



MAYOR AND COUNCIL
Meeting Agenda
Worcester County Library – Berlin Branch
13 Harrison Ave
Monday, September 28, 2026

5:00 PM WORK SESSION – Worcester County Library – Berlin Branch, 2nd Floor

Joint work session of the Mayor and Council & Planning Commission to continue discussion of accessory dwelling unit (ADU) requirements. Public participation may be permitted at the Mayor's discretion.

6:00 PM REGULAR SESSION – Worcester County Library – Berlin Branch, 2nd Floor

1. 6:05 PM CALL TO ORDER

2. 6:10 PM APPROVAL OF MINUTES: Mayor Zack Tyndall (Strategic Plan: DS1)

- a) Work Session Minutes of 9.14.26
- b) Regular Session Minutes of 9.14.26

3. 6:15 PM PRESENTATION(S):

- a) Citation – Recognition of Town Administrator Mary Bohlen's Years of Service and Retirement – Mayor Zack Tyndall (Strategic Plan: DS5, AS1)
- b) Summary of Reconnecting Communities and Neighborhoods Grant, work completed in Phase 1 and plans for Phase 2 – Mayor's Executive Assistant Sara Gorfinkel and Worcester County Bike & Pedestrian Coalition Co-Chair Patti Stevens (Strategic Plan: DS2)

4. 6:45 PM PUBLIC HEARING(S): (*First Readings held on Monday, September 14, 2026*)

- a) Ordinance 2026-06: Amending Chapter 16, Entitled Fire Prevention and Protection, Article II, Entitled Outdoor Burning – Acting Planning Director Ryan Hardesty (Strategic Plan: DS2, AS2)
- b) Ordinance 2026-07: Amending Chapter 108, by adding a new Section 719 in Section of Article II, Entitled "Accessory Dwelling Units" – Town Legal Consultant Emily Morris & Mayor Zack Tyndall (Strategic Plan: DS4, AS2)

5. 7:05 PM DISCUSSION(S):

- a) Sale of Parcel 57 – Coastal Ventures Properties LLC, Palmer Gillis & Mayor Zack Tyndall (Strategic Plan: DS1, AS1)
- b) Sidewalks – Town Attorney David Gaskill & Town Administrator Mary Bohlen (Strategic Plan: DS4, AS2)

6. 7:50 PM ITEM(S) FOR APPROVAL:

A public comment period will now be offered after discussion by the Mayor and Council for each Item for Approval. Any person who may wish to speak will be given two (2) minutes or such time as may be deemed appropriate by the Mayor.

- a) Resolution 2026-07: Re-establish Equivalent Dwelling Unit (EDU) Financing Policy – Town Administrator Mary Bohlen (Strategic Plan: DS3, AS3)
- b) Resolution 2026-08: Updated Town Fee Schedule to include addition of ADU-related permit fees – Town Legal Consultant Emily Morris (Strategic Plan: DS4, AS2)

- c) Motion 2026-37: Real Property Tax Abatement 9930 Deer Park Road – Town Attorney David Gaskill (Strategic Plan: DS4, AS2)
- d) Motion 2026-56: Recommendation of Bid Award for RFP # 2026-03 Berlin Lead Service Line Replacement, Phase 1A – DBF Engineering, Inc. Nicholas Bradley (Strategic Plan: DS3, AS3)

7. 8:00 PM REPORT(S): Town Administrator’s Report, Departmental Reports
(Strategic Plan: DS1, DS4)

8. 8:05 PM COMMENTS FROM THE PUBLIC (Strategic Plan: DS4; DS5)
Anyone wishing to speak during COMMENTS FROM THE PUBLIC at the Regular Session may do so for up to five (5) minutes or as determined by the Mayor. Please state your name, street, and the subject you wish to address.

9. 8:15 PM COMMENTS FROM THE COUNCIL

10. 8:20 PM COMMENTS FROM THE MAYOR’S OFFICE

11. 8:25 PM COMMENTS FROM THE PRESS

12. 8:30 PM ADJOURNMENT

8:30 PM (approx.) CLOSED SESSION – Worcester County Library – Berlin Branch, 2nd Floor
(***to immediately follow conclusion of Regular Session*)

STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3- 305(b): (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; b. Personnel matter

To access the Meeting via Facebook, please click the blue Facebook icon at the top of any page on www.berlinmd.gov, or type @townofberlinmd in the Facebook search bar. QR code links to online packet and Strategic Plan. Anyone having questions about the meetings mentioned above or needing special accommodations should contact Town Administrator Mary Bohlen at (410) 641-2770. Written materials in alternate formats for persons with disabilities are made available upon request. TTY users dial 7-1-1 in the State of Maryland/outside Maryland dial 1-800-735-2258.





**BERLIN MAYOR AND COUNCIL
PLANNING COMMISSION
Meeting Minutes
Work Session
Monday, September 14, 2026**

5:00 PM WORK SESSION – Worcester County Library, Berlin Branch

Present: Mayor Zack Tyndall, Vice President Dean Burrell, Councilmembers Steve Green, Jay Knerr, Shaneka Nichols, and Jack Orris.

Planning Commission Present: Chairman Matt Stoehr, Newt Chandler, Pete Cosby, Dirk Widdowson, Steve Scheiber, Erich Pfeffer, and Logan Hall

Staff Present: Town Legal Consultant Emily Morris, Acting Planning Director Ryan Hardesty, Human Resources Director Kelsey Jensen, Mayor's Executive Assistant Sara Gorfinkel, and Associate Town Administrator Kate Daub.

This meeting was broadcast live via Facebook. Mayor Tyndall called the meeting to order at approximately 5:00 PM.

