

CITY OF VINELAND

RESOLUTION NO. 2020-143

**RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING/LIMITED LICENSE AGREEMENT BY AND BETWEEN THE CITY OF VINELAND AND THE NEW JERSEY DEPARTMENT OF AGRICULTURE FOR THE DISPLAY OF THE “JERSEY FRESH” LOGO ON THE CITY’S WATER TANK TO RECOGNIZE THE AGRICULTURAL ROOTS OF THE CITY OF VINELAND AND THE GARDEN STATE OF NEW JERSEY**

**WHEREAS**, New Jersey is known as the “Garden State” due to the history of farming as a major industry in the state; and

**WHEREAS**, the City of Vineland is recognized as a regional, state and national grower and supplier of fruits and vegetables and has a long history of farming in the community including it being designated on the official seal of the City of Vineland as a leading industry/profession in the City; and

**WHEREAS**, the Vineland Produce Auction located on Main and Oak Roads is known internationally as a facility whereby produce brokers purchase fresh fruits and vegetables from local farmers thereby shipping them to supermarkets and grocery stores for the ultimate consumption by all Americans; and

**WHEREAS**, “Jersey Fresh” is the logo placed upon packaged produce grown and shipped from Vineland and advertises the fact that New Jersey provides fresh produce internationally; and

**WHEREAS**, the New Jersey Department of Agriculture (NJDOA) recognizes the importance of the Vineland Produce Auction and intends upon providing funding to affix the “Jersey Fresh” logo onto the City’s water tank located at the site of the Vineland Produce Auction to provide advertisement for the history of the farming industry in Vineland and the Garden State; and

**WHEREAS**, the City has obtained a quote to paint the “Jersey Fresh” logo on the Oak and Main Road water tank as depicted in the attached diagram in the amount of \$20,000.00 and the NJDOA has agreed to provide funding for the painting of the “Jersey Fresh” logo thereon so as to provide promotional value of the “Jersey Fresh” logo in a manner that beautifully and dramatically draws specific and desirable attention to the agricultural roots of the City of Vineland and the Garden State.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Vineland that the Mayor and Clerk are hereby authorized to execute a Memorandum of Understanding /Limited License Agreement with the New Jersey Department of Agriculture for the painting of the “Jersey Fresh” logo on the Oak and Main Road water tank at a cost to be paid by the New Jersey Department of Agriculture in the amount of \$20,000.00

Adopted:

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
City Clerk

## MEMORANDUM OF UNDERSTANDING/LIMITED LICENSE AGREEMENT

This is a Memorandum of Understanding/Limited License Agreement by and between the City of Vineland ("City/Licensors") with offices at 640 East Wood Street, Vineland, NJ and the New Jersey Department of Agriculture ("Department of Agriculture/Licensee") with offices at 369 S Warren Street, Trenton, NJ, whereby the Department of Agriculture will be permitted to use a portion of the City's Water Tower/Tank facility at the intersection of Main and Oak Roads for the purpose of affixing and displaying its **JERSEY FRESH** Logo on the tank portion of the facility in the form and manner described herein, and pursuant to the following terms and conditions:

1. The City is the owner of the Water Tower/Tank facility at Main & Oak Road in the City of Vineland, New Jersey.
2. The Tank, as presently configured, is as depicted in **Exhibit A** attached. The Tower/Tank facility is currently host to cellular communications equipment and facilities by way of leases between the City and certain cellular communications carriers. Such carriers, by the terms of their respective lease agreements, are to have the use of reserved portions of the tower/tank for the mounting, maintenance, and operation of cellular communications equipment.
3. Licensee, Department of Agriculture, shall be permitted to affix, by a water tower painting contractor, its **JERSEY FRESH** Logo on the west face of the City's water tank, such that it will be visible from the Main Road side of the Vineland Produce Auction site, in the form and dimensions depicted/referenced in **Exhibit B** attached. Licensee shall employ in connection with its use of the subject water tank for display of its subject logo whatever forms of trademark protection, if any, it may deem appropriate. The installation of the Licensee's Logo shall be performed by the City's water tower painting contractor/vendor per a Proposal, **Exhibit C** attached. Initial payment of the painting contractor's services shall be made by the City, same to be reimbursed by Licensee, Department of Agriculture, upon submission of an invoice for same by the City.
4. The term of this license/agreement shall be through the life of the subject water tank or upon deterioration of the Logo, whichever occurs first.
5. Licensee shall assume all risks and liability for and shall indemnify, defend, protect and save harmless, and hereby releases Licensors and each and every of its officers, agents, servants and employees, and its successors and assigns, of, from and against any and all liability, losses, injuries, deaths, damages, claims, demands, suits, actions, fees, costs, charges or judgements which may in any manner arise out of, or result from any and all phases of the use of subject portion of the premises, whether occasioned by Licensee, or by any employee, licensee, invitee or agent of Licensee or by Licensors or its employees or any other person or persons. This obligation shall survive the termination of the agreement herein granted.

