

Wiss & Bouregy, P.C.

Counsellors at Law

Raymond R. Wiss*

Certified Civil Trial Attorney

Thomas K. Bouregy, Jr.

Timothy J. Wiss*

**Also Member New York Bar*

NEW JERSEY OFFICE

345 KINDERKAMACK ROAD
WESTWOOD, NEW JERSEY 07675
PHONE NO. (201) 497-6680
FAX NO. (201) 497-6677

NEW YORK OFFICE

815 ROUTE 211 EAST
MIDDLETOWN, NY 10941
PHONE NO. (845) 638-1415
E-MAIL. WISSBOUREGY@WISS-LAW.COM

December 5, 2019

VIA UPS OVERNIGHT

Mr. Hector Olmo
Borough Administrator
Borough of Wallington
24 Union Boulevard
Wallington, NJ 07057

**Re: WISS & BOUREGY, P.C.'S RESPONSE
TO THE BOROUGH OF WALLINGTON
REQUEST FOR QUALIFICATIONS**

Dear Mr. Olmo:

The undersigned, as Respondent, has submitted the attached Qualification Statement in response to a Request for Qualifications (RFQ) for the position of Labor/Employment Counsel issued by the Borough of Wallington ("Borough"), dated November 26, 2019, in connection with the Borough's need for professional services or extraordinary unspecifiable services.

More particularly, we respond to Section 3.2 (Administrative Information Requirements) of the RFQ as follows:

1. Please note the Executive Summary as **Exhibit A**.
2. Please note the executed Letter of Intent as **Exhibit B**.
3. Please note the executed Certifications document as **Exhibit C**.
4. **Name, address and telephone number of the firm:**

Mr. Hector Olmo
Borough Clerk
December 5, 2019
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Wiss & Bouregy, P.C.
345 Kinderkamack Road, Suite E
Westwood, NJ 07675

Phone: (201) 497-6680
Fax: (201) 497-6677

Key Contact: Raymond R. Wiss, Esq.

5. A description of the business organization:

Wiss & Bouregy, P.C. is an S-Corp, which is wholly owned by Raymond R. Wiss, Esq. and has been in business under the current name for 13 years.

Raymond R. Wiss, Esq. is the principal of the firm.

There are also two partners, a paralegal and legal secretary, all at the same location.

6. The number of years the business organization has been under the current management personnel.

Wiss & Bouregy, P.C.'s management has remained consistent since its inception in 2006 whereby Raymond R. Wiss, Esq has been the Principal and Managing Partner of the Firm. Furthermore, prior to forming Wiss & Bouregy, P.C., Raymond R. Wiss, Esq was Principal and Managing Partner of Wiss, Cooke & Santomauro, P.C. for 15 years.

7. Any judgments with the last three years in which Respondent has been adjudicated liable for professional malpractice.

There have been no judgments levied against Wiss & Bouregy, P.C. within the last three (3) years.

8. Whether the business organization is now or has been involved in any bankruptcy or reorganization proceedings in the last ten (10) years.

Wiss & Bouregy, P.C. has not been involved in any bankruptcy or reorganization proceedings within the last ten (10) years.

9. Please note my resume which is enclosed as Exhibit D which includes Attorney Details.

Mr. Hector Olmo
Borough Clerk
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10. A copy of my New Jersey Business Registration Certificate is enclosed as **Exhibit E.**

Professional Information Requirements

1. Description and scope of work by Respondent:

a) Over the past 5 years, there have been significant changes in the statutory and regulatory laws governing municipal and civil service employees. My extensive work with the many municipalities during this period has enabled me to become fully conversant and experienced in this changing environment, and has positioned me to fully and aggressively meet the needs of the position of Labor Counsel.

As noted above, my experience as a labor attorney includes substantial representation of municipalities in all aspects of municipal matters, including, ordinances and resolutions; labor (negotiation of agreements; numerous arbitration, grievance and disciplinary proceedings); general municipal issues; and appearances before various boards and governing bodies in varied areas of law; research and preparation of numerous trial and appellate court briefs in the State and Federal Courts.

b) Name, address and contact information of at least three (3) references:

Robert Shannon, Jr., Administrator
Township of Wyckoff
Memorial Town Hall
Wyckoff, NJ 07481-1907
Phone: 201-891-1111

Mayor John Ruocco
Borough of Hillsdale
380 Hillsdale Avenue
Hillsdale, NJ 07642
Phone: 201-666-4800

Stephen Lo Iacono, Administrator
Borough of North Arlington
214 Ridge Road
North Arlington, NJ 07031
Phone: 201-991-6060

