

RESOLUTION NO. 2019-304

A RESOLUTION GRANTING PERMISSION TO THE VINELAND POLICE DEPARTMENT TO CONDUCT A PUBLIC DISPLAY OF FIREWORKS ON AUGUST 6, 2019, BETWEEN 9:00 P.M. AND 10:00 P.M., AT THE VINELAND HIGH SCHOOL COMPLEX, CHESTNUT AVENUE AND BREWSTER ROAD.

WHEREAS, the Vineland Police Department has scheduled on August 6, 2019, 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, Pyrotecnico, Vineland, New Jersey, 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, 2019, 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:

President of Council

ATTEST:

City Clerk

CITY OF VINELAND

July 11, 2019

Keith Petrosky, City Clerk
City of Vineland
Vineland, NJ 08360

Dear Keith:

Submitted to you herewith is a request for permit to hold a public display of fireworks in connection with the National Night Out event, as follows:

REASON FOR PERMIT: Fireworks Display

PLACE: Vineland High School Complex
Chestnut Avenue and Brewster Road
Vineland, New Jersey

DATE: August 6, 2019

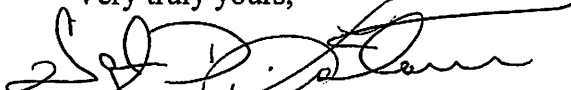
TIME OF EVENT: Between 9:00 pm and 10:00 pm

PLACE OF STORAGE: On Site
Vineland High School Complex
Chestnut Avenue and Brewster Road

ASSEMBLY PLACE: Vineland High School Complex
Chestnut Avenue and Brewster Road
Vineland, New Jersey

IGNITING FIREWORKS: Pyrotecnico

Very truly yours,



Sgt. Danny Latorre #4789

/wr

State of New Jersey
Department of Community Affairs
Division of Fire Safety
101 S. Broad St.
P. O. Box 809
Trenton, NJ 08625-0809
(609) 633-6132
Fax (609) 633-6330



DISPLAY COMPANY REQUIREMENTS

- 1. Provide total number of shells and sizes (U.S. diameter) being used.
- 2. Provide types and amounts of ground (set pieces) or low-level devices (cakes, candles) to be used.
- 3. For displays fired from barges or roof tops, provide documentation, including all calculations that the discharge area meets or exceeds the requirements of NFPA 1123 (2014 Edition) Section 6.3 Platform Sizing Requirements
- 4. Indicate method in which the display will be fired. If it is an electrically-fired display, provide name of N. J. Department of Labor licensed operator. Operator must have valid license in their possession at display site.
- 5. Provide timetable of: delivery of fireworks to site; set-up; live load; and display time.
- 6. Provide Certificate of Insurance (general and auto liability) in the amount of not less than \$500,000.00. The certificate must be valid for duration of event, including rain dates.
- 7. The use of salutes / reports up to 5" in diameter are permitted, provided the requirements of NFPA 1123 (2014 edition) Section 4.1.7 are obeyed.
- 8. No display shall be fired if winds exceed 25 MPH.
- 9. Provide the name of the lead operator who will be representing the display company.
- 10. Submit a post-display report via RIMS Online within 48 hours of display. Report must include the following: display information; time that the search of fallout zone was conducted and the results; any product malfunctions; and any injuries.
- 11. Provide a letter attesting to the understanding of all of the above requirements as well as requirements set forth in Chapter 56 of the 2015 International Fire Code – New Jersey Editions and NFPA 1123 (2014 edition), 1124 (2006 edition), and 1126 (2011 edition) and that the display will be in compliance with the same.