Mayor Tyndall said the proposed ordinance had been revised to incorporate feedback from the previous work session and noted that the Town must have regulations in place by October 1st to comply with State of Maryland requirements. He then introduced Emily Morris, the Town's legal counsel for planning-related matters, to review the proposed ordinance and discuss the revisions.

Ms. Morris explained that the proposed ordinance was drafted in response to Maryland legislation that took effect October 1, 2025, requiring local jurisdictions to permit ADUs in single-family residential districts, including the Town's R-1 and R-2 districts. She said local jurisdictions may impose reasonable restrictions on ADUs but cautioned against adopting regulations that could be overly restrictive and potentially subject the Town to a legal challenge.

Ms. Morris explained that the proposed ordinance would permit both attached and detached ADUs and, as drafted, would limit an ADU to a maximum of 800 square feet or 35% of the primary dwelling's net livable floor area. She discussed the definition of livable space and explained that the language was intended, in part, to prevent an applicant from constructing a structure that initially complied with the size limitation and later converting additional areas into bedrooms, bathrooms, or other livable space. She further stated that the percentage limitation was intended to maintain an appropriate proportional relationship between the primary dwelling and the ADU. Ms. Morris noted that other jurisdictions she reviewed had adopted varying square-footage and percentage limitations.

Ms. Morris also reviewed the proposed ownership, occupancy, and rental provisions. She explained that if an ADU were rented, the property owner generally would be required to reside on the property and would need to be a natural person rather than an LLC or other entity. She stated that the proposed

provisions would also recognize certain immediate family members for occupancy-requirement purposes. Ms. Morris further explained that if the owner resided in the ADU, the primary residence could be rented; however, if the owner occupied neither dwelling, the ADU could not also be rented. She stated that these provisions were intended to prevent a single-family property from effectively becoming a two-unit rental property and to preserve the ADU's accessory and supplemental relationship to the primary residence.

Councilmember Knerr asked whether the proposed 800-square-foot and 35% limitations could be modified, expressing concern that the percentage-based restriction could result in an impractically small ADU when applied to a relatively small primary residence. He cited a 1,200-square-foot home as an example. Ms. Morris responded that the percentage limitation could be modified or eliminated but cautioned that permitting a flat 800-square-foot maximum regardless of the size of the primary residence could result in an ADU approaching the size of the principal dwelling.

Mr. Stoehr suggested consideration of a graduated size standard as an alternative to the percentage-based limitation. He proposed allowing approximately 600 square feet for smaller primary residences, 700 square feet for moderately sized residences, and up to 800 square feet for larger residences. Ms. Morris said a chart or tiered system could be incorporated into the ordinance to set ADU size limits based on the size of the primary residence.

Mr. Hall asked whether State guidance referencing a 75% threshold required local jurisdictions to permit an ADU of up to 75% of the primary dwelling or whether the Town could establish a lower maximum. Ms. Morris stated that she did not interpret the 75% figure as a required minimum. Rather, she interpreted the statutory phrase "not greater than 75%" as an upper limit, not as requiring local jurisdictions to permit ADUs equal to 75% of the primary dwelling. She also referenced statutory language requiring an ADU to remain subordinate to the primary single-family dwelling.

Ms. Morris explained that State FAQs and task force materials may contain recommendations regarding preferred implementation but do not necessarily reflect the precise requirements of the enacted legislation. She stated that she had previously discussed the 75% issue with Town Attorney David Gaskill, who agreed with her interpretation. Ms. Morris nevertheless agreed to review the matter again and confirm that interpretation. Mr. Hall referenced another jurisdiction's treatment of the 75% threshold and suggested that its approach was relevant to the Town's consideration of the issue.

Ms. Morris reiterated that, in her interpretation, the statutory requirement that an ADU remain subordinate to the primary dwelling supported the Town's authority to establish a maximum below 75%. She stated that interpreting the law as requiring jurisdictions to permit ADUs of up to 75% of the primary dwelling would significantly limit local authority to set a lower maximum, and she indicated she did not believe that was the intent of the legislation. Ms. Morris concluded that she believed the Town had a legally supportable basis for adopting a lower limitation but stated that she would verify the issue before the ordinance proceeded.

Mr. Hall suggested revising the proposed standard from 35% of the primary dwelling or 800 square feet, whichever is less, to whichever is greater. Ms. Morris cautioned that such an approach could result in

substantially larger ADUs on larger properties. She again suggested that a graduated size schedule might provide a more appropriate alternative and asked the group to consider what size ADU should reasonably be permitted in conjunction with a primary residence of approximately 1,000 square feet. Mr. Chandler expressed a preference for retaining a percentage-based limitation, noting that it could appropriately constrain ADU development on properties where a larger accessory dwelling might otherwise be impractical or disproportionate.

Mr. Stoehr emphasized that an accessory dwelling should remain clearly subordinate to the primary residence rather than function as a second full-sized dwelling on the property. He said an 800-square-foot maximum was larger than necessary and noted that apartments and flats in other communities are often considerably smaller. Referencing tiny-home living and downsizing trends, Mr. Stoehr recalled that a 600-square-foot maximum had been discussed during the previous work session and indicated his preference for a smaller maximum, including consideration of the previously discussed 600-square-foot limit.

Mayor Tyndall continued the discussion of the proposed ADU size limitations, noting that the draft represented the Town's effort to incorporate comments from the previous work session but remained subject to revision. He asked whether members considered the proposed maximum of 800 square feet and 35% of the primary dwelling's net livable floor area appropriate. Based on the responses, Mayor Tyndall concluded that the group had not reached consensus on the proposed standard.