Mayor Thomas W. Randall
Borough of Ho-Ho-Kus
333 Warren Avenue
Ho-Ho-Kus, NJ 07423-1547
Phone: 201-652-4400

Mayor Ari Bernstein
Borough of Allendale
500 West Crescent Ave.
Allendale, NJ 07401-1792
Phone: 201-818-4400

Mayor John Birkner
Borough of Westwood
101 Washington Avenue
Westwood, NJ 07675
Phone: 201-664-7100

c) Explanation of perceived relevance of the experience to the RFQ.:

As noted in the Executive Summary attached herewith, I have had significant experience over the past two decades in handling all aspects of municipal labor work including, without limitation, collective bargaining, litigation, disciplinary proceedings and grievance hearings. During this time, I have had an opportunity to represent more than 30 Bergen County municipalities, as either labor counsel or special labor counsel.

Given my background as a Certified Civil Trial Attorney (a credential not held by most labor attorneys), I am able to provide litigation avoidance advice to the Borough, as well as provide advice in the context of pending proceedings.

As a municipal employer, the Borough of Wallington faces many unique issues. Those issues may include employer/employee concerns, union and labor negotiations, instituting and implementing public policy, and implementing Resolutions and Ordinances within the limits of the laws of the State of New Jersey. With my experience in municipal matters, I have knowledge of all of these issues and have always sought to guide my municipal clients in a way that effectively utilizes the most current and applicable laws, responds to the needs of the municipality, its officials and representatives, and provide the municipality with a thorough and thoughtful assessment of the issues at hand.

2. Describe the services that Respondent would perform directly.

Ultimately, it would be my responsibility to provide legal advice and opinions to the Borough Council, the Borough Administrator and other designated representatives, so as to fairly and legally implement the policies and directives of the Governing Body.

3. Resumes of key employees.

Please note my resume as **Exhibit D**.

4. List all immediate relatives or Principal(s) of Respondent who are Borough employees or elected officials of the Borough. For purposes of the above, "immediate relative" means a spouse, parent, stepparent, brother, sister, child, stepchild, direct-line aunt or uncle, grandparent, grandchild, and in-laws by reason of relation:

None.

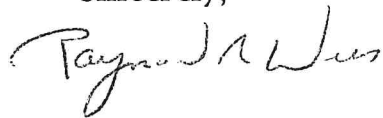
Mr. Hector Olmo
Borough Clerk
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5. **Provide a statement that the Respondent has and will maintain during the period of engagement malpractice insurance in at least \$100,000.00.**

A copy of the current certificate of insurance is enclosed as **Exhibit F**.

Thank you for considering my qualifications for the position of Labor/Employment Counsel. Should you, or any representative of the Borough, wish to discuss the above in greater detail, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Raymond R. Wiss".

Raymond R. Wiss

RRW/cb

EXHIBIT “A”

EXECUTIVE SUMMARY

Wiss & Bouregy, P.C. is a law firm located in Westwood, New Jersey which devotes a significant amount of its practice to the representation of municipal clients.

The principal of Wiss & Bouregy, P.C. is Raymond R. Wiss, Esq., who has been a member of the Bar of the State of New Jersey since 1976 and a member of the Bar of the State of New York since 1981. From 1981 through 2010, Mr. Wiss practiced law in Hackensack. In March 2010, he relocated his practice to Westwood. For the past two decades, he has been extensively involved in representing municipal clients and has, since 2000 alone, represented at least 20 municipalities as Borough/Township Attorney, Labor Counsel or Special Counsel.

Mr. Wiss successfully represented the Borough of Hillsdale in the seminal police negotiations case of Hillsdale v. PBA Local 207, 137 N.J. 71 (1994). Since that time, he has represented many Bergen County municipalities in interest arbitration proceedings before PERC, the Office of Administrative Law and in the Superior and Federal Courts.

The expertise of Mr. Wiss in public sector matters and disciplinary proceedings has been recognized in requests for his participation as a presenter or panelist in numerous forums. Most recently, he served as featured presenter for the Institute for Professional Development on public sector labor relations topics at the New Jersey Law Center. He regularly serves as an adjunct lecturer in Fairleigh Dickinson University's Executive Leadership Program for Public Safety Personnel. In January 2013, he served as feature presenter to the Bergen County Clerk's Association addressing public employer ethics issues. In June 2013, Mr. Wiss served as a panelist at a program presented by the New Jersey League of Municipalities entitled, "How to Restore Civility in Public Discourse." In 2014 and 2015, Mr. Wiss served as the featured presenter in a joint program sponsored by the New Jersey League of Municipalities and New Jersey School Boards Association on shared services between local government and Boards of Education.

