

Town
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**AGREEMENT FOR FIRE AND RESCUE SERVICES
BETWEEN THE TOWN OF BERLIN, MARYLAND AND
BERLIN FIRE COMPANY, INC.**

THIS AGREEMENT is made this 26 day of June, 2023, by and between the Mayor and Council for the Town of Berlin, Maryland, a Maryland Municipal Corporation, and the Berlin Fire Company, Incorporated (BFC), a Maryland non-stock corporation with non-profit IRS501(c)(3) status.

WHEREAS the BFC has provided fire suppression and rescue services to citizens and property located within the Town limits of the Town of Berlin since 1910; and

WHEREAS the Town of Berlin has provided taxpayer funding on a yearly basis to assist the BFC in the provision of those services and

WHEREAS the Mayor and Council of the Town of Berlin and Berlin Fire Company desire to formalize their contractual relationship with the BFC to provide Berlin taxpayer funding to BFC to provide their fire and rescue services within the corporate limits of the Town of Berlin.

NOW THEREFORE, the parties hereto agree as follows:

BFC shall provide fire and rescue services to all properties and citizens located within the Town limits of the Town of Berlin for the period of July 1, 2023 to June 30, 2024.

SECTION I ORGANIZATIONAL TERMS AND COMMITMENTS

1. BFC will meet in a public work session quarterly with the Mayor and Council of Berlin to assist the Town in adopting a funding formula for fire and rescue operations and capital apparatus replacement and other topics to share information regarding the fire and rescue operations and financial needs.
2. BFC shall adhere to a fiscal year from July 1 to June 30 and shall provide an accountant compiled financial report which will include nine copies of a final compilation of financials to include final fiscal year end profit and loss statements and balance sheets to the Mayor and Council by September 30, 2023.

3. The Town shall notify the fire company of all new building and development activities at time of application or submission of plans and prior to Planning Commission or Council approval and BFC shall provide an operational and financial impact report on said development activities.
4. BFC will provide a quarterly presentation that will include a fire and rescue operational summary and financial highlight overview that will include budget highlights / variances at the fourth Monday, Mayor and Council meetings in October 2023, January 2024, April 2024, and July 2024, and attend and present its annual budget request at the FY25 general budget work sessions during the contract period. The Mayor and Council shall be provided nine copies, at least seven days in advance, of a quarterly profit and loss statement and balance sheet printed from the financial software to serve as a quarterly “financial snapshot”.
5. BFC shall update the five (5) year financial plan to include capital expenditures and provide said plan to the Mayor and Council by December 31, 2023.
6. BFC officers and members shall ensure that it does not discriminate against any person on the basis of race, sex, religion, sexual orientation, national origin, age or color.
7. Berlin Fire Company will make every effort to respond to a minimum of 85% of initial fire and rescue calls within the town limits within six-minute county “response check” dispatch procedure.

SECTION II DISBURSEMENT OF FUNDS - FINANCIAL TERMS

1. The Mayor and Council agrees to disburse the annual payment of \$116,960.82 in full to BFC prior to July 15, 2023.
2. In the event of a breach of the terms of this Agreement, the Mayor and Council reserves the right to request a proportionate refund of funding payment and BFC reserves the right to suspend fire and rescue services.
3. The Town shall indicate in their public budget records and financial systems the separation of funds allocated between the two corporations (BFC and BFCEMS) and designate these funds for fire and rescue services. The Town shall fund each service fire/rescue and

emergency medical services independently and shall anticipate an annual increase in operational costs for each.

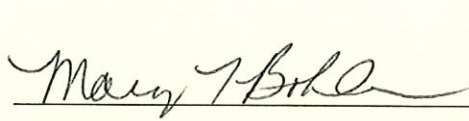

4. American Rescue Plan Act (ARPA) funds have been designated and reserved for fire and rescue capital items in the amount of \$220,000.00 in fiscal year 2023 which will carry over to Fiscal Year 2024. ARPA funds of \$83,039.18 will be distributed to BFC by July 30, 2023 for a one-time payment for BFC FY24 operating expenses. The remaining funds shall be released upon approval of qualifying projects submitted by BFC and approved by the Mayor and Council. It is understood by both parties the BFC may need to request additional funds for consideration of the Mayor and Council to replace self-contained breathing apparatus (SCBA) based on the results of a pending grant application.

SECTION III GENERAL TERMS

1. The parties hereto acknowledge that the terms and conditions of this Agreement are necessary for transparency and accountability to the citizens and taxpayers of the Town of Berlin, and that the goal of this Agreement is to provide funding for fire and rescue services for the contract period July 1, 2023 to June 30, 2024.

2. The parties hereto agree that each shall make best efforts to communicate with the other to have a productive relationship.

WHEREFORE, WITNESS THE HAND AND SEAL OF THE PARTIES HERETO:

  (SEAL)
WITNESS Zackery Tyndall, Mayor

Town of Berlin

  (SEAL)
H. Joe Sise David A. Fitzgerald, President
Board of Directors Chairperson Berlin Fire Company, Inc.