Mr. Hall asked whether the Town currently has a minimum square-footage requirement for a conventional residence. Ms. Hardesty raised the related question of whether Berlin has a minimum livable-area requirement and noted that applicable occupancy standards establish minimum space requirements. Mr. Stoehr referenced existing apartments above businesses on Main Street that are approximately 350 square feet and stated that a unit of that size could accommodate a bedroom, bathroom, compact kitchen, and small living area. He emphasized the distinction between livable floor area and the overall size of an accessory structure, noting that a larger garage or other accessory building could contain an ADU without the entire structure being considered residential living space.

Mayor Tyndall asked whether the group could agree on 600 square feet as the maximum livable area for an ADU and received affirmative responses. Mr. Pfeffer raised an architectural concern, observing that a 600-square-foot accessory structure could appear disproportionately small in relation to certain larger historic residences. He expressed the view that larger accessory structures should remain permissible in appropriate circumstances so that their scale and design could remain compatible with the primary residence.

Ms. Morris responded that a smaller accessory building could still be architecturally compatible with a larger primary residence if its design appropriately reflected the character of the principal structure. She also identified the Board of Zoning Appeals (BZA) process as a possible mechanism for considering requests for ADUs exceeding the established maximum. Under such an approach, the ordinance could establish a maximum size permitted by right while allowing an applicant seeking a larger ADU to demonstrate unique circumstances to the BZA. Ms. Morris suggested that this could provide flexibility for unusually large homes or properties without increasing the generally permitted maximum.

Mr. Stoehr questioned whether allowing substantially larger ADUs would undermine their intended accessory nature by effectively permitting a second full-sized residence on the property. He opposed increasing the permitted ADU size solely because the primary residence was large, citing the example of a 5,000-square-foot colonial home potentially supporting a 1,200-square-foot secondary dwelling in an R-1 district. He reiterated that an ADU should remain clearly subordinate to the principal residence.

Mr. Widdowson encouraged the group to consider the broader purpose of the State's ADU legislation, which he understood to include expanding affordable housing opportunities. He stated that the State appeared to view ADUs as one means of increasing the housing supply and creating additional affordable housing options. Mr. Stoehr acknowledged that affordable housing appeared to be an objective of the legislation but questioned whether allowing larger ADUs would necessarily further that objective.

Mr. Chandler raised concerns regarding the rental use of ADUs, noting that larger units could accommodate more occupants and potentially create greater impacts on neighboring properties and residential quality of life. He specifically expressed concern about short-term rental use and stated that the Town should consider restrictions to prevent unintended impacts. Mayor Tyndall emphasized the need to balance the interests of property owners wishing to construct ADUs with those of neighboring residents seeking to preserve the character and enjoyment of their properties. He indicated that the group would return to the proposed use and rental restrictions after resolving the size issue.

Mayor Tyndall then distinguished between the permitted livable area of an ADU and the overall size of the accessory structure containing it. He suggested maintaining a 600-square-foot maximum for ADU living space while allowing a larger accessory structure where appropriate for architectural compatibility or other permitted accessory uses. For example, a larger building could include a garage or storage area in addition to the 600-square-foot residential component. This approach would allow the overall structure to remain proportionate to a larger primary residence without increasing the permitted ADU living area.

Ms. Morris agreed that the ordinance should clearly distinguish between an accessory structure and the dwelling space located within it. In reviewing the Town's existing accessory structure regulations, she noted that some provisions could benefit from greater clarity. She referenced the existing limitation of approximately 25 feet or one and one-half stories and observed that "one and one-half stories" was not clearly defined. Ms. Morris also suggested that the Town more clearly define accessory structures and consider regulating the number permitted on an individual property.

Mayor Tyndall reiterated that an accessory building could exceed 600 square feet when the additional area consisted of a garage, storage space, or another permitted nonresidential use, while the ADU itself would remain limited to 600 square feet of livable area. He noted that this could address concerns that a standalone 600-square-foot building might appear out of scale with a substantially larger primary residence. He further noted that an applicant seeking additional ADU living space could potentially seek relief through the BZA.

Ms. Morris explained that any BZA process for an ADU exceeding the established maximum would need to include specific standards and required findings. She emphasized that approval would not be a matter

of unrestricted discretion; rather, an applicant would need to satisfy established criteria and demonstrate circumstances distinguishing the property from others.

Mr. Hall then noted that the draft language appeared to apply the proposed size restriction to the entire accessory structure rather than only to the ADU living area. He cited the example of an owner of a relatively small home who might wish to construct a larger garage for classic cars and cautioned that the ADU regulations should not inadvertently restrict an otherwise permissible accessory use. After reviewing the provision, Ms. Morris acknowledged that the draft contained an incorrect reference and clarified that the limitation was intended to apply to the ADU rather than the overall accessory structure.

Mayor Tyndall then asked whether a percentage limitation should remain, noting that such a requirement could significantly restrict owners of smaller homes. Mr. Stoehr recalled the earlier discussion of eliminating the percentage calculation and instead establishing fixed minimum and maximum sizes. He supported allowing approximately 350 to 600 square feet of livable area regardless of the size of the primary dwelling. Mayor Tyndall confirmed that, under this approach, the owner of a 900-square-foot primary residence could still construct an ADU of up to 600 square feet. The group also indicated support for limiting ADUs to one bedroom. Mayor Tyndall summarized the emerging direction as eliminating the percentage-based limitation and establishing approximately 350 square feet as the minimum livable area and 600 square feet as the maximum, together with a one-bedroom limitation.

