

WINNE, DOOLEY & BOLE, P.C.

A PROFESSIONAL CORPORATION

240 FRISCH COURT

SUITE 102

PARAMUS, NJ 07652

Telephone: (201) 368-8889

Telefax: (201) 368-8883

E-Mail: wdblaw@optimum.net

DAVID B. BOLE*

* NJ & NY BARS

GEORGE WINNE (1937-1969)

JAMES J. DOOLEY (1952-2002)

December 11, 2015

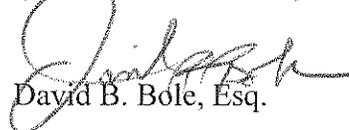
Jacqueline Scalia, RMC
Borough Clerk
Glen Rock Municipal Building
1 Harding Plaza
Glen Rock, New Jersey 07452

Re: Qualification Statement for Borough Attorney

Dear Ms. Scalia:

Herewith Response to Request for Qualifications for Borough Attorney.

WINNE, DOOLEY & BOLE, P.C.



David B. Bole, Esq.

DBB:lk

RESPONSE TO REQUEST FOR QUALIFICATIONS FOR THE PROVISION OF
PROFESSIONAL SERVICES FOR BOROUGH ATTORNEY

David B. Bole, Esq.
Winne, Dooley & Bole, P.C.

Section 3.2 – Administrative Information Requirements.

The following information is submitted in respect to the administrative information requirements of the Request for Qualifications. The information hereafter set forth corresponds to the paragraph numbers of the RFQ.

1. Executive Summary.

Respondent, David B. Bole of Winne, Dooley & Bole, P.C., a professional corporation, is an attorney with over 35 years of experience in the field of local government law. Specifically, Mr. Bole and his firm has been engaged principally in representing municipalities as municipal attorney. His duties have included representation of Governing Body in all facets of municipal law, including preparation of resolutions, ordinances, contracts, defense of general litigation and tax appeal litigation and consultation with Mayor and Governing Body members on a variety of legal issues. Mr. Bole has served as Borough Attorney for several Bergen County Municipalities since in or about 1990 and his firm has served in such capacity prior thereto. Mr. Bole was formerly Planning Board Attorney for the Borough of Glen Rock for approximately 24 years and is he is generally familiar with the issues in which the Borough is currently involved. Mr. Bole's firm has its office conveniently located within the Borough of Paramus, in close proximity to the Borough. Mr. Bole is currently Co-Chair of the Municipal Law Committee of the Bergen County Bar Association. He has been attorney of record for several reported and unreported Superior and Appellate Court decisions involving Local Government Law and Tax Appeal Litigation.

2. Executed Letter of Qualification – see attached.

3. Executed Letter of Intent – see attached.

4. Winne, Dooley & Bole, P.C., 240 Frisch Court, Paramus, Suite 102, Paramus, NJ 07652; telephone (201) 368-8889; contact person – David B. Bole.

5. The business organization is a professional corporation pursuant to New Jersey law. Ownership is in its principal, David B. Bole, who owns 100% stock ownership. The law firm consists of a partner, paralegal and staff.

(a) David B. Bole, 240 Frisch Court, Suite 102, Paramus, NJ 07652, Principal of Winne, Dooley & Bole, P.C.

(b) There are no other stockholders having an ownership interest of 10% or more in the firm.

(c) The firm is not partially owned or a fully owned subsidiary of another firm.

(d) The organization is not a partnership or a joint venture.

6. Respondent is in compliance with all applicable affirmative action requirements with respect to its business activities. Respondent has filed all required documentation with the appropriate public entities which it represents.

7. The Organization has been in business under its current name since 1979.

8. The Business Organization has been under the current management since 1990. David B. Bole, President and Christine Cavaliere-Bole, Secretary, Treasurer.

9. None.

10. None.

11. David B. Bole is licensed in all New Jersey trial, Appellate and State Supreme Court. Mr. Bole is also licensed in the United States District Court for the District of New Jersey, as well as the United States Supreme Court.

12. A copy of the New Jersey Business Registration Certificate is attached.

Section 3.3 – Professional Information Requirements.

