

RESOLUTION NO. 2024- 316

A RESOLUTION GRANTING PERMISSION TO THE VINELAND POLICE DEPARTMENT TO CONDUCT A PUBLIC DISPLAY OF FIREWORKS ON AUGUST 6, 2024, BETWEEN 9:00 P.M. AND 11:00 P.M., AT THE VINELAND HIGH SCHOOL COMPLEX, CHESTNUT AVENUE AND BREWSTER ROAD.

WHEREAS, the Vineland Police Department has scheduled on August 6, 2024, the National Night Out Festivities for the Citizens of Vineland; and

WHEREAS, the Police Department desires to conduct a public display of fireworks in conjunction with said event; and

WHEREAS, under the provisions of the New Jersey Statutes, specifically Section 21:3-3 and 4, the approval of the governing body is necessary as a prerequisite of such display; and

WHEREAS, the Police Department has complied with all of the requirements as set forth in said Statute; and

WHEREAS, the fireworks are to be stored on site prior to said display at the Vineland High School Complex, Chestnut Avenue and Brewster Road, Vineland, New Jersey; and

WHEREAS, Serpico Pyrotecnics, LLC/Starfire Corporation, Toms River, NJ, is to operate said display and is found to be a competent operator; and

WHEREAS, the said display has been approved by the Chiefs of the Police and Fire Departments of the City of Vineland; and

WHEREAS, such display is of such a character, and is so located and will be discharged and fired in such a manner as not to be hazardous or endanger any person or persons; and

WHEREAS, an application in writing has been filed setting forth the details of said display;

NOW, THEREFORE, BE IT RESOLVED that permission is hereby given to the Police Department to conduct the aforesaid public display of fireworks at the Vineland High School Complex, Chestnut Avenue and Brewster Road, on August 6, 2024, pursuant to N.J.S.A. 21:3-5.

BE IT FURTHER RESOLVED that, pursuant to the requirements of Section 21:3-6 of the Revised Statutes, a copy of the application, of the permit, and of this Resolution shall be forwarded to the Bureau of Explosives of the Department of Labor of the State of New Jersey.

Adopted: July 23, 2024

President of Council

eea

ATTEST:

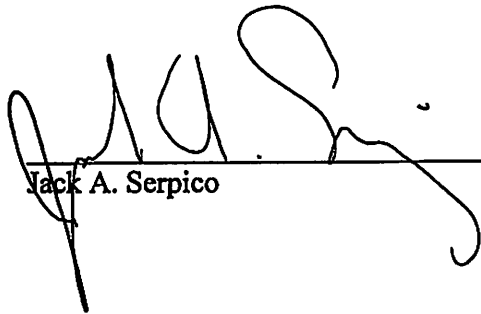
City Clerk

kp

Serpico Pyrotechnics, LLC./Starfire Corporation, Pyrotechnics Disposal Plan for the Vineland Police Department Fireworks Display, August 6, 2024.

Please be advised that personnel from the company will dispose of any pyrotechnic devices found pursuant to the inspection required by section 3308.9 of the International Fire Code, 2006, New Jersey Edition as follows:
No misfired or “duds” will be handled for at least 15 minutes from the time the devices) were fired. Thereafter the devices will be returned to the Serpico/Starfire facility located at 775 North Orchard Road, Vineland, New Jersey, in accordance with the manufacturer’s specifications for misfired shells and the applicable DOT transportation requirements for Class 1.3G Explosives.
Once returned to Serpico/Starfire facility the devices will be disposed of in accordance with the recommendations of the manufacturer and the ATF.

Submitted by Jack Serpico, on behalf of Serpico Pyrotechnics, LLC and Starfire Corporation, June 7, 2024.



Jack A. Serpico

DISPLAY CONTRACT

The City of Vineland Police Department, hereinafter referred to as the "sponsor", hereby agrees to purchase a firework display from Serpico Pyrotechnics, LLC/Starfire Corporation, Joint Venture hereinafter referred to as the "company" on the terms and conditions set forth hereinafter.

1. Purchase Price. The sponsor will pay to the company (all checks made payable to Serpico Pyrotechnics, LLC) the sum of Five Thousand Dollars (\$5,000.00) for the display, said sum to be paid as follows:

a. The Purchase Price plus costs shall be paid to the company within 30 days after the display.

b. In the event the balance of the purchase price is not paid within 30 days after the display date, all sums owed by the sponsor for the display will bear interest at the rate of 1.5% per month until paid in full. In addition to the foregoing, the sponsor shall pay all of the costs of collection of any amount due hereunder incurred by the company, including reasonable attorney's fees and court costs. The aforementioned interest charge and collection costs including attorney's fees shall apply to any sum due pursuant to the terms of this contract if not paid within 30 days of its due date.