Mr. Stoehr then questioned whether ADUs were required to be permitted by right. Referencing materials concerning HB 1466, he asked whether State law might allow ADUs to be treated as conditional uses or special exceptions. If legally permissible, Mr. Stoehr favored requiring each ADU to undergo an additional review so that the Town could consider whether the proposal was appropriate for the surrounding neighborhood and community. He expressed concern about permitting ADUs entirely by right and asked the group to consider whether an additional approval process could be imposed.

Ms. Morris cautioned that imposing a discretionary approval requirement could create legal concerns because, in her interpretation, State law limits a local government's ability to impose unreasonable restrictions on a property owner's ability to develop and rent an ADU. She stated that, based on her review and discussions with Town counsel, the Town could impose objective standards but should not deny an otherwise compliant ADU simply because a decision-making body did not want one at a particular location.

Mr. Stoehr asked whether the Town could incorporate objective standards into a special-exception process. Ms. Morris responded that "special exception" has a particular legal meaning and could imply discretionary relief from an otherwise applicable requirement. If the Town required an additional level of review, she favored Planning Commission review based on clearly stated and objective design standards. Under that approach, the Planning Commission would determine whether an application satisfied the established standards rather than decide whether an applicant should be permitted to have an ADU.

Councilmember Green reiterated his position that, because ADUs represent a new regulatory framework for the Town, an additional layer of oversight should initially be incorporated into the approval process. He characterized the additional review as an appropriate safeguard while the Town gained experience

administering the new regulations. Ms. Morris agreed that an additional review requirement could later be reconsidered if experience demonstrated that it was unnecessarily cumbersome. The group discussed the possibility of reevaluating the review requirement after approximately three years and removing it if it was no longer considered necessary. Attention then turned to the development and design standards in the draft as a possible basis for the additional review.

Mr. Stoehr raised the issue of off-street parking and noted that the State framework limits the Town's ability to impose additional parking requirements without supporting justification. He stated that the Town's 2019 parking study was outdated. Mayor Tyndall referenced a possible opportunity, previously raised by Logan, to work with the Eastern Shore Regional GIS Cooperative (ESRGC), although the concept had not yet been sufficiently developed. He recommended proceeding with the ordinance within the required timeframe and revisiting parking after obtaining additional information.

Mr. Cosby asked that the Town specifically revisit parking after adoption, citing Washington Street as an example of an area where additional ADUs and associated vehicles could increase pressure on existing on-street parking. He noted that even properties with available off-street parking could contribute to congestion because residents were not necessarily required to use their driveways. Mr. Cosby suggested that the Town may ultimately need to consider additional measures, such as requiring the use of available off-street parking or establishing a residential parking permit program. Mayor Tyndall stated that the broader parking issue was beyond what could reasonably be resolved during the work session but agreed that it should be revisited.

Discussion returned to whether the ADU ordinance should address off-street parking. Ms. Morris confirmed that, although the Town could not require an additional off-street parking space under the proposed ordinance, the draft strongly encouraged applicants to provide at least one space. She acknowledged that the provision would not be enforceable but said Planning Commission review could give Commissioners, applicants, and the public an opportunity to discuss parking and other neighborhood impacts. Because the Planning Commission routinely addresses such planning considerations, Ms. Morris considered it the more appropriate reviewing body.

Ms. Morris continued reviewing the development and design standards, including the provision limiting each lot to one attached or detached ADU. Councilmember Knerr asked about applicable setbacks. Ms. Morris explained that State law does not permit the Town to impose greater setbacks on an ADU than those applicable to an accessory structure. Mr. Chandler asked whether the Town could amend its accessory-structure setbacks. Ms. Morris responded that the State law appeared to preserve the setback requirements in effect when the legislation became effective on October 1, 2025, and expressed doubt that the Town could subsequently increase those setbacks to impose greater restrictions on ADUs.

Ms. Hardesty questioned why an ADU should require Planning Commission review when construction of a primary residence, garage, or other accessory structure generally does not undergo comparable residential design review. Mr. Stoehr similarly noted that the Planning Commission does not ordinarily serve as the design authority for individual residences and questioned whether ADUs should be treated differently. Mayor Tyndall acknowledged the concern and related it to the earlier discussion of whether an additional review requirement could constitute an impermissible obstacle to ADU development.

Councilmember Green acknowledged that the legal issue remained uncertain, noting that some State materials appeared to suggest that ADUs did not necessarily have to be permitted entirely by right. Ms. Morris cautioned against placing the Town in a position where it could become a test case for an uncertain interpretation of State law. Councilmember Green observed that the group had already substantially reduced the proposed maximum ADU size and questioned whether those objective restrictions might sufficiently address the concerns that had initially prompted support for an additional approval process.

The group discussed the distinction between Planning Commission review and actual authority to deny an application. Mr. Hall noted that, under a by-right framework, an applicant could consider the Planning Commission's recommendations but potentially proceed despite the Commission's objections. Ms. Morris stated that the design standards could potentially be strengthened to give the review process greater effect while remaining within the limitations of State law. She also suggested a compromise under which Planning Commission review would apply only to newly constructed ADUs and not to conversions of existing accessory structures, thereby providing oversight of new construction without unnecessarily burdening conversions.

Mr. Widdowson agreed that the Town does not ordinarily require Planning Commission approval for individual garages or sheds and questioned whether ADUs should be singled out for such review. He noted that extending similar review to all accessory structures would create an impractical workload. Mr. Cosby responded that an ADU differs from an ordinary garage or shed because it introduces an additional residential use on the property and may therefore have impacts more comparable to multifamily or other residential development requiring additional review.

