

MELROSE PYROTECHNICS, INC.

AGREEMENT

This contract entered into this 21st Day of March AD 2018 by and between MELROSE PYROTECHNICS, INC. of Kingsbury, Indiana and City of Noblesville (CUSTOMER) of City Noblesville State Indiana.

WITNESSETH: Melrose Pyrotechnics, Inc. for and in consideration of the terms hereinafter mentioned, agrees to furnish to the Customer One (1) Fireworks Display(s) as per agreement made and accepted and made a part hereof, including the services of our Operator to take charge of and fire display under the supervision, and direction of the Customer, said display to be given on the evening of July 4, 2018 Customer Initial MM, weather permitting, it being understood that should inclement weather prevent the giving of this display on the date mentioned herein the parties shall agree to a mutually convenient alternate date, within six (6) months of the original display date. If the show is rescheduled prior to our truck leaving the facility, Customer shall remit to Melrose Pyrotechnics, Inc. an additional 15% of the total contract price for additional expenses in presenting the display on an alternate date. If the show is rescheduled after our trucks leave the facility, Customer shall remit to Melrose Pyrotechnics, Inc. an additional 40% of the total contract price for additional expenses incurred. The determination to cancel the show because of inclement or unsafe weather conditions shall rest within the sole discretion of Melrose Pyrotechnics, Inc. In the event the Customer does not choose to reschedule another date or cannot agree to a mutually convenient date, Melrose Pyrotechnics, Inc. shall be entitled to 50% of the contract price for costs, damages and expenses. If the fireworks exhibition is canceled by Customer prior to the display, Customer shall be responsible for and shall pay to Melrose Pyrotechnics, Inc. on demand, all Melrose Pyrotechnics Inc.'s out of pocket expenses incurred in preparation for the show including, but not limited to, material purchases, preparation and design costs, deposits, licenses and employee charges.

MELROSE PYROTECHNICS, INC. agrees to furnish all necessary fireworks display materials and personnel for a fireworks display in accordance with the program approved by the parties. Quantities and varieties of products in the program are approximate. After final design, exact specifications will be supplied upon request. Should this display require any Union related costs; their fees are not included in this agreement.

It is further agreed and understood that the CUSTOMER is to pay MELROSE PYROTECHNICS, INC. the sum of Thirteen Thousand Dollars and 00/100 (\$13,000.00). A service fee of 1 1/2 % per month shall be added, if account is not paid within 30 days of the show date.

MELROSE PYROTECHNICS, INC. will obtain Public Liability and Property Damage and Workers Compensation Insurance. All those entities/individuals who are listed on the certificate of insurance will be deemed an additional insured on our liability policy.

CUSTOMER will provide the following items:

- (a) Sufficient area for the display, including a minimum spectator set back of 350 feet at all points from the discharge area.
- (b) Protection of the display area by roping-off or similar facility.
- (c) Adequate police protection to prevent spectators from entering display area.
- (d) Search of the fallout area at first light following a nighttime display.

It is further agreed and mutually understood that nothing in this contract shall be construed or interpreted to mean a partnership, both parties being hereto responsible for their separate and individual debts and obligations and neither party shall be responsible for any agreements not stipulated in this contract. Customer agrees to pay any and all collection costs, including reasonable attorney's fees and court costs incurred by Melrose Pyrotechnics, Inc. in the collection or attempted collections of any amount due under this agreement and invoice.

The parties hereto do mutually and severally guarantee terms, conditions, and payments of this contract, these articles to be binding upon the parties, themselves, their heirs, executors, administrators, successors and assigns.

MELROSE PYROTECHNICS, INC.

By Garry R. Poe

Date Signed: March 21, 2018

Garry R. Poe - Event Producer

P.O. Box 302, 1 Kingsbury Industrial Park
Kingsbury, IN 46345
(800) 771-7976

CUSTOMER

By [Signature]

Date Signed 7/15/18
legally authorized agent, who represents him/her has full authority to bind the customer.

(PLEASE TYPE OR PRINT)

Name Mike Hoffmeister

Address 701 Coco Rd.

Noblesville, IN 46060

Phone 317-776-6350

Email mikehoffmeister@melrosetechnics.com



APPLICATION FOR PERMIT SUPERVISED PUBLIC DISPLAY OF FIREWORKS

State Form 1617 (R6 / 6-11)

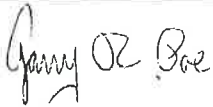
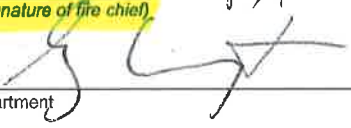
Approved by State Board of Accounts, 2011

DEPARTMENT OF HOMELAND SECURITY
DIVISION OF FIRE & BUILDING SAFETY
FIRE & BUILDING CODE ENFORCEMENT
302 West Washington Street, Room E241
Indianapolis, IN 46204
Telephone: (317) 232-2222