Mr. Wiss holds the highest (AV) rating from Martindale Hubbell. He has also been designated by the New Jersey Supreme Court as a Certified Civil Trial Attorney in recognition of his litigation experience and advocacy.

EXECUTIVE SUMMARY CONT'D

Mr. Wiss is the former Mayor of the Borough of Old Tappan, New Jersey and served for 8 years as President of the Old Tappan Elementary Board of Education. Following his tenure as Mayor, Mr. Wiss served for 11 years as a member of the Northern Valley Regional Board of Education, including service as the Board President.

In 2010, Mr. Wiss was elected President of the New Jersey School Boards Association ("NJSBA") and served a 2-year term in such position. Thereafter, he served a two year term as Immediate Past President of NJSBA. From 2007 through 2010, he served on the NJSBA Board of Directors, as the Director from Bergen County.

Through his representation of public sector clients and through his prior service as an elected official, Mr. Wiss has developed an extended network of contacts including elected officials, Borough Administrators, Borough Clerks, Chiefs of Police, and School Officials. Such contacts have proven to be valuable resources for the clients he represents.

EXHIBIT “B”

Wiss & Bouregy, P.C.

Counsellors at Law

Raymond R. Wiss*

Certified Civil Trial Attorney

Thomas K. Bouregy, Jr.

Timothy J. Wiss*

**Also Member New York Bar*

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December 5, 2019

VIA UPS OVERNIGHT

Mr. Hector Olmo
Borough Administrator
Borough of Wallington
24 Union Boulevard
Wallington, NJ 07057

Re: LETTER OF INTENT

Dear Mr. Olmo:

The undersigned, as Respondent, has submitted the attached Qualification Statement in response to a Request for Qualifications (RFQ) issued by the Borough of Wallington ("Borough"), dated November 26, 2019, in connection with the Borough's need for professional services or extraordinary unspecifiable services.

Wiss & Bouregy, P.C. ("Respondent")* 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 the Respondent.

4. Respondent hereby declares that the only persons anticipated by Respondent to perform the professional services or extraordinary unspecifiable services for which this Qualification Statement is submitted are named herein and that no person other than those herein mentioned has any participation in this 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 this Qualification Statement is submitted, but only if acceptable to the Borough. Respondent declares that this 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 this RFQ.

6. Respondent acknowledges that any contract executed with respect to the provision of professional services or extraordinary unspecifiable 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.

Signed: Ray J. Wiss
Printed: Raymond R. Wiss
Title: President

Dated: December 5, 2019

* If a joint venture, partnership or other formal organization other than a natural person is submitting a Qualification Statement, this Letter of Qualification must be signed by an individual with the legal authority to bind the organization.

EXHIBIT “C”

APPENDIX B
CERTIFICATIONS

In addition to responding to the foregoing items, the undersigned Respondent certifies that:

A. The firm's participation in the matters contemplated by this RFQ will not create any conflict of interest for the firm or any of its officers or employees.

B. The firm is an equal opportunity employer and does not discriminate against applicants or employees on the basis of race, color, religion, sex, age, disability, national origin, or ancestry.

C. The firm is not currently in violation of or under any investigation or review for a violation of any state or federal law or regulation that might have a material adverse impact on the firm's ability to serve if selected.

D. The firm understands and agrees that during the time it is a member of the group of qualified firms it will not be eligible to serve as financial advisor to the Borough of Wallington, and that it does not, and will not during that time, have a financial interest in any firm providing financial advisory services to the Borough of Wallington.

Firm: Wiss + Bourey, PC

By: _____

Name Raymond A. Wiss

Title: President

December 9, 2019

EXHIBIT “D”

RAYMOND ROBERT WISS

23 Windsor Place
Old Tappan, New Jersey 07675

Certified by the Supreme Court of New Jersey
as a Civil Trial Attorney

Admitted to practice before the Courts of the State of New Jersey and the United States District Court for the District of New Jersey (1976), the Courts of the State of New York (1981), the United States Court of Appeals for the Third Circuit and United States District Courts for the Southern and Eastern Districts of New York (1982), and the Supreme Court of the United States of America (1987).

LEGAL Member (2010 - present)

Wiss & Bouregy, P.C.
345 Kinderkamack Road
Westwood, New Jersey 07675

- and -

Wiss & Bouregy, P.C.
815 Route 211 East
Middletown, NY 10941

Experience includes trial litigation, appellate argument, motions, and appearances before the Supreme Court of New Jersey, the Superior Court of New Jersey, Appellate, Chancery, and Law Divisions, the Supreme Court of the State of New York, the United States Court of Appeals for the Third Circuit, the United States District Courts for the District of New Jersey and the Southern and Eastern Districts of New York.