The group also considered whether existing architectural-review provisions associated with the site-plan process could serve as a model. Mr. Chandler noted that the proposed ordinance already required an ADU to be compatible with the primary dwelling and questioned whether failure to satisfy that standard could provide grounds for denial. Ms. Morris agreed to strengthen the language to the greatest extent legally permissible. Mayor Tyndall summarized the proposed approach as treating the addition of a second dwelling unit on a property similarly to other development involving multiple dwelling units and therefore subjecting it to Planning Commission review.

Mr. Cosby said he still preferred review by the Board of Zoning Appeals through a special-exception process, although he was willing to proceed with the group's preferred approach. He maintained that BZA review would provide a more meaningful approval mechanism than Planning Commission review without comparable authority. Ms. Morris expressed concern that the BZA is fundamentally a body that grants exceptions rather than one that simply reviews compliance. She cautioned that requiring BZA approval could create an additional hurdle inconsistent with the intent of the State legislation because an application could potentially be denied.

Ms. Morris returned to the possibility of allowing BZA relief for applicants seeking an ADU larger than the proposed 600-square-foot maximum. She cautioned that eliminating any relief mechanism could create difficulties for existing structures exceeding that size and could encourage unauthorized conversions. She noted that residential use of accessory structures had presented regulatory questions

under the existing code and reiterated the value of having an appropriate Town body review such proposals rather than relying solely on technical code provisions.

The discussion then shifted to permitting and utility requirements. Councilmember Nichols expressed concern that ADUs would require water, sewer, electric, plumbing, and other infrastructure and emphasized the need for proper permitting and inspection. Mayor Tyndall clarified that an ADU would still undergo the Town's normal building and utility review in the same manner as other residential construction. He added that Planning Commission review would address only those matters assigned to the Commission and would not replace required permits, inspections, or utility approvals.

Mayor Tyndall explained that the proposed utility provisions were based on an Equivalent Dwelling Unit (EDU) allocation of 250 gallons per day. If a property's existing usage remained within that allocation, he said it could add an ADU without purchasing additional capacity. If usage exceeded the allocation, the property would need to purchase additional capacity. The group also discussed stormwater management and impervious-surface requirements. Mayor Tyndall stated that those matters would be addressed through the permitting process and explained that the applicable stormwater threshold was based on cumulative disturbance exceeding 5,000 square feet.

Mayor Tyndall observed that ADUs could require the Town to examine lot coverage more closely, particularly on already developed properties with substantial impervious coverage. Mr. Pfeffer acknowledged that existing conditions could complicate additional development. Ms. Hardesty suggested that unusual lot-coverage or stormwater circumstances might provide a basis for BZA review where an applicant could demonstrate hardship. She cautioned that requiring additional applications, hearings, fees, and repeat appearances could discourage ADU development and potentially create an additional regulatory barrier.

Mayor Tyndall explained that one EDU is defined as 250 gallons per day. When asked whether exceeding that amount would result in denial of an ADU application, he clarified that the owner would instead be required to purchase additional capacity. Ms. Morris stated that Town Administrator Mary Bohlen was developing a schedule of applicable EDU fees and explained that fees and fines were being placed in schedules adopted by Council resolution rather than directly in the Code so they could be more easily located and updated.

Mayor Tyndall explained that the Town generally does not sell less than one full EDU, which was described during the discussion as costing approximately \$17,000. She stated that the Town would need to determine whether ADUs could purchase a proportional share of an EDU based on additional flow or whether exceeding the existing allocation would require purchasing an entire additional EDU. She acknowledged that requiring a full EDU could create a substantial financial barrier and suggested considering a proportional approach.

The group then considered whether the Town could eventually reach a point at which insufficient wastewater capacity would prevent additional EDU allocations. Mayor Tyndall explained that each EDU represents a portion of the Town's overall wastewater treatment capacity, which was estimated during the discussion at approximately 3,000 EDUs. He stated that Maryland Department of the Environment

requirements call for planning an upgrade when the system reaches about 80% capacity and having construction underway when it reaches about 90%. He noted that Berlin was not currently at those thresholds.

Mayor Tyndall further explained that the Town had worked with the Maryland Department of the Environment to revise how wastewater flows were measured following the transition from discharge into Bottle Branch to disposal through spray sites. Because rainfall could affect measurements associated with stored water at the spray site, the Town was permitted to measure flows leaving the treatment plant and being pumped to the spray site. Mayor Tyndall estimated that the revised methodology had provided approximately ten additional years of capacity, assuming the Town did not substantially overbuild. He confirmed that the Town currently had sufficient capacity to accommodate the utility demands anticipated under the proposed ADU ordinance. The group discussed whether additional capacity required for an ADU could be purchased as a proportional share rather than as an entire EDU. Mayor Tyndall suggested that the Town might sell a percentage of an EDU, such as 25%, to avoid imposing an undue financial burden.

The discussion then shifted to the proposed ADU fee schedule. Ms. Morris emphasized that the amounts in the draft were preliminary and intended only as starting points. She proposed a \$300 amnesty application fee and a six-month amnesty period during which owners of existing, unregistered ADUs could seek recognition. After the six-month period, she said owners who had not applied would no longer qualify for amnesty and would be required to proceed through the regular application process.

Ms. Morris stated that the draft initially proposed waiving the \$300 amnesty fee for individuals who had owned and occupied their property for more than 20 years, but emphasized that the waiver was only a suggestion. After a participant objected and the group supported requiring a fee, Ms. Morris agreed to remove the waiver. She also identified preliminary fees of \$500 for new construction and about \$350 for converting an existing structure.

Ms. Morris proposed providing owners of legally recognized ADUs with documentation that could be recorded in the land records. She explained that such documentation would help when a property was sold because it could establish that the ADU was legally recognized and identify any restrictions on its continued use, providing notice to future purchasers.