INSTRUCTIONS : *The fee for the Supervised Public Display of Fireworks permit is \$69.00.
Failure to file a legible, properly completed application may result in the
application being rejected.*

Name of applicant Melrose Pyrotechnics, Inc.		Permit number	
Address of applicant (number and street, city, state, and ZIP code) 1 Kingsbury Industrial Park, P.O. Box 302, Kingsbury, Indiana 46345		Telephone number (219) 393-5522	
E-mail address semerick@melrosepyro.com			
<i>If applicant is a corporation, give name, address and telephone number of the following:</i>			
Agent for service of Process in Indiana Michael Cartolano		Telephone number (219) 393-5522	
Address of agent (number and street) 1 Kingsbury Industrial Park, P.O. Box 302	City Kingsbury	State Indiana	ZIP code 46345
Name of fireworks company shooting display Melrose Pyrotechnics, Inc.		Name of shooter (include current year resume) See Attached Resume	
Address of company (number and street) 1 Kingsbury Industrial Park, P.O. Box 302	City Kingsbury	State Indiana	ZIP code 46345
E-mail address semerick@melrosepyro.com		Telephone number (219) 393-5522	
Date on which display is to be held (month, day, year) July 4, 2018	Time of day when display is to be held Approximately 10:00 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM		
Exact location planned for display to be held Noblesville High School			County Hamilton
Number and street Cumberland Road	City Noblesville	State Indiana	ZIP code 46060
Number and kinds of fireworks to be discharged Approximately 1,130 aerial display shells ranging in size 1 1/4 inches to 5 inches in diameter.			
Manner and place of storage of such fireworks prior to the display No Storage Necessary, Delivered on Date of Display.			
Draw a diagram of the grounds on which the display is to be held, showing the point at which the fireworks are to be discharged, the location of all buildings, highways and other lines of communication, the lines behind which the audience will be restrained and the location of all nearby trees, telegraph or telephone lines or other overhead obstructions. See attached Site Diagram.			

The proposed display will conform with all laws of the State of Indiana and all regulations of the State Fire Marshal of Indiana.			
Signature of applicant 		Date signed (month, day, year) March 21, 2018	
Approved by: (signature of fire chief) 		Printed name of fire chief Chief Greg Wyant	Date signed (month, day, year) 3/23/18
Name of fire department Noblesville Fire Department			
Address of fire department (number and street) 135 S. 9th St.		City Noblesville	State IN
		ZIP code 46060	
Telephone number (317) 776-6336	Fax number (317) 776-6376	E-mail address of fire department GWyant@noblesville.in.us	

NOTICE TO APPLICANT

If a permit is issued pursuant to your filing this application with this office, said permit will be returned to the local fire chief and you will then obtain said permit by contacting the fire chief and posting a certificate of insurance. You will note that the minimum certificate of insurance by law is \$10,000; however, the local fire chief may require a larger amount if in his judgment the situation requires it. Your application must be filed with the Department of Homeland Security office at least fifteen (15) days prior to the date of the proposed display.

Under IC 22-11-14-2, the application shall be accompanied by a brief resume of the fireworks display operator's or operators' experience in the following:

1. Preparation of the display,
2. Igniting or discharging of fireworks,
3. Implementing emergency procedures,
4. Disposal of unfired or defective fireworks.