The license herein given is subject and subordinate to any and all easements, rights privileges, other licenses, or other grants of whatever nature heretofore given by Licensor, otherwise created, which affect the subject property.

6. The parties hereto agree that this Memorandum of Understanding/Limited License Agreement is to their mutual benefit in providing the promotional value of the **JERSEY FRESH** Logo in a manner that beautifully and dramatically draws specific and desirable attention to the agricultural roots of the City of Vineland and the Garden State of New Jersey.

**City of Vineland**

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Anthony Fanucci  
Mayor

Date: \_\_\_\_\_

**New Jersey Department of Agriculture  
("Department of Agriculture/Licensee")**

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Name:  
Title:

Date: \_\_\_\_\_

**EXHIBIT A**

**Tank Configuration**

# Tank Reservoir Elevation - LOGO 1

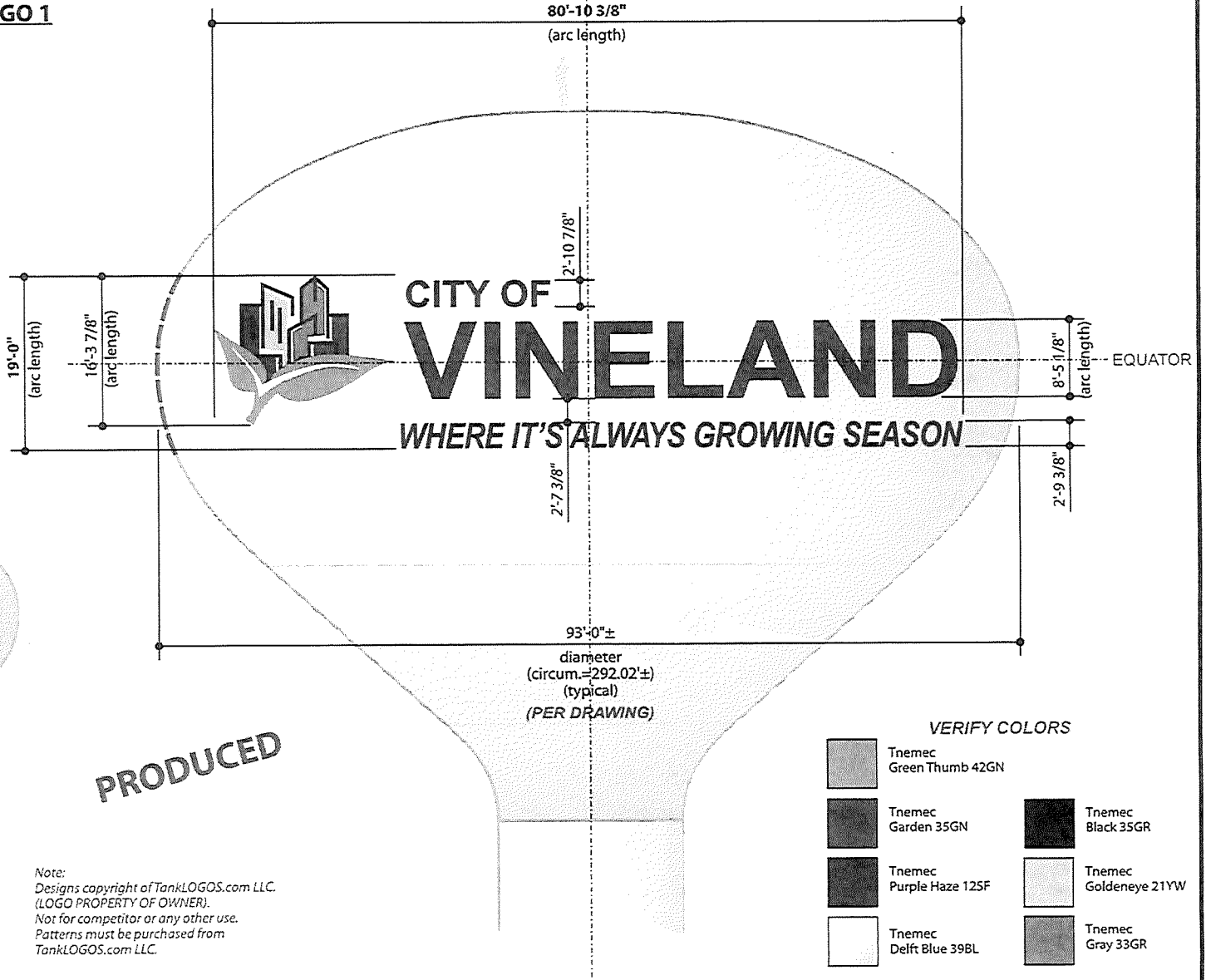
Planar measurements of graphics.