Mr. Stoehr questioned whether the proposed penalties for an unregistered ADU were sufficient, asking whether an owner could simply continue operating an illegal unit while paying a recurring fine. Ms. Morris explained that the Town could pursue remedies beyond monetary penalties, including injunctive relief requiring the unlawful use to cease. Concern remained that, depending on the fine amount, prolonged noncompliance could be less costly than meeting the applicable requirements.

Mayor Tyndall suggested considering stronger enforcement mechanisms modeled on the Town's short-term rental regulations, under which a rental license can be revoked. He stated that an owner who failed to comply with ADU requirements should potentially lose the authorization or license permitting the use rather than merely paying recurring fines. He indicated that the existing short-term rental enforcement provisions could provide a model for further consideration.

Mr. Chandler raised concerns about ADUs being used as seasonal housing for workers employed in Ocean City and the potential effects of concentrated seasonal occupancy on Berlin's residential neighborhoods. Ms. Morris responded that the State ADU framework could prohibit short-term rentals and noted that the draft retained an owner-occupancy requirement. She explained, however, that Berlin defines a short-term rental as 30 days or less, meaning a seasonal rental lasting longer than 30 days could fall outside that restriction. Ms. Morris agreed to investigate whether the Town could establish a longer minimum rental period, such as three months, for ADUs.

Mr. Hall asked about occupancy limitations. Ms. Morris explained that the existing code restricts the number of unrelated adults who may occupy a dwelling and establishes minimum space requirements per occupant and for sleeping areas. Although the precise calculations were not conclusively resolved during the discussion, the group noted that ADUs were proposed to be limited to one bedroom. Mayor Tyndall confirmed that existing occupancy provisions would independently restrict the number of persons permitted to reside in an ADU.

Mayor Tyndall stated that the Town should separately consider strengthening enforcement provisions in its housing code through another ordinance. Returning to the ADU draft, participants noted that references to the previously discussed 35% limitation remained in several provisions and would need to be revised to reflect the group's direction. Mayor Tyndall agreed that those references should be removed or modified and confirmed the proposed one-bedroom limitation.

Councilmember Orris asked whether the Town could contact the State and explain that it was actively working toward adoption rather than completing the ordinance by October 1. Ms. Morris expressed concern that the applicable requirement stated that the Town "shall adopt" regulations and cautioned that, without local regulations in place, an applicant could potentially submit an ADU proposal on October 1 and argue that the Town lacked an adopted ordinance under which to impose the contemplated restrictions.

Mayor Tyndall recommended proceeding with a First Reading introduction during the evening's Regular Session of the Mayor and Council based on a summary of the changes agreed upon during the work session. He noted that the discussion had been recorded and recommended posting the revised draft on the Town website as quickly as possible so interested residents could review it. He also observed that Berlin was likely not the only municipality encountering challenges implementing the new requirements. The group briefly discussed whether an extension could be obtained from the State. Councilmember Orris reported that he had contacted Maryland Planning earlier that day to ask whether municipalities had an avenue for obtaining an extension but had not yet received a response.

Mayor Tyndall recommended posting the revised document online as soon as it was available and encouraged members to review it before the next meeting. Members could submit individual comments to Ms. Morris and copy the appropriate participants so everyone received the same information. He cautioned, however, against conducting deliberative discussions by email; members could submit their individual views for consideration but should not engage in a group email exchange regarding one another's positions.

Mayor Tyndall recommended scheduling another joint work session about an hour before the next meeting, subject to members' availability, with September 28th as a possible date. He acknowledged that issues or unintended consequences could become apparent after the ordinance was implemented and stated that the Town could amend the regulations as it gained practical experience. He expressed the view that having regulations in place by the deadline was preferable to having no local ordinance while attempting to anticipate every potential issue in advance. Future amendments could address problems identified through implementation.

Following no further comments, Mayor Tyndall adjourned the work session meeting at approximately 6:09 PM.

Respectfully submitted,

A handwritten signature in blue ink that reads "Kate Daub". The signature is written in a cursive, flowing style.

Kate Daub
Associate Town Administrator



BERLIN MAYOR AND COUNCIL
Meeting Minutes
Monday, September 14, 2026

6:00 PM REGULAR SESSION – Worcester County Library – Berlin Branch

Present: Mayor Zackery Tyndall, Vice President Dean Burrell, Councilmembers Steve Green, Jay Knerr, Shaneka Nichols, and Jack Orris.

Staff Present: Town Administrator Mary Bohlen, Associate Town Administrator Kate Daub, Finance Director Natalie Saleh, Police Chief Howard Drewer, Acting Planning Director Ryan Hardesty, Water Resources Director Jamey Latchum, Electric Utility Director Alan Parkinson, Public Works Director Jimmy Charles, Mayor's Executive Assistant Sara Gorfinkel, and Human Resources Director Kelsey Jensen.

1. This meeting was also broadcast live via Facebook. After the moment of silence and the Pledge of Allegiance, Mayor Tyndall called the meeting to order at approximately 6:21 PM.
2. Approval of Minutes:
 - a) Public Service Commission Case No. 9879 Summary (*for informational purposes only)
 - b) Regular Session Minutes of 8.24.26
 - c) Closed Session Minutes of 8.24.26

On the motion of Councilmember Orris, seconded by Councilmember Knerr, the minutes of 8.24.26 were approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Steve Green	X				
Jay Knerr	X				
Shaneka Nichols	X				
Jack Orris	X				
<i>Voting Tally</i>	5				

3. Presentation: Charles McWilliams, Lineworker Apprenticeship Program:

Mayor Tyndall recognized Charles McWilliams for successfully completing the Choptank Electric Cooperative Lineworker Journeyman/Apprenticeship Program. He noted that Mr. McWilliams is the fourth graduate to complete the Town's electric apprenticeship program. Electric Utility Director Alan Parkinson congratulated Mr. McWilliams, commending him as a valued employee and a pleasure to work with. Mr. McWilliams thanked the Town for the opportunity.