13(a). David B. Bole of Winne, Dooley & Bole, P.C. has been engaged in the practice of Local Government and Municipal Law for approximately 35 years. Mr. Bole is Municipal Attorney to several Bergen County Municipalities, as well as Special Counsel in the field of tax appeals. Mr. Bole and his firm were formerly Planning Board Attorney to the Borough of Glen Rock for approximately 24 years. Mr. Bole is fully familiar with the duties and responsibilities of Municipal Attorney. He has provided such services including, but not limited to, preparation of Ordinances, Resolutions, public contract bids and specifications as well as public contracts. He has also represented his clients in various forms of litigation including prerogative writ matters, OPRA contests, contractual disputes and tax appeal litigation before the County Tax Board and New Jersey State Tax Court.

(b) References on Mr. Bole and the firm's experience and qualifications include the following:

Nicholas Saros, Municipal Manager, Borough of Teterboro, Teterboro, New Jersey; telephone (201) 288-1200.

William Jones, Borough Administrator, C/o Borough of Ho-Ho-Kus, New Jersey; telephone: 201-652-4400 ext 231.

Rick DelGuercio, CTA, C/o Appraisal Systems, Inc., 266 Harristown Rd #302, Glen Rock, NJ 07452; telephone: 201-493-8530.

14. The experience of Mr. Bole in representing Municipalities and his knowledge of local Government Law is relevant to the Borough. Mr. Bole is fully familiar with the practices and procedures required to be complied with by the Borough. He is fully familiar with the law and matters that arise from time to time including OPRA issues, COAH matters, tax appeal litigation and all other local Government matters that a Borough is likely to be involved with.

15. Respondent anticipates it will perform all services directly.

16. Respondent does not anticipate subcontracting any such services.

17. Respondent employs non-union employees.

18. See attached resume of David B. Bole.

19. Respondent believes that the Borough is seeking a Borough Attorney to handle all facets of local government law and municipal law for and on behalf of the Borough, which person has a proven record of experience and competence in the field. Respondent further believes that the Borough seeks to hire an attorney who is familiar with Borough practices and procedures in dealing with tax appeal litigation and COAH compliance and who can work closely with the Borough Officers and employees who may participate in such services and decisions. Furthermore, Respondent believes that the Borough seeks an individual who will perform such services in an efficient and cost effective manner consistent with Borough standard rates.

20. Respondent has no immediate relatives as so defined who are Borough employees or elected officials of the Borough.

21. Pursuant to Section 6, COST PROPOSAL, Respondent proposes a rate of \$125/hr for general work and \$150/hr for litigation matters. Respondent would also propose an annual retainer to cover attendance at Work Sessions and Public Meetings.

WINNE, DOOLEY & BOLE, P.C.

A PROFESSIONAL CORPORATION

240 FRISCH COURT

SUITE 102

PARAMUS, NJ 07652

Telephone: (201) 368-8889

Telefax: (201) 368-8883

E-Mail: wdblaw@optimum.net

DAVID B. BOLE*

* NJ & NY BARS

GEORGE WINNE (1937-1969)

JAMES J. DOOLEY (1952-2002)

**APPENDIX A
LETTER OF QUALIFICATION**

December 11, 2015

Jacqueline Scalia
Borough Clerk
Borough of Glen Rock
1 Harding Plaza
Glen Rock, NJ 07452

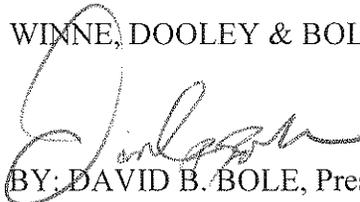
Re: LETTER OF QUALIFICATION

Dear Ms. Scalia:

The undersigned has reviewed our Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the Borough of Glen Rock ("Borough") in connection with the Borough's need for professional services.

I affirm that the contents of my Qualification Statement (which Qualification Statement is incorporated herein by reference) is accurate, factual and complete to the best of my knowledge and belief and that the Qualification Statement is submitted in good faith upon express understanding that any false statement may result in the disqualification of Winne, Dooley & Bole, P.C.