Tank measurements shown are based on a typical 2M gallon pedesphere tank and client drawing measurements.

Engineer / Owner should verify all measurements prior to final approvals and production.

Quantity: (1) side.  
Exact orientation to be determined in the field by owner / engineer.

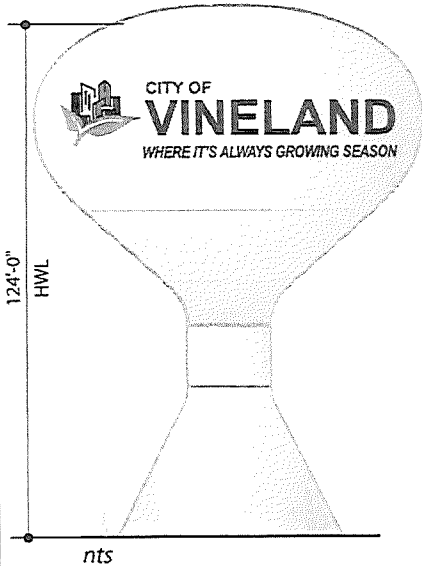
Note:  
"Leaves" to be solid color.



Note:  
Designs copyright of TankLOGOS.com LLC.  
(LOGO PROPERTY OF OWNER).  
Not for competitor or any other use.  
Patterns must be purchased from  
TankLOGOS.com LLC.

### VERIFY COLORS

	Tnemec Green Thumb 42GN		Tnemec Black 35GR
	Tnemec Garden 35GN		Tnemec Goldeneye 21YW
	Tnemec Purple Haze 125F		Tnemec Gray 33GR
	Tnemec Delft Blue 39BL		



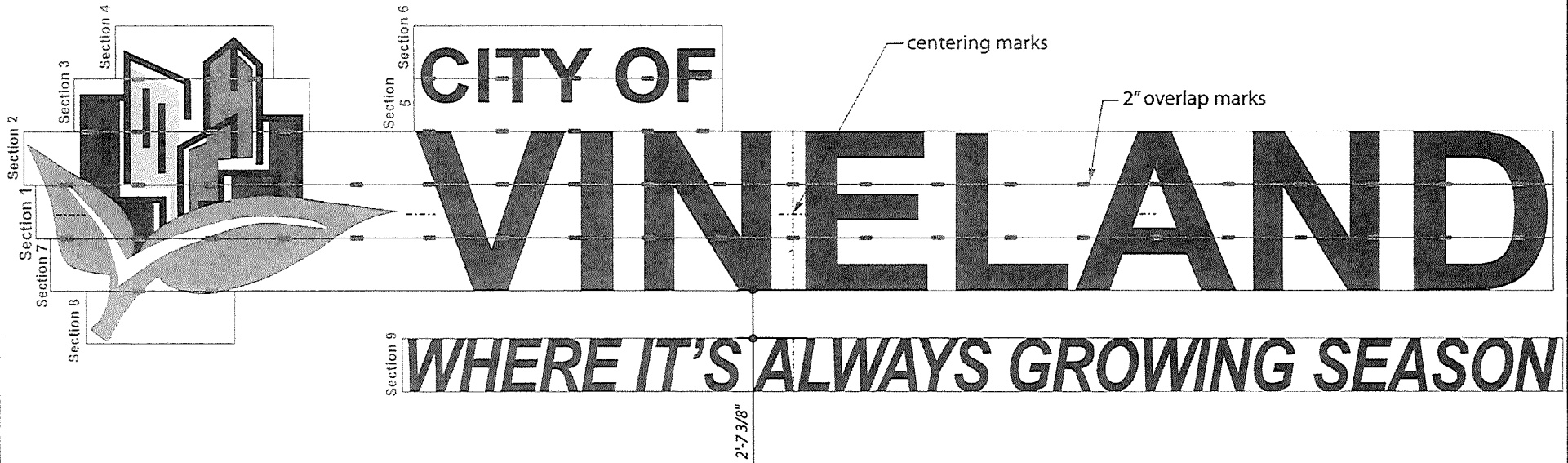
Tim Donovan | Owner  
106 Mission Ct STE 1201  
Franklin, TN 37067  
615.473.0272 tel  
888.492.1831 fax  
Tim@TankLOGOS.com

