of-Ten Elementary, DeStefano says she wants to see that “the board gets back to focusing on education.” Conflicts over budget & taxes have “caused other issues to spiral,” she says. Her solution is to “work together to provide funding sources.” On cultural issues, DeStefano believes that “arguing is getting in the way” of good education policy, and just wants to see “a great support system for our kids, to help Hollidaysburg keep producing fantastic graduates.”

Cory Hartman **B H C**

Hartman refused an interview with the Watchdog, deferring to his website. He self-identifies as a conservative, but seems decidedly left-of-center on social issues. He was a registered Democrat until November, when he re-registered as an independent. The pastor-turned-writer offers few specific policy prescriptions, describing his approach in qualitative terms. His suggestions include raising taxes “smart” and a robust campaign against bullying. Hartman believes the tendency for board meetings to “boil over, out of control” arises from poor knowledge of Robert’s Rules of Order. The first-time candidate hopes to be “truly independent,” and assures voters that they will “know where I stand.”

Ying Li **P C**

A mathematics professor at St. Francis University, Li is a registered Republican who hopes to see less “entertainment in the classroom” and a school administration re-committed to “measurable academic excellence.” Whether she is discussing the curriculum, vaccine & mask mandates or cultural issues, the first-time candidate is quick to emphasize the rights of parents. Li, self-described as “very conservative”, joked that “even in Beijing I was considered traditional.” She believes that educators should “maintain a partnership role” with parents while focusing exclusively on transmitting approved curriculum,” allowing families to deal with “larger societal issues” at home.

Michele Luther **C**

A first-time candidate and registered Republican, Luther believes that school districts “need to be run like a business.” With experience as a small business owner and employee at Stuckey Automotive, she says “you can balance the budget and help the taxpayer with their earnings, while helping students excel in academics and reach their goals.” Luther

argues that these goals aren’t reached when educators “add other agendas” to curriculum. On issues like bullying, she encourages a strong response from board members and administrators. “Unless you’re willing to be decisive and come up with a strong disciplinary plan, you’re not going to be able to maintain a school district.”

Kenneth Snyder **P**

Snyder is a pastor at Christ Community Church and an incumbent HASD School Board Director. He approaches decisions “from a biblical perspective.” Snyder supports an “atmosphere of workability” and discourages “back-room coalitions.” An avowed conservative Republican who declined to cross-file, Snyder says HASD faces a spending problem, not a revenue problem, and “we can’t keep pumping people for money.” The solution is “voting for the good of the students; not the administrators, the teachers, or the unions.” Snyder says the Board should be “the arm of families when it comes to education.”

Doug Stephens **H**

Doug Stephens, a former teacher and current music store owner, is running to keep his seat on the HASD Board. He’s a registered Republican who declined to cross-file, but has won the support of the unions. The biggest issues he sees facing the district are “a lack of adequate funding and excessive bureaucracy.” He argues that “current state and federal mandates have placed far too many limitations on school district officials,” and that efforts need to be refocused on “empowering students and teachers through meaningful, life-based, educational experiences.” Stephens, who says there is “no place for politics at the School Board,” has generally voted with the conservative bloc on social matters, but with the administration and unions on fiscal and taxation issues.

Missy Sullivan **C**

Missy Sullivan is a realtor and mom-on-a-mission to rid the classrooms of social & political agendas. She’s regularly attended HASD meetings, often offering public comment from the floor. Sullivan, a registered Republican, says she will help refocus Board attention on critical education tasks, even if they “might not be the primary issues” of the moment. She wants to reduce classroom distractions while “bringing in more crisis and mental health specialty counselors” to free up teachers, overburdened with troubled children, to teach. While she supports “uplifting teachers who feel that they can’t discipline,” she also believes in “accountability for teachers making poor decisions,” such as those “dipping their toes in social issues” or “pushing politics on students.”

John Wells **P C**

Dr. Wells is a veterinarian making his political debut. A registered Republican, Wells says he was inspired to run by sitting board members Carmen Bilek and Jennifer Costanza after discussing concerns with “trends we see in schools around the country.” He intends to serve Hollidaysburg taxpayers through “transparent stewardship” and by encouraging frugal spending. “The commonest remedy... is to throw more money at the problem,” he says. Wells also prioritizes “childhood innocence” alongside district finances, stating that he will “firmly stand against age-inappropriate injection of sexual material into curriculum and classrooms.”