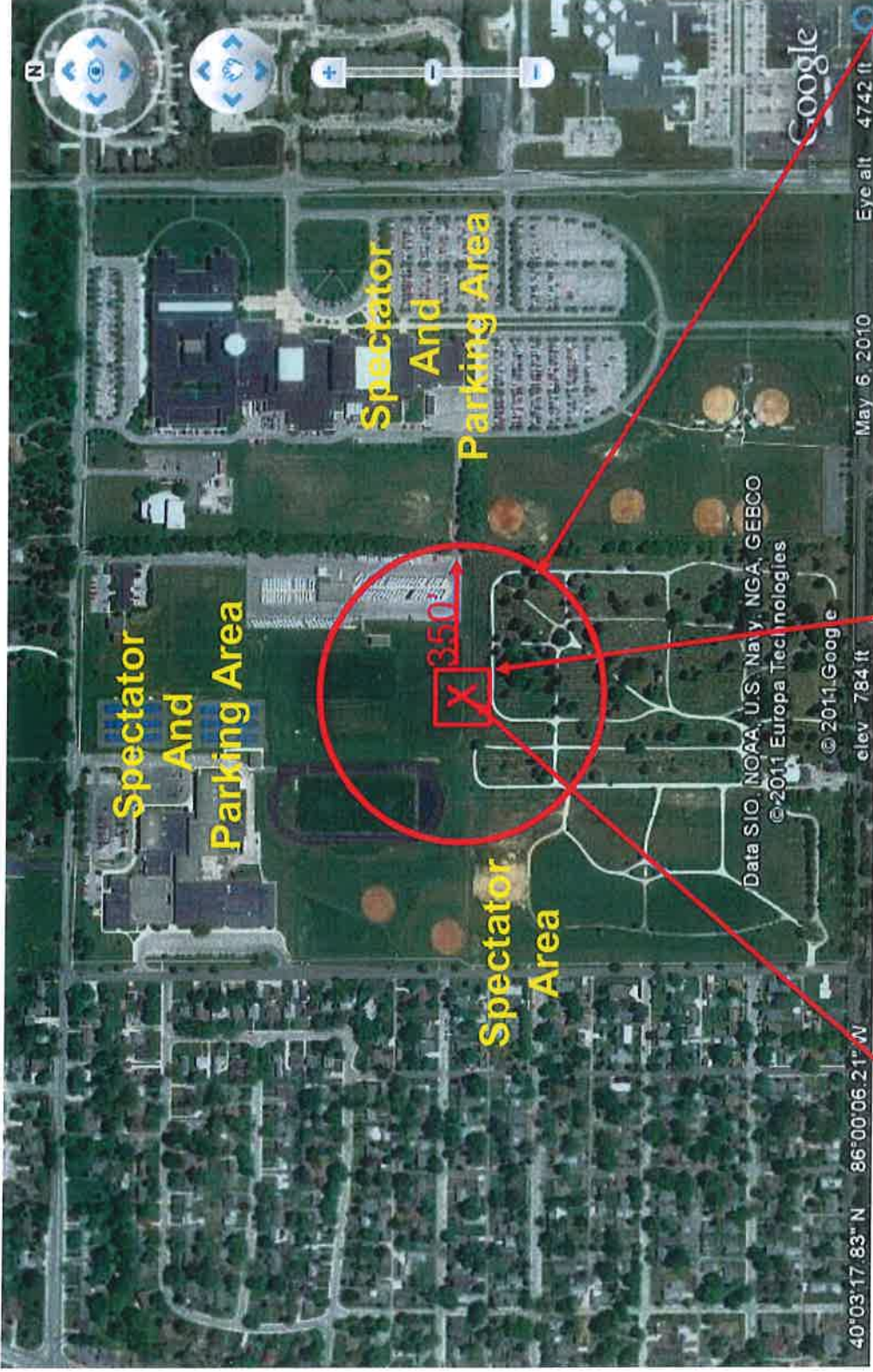
This should include years of experience and legitimate training received.

NOTICE TO FIRE CHIEF

Upon receipt of such application, the Chief of the Fire Department shall make, or cause to be made, an inspection of the site of the proposed display for the purpose of determining whether the provisions of these regulations are complied with in the case of the particular display. Being satisfied that the display is properly lawful, the Chief of the Fire Department shall endorse the application, stating that he approves the display as being in conformance with all parts of the law and with these regulations.

Noblesville High School
18111 Cumberland Rd. Noblesville, Indiana 46060

5" Limit / No Angles
7/4/2017 GRP



Launch Site: X

Setup Area: 50'x50'

Radius: 350' from setup area



Re: Operators for Fireworks Display

To Whom It May Concern:

Per your request and instructions, here is a list of operators that would be in charge of fireworks displays on the 4th of July and other dates. From this list, one of the following personnel would be in charge of the display. Each individual is trained in set-up, firing, and breakdown of displays. Also, to respond to any situation that may arise such as undetonated shells, etc.

Unless otherwise noted, address of the personnel will be at our corporate location. If additional information is required, please contact our office during regular business hours.

Name	Age	Years with Melrose	Trained by Melrose	Trained by APA*	Licensed in another state
Steve Arnett	52	10	Yes	Yes	Illinois
Clayton Cook	51	32	Yes	Yes	Illinois
Ryan Cox	41	7	Yes	Yes	
Gary Dodt	61	9	Yes	Yes	
Jeremy Erk	41	11	Yes	Yes	
Chuck Feldman	84	34	Yes	Yes	
Tom Feldman	59	34	Yes	Yes	
Randy Garton	47	13	Yes	Yes	
Mark Hart	45	7	Yes	Yes	
Dorene Lamb	48	27	Yes	Yes	Illinois
Mike Linn	48	15	Yes	Yes	Illinois
Andy Loska Jr.	34	13	Yes	Yes	Illinois
Andy Loska Sr.	58	33	Yes	Yes	Illinois
Corey MaGaha	38	7	Yes	Yes	
Louis Mezydlo	42	18	Yes	Yes	Illinois
Steven Miller	37	10	Yes	Yes	
Garry Poe	63	26	Yes	Yes	Illinois
James Potter	61	31	Yes	Yes	
Pat Shuck	45	27	Yes	Yes	
Carl Thompson	60	28	Yes	Yes	IL/MO
Clayton Williams	41	16	Yes	Yes	IL/MO
Steve Williams	69	17	Yes	Yes	
Mike Zuzock	44	19	Yes	Yes	Illinois

Melrose Pyrotechnics

1 Kingsbury Industrial Park
P.O. Box 302
Kingsbury, IN 46345

T 219-393-5522 800-771-7976
F 219-393-5710 800-775-7976

melrosepyro.com

All operators listed have hand fire, electric fire and indoor pyrotechnic experience. If you have questions regarding any technician's qualifications, please don't hesitate to call our office.