Experience also includes substantial representation of municipalities, governmental entities and private parties in multiple areas, including commercial litigation and litigation relating to Federal and New Jersey state law claims of

discriminatory and retaliatory employment practices; labor (negotiation of agreements; numerous arbitration, grievance and disciplinary proceedings); land use; cell towers and general municipal issues; and appearances before various boards and governing bodies in varied areas of law; research and preparation of numerous trial and appellate court briefs in the State and Federal Courts.

Member (2006 - 2010)

Wiss & Bouregy, P.C.
Three University Plaza, Suite 207
Hackensack, New Jersey 07601

- and -

Wiss & Bouregy, P.C.
30 North William Street
Pearl River, New York 10965

Partner (1991-2006)

Wiss, Cooke & Santomauro, P.C.
Three University Plaza, Suite 207
Hackensack, New Jersey 07601

-and-

Wiss, Cooke & Santomauro, P.C.
30 North William Street
Pearl River, New York 10965

Partner (1981 - 1991)

Winne, Banta, Rizzi,
Hetherington & Basralian, P.C.
25 Main Street
Hackensack, New Jersey 07602

- and -

Winne, Banta, Rizzi,
Hetherington & Basralian, P.C.
2 Veterans Parkway
Pearl River, New York 10965

Associate (1977 - 1981)

Brigadier & Margulies
921 Bergen Avenue
Jersey City, New Jersey 07306

Law Secretary (1976 - 1977)

Honorable William J. Arnold, J.S.C.
Bergen County Justice Center
Hackensack, New Jersey 07601

PROFESSIONAL AND RELATED

REPRESENTATIVE MUNICIPAL CLIENTS

Borough Attorney

Borough of Allendale (2015-Present)
Borough of Oradell (1999 - 2007)
Borough of Hillsdale (1985 – 1986)

Labor Counsel

Borough of Allendale
Borough of Edgewater
Borough of Elmwood Park
Borough of Englewood Cliffs
Borough of Glen Rock
City of Hackensack
Borough of Haledon
Borough of Harrington Park
Borough of Haworth
Borough of Hillsdale
Borough of Ho-Ho-Kus
Township of Mahwah

Borough of Midland Park
Borough of New Milford
Borough of North Arlington
Borough of Oradell
Borough of Paramus
Borough of Park Ridge
Borough of Ridgefield
Township of Saddle Brook
Borough of Upper Saddle River
Borough of Westwood
Township of Wyckoff

Special Counsel

Borough of Bogota
Borough of Dumont
Borough of Hasbrouck Heights
Borough of Montvale
Borough of Ridgefield
Township of Rochelle Park
Borough of Saddle River
Borough of Tenafly

Related Professional

Instructor, Fairleigh Dickinson University Executive Leadership Program
for Law Enforcement Professionals, 2012 – Present.

Featured presenter, Association of Municipal Assessors of New Jersey
("AMANJ") Conference, June 2017.

Featured presenter, New Jersey League of Municipalities Conference
(Program on Municipal/School Shared Services), November 2014 and
November 2015.

Featured presenter, New Jersey School Boards Association Workshop
(Program on Municipal/School Shared Services), October 2014

Attorney for Zoning Board of Adjustment, Borough of Hillsdale, 1984 - 1985.

Municipal Prosecutor, Borough of Harrington Park, 1981 - 1984.

Other Related

Immediate Past President New Jersey School Boards Association, May 2012 – November 2014.

President New Jersey School Boards Association, May 2010 – May 2012.

Director (for Bergen County), New Jersey School Boards Association, 2006 – 2013.

Member, Bergen County School Boards Association Executive Committee, May 2003 – 2013.

Member, Northern Valley Regional High School Board of Education, June 2001 – 2013.

President, Northern Valley Regional High School Board of Education, April 2003 – April 2005.

Mayor, Borough of Old Tappan, January 1996 – January 2000.

President, Old Tappan Board of Education, November 1988 - December 1995; Member, Old Tappan Board of Education, April 1988 - December 1995.

Member, Borough of Hillsdale Planning Board, 1981 - 1983.

Member, Panel of Arbitrators, American Arbitration Association, 1980 - Present.

Member, Bergen County Bar Association, Civil Practice Committee, 1983 - 1990.

Legislative Aide, New Jersey General Assembly, 1976 - 1978.

Group Leader, New Jersey School Boards Association, New Board Member Orientation; Advanced Boardsmanship; and Leadership Training, 1989 - Present.