B Endorsed by Blair-Bedford Central Labor Council (AFL-CIO)

H Endorsed by Hollidaysburg Area Educators Association

P Conservative “Parents’ Choice/ Taxpayers’ Choice” Candidate

C Cross-filed on Republican and Democrat ballots

BLAIR COUNTY

Row Offices



JAMES CAROTHERS, TREASURER

Treasurer James Carothers has been efficiently, politely, reliably and very quietly handling the business end of the county government since defeating Debbie Shuster King in the 2003 local elections. He's run unopposed in every subsequent election. That's understandable, as Carothers is uncommonly good at his job.

The treasurer receives and disburses all county funds, including the courthouse payroll. His office tracks every official penny as it circulates in, through and back out of the courthouse. The Treasurer also processes hunting, fishing, and dog licenses, as well as certain firearm permits.

By all rational measures, Carothers is vastly over-qualified for the task. He not only has a B.S. in Accounting from Penn State, he also wields a law degree from Dickinson. He served as the Altoona City Controller between 1998 and 2004.

Decidedly humble and low-key, Carothers is one of the most approachable county leaders, with an obvious and warmly appreciated instinct for public transparency. He is the Watchdog's go-to source for workaday fiscal information for the county, most of which he seems to have memorized to a truly scary level of precision. We're grateful for his service, and pleased to endorse him for another term as County Treasurer.



ANITA TERCHANIK, RECORDER OF DEEDS

When Anita Terchanik was elected to the most lengthily titled county row office—Register of Wills and Recorder of Deeds—in 2019, she had some pretty big shoes to fill. Her long-serving predecessor, Mary Ann Bennis, had scrimped, saved and struggled over many years to transform her once-dingy, crowded space into the most user-friendly spot in the Courthouse. Bennis somehow managed to attract, train and retain good staff members despite very low average pay, while still sprucing up the heavily visited office to a very pleasant standard.

By all accounts, Terchanik has diligently maintained those welcome customer-service standards. The office is serviced by friendly, responsive staff members working in a bright, clean, dust-free environment. She's worked continually to upgrade the office's technology. Visitors arriving to search for records are graciously escorted to one of several public terminals, with assistance readily provided for the IT-challenged. Terchanik herself is affable, accessible, and happy to share information and expertise.

Terchanik is charged with maintaining all land, mortgage and estate records in the County. The office processes something like 800 estate cases alone every year. Terchanik is also responsible for local probate and collecting inheritance taxes for the state.

Before her election she had worked for more than 25 years at Hollidaysburg's Evey-Black law firm in Hollidaysburg as a real-estate paralegal. She has an Associate Degree from Mount Aloysius College.



RAY BENTON, CORONER

Ray Benton is a registered nurse supervisor at Nason Hospital, an EMT, and a part-time police officer in Freedom Township. He is also Blair County's Chief Deputy Coroner, earning \$14.56/hr to coordinate the retrieval, processing and internment (or cremation) of hundreds of human bodies every year. He and his colleagues—per diem deputy coroners earning about \$10/hr—manage a three-shift, 24-hour rotation. As the deputies must keep full-time jobs, there are vast time gaps in those shifts. These are covered by Benton or the departing coroner herself, Patty Ross.

The grim but gravely necessary nature of the work cannot be overstated. Some calls are simply somber, but Ross, Benton and the other deputies are also expected to retrieve bodies decomposing in “horrid, mice-infested homes”, often littered with rotting garage and hypodermic needles. Fortunately, Ross has been able to find grants over the years for the hazmats suits and respirators needed to protect her team.

The Coroner's Office has been systemically underfunded for at least 40 years. Commissioners have consistently stonewalled attempts to improve conditions. For the past 25 years, it has managed to function only through the resourcefulness of Ross who, as Benton puts it, has specialized in “repairing the battleship with Band-Aids.”

Benton and Ross are the office's only full-time employees. Their full-time secretary, earning \$16,000 a year, left a weeks ago and there are no realistic prospects that she can be replaced. There is usually no money in the budget for autopsies, even when needed for evidence in suspected wrongful death cases.