WINNE, DOOLEY & BOLE, P.C.


BY: DAVID B. BOLE, President

WINNE, DOOLEY & BOLE, P.C.

A PROFESSIONAL CORPORATION
240 FRISCH COURT
SUITE 102

PARAMUS, NJ 07652

Telephone: (201) 368-8889

Telefax: (201) 368-8883

E-Mail: wdblawn@optimum.net

DAVID B. BOLE*

* NJ & NY BARS

GEORGE WINNE (1937-1969)

JAMES J. DOOLEY (1952-2002)

APPENDIX B

LETTER OF INTENT

December 11, 2015

Jacqueline Scalia
Borough Clerk
Borough of Glen Rock
1 Harding Plaza
Glen Rock, NJ 07607

RE: LETTER OF INTENT

Dear Ms. Scalia:

The undersigned, as Respondent, has submitted the attached Qualification Statement in response to a Request for Qualifications (RFQ), issued by the Borough of Glen Rock ("Borough"), dated November 24, 2015, in connection with the Borough's need for professional services.

David B. Bole of Winne, Dooley and Bole, P.C. HEREBY STATES:

1. The Qualification Statement contains accurate, factual and complete information.
2. Respondent agrees to participate in good faith in the procurement process as described in the RFQ and to adhere to the Borough's procurement schedule.
3. Respondent acknowledges that all costs incurred by it in connection with the preparation and submission of the Qualification Statement and any other documents prepared and submitted in response to the RFQ, or any negotiation which results therefrom shall be borne exclusively by Respondent.

4. Respondent hereby declares that the only persons anticipated by respondent to perform the professional services for which the Qualification Statement is submitted are named herein and that no person other than those herein mentioned has any participation in the Qualification Statement or in any contract to be entered into with respect thereto. Additional persons may subsequently perform professional services or extraordinary services for which the Qualification Statement is submitted, but only if acceptable to the Borough. Respondent declares that the Qualification Statement is made without connection with any other person, firm or parties who has submitted a Qualification Statement, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.
5. Respondent acknowledges and agrees that the Borough may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Borough shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in the RFQ.
6. Respondent acknowledges that any contract executed with respect to the provision of professional services must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

WINNE, DOOLEY AND BOLE, P.C.


By: David B. Bole, President

Dated: December 9, 2015

DAVID B. BOLE
WINNE, DOOLEY & BOLE, P.C.
240 Frisch Court, Suite 102
Paramus, NJ 07652
(201) 368-8889 (Work)
e-mail: wdblawn@optimum.net

EDUCATION: Ohio Northern University College of Law
(1971-74)
J.D. Degree

Drew University (1969-71)
Madison, NJ
B.A., Cum Laude

London School of Economics & London Program
London, England
Autumn 1969

Gettysburg College (1968-69)
Gettysburg, PA

LEGAL
EMPLOYMENT: Winne, Dooley and Bole, P.C.
(1976-Present)
Partner/Attorney

Melli and Doyne/Melli and Wright
(1989-1990)
Partner

J. Emmett Cassidy
Hackensack, NJ
(1975-76)
Attorney

Hon. Theodore W. Trautwein, A.J.S.C.
(1974-75)
Law Secretary

MUNICIPAL LAW AND TAX APPEAL
PROFESSIONAL

EXPERIENCE: Borough Attorney: Borough of Ho-Ho-Kus
Borough of Teterboro

Formerly Borough Attorney, Borough of Allendale

Formerly Planning Board Attorney: Borough of Glen Rock

Special Tax Counsel: Borough of Paramus

Municipal Prosecutor: Borough of Teterboro

Professional experience in Corporate Law, Real Estate, Wills, Estates and Trusts.

MEMBERSHIPS & PROFESSIONAL AFFILIATIONS:

New York State Bar

New Jersey State Bar

U.S. District Court for District of N.J. Bar

Supreme Court of the United States

American Bar Association

New Jersey State Bar Association; Municipal Law and

Land Use Law Committees

Bergen County Bar Association

New Jersey Institute of Local Government Attorneys

Current Co-Chairman - Municipal Law Committee, Bergen County Bar Assn.

