

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

THIS AGREEMENT is made this 1st day of August 2022, 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 IRS 501-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 the BFC 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 compensate BFC for 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 to all properties and citizens located within the Town limits of the Town of Berlin for the period of July 1, 2022 to June 30, 2023.

SECTION I ORGANIZATIONAL TERMS AND COMMITMENTS

1. BFC will continue to meet regularly with the Mayor and Council to assist the town in adopting a funding formula to adequately fund fire and rescue operations and capital apparatus and equipment replacement.
2. BFC will adhere to a fiscal year from July 1 to June 30 and shall provide an accountant compiled financial report which will include a final compilation of financials to include final fiscal year end revenue and expense statements and balance sheets to the Mayor and Council by September 30, 2022.
3. The Town shall include the fire company in all building development activities prior to Planning Commission or Council approval and BFC will provide an operational and financial impact report on said proposed development activities.
4. BFC will attend and provide a quarterly presentation that will include a fire and rescue operational presentation and financial highlight overview at the fourth Monday Mayor and Council meetings in October 2022, January 2023, April 2023, and July 2023, and attend the FY24 general account budget work session during the contract period. The Mayor and Council shall be provided a quarterly financial report to include a profit and loss statement and balance sheet printed from their 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 Dec 31, 2022.
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 85% of initial fire and rescue calls within the town limits within the 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 on August 5, 2022.
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 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. The division of the Town funds was determined by BFC and BFCEMS due to the Town approving a single allocation in their approved FY22-23 budget.
4. American Rescue Plan Act (ARPA) funds have been designated and reserved for fire and rescue capital items in the amount of \$220,000 with said funds to be released upon approval of qualifying project(s) submitted by BFC and approved by the Mayor and Council.

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 rescues services for the contract period July 1, 2022 to June 30, 2023.
2. The parties hereto agree that each shall make best efforts to communicate with the other to have a productive relationship.

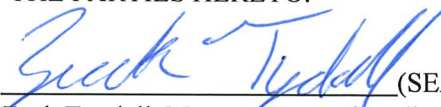
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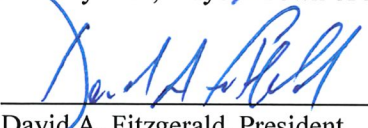
WITNESS



WITNESS-H. Joe Sise
Board of Directors Chairperson



(SEAL)
Zack Tyndall, Mayor--Town of Berlin



(SEAL)
David A. Fitzgerald, President
Berlin Fire Company, Incorporated