Benton, who will earn \$62,900 a year as Coroner, will need all his powers of persuasion to force the Commissioners to address structural deficiencies that threaten his office's very existence. The most pressing matter is the lack of a morgue. For now, unclaimed bodies are being stored in a cooler at Forsht Livery at the 1980s-era rate of \$25/day. That option exists only because civic-minded Bill Forsht, whose family owns Altoona's Grandview Cemetery, is charitable enough to allow it. It is not a sustainable solution.

A second issue is the under-investment in office technology. Ross and Benton say the office urgently needs forensic management software to meet its obligations to supply mortality information to the state and issue death certificates to families promptly. As it stands, the coroner team is still doing almost everything on paper.

Lastly, the County will have to come up sufficient resources to train and retain deputy coroners, who are already struggling to keep up with a torrent of fentanyl overdose deaths. County-wide mortality in the first quarter of 2023 reached 150 death, compared with 325 deaths for all of 2022, an increase due almost entirely to substance abuse, says Ross.

“Ray has the training, the commitment and the personality to handle this largely thankless and undervalued task,” said Ross, who has served as County Coroner since 1998. For his part, Benton says he only agreed to run for Coroner after Ross promised him that she would “never be more than a phone call away.”

CAMPAIGN FINANCE REPORTS, MAY 1

Laura Burke (D-Commissioner)

Expenditures by Burke, facing a risk-free Democratic primary, have been charitable donations and event-related spent nothing. Her 39 donations were all less than \$250 each.



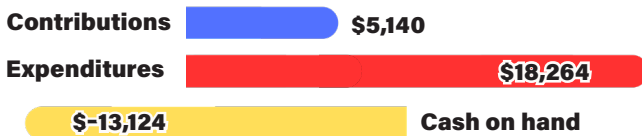
Carol Taylor (D-Commissioner)

Taylor, guaranteed victory in the Democratic primary, has spent nothing. Her 10 donations were all less than \$250 each.



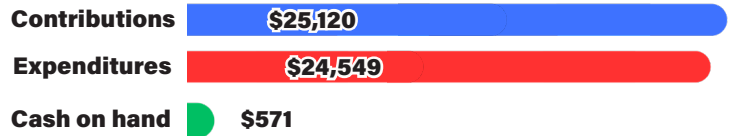
Amy Webster (R-Commissioner)

The incumbent commissioner has financed her own campaign with \$28,889.62 in loans through May 1. The largest of her nine donors is Drew Swope at \$2,000.



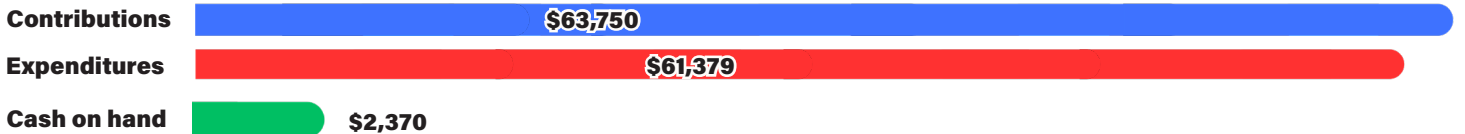
Manny Nichols (R-Commissioner)

Nichols has financed most of his own campaign, putting in \$21,695.93 in cash through May 1. He's done virtually no fundraising. The largest of his three donors were Dave Servello and Richard Latker at \$1,000 each.



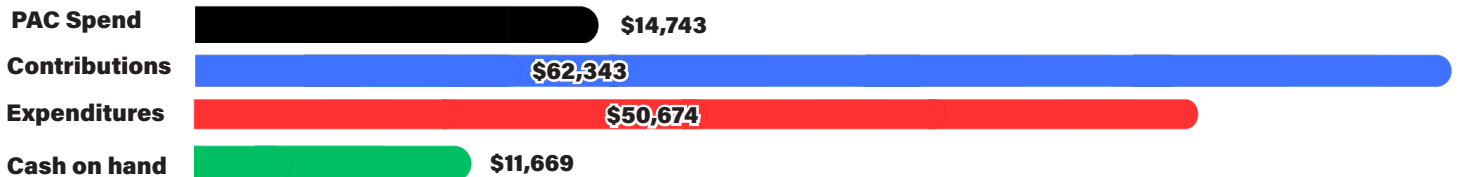
Scott Barger (R-Commissioner)

Barger and his family have largely financed the his campaign, with Barger himself tossing in \$42,075, his mother Rebecca contributing \$4,075 and his wife Beth Ann giving \$1,000. Of the 30 non-family donors, Richard Latker was the largest at \$1,025.