Mayor Tyndall then adjusted the agenda to accommodate staff members who needed to leave for Town-related responsibilities. He moved Item 6B forward for consideration.

6. Item(s) For Approval:
 - b) Motion 2026-50: Award of Contract, Bid 2026-06 Westminster, Abbey, and Upshur Stormwater Management Upgrades:

Steven LeMasters of EA Engineering, the Town's stormwater engineer, presented the project and explained that it was supported by grant funding, with an available project and construction budget of approximately \$650,000. He reported that the submitted bid, when combined with associated project costs, exceeded the available funding. Mr. LeMasters therefore reviewed options for reducing the project scope while preserving its primary purpose. One potential cost-saving measure involved removing the perimeter fencing from the project or addressing it separately.

Further discussion clarified the scope of work reflected in the bid documents and bid tabulation, including the stormwater improvements and associated piping included in the base bid.

On the motion of Councilmember Knerr, seconded by Vice President Burrell, Motion 2026-50: Award of Contract, Bid 2026-06 Westminster, Abbey, and Upshur Stormwater Management Upgrades was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Steve Green	X				
Jay Knerr	X				
Shaneka Nichols	X				
Jack Orris	X				
<i>Voting Tally</i>	5				

- c) Motion 2026-51: Award of Contract, RFP 2026-07 Bottle Branch Sewer Lining:
Mr. Nicholas Bradley of DBF Engineering attended to present the project. No additional comments or questions were made.

On the motion of Councilmember Orris, seconded by Vice President Burrell, Motion 2026-51: Award of Contract, RFP 2026-07 Bottle Branch Sewer Lining was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Steve Green	X				
Jay Knerr	X				
Shaneka Nichols	X				
Jack Orris	X				
<i>Voting Tally</i>	5				

8. Reports:

a) PJM Quarterly Report:

Mr. Parkinson presented the report. He began with the reported figures, including a total of \$740,358, a PJM amount of \$262,978, and an ARR credit of \$84,400. Mayor Tyndall asked whether current power costs or market conditions presented any concerns requiring Council's attention. Finance Director Natalie Saleh said the Town had limited advance power under contract and was therefore relying substantially on the market. Mayor Tyndall also asked about the status of previously discussed purchases of blocks of power. Town Administrator Mary Bohlen said exact figures were not available during the meeting but indicated that communication regarding the matter was ongoing.

6. Item(s) for Approval:

d) Motion 2026-52: Approval for Purchase of AMI Field Support Equipment and Vehicle:

Mr. Parkinson explained that the proposed purchases included in the motion would improve operational efficiency, particularly for meter technicians. He said meter technicians currently use a four-door pickup and must repeatedly load, unload, and protect tools, wire, safety gear, and other equipment from the weather. He explained that a more suitable vehicle would reduce the time spent loading and unloading equipment and could effectively pay for itself over several years through improved efficiency. He said the proposed Kubota equipment would provide similar operational benefits.

Councilmember Orris asked about the laptop and tablets included in the AMI-related purchases. Mr. Parkinson explained that the laptop would remain at the power plant for use with the AMI metering system. He said the tablets would support the Echo One application and be available to field personnel and on-call employees. He added that the application allows authorized personnel to perform functions such as restoring service to disconnected meters and shutting off electrical service during emergencies. Mr. Parkinson further explained that the devices were part of the infrastructure needed to support the Town's AMI meters and field operations.

In response to a question about an estimated cost of approximately \$43,000 for AMI tools and equipment, Ms. Saleh said a final amount had not yet been established and that the items were being presented to Council for approval based on the estimates currently available. She clarified that the purchases would be funded with remaining funds from the AMI metering project following the installation and purchase of the meters. She said no additional revenue or budget adjustment would be required.

On the motion of Vice President Burrell, seconded by Councilmember Knerr, Motion 2026-52: Approval for Purchase of AMI Field Support Equipment and Vehicle was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Steve Green	X				
Jay Knerr	X				
Shaneka Nichols	X				
Jack Orris	X				
<i>Voting Tally</i>	5				

4. First Reading(s): (Public Hearings on Monday, September 28, 2026)

- a) Ordinance 2026-06: Amending Chapter 16, Entitled Fire Prevention and Protection, Article II, Entitled Outdoor Burning:

Acting Planning Director Ryan Hardesty advised that the proposed revisions reflected discussion from the previous Mayor and Council meeting. Councilmember Green revisited the proposal to permit open burning on larger and/or oversized parcels and discussed incorporating related language into the ordinance. Mayor Tyndall noted that the proposed language provided by a town resident addressing the matter had been circulated to Council before the meeting and was before the Council for discussion.

Councilmember Green asked about notification requirements for surrounding properties when a burn permit is issued. Ms. Hardesty explained that public notice signs are posted on the property at least seven days before the burn. She said that although the Town Code does not currently require notification, notices are also mailed to surrounding property owners. Councilmember Green supported maintaining appropriate notification provisions.

Council also discussed setback requirements for bonfires, fire pits, and cooking grills. Ms. Hardesty explained that applying a 15-foot setback to ordinary cooking grills would be impractical because many residents keep and use grills on patios near their homes. Mayor Tyndall noted that including a requirement that was unlikely to be followed or effectively enforced could undermine other provisions of the ordinance. After discussing practical application and best practices, Council reached a consensus to distinguish cooking fires from bonfires and fire pits and apply the 15-foot setback specifically to bonfires and fire pits.