Client: USCI  
Design: Vineland NJ Oak Rd 2MGPED A1  
Revision Date: 02-20-20  
First Print Date: 09-27-19  
Scale: 1/16"=1'-0"±

Please sign copy(s) of this drawing and accompanying estimate if approved and return or fax to begin work.  
Signature \_\_\_\_\_  
APPROVED  DATE \_\_\_\_\_  
APPROVED AS NOTED  DATE \_\_\_\_\_  
REVISE + RESUBMIT  DATE \_\_\_\_\_

Colors shown are close approximations due to uncontrollable variations in output devices, lighting conditions and media viewed on. Refer to color callouts when specified. All renderings shown are approximate and are provided as a visualization aid. This design is copyright of TankLOGOS.com. Any unauthorized use of this drawing without exclusive permission from TankLOGOS.com is prohibited.

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Note:  
 Pattern sections have 2" overlap.  
 Align top or bottom of section to 2" overlap marks.  
 (mark overlap marks for easier install if applying  
 sections individually).

PRODUCED

RETAIN PATTERNS  
 FOR RE-USE!



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 Franklin, TN 37067  
 615.473.0272 tel  
 888.492.1831 fax  
 Tim@TankLOGOS.com

Client: USCI  
 Design: Vineland NJ Oak Rd 2MGPED A1  
 Revision Date: 02-20-20  
 First Print Date: 09-27-19  
 Scale: 1/8"=1'-0"

Please sign copy(s) of this drawing and accompanying  
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 APPROVED AS NOTED  DATE \_\_\_\_\_  
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**EXHIBIT B**

**Jersey Fresh Logo Form/Dimensions**

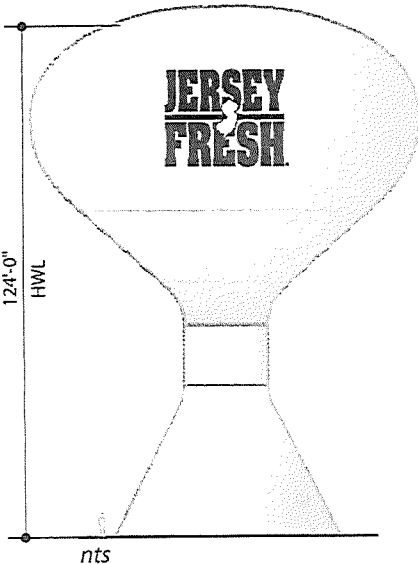
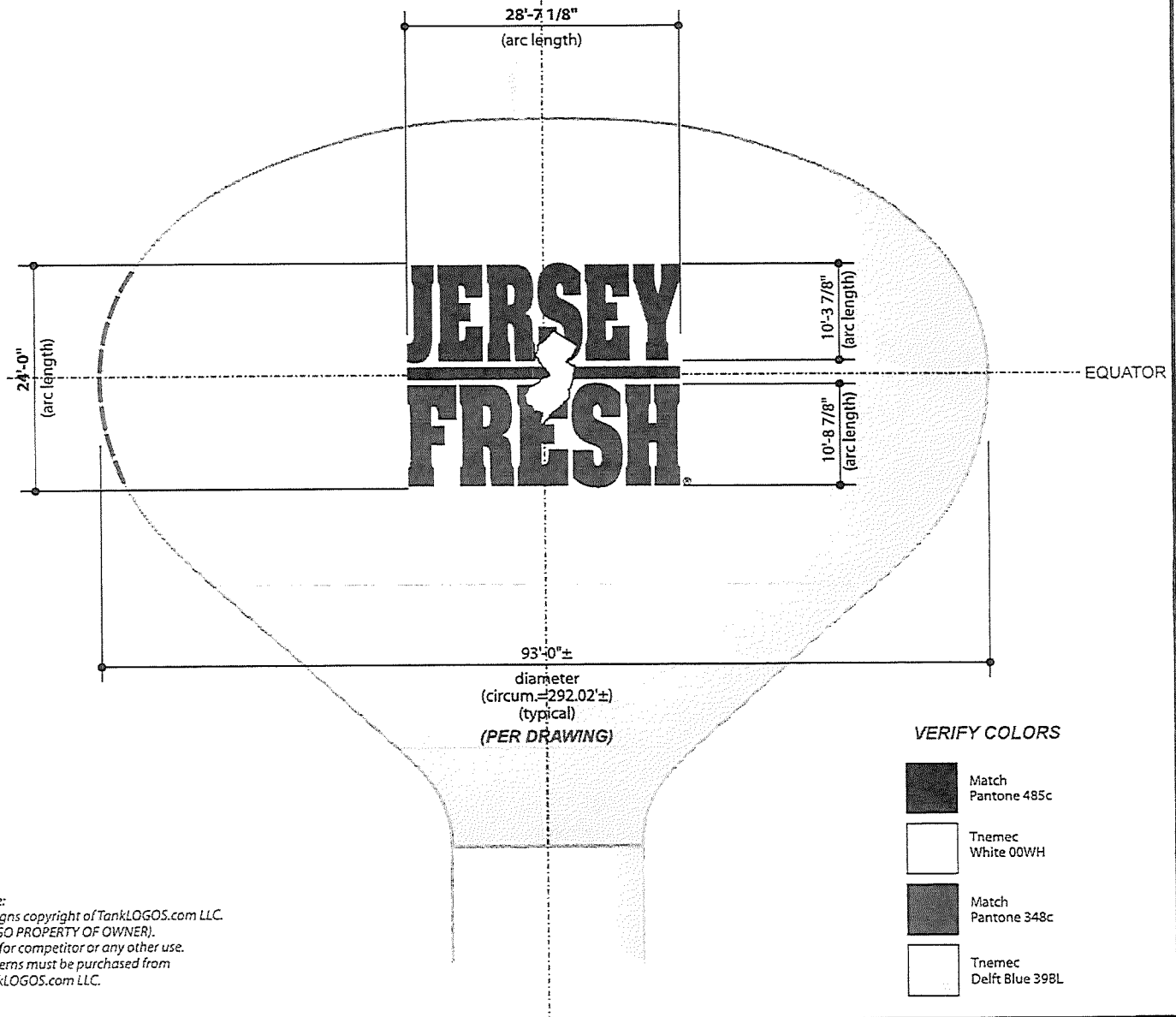
# Tank Reservoir Elevation - LOGO 2