Municipal Land Use Law Committee, Bergen County Bar Assn.

Published Opinions/Unreported Opinions to be supplied upon request.

REFERENCES: As listed on response to Request for Qualifications.



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: WINNE, DOOLEY & BOLE, P.C.

Trade Name:

Address: 240 FRISCH COURT SUITE 301
PARAMUS, NJ 07652

Certificate Number: 0599901

Effective Date: November 20, 1992

Date of Issuance: May 04, 2010

For Office Use Only:

20100504163325337

Certification

CERTIFICATE OF EMPLOYEE INFORMATION REPORT #099

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to **RENEWAL** N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of

15-NOV-2012 to **15-NOV-2019**

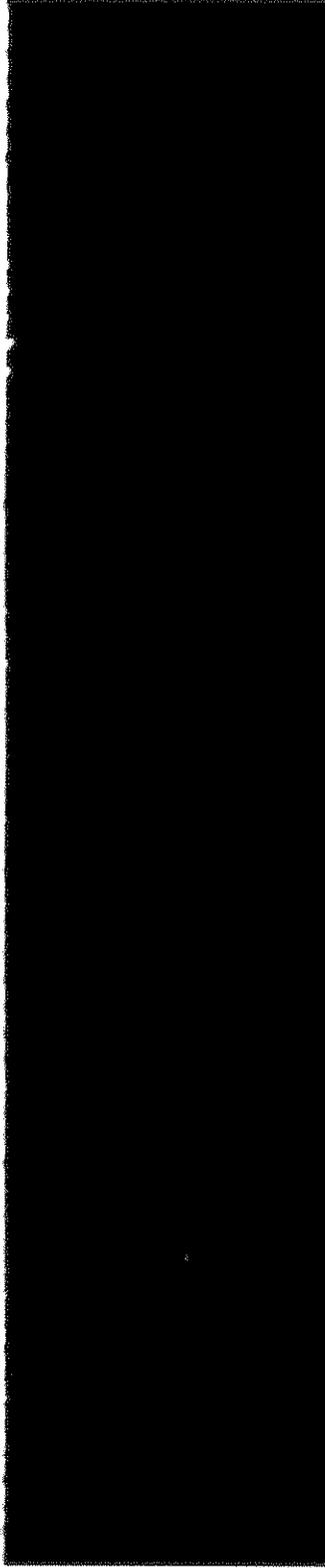


**WINNE DOOLEY & BOLE, P.C.
240 FRISCH COURT, ST 102
PARAMUS NJ 07652**



A handwritten signature in black ink, appearing to read 'Andrew P. Sidamon-Eristoff'.

Andrew P. Sidamon-Eristoff
State Treasurer



BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
 Required Pursuant To N.J.S.A. 19:44A-20.8
BOROUGH OF GLEN ROCK

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that _____ has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 1, 2011 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the *Borough of Maywood* as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Mayor Bruce J. Packer	Council Member Kristine Morieko
Council Member Michael O'Hagan	Bergen County Republican Organization
Council Member Arthur Pazan	Glen Rock Republican Organization
Council Member Mary Jane Surrago	Bergen County Democratic Organization
Council Member Amy Martin	Glen Rock Democratic Organization
Council Member William (Skip) Huisking	

Part II – Ownership Disclosure Certification

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership
 Corporation
 Sole Proprietorship
 Subchapter S Corporation
 Limited Partnership
 Limited Liability Corporation
 Limited Liability Partnership

Name of Stock or Shareholder	Home Address
David B. Bole	204 Pond Terrace, Washington Township, NJ 07676

Part 3 – Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Winnie Dooley & Bole, P.C.
 Signed: [Signature] Title: President
 Print Name: David B. Bole Date: 12/11/15

Subscribed and sworn before me this 11th day of December, 2015
 My Commission expires: _____
Lindsay Kover
 (Affiant)
Lindsay Kover
 (Print name & title of affiant) (Corporate Seal)

BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
BOROUGH OF GLEN ROCK

The following is statutory text related to the terms and citations used in the Business Entity Disclosure Certification form.