2. Display Date. The date of the display will be August 6, 2024. In the event the display is cancelled due to inclement weather or site conditions, it shall be postponed to _____. If the display is cancelled due to the conditions herein described the sponsor shall pay the company the costs incurred for labor and transportation.

3. Display Site. The sponsor shall provide an appropriate display site that meets the requirements of all applicable NFPA code sections and the applicable provisions of the New Jersey State Statutes and Department of Community Affairs Regulations. Additionally, the site must be approved by the company and the authority having jurisdiction over the display.

4. Site Security. The sponsor shall provide police and/or crowd security personnel, proper parking supervision, and ensure adequate patrol of the safety zone as marked and secured by the sponsor until the company crew chief advises that this is no longer necessary. Company personnel shall have control of the firing area during the display (although security shall continue to be the sponsor's responsibility). The sponsor will be responsible for the cleanup of any fallout debris from the display; however, company personnel will dispose the boxes brought to the site by the company.

In the event any unauthorized persons or vehicles enter the safety zone, company personnel shall have the right to terminate the display.

Immediately following the display company personnel will search the display area for any unexploded fireworks and safely dispose of any that are found. A company representative will inspect the site the morning after the display and safely dispose of any unexploded fireworks discovered during the inspection in accordance with NFPA code requirements. The company will also provide the authority having jurisdiction over the display with a post-display inspection

report within 48 hours after the display. The post-display inspection report will contain the time of the search; the results thereof; any product malfunctions and any injuries.

5. Permits. The sponsor shall be responsible for obtaining all permits and governing body resolutions required for the display

6. Postponement or Cancellation of the Display. In the event of inclement weather or excessive winds or adverse site conditions on the date of the display, the parties hereto shall confer and if they agree that the conditions require the show to be postponed, the show will be postponed.

In the event the show is postponed there will be a postponement fee charged to the sponsor in an amount equal to the costs incurred by the company for loading and unloading the display, truck and transportation expenses, labor and insurance expenses. Said fees shall be paid within 30 days of the date the show is postponed.

7. Insurance. The company shall have liability insurance in the amount of at least \$10,000,000.; worker's compensation insurance and vehicle insurance. Proof of the foregoing insurances shall be provided to the sponsor when this contract is executed by both parties. All individuals and entities listed on the certificate of insurance will be deemed an additional insured party per this Contract.

8. Personnel. The company shall provide sufficient trained personnel to set up, fire and break down the display in a workmanlike manner.

9. Miscellaneous. The company reserves the right to substitute product in the show with product equal to or greater in value at its discretion. The company shall not be responsible for events beyond its control, including the weather. In the event the display is damaged or destroyed by rain, wind or site conditions, the risk of loss shall remain with the sponsor.

In the event the display is set up and it has to be postponed to the next day due to weather, wind or site conditions, the display will not be broken down. Additionally, the sponsor shall provide security for the site until the company crew arrives the next day to fire the show.

The authorized representatives of the parties hereby agree to the aforementioned terms and conditions of this contract on the date and year set forth below.

Serpico Pyrotechnics, LLC/
Starfire Corporation

The City of Vineland Police Department

6/27/24
Date

Jack A. Serpico
Jack A. Serpico

6-26-24 OK [Signature] #7001
Date

To Whom It May Concern:

Please be advised that the following is a list of the EX-Numbers being used for the City of Vineland Police Department fireworks display to be held August 6, 2024 (r/d TBD in 2024):

2002040097

2001020097

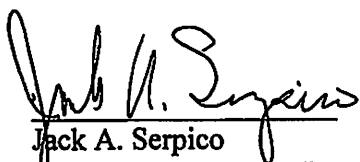
2002040090

2002040096

2002030228

Please be further advised that no Class C, consumer grade fireworks will be used in the above referenced fireworks display. The method of firing will be both manual and electrical ignition. Our crew will follow the provisions of NFPA code sections 1123, 1124 and 1126 as applicable to outdoor firework displays. A member of our crew will possess a current New Jersey Blaster's Permit for the electrically fired portion of our display. Additionally, our crew will follow the provisions set forth in the N.J.A.C. 5:70-3, Ch. 33. No flash salute or report larger than 3 inches in diameter will be used in the display. There will be no reloading of fireworks during the display and the crew will have proper personal protective equipment. The display will not be fired if the winds exceed 20 mph. HDPE (High Density Poly Ethol) plastic mortars, with wooden plugs contained in wooden racks will be used.

Any questions or further information may be requested from me at your convenience.



Jack A. Serpico
Authorized Company Representative

FIREWORKS DISPLAY FOR THE CITY OF VINELAND

August 6, 2024

Price= \$5,000.00

OPENING BARRAGE

Variegated aerial shells and cake or special effect items consisting of various colors and special effects with titanium salutes as follows:

2.5"- 10

1-Display Cake

MAIN BODY

The main portion or body of the show will consist of aerial shells ranging in size from 3.0" to 5.0" in diameter. Some of the shells will be fired as single fired shells; the others will be fired in chains or flights of 3 shells each, consisting of 3.0" diameter shells.