Cyia Conroy, Permit 027/11/19
Display Company Representative Date

ALL REQUIRED INFORMATION MUST BE SUBMITTED THROUGH RIMS ONLINE WITH THE PERMIT APPLICATION. FAILURE TO PROVIDE THE REQUIRED INFORMATION WILL RESULT IN DELAYS WHICH COULD AFFECT THE PROCESSING OF THE PERMIT. SPECIFIC CODE SECTIONS FROM THE 2015 INTERNATIONAL FIRE CODE NEW JERSEY EDITION MAY BE VIEWED BY GOING TO THE FOLLOWING WEBSITE:

<https://codes.iccsafe.org/public/document/details/toc/1172>

MUNICIPAL/SPONSOR REQUIREMENTS ARE ON PAGE 1 OF THIS FORM.



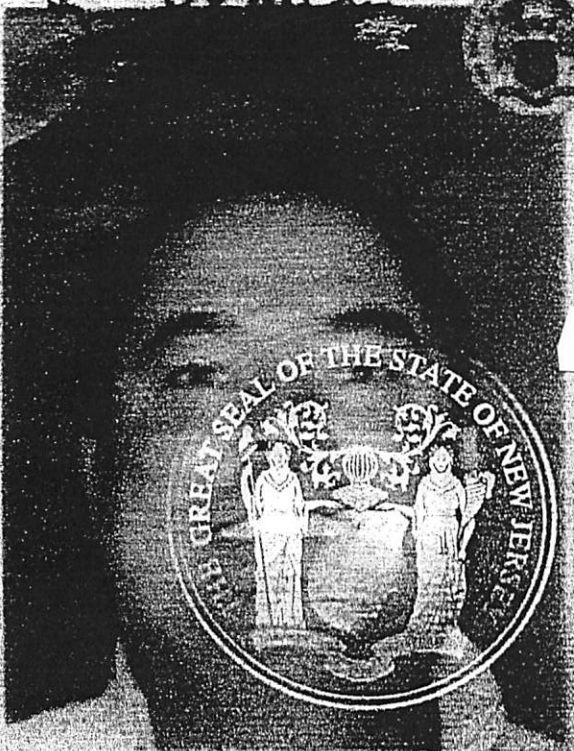
Google Earth



NEW JERSEY

AUTO DRIVER

Q DD MA 2



DL

DOB

ISS 11-13-2017

CLASS D

EXP 09-30-2021

SIMMERMAN JR
HERBERT R

MILLVILLE, NJ 08332-8941

END M
RESTR NONE

SEX M HGT
JS



July 18, 2019

SPONSOR

City of Vineland National Night Out
640 E. Wood St
Vineland, NJ 08360

FIREWORKS COMPANY

Pyrotecnico Fireworks, Inc.
PO Box 149
New Castle, PA 16103

SHOW DATE: August 8, 2019

RAIN DATE: N/A

LOCATION: Vineland High School North - East Chestnut Ave., Vineland, NJ

- Total number of class B Shells being used are approximately: See attached product list
Size: 2" up to 5" Aerial Shells
Ground Pieces: None
- All shells are DOT approved. EX Numbers are (please see attached). Only materials listed and approved by the Bureau of Explosives will be used.
- Display will be manually fired.
- Delivery to site will be approximately 3:30 pm – Set up will take approximately 4 hours.
- All displays will comply with all requirements as fourth in NJAC 5:70-3,3301.1 and NFPA1123, NFPA1124, NFPA1125 & NFPA21126.
- Personnel currently scheduled to represent fireworks display company are:

Lead: Herb Simmerman, (cell) 609-432-4727 **Experience:** 4 years

Technician:

Signed: 
Pyrotecnico Representative

Date: July 18, 2019

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/07/2019

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 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 endorsement(s).