“Local Unit Pay-To-Play Law” (P.L. 2004, c.19, as amended by P.L. 2005, c.51)

19:44A-20.6 Certain contributions deemed as contributions by business entity.

5. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

19:44A-20.7 Definitions relative to certain campaign contributions.

6. As used in sections 2 through 12 of this act:

“business entity” means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

“interest” means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate;

Temporary and Executing

12. Nothing contained in this act shall be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during the one-year period immediately preceding the effective date of this act.

~~~~~

**The New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.)**

**19:44A-3 Definitions.** In pertinent part...

p. The term "political party committee" means the State committee of a political party, as organized pursuant to R.S.19:5-4, any county committee of a political party, as organized pursuant to R.S.19:5-3, or any municipal committee of a political party, as organized pursuant to R.S.19:5-2.

q. The term "candidate committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) for the purpose of receiving contributions and making expenditures.

r. the term "joint candidates committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) by at least two candidates for the same elective public offices in the same election in a legislative district, county, municipality or school district, but not more candidates than the total number of the same elective public offices to be filled in that election, for the purpose of receiving contributions and making expenditures. For the purpose of this subsection: ...; the offices of member of the board of chosen freeholders and county executive shall be deemed to be the same elective public offices in a county; and the offices of mayor and member of the municipal governing body shall be deemed to be the same elective public offices in a municipality.

**19:44A-8 and 16 Contributions, expenditures, reports, requirements.**

*While the provisions of this section are too extensive to reprint here, the following is deemed to be the pertinent part affecting amounts of contributions:*

“The \$300 limit established in this subsection shall remain as stated in this subsection without further adjustment by the commission in the manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2)

## C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

### Contractor Instructions

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a "fair and open" process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee\*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
  - of the public entity awarding the contract
  - of that county in which that public entity is located
  - of another public entity within that county
  - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an "interest" ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, "a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity." [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor's responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor's submission and is disclosable to the public under the Open Public Records Act.

The contractor must also complete the attached Stockholder Disclosure Certification. This will assist the agency in meeting its obligations under the law. **NOTE: This section does not apply to Board of Education contracts.**

\* N.J.S.A. 19:44A-3(s): "The term "legislative leadership committee" means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly or the Minority Leader of the General Assembly pursuant to section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures."





**List of Agencies with Elected Officials Required for Political Contribution Disclosure**  
**N.J.S.A. 19:44A-20.26**

**County Name: Bergen**

State: Governor, and Legislative Leadership Committees

Legislative District #: 38

State Senator and two members of the General Assembly per district.

County: Bergen

Freeholders

County Clerk

Sheriff

County Executive

Surrogate

Municipalities- Glen Rock (Mayor and members of governing body, regardless of title):

STOCKHOLDER DISCLOSURE CERTIFICATION

Name of Business:

- I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.
- OR**
- I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

- Partnership  Corporation  Sole Proprietorship
- Limited Partnership  Limited Liability Corporation  Limited Liability Partnership
- Subchapter S Corporation

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

*David B. Bole, Pres.*

|                                                                                  |               |
|----------------------------------------------------------------------------------|---------------|
| Name: <u>David B. Bole</u>                                                       | Name:         |
| Home Address:<br><u>204 Pond Terrace</u><br><u>Washington Township, NJ 07067</u> | Home Address: |
| Name:                                                                            | Name:         |
| Home Address:                                                                    | Home Address: |
| Name:                                                                            | Name:         |
| Home Address:                                                                    | Home Address: |

|                                                                             |                                                         |
|-----------------------------------------------------------------------------|---------------------------------------------------------|
| Subscribed and sworn before me this <u>11</u> day of <u>December 2015</u> . | <u>Lindsay Kover</u><br>(Affiant)                       |
| (Notary Public)                                                             | <u>Lindsay Kover</u><br>(Print name & title of affiant) |
| My Commission expires:                                                      | (Corporate Seal)                                        |

LINDSAY KOVER  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 8/8/2019