3.0"- 80 single shells

4.0"- 72 single shells

5.0"- 25 single shells

3.0" – 60 shells in flights of three (3) each = 20 flights

3-Display Cakes (each cake lasts 25-30 seconds)

FINALE

The Finale will consist of aerial shells ranging in size from 3.0" to 5.0" in diameter. The shell types will be assorted color; sound effects such as whistles and crackling shells; mines, comets and titanium salutes.

2.5"- 160

3.0"- 30

4.0"- 6

5.0"- 2

1-Display Cake 25-30 second duration)

08/08/11

Taxpayer Identification# 452-656-501/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (609)292-9292.

I wish you continued success in your business endeavors.

Sincerely,



James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY	
BUSINESS REGISTRATION CERTIFICATE	
TAXPAYER NAME: SERPICO PYROTECHNICS LIMITED LIABILITY C	TRADE NAME:
ADDRESS: 133 ORCHID COURT TOMS RIVER NJ 08753-1334	SEQUENCE NUMBER: 1657546
EFFECTIVE DATE: 08/08/11	ISSUANCE DATE: 08/08/11
FORM-BRC (04-08) D205846V	 Director New Jersey Division of Revenue

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

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



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/7/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT : If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed if **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on This certificate does not confer rights to the certificate holder in lieu of such an endorsement(s).

PRODUCER BRITTON-GALLAGHER ASSOCS 1375 EAST 9TH ST 30TH FL CLEVELAND, OH 44114	CONTACT NAME:		
	PHONE (A/C. No. Ext.):	FAX (A/C. No. Ext.):	
E-MAIL ADDRESS:			
INSURED SERPICO PYROTECHNICS, LLC 133 ORCHID COURT TOMS RIVER, NJ 08753	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : HARTFORD UNDERWRITERS INSURANCE COMPANY		
	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		
	INSURER F :		

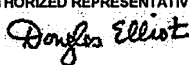
COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea Occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$	
	AUTOMOBILE LIABILITY ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$	
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$	
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS BELOW	Y/N	N/A	UB-1K80994-A-24	02/01/2024	02/01/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1000000 E.L. DISEASE- EA EMPLOYEE \$1000000 E.L. DISEASE - POLICY LIMIT \$1000000 \$ \$ \$	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

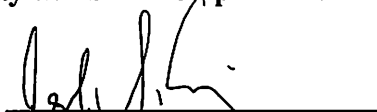
CERTIFICATE HOLDER**CANCELLATION**

CITY OF VINELAND 640 EAST WOOD STREET VINELAND, NJ 08360	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS AUTHORIZED REPRESENTATIVE 
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DISPLAY COMPANY REQUIREMENTS

(Format consistent with the State of New Jersey DCA form)

- 1. Provide total number of shells and sizes (U.S. diameter) being used.
- 2. Provide types and amounts of ground or low level devices to be used.
- 3. Indicate the method by which display will be fired. If it is an electrically-fired display, provide the name of the Department of Labor certified operator. Operator must have a valid certificate in their possession at the display site.
- 4. Provide timetable of the delivery of product to site; set up; live load.
- 5. Provide Certificate of Insurance (general and auto liability) in the amount of not less than \$500,000.00. Certificate must be valid for duration of event, including rain dates.
- 6. The use of salutes/reports larger than 3" is prohibited.
- 7. No display will be fired if the wind exceeds 20 MPH.
- 8. Provide a list of personnel who will be representing the display company, indicating their function and experience. Drivers of vehicles transporting live material must have a valid Certificate of Fitness in their possession at the display site.
- 9. Provide a post-display report within 48 hours of the display. The Report must include the following; time the search of the fallout zone was conducted and the results; any product malfunctions; and any injuries.
- 10. Provide a letter attesting to the understanding of all of the above requirements as well as the requirements set forth in N.J.A.C. 5:70-f-3100 (New Jersey Uniform Fire Code) and NFPA sections 1123, 1124, and 1126 and that the display will be in compliance with the same.



Jack A. Serpico, Authorized 6/7/24
Company Representative Date

ALL REQUIRED INFORMATION MUST BE PROVIDED WITH THE PERMIT APPLICATION, FAILURE TO PROVIDE THE REQUIRED INFORMATION WILL RESULT IN DELAYS WHICH COULD AFFECT THE PROCESSING OF THE PERMIT.

SHOULD YOU HAVE ANY QUESTIONS OR NEED ASSISTANCE FILL OUT THE REQUIRED FORM PLEASE CALL (609) 633-6132.