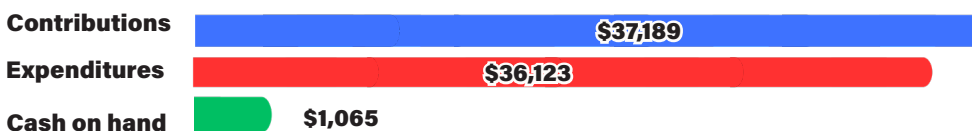
David Kessling (R-Commissioner)

Kessling is by far the largest fundraiser. His 110 local donors have contributed \$62,242.85. Judy Ward's campaign committee, Drew Swope, Michael Fiore and Clark Staplefield chipped in \$2,500 each. In addition to robust family donations, Kessling has benefited from \$14,743.28 spent on a mailer by a DC-based dark-money PAC, Resolute Republic.



John Galt Society (Local PAC)

The John Galt Society has spent primarily to unseat Amy Webster with billboards and TV ads. While it calls Kessling an "excellent candidate", it has also made a few social media ads for Scott Barger and Manny Nichols. The largest of four donors was Richard Latker at \$33,257.



HOLLIDAYSBURG BOROUGH COUNCIL RACES

WARD 3

MICHELE BAKER

Michele Baker seems to be a fine, civic-minded person willing to donate her time for the good of the community. She is also entirely ill-suited — and ill-equipped — to represent long-suffering Gaysport on Borough Council. Her contributions in her first two years in office were nearly negligible. Meeting after meeting she sat in stone-faced silence, only occasionally signaling her discomfort and confusion.

Baker worked as an assistant at Warner's Florist. She recently started as a trainee in the office of the County Prothonotary, Robin Patton.

Since early last year, Baker's performance on Council has improved from abysmal to passable. To her credit, she now understands how badly the frequent flooding in Gaysport has impacted her constituents. She now ensures that the topic stays on the Council agenda for every meeting until the issue is resolved, though she is still unwilling to speak frankly about *why* the flooding — created by years of Borough neglect as uphill developers ignored stormwater runoff rules — is happening.

Unfortunately, Baker lacks the requisite backbone to assert Gaysport's interests within a government that's been fundamentally hostile to that section of town for many years. She is no fighter for transparency, either, as she has at least tacitly supported spending thousands on legal fees to fight the Watchdog's Sunshine Act litigation, rather than demanding Borough compliance with Pennsylvania's transparency laws.

When in 2019, Mayor Joe Dodson put forth Baker as the replacement for the very able, independent, official-fraud-fighting Stephanie Wertz, he offered the Watchdog only one assurance: "she'll vote as I tell her to." Honestly, we don't think that's how it panned out. It is the Borough Manager, not the Mayor, who seems to direct Baker's official conduct, much to the detriment of Gaysport and the Borough at large. We oppose Baker's re-election.

CLAY GINGRICH

Clay Gingrich — the youthful president of the Warren A. Gingrich Insurance Agency in Altoona — is exactly the sort of person we need to restore public confidence in Borough government. He has a clear commitment to clean up local government, subject it to public scrutiny and curb the casual abuses that have come to define the administration of Borough Manager Jim Gehret.

Gingrich outshines his opponent in virtually every respect. He is skilled, clever, successful in business and brimming with energy. The owner of several core properties in the Borough, including the Capitol Hotel (Mayfield's), he has a clear stake in the Borough's prosperity.

Gingrich, who grew up in Altoona but has lived in Gaysport since 2016, says Hollidaysburg is an ideal place to live, but that deficiencies in local government must be addressed before the quality of life in the Borough starts to erode. The flooding in Gaysport, he says, is the direct consequence of local government's failure to properly balance the interests of property developers and homeowners in established neighborhoods.

"Our Borough is a truly wonderful place to live, work and raise healthy families," said Clay, noting that even after extensive world travel, he's found no place he'd rather be than Hollidaysburg. "It's pleasant, safe, friendly to small businesses and filled with character-rich residential neighborhoods."