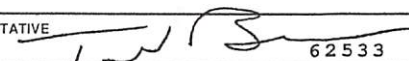
PRODUCER Applied Risk Services, Inc. 10825 Old Mill Rd Omaha, NE 68154 (877) 234-4420	CONTACT NAME: PHONE (A/C, No., Ext): (877) 234-4420 FAX (A/C, No): (877) 234-4421	
	E-MAIL ADDRESS: PRODUCER CUSTOMER ID #	
INSURED Pyrotecnico Fireworks, Inc. dba Pyrotecnico PO Box 149 New Castle, PA 16103-0149 CTL 1273 1542605	INSURER(S) AFFORDING COVERAGE NAIC #	
	INSURER A: Pennsylvania Insurance Co. 21962	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	GENERAL LIABILITY <input type="checkbox"/> 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"/> PRO-JECT <input type="checkbox"/> LOC						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						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 DEDUCTIBLE \$ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below	Y/N		82-872096-04-17	06/07/2019	06/07/2020	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach Acord 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER Evidence of Coverage PO Box 149 New Castle, PA 16103-0149	CANCELLATION 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  62533
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FIREWORKS DISPLAY
HOLD HARMLESS AGREEMENT

Between the Borough/Township/City/County of City of Vineland
and Pyrotecnico Fireworks, Inc. (Contractor).

WITNESSETH:

1. Pyrotecnico Fireworks, Inc. (Contractor) agrees to release, indemnify and hold harmless the Borough/Township/City/County of City of Vineland from and against any loss, damage or liability, including attorneys' fees and expenses incurred by the latter 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 has furnished the Certificate of Insurance with limits of liability described below:

Workers Compensation/Employers Liability: \$1,000,000.00

General Liability: \$1,000,000.00

Automobile Liability: \$1,000,000.00

Umbrella Liability: \$9,000,000.00

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" must be named as additional insured on all liability policies.

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

Event: Vineland Police Department 08.06.2019 N/A
Vineland National Night Out Date: _____ Rain Date: _____
Fireworks Display

Dated: 06.19.2019 Signed: *Lynn Ann Hamed*

Authorized Signature of the Contractor

Witness: *Mary M Killingsworth*

REVISED

Bond No: 21BSBFH9165
Bond Amount: \$2,500.00
Bond Term: 1/30/19 to 1/30/20

THE STATE OF NEW JERSEY
DEPARTMENT OF LABOR
OFFICE OF SAFETY COMPLIANCE

SURETY BOND

Discharging, Firing-off, Exploding or Displaying Fireworks,
at any Public Exhibition or Exhibition.

Know All Men by these Presents; that we Pyrotecnico Fireworks, Inc. dba Pyrotecnico

Fireworks Vendor

1640 Garden Road, Vineland, NJ 08360 of (in the County of Cumberland), as
Fireworks Vendor Street Address County Name

Principal, are held and stand firmly bound unto the Treasurer and Receiver General of the State of New Jersey in the just sum of TWO THOUSAND FIVE HUNDRED dollars (\$2,500) to be paid to the Treasurer and Receiver General or his successor in office, to which payment well and truly to be made, we hereby jointly and severally bind ourselves, our respective heirs, executors and administrators, successors and assigns, firmly by these presents.

The Condition of this Obligation, is such that if the said, Hartford Fire Insurance Company, his heirs, executors and administrators, successors and assigns, shall pay any judgment obtained in an action brought against the said Pyrotecnico Fireworks, Inc. dba Pyrotecnico for discharging,
Fireworks Vendor Name

firing-off, exploding or displaying of said fireworks at any public exhibition or exhibitions hereof, for or on account of any loss, damage or injury resulting to persons or property by reason of the said discharging, firing-off, exploding or displaying of said fireworks, at said public exhibition or exhibitions; provided that said judgment is obtained in an action brought within a period of twelve months following the date of the public exhibition or exhibitions, in which cause of said action is alleged to have occurred, this obligation shall be void, otherwise it shall remain in full force and effect. The maximum amount of said bond shall in no way exceed the face amount of said bond no matter how many claims are made on said bond, in each Municipality, per display.