Planar measurements of graphics.

Tank measurements shown are based on a typical 2M gallon pedisphere tank and client drawing measurements.

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Quantity: (1) side.  
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Franklin, TN 37067  
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**Client:** USCI  
**Design:** Vineland NJ Oak Rd 2MG PED A1  
**Revision Date:** 02-20-20  
**First Print Date:** 09-27-19  
**Scale:** 1/16"=1'-0"±

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**Signature** \_\_\_\_\_  
**APPROVED**  **DATE** \_\_\_\_\_  
**APPROVED AS NOTED**  **DATE** \_\_\_\_\_  
**REVISE + RESUBMIT**  **DATE** \_\_\_\_\_

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**EXHIBIT C**

**Painting Contractor's Proposal**



Proposal From  
**UTILITY SERVICE CO., INC.**

1230 Peachtree St NE · Suite 1100 - Promenade · Atlanta, GA 30309  
Toll-free: 855-526-4413 | Fax: 478-987-2991  
utilityservice.com

Date: 12/6/2019

Submitted by: **Joe Jasinski**

Local Phone: **908-797-9559**

SFID: 63887

CN:

SO:

Proposal Submitted To: <b>City of Vineland</b>			Phone Number: 856-794-4056	Fax Number:	
Street Address: <b>PO Box 1508</b>			Description of Work to be Performed: <b>Oak &amp; Main Logo #2 -- Jersey Fresh</b>		
City: <b>Vineland</b>	State: <b>NJ</b>	Zip Code: <b>08362</b>	Tank Name: <b>Oak &amp; Main Pedisphere</b>		
Accounts Payable Contact Name:	Email:		Job Site Address: <b>Oak &amp; Main streets, Vineland, NJ</b>		
Job Contact (Inspection Reports): <b>Mike Lawler</b>	Email: <b>mlawler@vinelandcity.org</b>		County / Parish: <b>Cumberland</b>	Tank Size: <b>2MG</b>	Tank Style: <b>Ped</b>

Utility Service Co., Inc. agrees to provide all labor, equipment, and materials needed to complete the following:

Charge for approved custom "Jersey Fresh" logo to be installed on one side of the Oak 7 Main Tank during the calendar year 2020  
Cost: \$ 20,000.00

This is an addendum to the original contract.  
Other aspects of the original contract remain unchanged.