*APA = American Pyrotechnics Association


All of which is approved by the Board of Public Works and Safety of the City of Noblesville this
10th day of April 2018.


JOHN DITSLEAR, MAYOR


LAWRENCE STORK, MEMBER


JACK MARTIN, MEMBER

ATTEST:


EVELYN L. LEES, CLERK
CITY OF NOBLESVILLE, INDIANA



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/21/2018

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 Britton Gallagher One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 E-MAIL ADDRESS: FAX (A/C, No): 216-658-7101														
INSURED Melrose Pyrotechnics, Inc. Kingsbury Industrial Parkway Heinold Complex Kingsbury IN 46345	<table border="1"><thead><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A : Everest Indemnity Insurance Co.</td><td>10851</td></tr><tr><td>INSURER B : Everest National Insurance Company</td><td>10120</td></tr><tr><td>INSURER C : Liberty Mutual Insurance Co</td><td>25035</td></tr><tr><td>INSURER D : Maxum Indemnity Company</td><td>26743</td></tr><tr><td>INSURER E :</td><td></td></tr><tr><td>INSURER F :</td><td></td></tr></tbody></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Everest Indemnity Insurance Co.	10851	INSURER B : Everest National Insurance Company	10120	INSURER C : Liberty Mutual Insurance Co	25035	INSURER D : Maxum Indemnity Company	26743	INSURER E :		INSURER F :	
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COVERAGES**CERTIFICATE NUMBER:** 386506368**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														
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	Y		SI8ML00042-181	1/15/2018	1/15/2019	<table border="1"><tr><td>EACH OCCURRENCE</td><td>\$1,000,000</td></tr><tr><td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td><td>\$500,000</td></tr><tr><td>MED EXP (Any one person)</td><td>\$</td></tr><tr><td>PERSONAL & ADV INJURY</td><td>\$1,000,000</td></tr><tr><td>GENERAL AGGREGATE</td><td>\$2,000,000</td></tr><tr><td>PRODUCTS - COMP/OP AGG</td><td>\$2,000,000</td></tr><tr><td></td><td>\$</td></tr></table>	EACH OCCURRENCE	\$1,000,000	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$500,000	MED EXP (Any one person)	\$	PERSONAL & ADV INJURY	\$1,000,000	GENERAL AGGREGATE	\$2,000,000	PRODUCTS - COMP/OP AGG	\$2,000,000		\$
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B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	Y		SI8CA00025-181	1/15/2018	1/15/2019	<table border="1"><tr><td>COMBINED SINGLE LIMIT (Ea accident)</td><td>\$1,000,000</td></tr><tr><td>BODILY INJURY (Per person)</td><td>\$</td></tr><tr><td>BODILY INJURY (Per accident)</td><td>\$</td></tr><tr><td>PROPERTY DAMAGE (Per accident)</td><td>\$</td></tr><tr><td></td><td>\$</td></tr></table>	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000	BODILY INJURY (Per person)	\$	BODILY INJURY (Per accident)	\$	PROPERTY DAMAGE (Per accident)	\$		\$				
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C	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	WC134S319733 (IN)	4/1/2018	4/1/2019	<table border="1"><tr><td><input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER</td><td></td></tr><tr><td>E.L. EACH ACCIDENT</td><td>\$1,000,000</td></tr><tr><td>E.L. DISEASE - EA EMPLOYEE</td><td>\$1,000,000</td></tr><tr><td>E.L. DISEASE - POLICY LIMIT</td><td>\$1,000,000</td></tr></table>	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER		E.L. EACH ACCIDENT	\$1,000,000	E.L. DISEASE - EA EMPLOYEE	\$1,000,000	E.L. DISEASE - POLICY LIMIT	\$1,000,000						
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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, If more space is required)

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
DISPLAY DATE: July 4, 2018

LOCATION: Noblesville High School - Noblesville, Indiana

ADDITIONAL INSURED: Noblesville High School; Noblesville School District; City of Noblesville, Indiana

CERTIFICATE HOLDER**CANCELLATION**Noblesville
16 South 10th Street
Noblesville IN 46060

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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