To preserve those special qualities, says Gingrich, local government has a responsibility to defend the interests of its homeowners and small businesses. Sadly, it has often shirked that responsibility in recent years.

Gingrich is clearly the right choice for Borough Council. He won't be easily misled. We believe he understands both the practical and ethical dimensions of government, and his responsibility to apply real oversight in the interests of the citizens he represents.

WARDS 5 & 7

WILLIAM KITT, Ward 5

William Kitt, who owns numerous properties in the Borough, has lived in Hollidaysburg for 43 years. He promises to be a proponent of anti-blight and beautification efforts. Kitt envisions a non-intrusive local government that incentivizes good property stewardship while deterring neglect.

In a brief interview with the Watchdog, Kitt handled questions about transparency, public participation and accountability well. His focus on quality-of-life issues is an appropriate stance for a Council candidate. He also has a reputation for blunt criticism of government at public comment periods, which the Watchdog appreciates.

Kitt, a former teacher, served as president of the Central PA Landlord's Association for 15 years, and as a member of the Operation Our Town Steering Committee for 10 years. Running unopposed, he will replace James Mielnik, who the Watchdog believes played a key role in alleged, serious Borough Sunshine Act violations in 2021.

JEFFREY KETNER, Ward 7

Former Hollidaysburg Police Chief Jeffrey Ketner is a familiar and reliable presence on Borough Council, where he has served Ward 7 since 2016 (save for a brief spell in 2020 and part of 2021). He was also Duncansville's police chief for a few years before retiring from law enforcement in 2022. He is a Borough native with deep roots in the community. His son, Bryan, is a very well-liked police officer in Hollidaysburg.

The Watchdog has always liked Ketner, although he has frequently disappointed us. We expected him to demand a clean-up of the Fire Department after the embezzlement convictions of its corrupted leadership. It never happened. We were surprised at his apparent non-concern during the long period with no police chief. He has also failed to object to Council's continual excuses for its failure to hire 9th police offer.

Nonetheless, we remain hopeful about Ketner, who owes no one any favors. He's earned enormous popular respect in the Borough. That respect is deserved, and puts him in a unique position to defend the community interest. We hope he chooses to do so.

HOLLIDAYSBURG BOROUGH COUNCIL RACES

WARD 1

Joseph Pompa

Although the Watchdog opposes his re-election for some very compelling reasons (see below), we like many things about Joe Pompa. He is an efficient council president who runs tight, productive meetings. He applies just the right mix of tolerance and discipline during public comment periods. He has a welcome talent for herding his sometimes flighty council colleagues back into focus when necessary.

Moreover, Pompa was the only council member willing to openly address corruption and criminality in the Phoenix Volunteer Fire Department—albeit not for very long, and not to the point where he was willing to cross Borough Manager Jim Gehret. (That loyalty, in our view, is not only undeserved, but wholly incompatible with the interests of his Ward 1 constituents.) Also, the Watchdog did *not* recruit his opponent, David Jacobs, as Pompa seems to believe. We were surprised indeed that anyone was ready to take on Pompa, a firmly entrenched fixture in Borough politics for 17 years.

Nonetheless, we welcome Jacob's challenge, and oppose Pompa's re-election. We've never been happy with Pompa's deferential attitude toward Borough management. But it was his decision to back the Borough's official fiction surrounding the 2021 meetings of the "Phoenix Volunteer Fire Department Committee"—held without public notice, and at which witnesses say Gehret unlawfully instructed participants not to take notes, lest they become public records—that proved a step too far.

Pompa's affidavit of May 29, 2022 states "Any remarks made by Borough Councilman (James) Mielnik to the Borough Council on December 9, 2021 were not a report or official recommendation of any official committee of the Borough." This is pure deception, almost certainly crafted by Borough's legal council to create a plausible defense of the decision to deliberately conduct critical government business in secret, and in stark defiance of the Sunshine Act. Here's what Mielnik actually said to Council on December 9, 2021:

"We met with the fire department and their CPA on Nov. 23rd. They presented a description of their actions regarding fiscal management. We all agreed to meet on a quarterly basis ... I make the motion that we go ahead and remove the temporary hold we had on the remaining fire department funds for 2021".