Please sign and date this proposal and fax one copy to our office.

Twenty Thousand and -----00/100 Dollars \$20,000.00

Payment to be made as follows: Payment Due in Full Upon Completion of Work -- plus all applicable taxes  
**Remittance Address: Utility Service Co., Inc., P O Box 674233, Dallas, TX 75267-4233**

All material is guaranteed to be as specified. All work to be completed in a substantial workmanlike manner according to specifications submitted, per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized  
USCI Signature

*Chris Quinn*

Note: This proposal may be withdrawn by us if not accepted within Sixty (60) days.

**Acceptance of Proposal -** The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Fiscal Yr Beginning Month \_\_\_\_\_

Signature \_\_\_\_\_

Date of Acceptance \_\_\_\_\_

Printed Name \_\_\_\_\_

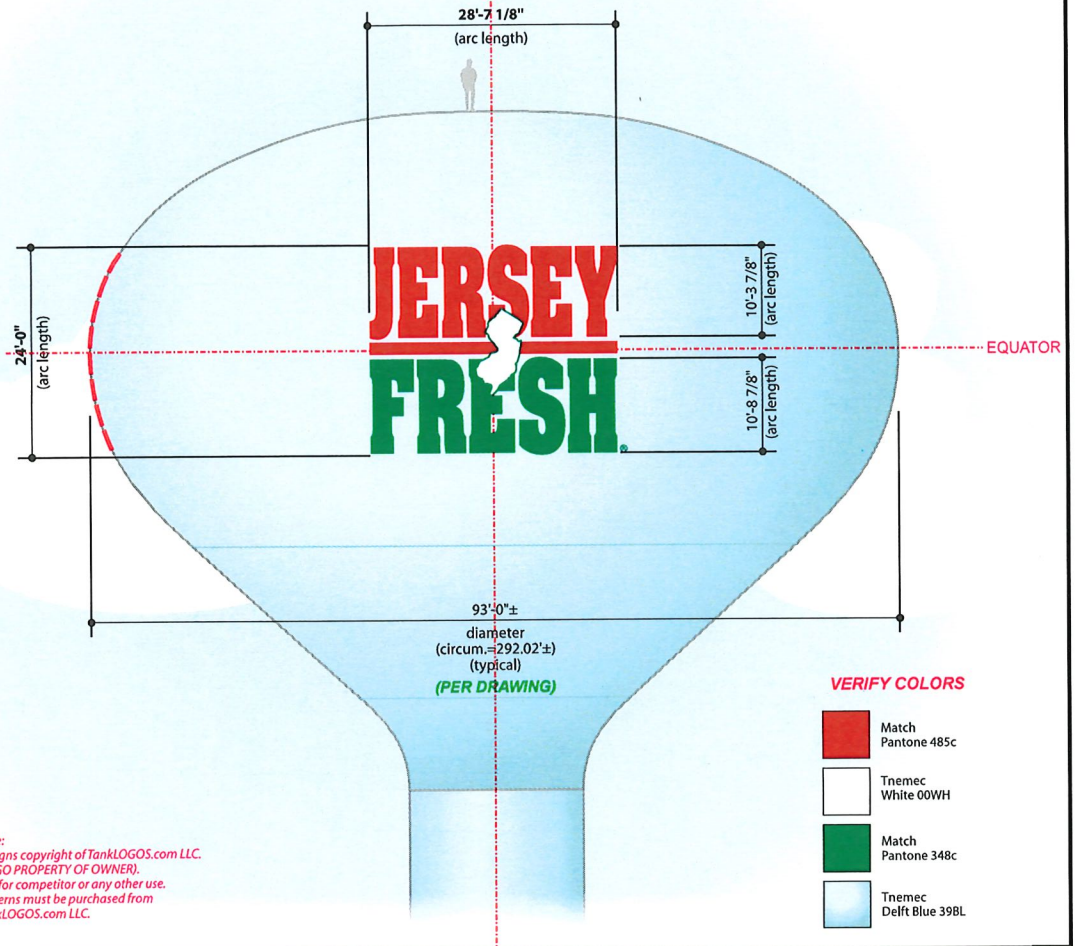
**Tank Reservoir Elevation - LOGO 2**

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**VERIFY COLORS**

- Match Pantone 485c
- Tnemec White 00WH
- Match Pantone 348c
- Tnemec Delft Blue 39BL



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