In Witness Whereof, we hereunto set our hands and seals, this 27th day of December 2018

Pyrotecnico Fireworks, Inc. dba Pyrotecnico

Principal

Beth Stone
WITNESS

Anna Childers
WITNESS

Hartford Fire Insurance Company

Mark W. Edwards, II
Attorney in Fact Mark W. Edwards, II

POWER OF ATTORNEY

Direct Inquiries/Claims to:
THE HARTFORD
 BOND, T-12
 One Hartford Plaza
 Hartford, Connecticut 06185
Bond.Claims@thehartford.com
 call: 888-268-3488 or fax: 860-757-8635

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: MCGRIFF SEIBELS & WILLIAMS INC
 Agency Code: 21-250036

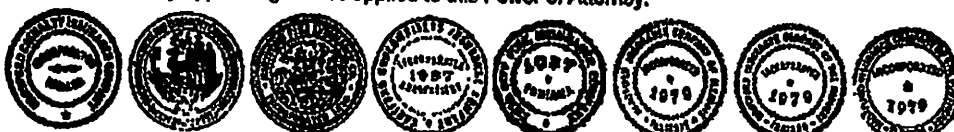
- Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of Unlimited :

R.E. Daniels, Shelby E. Daniels of Pensacola, FL, Robert Read Davis of Atlanta, GA, Robert M. Verdin of Metairie, LA, Christopher C. Gardner of Union, MS, Anna Childress, Mark W. Edwards II, Alisa B. Ferris, Robert R. Freel, Ronald B. Giadrosich, Jeffrey M. Wilson of BIRMINGHAM, Alabama

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by , and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 6, 2016 the Companies have caused these presents to be signed by its Senior Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



John Gray

John Gray, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Senior Vice President

STATE OF CONNECTICUT }
 COUNTY OF HARTFORD } ss. Hartford

On this 5th day of January, 2018, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Senior Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

Kathleen T. Maynard

Kathleen T. Maynard
 Notary Public
 My Commission Expires July 31, 2021

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of December 27, 2018.
 Signed and sealed at the City of Hartford.



Kevin Heckman

Kevin Heckman, Assistant Vice President



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

FAA/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 72 hours) in advance to request a Notice to Airman (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,

A handwritten signature in blue ink, appearing to read "R. Almasy".

Ryan W. Almasy
Manager, Operations Support Group
Eastern Service Center, Air Traffic Organization

EMAILED 7/18/19



U.S. Department
of Transportation

Eastern Service Center
Operations Support Group
AJV-E2

1701 Columbia Ave.
College Park, GA 30337

FIREWORKS DISPLAY NOTIFICATION

Company Name: Pyrotecnico Fireworks

Email Address of Person Submitting Request: aarmstrong@pyrotecnico.com

Cell Phone Number for On-Site Technician: 609.432.4727

Event Name: Vineland Police Dept. - National Night Out

Display Date: August 6, 2019 Rain Date: _____

Display Start Time: 9 pm

Duration of Fireworks Display: 10 minutes

Max Height of Fireworks: 500' AGSL

Address, City and State: 2880 E. Chestnut Ave., Vineland, NJ

Latitude: 38°28'52.97" (North) Longitude: 74°58'22.20" (West)

List the Closest Public Use Airport Within 5 Nautical Miles of the Display if the Fireworks Will Reach or Exceed 500 Ft. Shoot site approx. 8 nm NE of Millville Airport

Special Notes _____

Please email your request to:

9-ATO-ESA-OSG-Fireworks@faa.gov



July 18, 2019

Vineland Police Department
111 N Sixth Street
Vineland, NJ 08360

Re: Pyrotecnico's August 6, 2019 Vineland National Night Out Fireworks Display

To Whom it May Concern,

A Pyrotecnico representative will perform a first light inspection the morning of first light on August 7, 2019 along the fireworks display site and safety fall out area of the Vineland High School South, 2880 E Chestnut Avenue, Vineland, NJ 08361

Per Pyrotecnico policy, Pyrotecnico shall be responsible for policing the fireworks display fallout zone and search for and disposing of unfired fireworks product after the fireworks display has been completed.

Should you have any questions, please do not hesitate to contact our office at 724.652.9555.

Sincerely,

Angela Armstrong
Permitting Coordinator
Pyrotecnico