Lecturer, The World of Expert Witnesses, New Jersey State Bar Association, Young Lawyers Division, 1986.

Lecturer, Appellate Practice, New Jersey State Bar Association, Young Lawyers Division, 1980.

EDUCATION

J.D., cum laude; June, 1976

Seton Hall University
School of Law
Newark, New Jersey 07102

ACADEMIC HONORS:

Graduation cum laude; Recipient of the 1976 New Jersey Realty Title Insurance Company Award in Land Finance Law.

B.A. (Political Science); June, 1973
Rutgers, The State University
New Brunswick, New Jersey 08930

ACADEMIC HONORS:

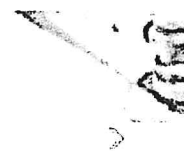
Henry Rutgers Scholar: Thesis on New Jersey Legislative Effectiveness, 1972 - 1973; Dean's List.

ASSOCIATIONS

Member: American Bar Association; New Jersey State Bar Association; New York State Bar Association; Bergen County Bar Association; Association of Trial Lawyers of America; Trial Lawyers of New Jersey.



Attorney Search



ATTORNEY DETAIL

Attorney Name	RAYMOND R WISS
NJ Attorney ID	021361976
Bar Admission Date ⓘ	12/09/1976
Employer City	WESTWOOD
Employer State	NJ
Employer County	BERGEN
Employer Phone	(201) 497-6680
Good Standing Status ⓘ	ACTIVE

Certification Information ⓘ

Area Of Certification	County Of Practice
CIVIL	BERGEN
CIVIL	PASSAIC
CIVIL	UNION

EXHIBIT “E”

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 252
TRENTON, N.J. 08646-0252

TAXPAYER NAME:

WISS & BOUREGY, PC

ADDRESS:

345 KINDERKAMACK ROAD
WESTWOOD NJ 07675

EFFECTIVE DATE:

05/04/06

TRADE NAME:

SEQUENCE NUMBER:

1233855

ISSUANCE DATE:

01/26/11

Director
New Jersey Division of Revenue

FORM-BRC

(04-08)-D203846V

This Certificate is NOT assignable or transferable. It must be conspicuously displayed above address.

EXHIBIT “F”

Declarations

Professional Liability Insurance Policy Lawyers

THIS IS A CLAIMS-MADE POLICY. PLEASE REVIEW THE POLICY CAREFULLY.

THE POLICY IS LIMITED TO LIABILITY FOR ONLY THOSE CLAIMS THAT ARE FIRST MADE AGAINST THE INSURED AND REPORTED TO THE COMPANY DURING THE POLICY PERIOD UNLESS AND TO THE EXTENT THAT AN EXTENDED REPORTING PERIOD OPTION APPLIES.

CLAIM EXPENSES WITHIN LIMIT OF LIABILITY

IF ITEM 4.A OF THIS DECLARATIONS APPLIES, UP TO FIFTY PERCENT (50%) OF THE CLAIM EXPENSES ARE PART OF, AND NOT IN ADDITION TO, THE LIMIT OF LIABILITY.

Insured by the Stock Company below and hereinafter called the Company.



**Fireman's
Fund®**

Protecting your future since 1853

National Surety Corporation
One of the Fireman's Fund Insurance Companies®
33 W. Monroe Street
Chicago, Illinois 60603

Home Office and Administrative Offices:
777 San Marin Drive
Novato, California 94998-2000
800-227-1700

POLICY NUMBER: LNO - 8000115

Item 1. Named Insured and Address (number, Street, Town or City, County, State, Zip Code)	Producer Name MINICO INSURANCE AGENCY, LLC		
Wiss & Bouregy, P.C. Counsellors at Law 345 Kinderkamack Road Westwood NJ 07675 And Those Individuals Listed in the Insured Supplement.	Item 2. Policy Period		
	From (Mo.-Day-Yr.) 03/01/2019	TO (Mo.-Day-Yr.) 03/01/2020	12:01 A.M. Standard Time at the address of the Named Insured as stated herein.
	Item 3. Form of Named Insured's Business		
Insured is ☐ Individual ☐ Partnership ☐ Corporation ☒ Other: P.C.			

Item 4. Limit of Liability

\$ 1,000,000 Each Claim

\$ 1,000,000 Aggregate

CLAIM EXPENSES

- ☒ a. Up to fifty percent (50%) of the claim expenses are included within the limits of liability.
☐ b. Claim expenses are in addition to the limits of liability.

Item 5. Deductible

\$ 5,000 Each Claim

The deductible amount specified above applies only to damages.