"We", a witness later informed us, referred to Gehret, Borough Secretary Patti Duron, Borough Fire Marshall Amy Hazlett, and three members of Council: Brady Leahey, Mielnik and Pompa. And on the official Borough Council meeting agenda of February 10, 2022, item 11d, is written "Phoenix Volunteer Fire Department Committee Report."

Even before the Sunshine Act incident, Pompa had often voted the wrong way, sometimes squarely against the public interest, and sometimes to the point of whitewashing official misconduct and abuse of power. We choose not to forget his 2015 vote in favor of rezoning Gay-sport, followed by his approval of a fraudulent land development plan, that ultimately delivered huge profits to an outside party at the direct expense of the community he was sworn to defend.

In our view, prevarication to obscure official misconduct is a disqualifying act that cannot be cured by occasional attacks of integrity. Pompa has forfeited his right to re-election.

David Jacobs

David Jacobs worked as a deputy sheriff under former Sheriff Mitch Cooper, serving warrants, transporting inmates and minding courthouse security. He also served as a special US Marshall on the Western Pennsylvania Fugitive Task Force. He now works at the Blair County Prison as a corrections officer and as the facility's firearms and Taser instructor.

"After 18 years in law enforcement and the military, I know leadership. And 17 years is too long to sit in the same leadership position," Davids said of sitting-Borough Council President Joseph Pompa.

As Ward 1 Representative, Jacobs hopes not only to correct the staleness of the office, but also reduce friction between the police department and Council.

"I believe having Chief (Christopher) Storm helps reduce some of that friction, but Council is still stalling as it collects taxes for a police position it has never filled," Jacobs told the Watchdog. The police department has also been subjected to "obstruction, meddling and foot-dragging" for years, said Jacobs, often originating from people who know little about law enforcement.

"We've been through three police chiefs in six years. We were without a police chief entirely for nearly 18 months," Jacobs wrote in recent letter to Ward 1 voters. "I will do everything I can to give HPD Chief Christopher Storm and his team the support they need and deserve."

Jacobs is also critical of the way Hollidaysburg's comprehensive zoning and land use plan has been drafted, saying it has been shepherded by a committee that's insufficiently representative of the community.

"The credibility of the process has been impaired," he wrote. "The committee (overseeing) the plan fails to include anyone representing small businesses, homeowners, community groups or churches."

Thankfully, Jacobs is sympathetic with long-standing complaints from the Watchdog about local government transparency.

"The public has an absolute right to scrutinize the activities of their government and hold officials accountable for what they do," he wrote. "(The Borough) is spending thousands of dollars in legal fees to resist compliance with Pennsylvania transparency laws. Abuse of executive sessions, 'quorum shorting' and other violations of the Sunshine Act will not take place under my watch."

All of this is music to our ears. Public transparency is what fundamentally distinguishes the republican system of government from the authoritarian kleptocracies that rule much of the world. The lack of transparency breeds official complacency and corruption. Likable as Pompa is, he has been undeniably complicit in the official opacity that has shrouded Borough government for years. The time has come to hold him accountable.

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knowing that it was no longer an IRS non-profit. The PVFD's 501(c)(3) status has been recently restored, according to a fire company source, after it paid thousands of dollars in back taxes and penalties.

Not including the grant money, which was channeled through a separate entity run by Rhine, Dibona's fire company was handling hundreds of thousands of dollars every year, much of it raised directly from the community, and none of which was subject to any oversight.

Until the Watchdog filed a lawsuit against the Borough in early 2022, the PVFD did not even bother to prepare its mandatory annual tax-dollar expenditure report, which the Borough is required by state law to demand and examine. The report is easy. It only requires substantiation for tax dollars, not privately raised funds. Virtually every other fire company in the state manages to complete one every year.

The Borough nonetheless continued to give the PVFD \$40,000 to \$50,000 a year for over a decade, even though not a single record exists of any expenditure information provided by the fire department between 2015 and 2022. That's in addition to PVFD money sourced from other municipalities, like Blair Township. Although some Borough Council members were aware of corruption in the PVFD as early as 2016, none was willing to speak up.

By 2020, every member of Council knew that the Borough had given more than \$500,000 to PVFD over the previous 12 years with absolutely no idea how it was spent. All that money was under the direct control of Anthony Dibona at the very same time he was stealing money from the federal government. Council nonetheless released the full allotment of funding that year — \$48,500 — to the unreformed PVFD with no strings attached. After the unnoticed November 2021 meeting, Council again released funding for 2021 on the clearly baseless assurance that the PVFD was "acting in good faith".