MUNICIPAL /SPONSOR REQUIREMENTS ARE ON THE REVERSE SIDE OF THE STATE FORM (not this document).

FIREWORKS DISPLAY
HOLD HARMLESS AGREEMENT

**BETWEEN THE VINELAND POLICE DEPARTMENT, THE CITY OF VINELAND,
NEW JERSEY AND SERPICO PYROTECHNICS, LLC./STARFIRE CORPORATION,
JOINT VENTURE**

WITNESSETH:

1. SERPICO PYROTECHNICS, LLC./ STARFIRE CORPORATION, JOINT VENTURE (CONTRACTOR) agrees to release, indemnify and hold harmless the Vineland Police Department and the City of Vineland, New Jersey from and against any loss, damage or liability, including attorney's fees and expenses incurred by the latter entity or entities and their respective employees, agents volunteers, or other representatives, arising out of or in any manner relating to the manufacture, installation, firing or disassembly of any pyrotechnic equipment or device and/or the supervision and presentation thereof.

2. The applicant or Contractor has furnished the Certificate of Insurance with limits of liability described below:

Workers Compensation/Employers Liability: \$1,000,000./\$1,000,000.

General Liability: \$1,000,000; \$9,000,000 umbrella policy.

Automobile Liability: \$1,000,000.

A true copy of the Certificate of Insurance is attached indicating the member entity and applicable associations, recreations or committees formed by the member entity to organize the "event" named as an additional insured on all liability policies.

3. The facilities will be used for the following purpose and no other:

Event: Fireworks Display

Date: August 6, 2024.

Rain Date: TBD in 2024.

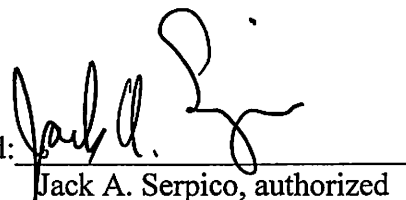
Dated: June 7, 2024.

Witness:



Kyle Beck

Signed:



Jack A. Serpico, authorized
Company representative

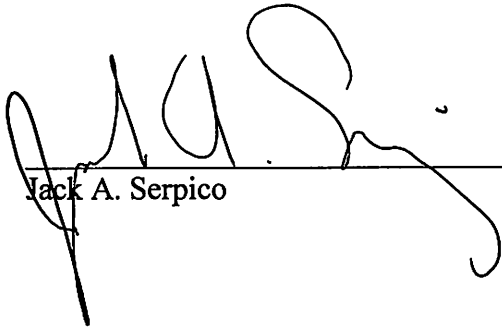
Serpico Pyrotechnics, LLC./Starfire Corporation, Pyrotechnics Disposal Plan for the Vineland Police Department Fireworks Display, August 6, 2024.

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Once returned to Serpico/Starfire facility the devices will be disposed of in accordance with the recommendations of the manufacturer and the ATF.

Submitted by Jack Serpico, on behalf of Serpico Pyrotechnics, LLC and Starfire Corporation, June 7, 2024.



Jack A. Serpico



U.S. Department
of Transportation
**Federal Aviation
Administration**

Air Traffic Organization
Eastern Service Center

1701 Columbia Avenue
College Park, GA 30337

Dear Fireworks Proponent:

Thank you for informing us of your proposed fireworks display.

Although there are currently no federal regulations specific to fireworks displays, the Federal Aviation Administration (FAA) has been tasked with regulating the safe and efficient use of the navigable airspace (49 U.S.C. § 40103). In recognition of this role in promoting aviation safety, many jurisdictions require notice to the FAA as a condition of approval of a fireworks permit.

We acknowledge your notification and have no objection to the fireworks display, provided it is conducted in a manner that does not create a hazard to other persons or their property. To enhance the safety of your event, we recommend the following actions:

- Fireworks staff should remain vigilant to ensure that no aircraft are in the area prior to beginning the fireworks display.
- If your event is within 5 miles of a public use airport, or if the display will exceed 500 feet Above Ground Level (AGL), contact Leidos Flight Service at 1-877-4-US-NTMS (1-877-487-6867) at least 24 hours (but not more than 7 days) in advance to request a Notice to Air Missions (NOTAM). You will need to provide the following information:
 - Name and address of the person filing the NOTAM
 - Date, time(s), and event location (City, State, and location in reference to the airport)
 - Maximum altitude of the display

This letter should not be construed as superseding or invalidating any existing rules or regulations promulgated by any other federal, state, county, or municipal government which may be required for this display.

If you have any questions regarding this information, please contact our office at (404) 305-5570 or 9-ATO-ESA-OSG-Fireworks@faa.gov

Sincerely,

Matthew Cathcart

Matthew N. Cathcart
Manager, Operations Support Group