Giving the money to the PVFD was against the law—8 Pa.C.S. §1202 (56), to be precise, which forbids municipalities from allocating funds to emergency service agencies without receiving a complete accounting of taxpayer-funded expenditure from the previous year.

Borough Manager Gehret, in a sworn affidavit provided to the Watchdog in response to a Right-to-Know request, admitted that PVFD had failed

to submit the required expenditure reports in 2020 and 2021. He also claimed that then-PVFD President Dave Zeek had given him "bank statements" between 2015 and 2019 that sufficed as annual expenditure reports, but that he had destroyed them because they contained theoretically redactable banking details. It was a stunning admission. If Zeek really did submit the records, surely it was illegal for Gehret to destroy them (although Gehret now argues that the records were not public; the matter is now in court). Thanks to Gehret, we'll never know how the money was spent.

Dibona, a celebrated local firefighter, had an easy time wielding influence in the community and in local government, both before and after he was charged with embezzlement. He felt entitled to special treat-

ment, and he received it. For example, while state law prohibits anyone convicted under the arson code from serving as a firefighter in Pennsylvania, Dibona helped his friend Devin Kurty — who had two recent convictions under the arson code — join the PVFD. Kurty was arrested in 2014 as a suspect in a series of brush fires near Claysburg and was convicted for lighting two of them. He was a Freedom Township volunteer firefighter at the time. He also has a 2011 conviction for smuggling contraband into the Blair County Prison, where he was terminated as a corrections officer. Although state law prohibits anyone with arson-related convictions from serving as a firefighter, Kurty is still an active and frequently deployed member of the PVFD, with a rank of lieutenant.

In 2018, Dibona—already under investigation at the time—somehow managed to acquire a \$478,649 mortgage for PVFD on the Hollidaysburg fire station from First Commonwealth Bank, even though the fire company had by that time neglected to file tax returns for nearly a decade, raising questions about how the loan officer could have approved the loan. Weeks after the death of President Zeek in December 2019, PVFD checks appeared in the community bearing two signatures: Anthony Dibona and David Zeek. When one check recipient alerted First Commonwealth Bank that one of the signatories on the check had died the previous month, the bank called in its fraud investigation team.

Although his partner-in-crime Benjamin Allen Rhine attracted a sentence of 46 months for stealing from the FEMA grant program, Dibona—no doubt helped by a vaguely exculpatory article in the *Altoona Mirror* and supportive letters from local luminaries submitted to Western District Court Judge Kim R. Gibson—received a sentence of one day in federal custody, which was apparently spent in a motel.

Sadly, there was not a peep of protest from Borough Council when PVFD announced that Brandon Dibona would be the new chief, despite the glaring appearance of impropriety. Any effective municipal government would have insisted that the fire company be ripped down to the studs, thoroughly sanitized and rebuilt in plain view before another dime of taxpayer money was spent. Instead, Brandon Dibona's PVFD continued to demand and receive business-as-usual payments.

The Borough's utter failure to set the Fire Department to rights has been effectively enabled by three critical players. The first is Councilman Leahey, who is the brother-in-law of long-time PVFD Assistant Chief and now-PVFD Treasurer Eric Schmitt, long seen as a Dibona confidant. Rather than recuse himself from the issue, Leahey has instead played a key role in downplaying the severity of the corruption at PVFD, while ensuring the continuous

flow of taxpayer money without a commensurate demand for transparency and leadership restructuring.

The second culpable party is Borough Solicitor Nathan Karn, who either did not know, or did not care, that funding of the Fire Department without detailed annual expenditure reports was illegal.

But fault also lies with our area's principal daily newspaper, the *Altoona Mirror*, which had an unmitigated obligation to probe and report on the PVFD once its corruption became impossible to ignore. Nothing was forthcoming. What coverage did appear was disinformative and misleading; a long, largely laudatory piece on Dibona published a few days before his sentencing quoted only his supporters, who trivialized his thievery and misconduct as an "error of judgment".



If it seems unfair ...

... it probably is.

Don't Tolerate Corruption. Report It.

 **HOLLIDAYSBURG COMMUNITY WATCHDOG** | **814-696-2606**