Council directed staff to incorporate the agreed-upon revisions into the ordinance for the public hearing.

- b) Ordinance 2027-07: Amending Chapter 108, by adding a new Section 719 in Section of Article II, Entitled “Accessory Dwelling Units”:

Mayor Tyndall conducted the first reading of the proposed ordinance establishing regulations for accessory dwelling units (ADUs), including adding a new section to Chapter 108. He said several amendments to the draft ordinance had been identified for consideration, including revisions to the definition and dimensional requirements for ADUs.

Mayor Tyndall reviewed the proposed definition of an ADU as a subordinate dwelling unit located on the same lot as a primary single-family detached dwelling. He said the proposed language addressed building height, placement above a garage or accessory structure, and minimum and maximum living area. He further explained that an ADU could be created by adding to or converting the primary dwelling, converting an existing accessory structure, or constructing a new detached structure. Council discussed the proposed living-area requirements, including ranges beginning at approximately 350 square feet and extending to 600 or 800 square feet, depending on the applicable provision.

Mayor Tyndall also reviewed the proposed design standards, including limitations on kitchens, bathrooms, bedrooms, and the number of ADUs permitted per lot. During the discussion, Town Legal Consultant Emily Morris said the bedroom limitation should be revised from no more than two bedrooms to no more than one bedroom. Mayor Tyndall noted that the ordinance would also establish planning review requirements addressing exterior materials and finishes, building proportions and placement, and privacy screening to the greatest extent practicable.

Mayor Tyndall explained that properties within the Historic District and properties seeking applicable variances would be required to comply with specified design criteria. He said properties outside the Historic District that were not seeking a variance would still be submitted to the Planning Commission to confirm compliance with the applicable design standards. In response to discussion regarding fees, Ms. Morris clarified that the fee structure would be established separately through the Town’s applicable fee schedule rather than within the ordinance.

Mayor Tyndall said a revised version of the ordinance would be posted on the Town’s website within the next several days to provide the public and Council an opportunity to review the updated language. He also said an additional joint work session with the Planning Commission and Mayor and Council would be held before the ordinance returned for adoption.

Resident Edward Hammond raised concerns regarding the broader land-use implications of ADUs. He acknowledged that ADUs would remain part of the proposed ordinance but said consideration should also be given to the potential for more intensive land use and increased roadway use within affected areas. Mr. Hammond clarified that he was not necessarily opposed to ADUs but believed these potential impacts should be considered as the ordinance moved forward.

Mr. Hammond also raised concerns regarding additional impervious surfaces and the potential for increased stormwater runoff resulting from additional development. He said that encouraging the construction of numerous ADUs could contribute to future urban flooding. He suggested that Council consider requiring onsite stormwater capture or other stormwater management measures, either as part of the ADU ordinance or through related drainage regulations.

5. Discussion(s):

- a) Resolution 2026-07: Updated Town Fee Schedule to include addition of ADU-related permit fees:
Mayor Tyndall introduced Resolution 2026-07, which would amend the Town’s fee schedule to establish permit fees associated with accessory dwelling units. Councilmember Orris asked how the

proposed ADU fees compared with the Town's existing short-term rental fees. Ms. Morris explained that short-term rental fees and related penalties are generally higher and said the proposed ADU fees were intended to provide an appropriate starting point within the Town's existing fee structure.

Mayor Tyndall further clarified that the ADU ordinance itself would address certain enforcement and revocation provisions rather than the fee schedule.

b) EDU Financing Resolution and Policy:

Next, the Council revisited a previously discontinued policy concerning financing for Equivalent Dwelling Units (EDUs) associated with water and sewer capacity. Ms. Bohlen explained that Council had previously considered and discontinued the financing policy in March 2025. She said staff was bringing the matter back because the Town was preparing to notify property owners whose actual usage indicated their properties may have insufficient EDUs assigned. She explained that those property owners would be required to obtain sufficient capacity to correspond with their actual flows and usage.

Ms. Bohlen said some affected property owners could face substantial costs to bring their properties into compliance. She explained that the proposed financing policy was intended to provide a mechanism for paying those costs over time rather than requiring payment of the entire amount immediately. She noted that the Town traditionally had not offered financing to existing connected customers purchasing EDUs but suggested Council could consider a limited exception for customers required to purchase additional EDUs to correct an existing compliance issue.

Council discussed whether Town financing should be available generally for EDU purchases or limited to existing customers required to purchase additional capacity to achieve compliance. Ms. Bohlen said the draft policy contemplated both situations. She noted, however, that Council could maintain its previous position against generally financing new EDU purchases while establishing a more limited administrative payment option for properties identified as being out of compliance.

Council also discussed the proposed interest rate. Ms. Bohlen said the draft policy contemplated a rate of approximately 3%, which she acknowledged was below usual market rates. She explained that the proposed rate was intended primarily to recover the Town's administrative costs rather than compete with private financial institutions. She expressed concern about placing the Town in the position of acting as a lender, while Councilmember Knerr emphasized the need for a practical mechanism to assist property owners facing significant and potentially unexpected compliance costs.

Mayor Tyndall emphasized the importance of clearly communicating the process before issuing compliance letters, noting that affected residents and businesses would likely have questions. Council discussed the possibility that some properties, including longstanding commercial and restaurant uses, could face substantial costs for additional EDUs. Ms. Bohlen explained that deficiencies had historically been difficult to identify and track. She said the circumstances could reflect a combination of limitations in the Town's previous administrative systems and actual property usage exceeding the capacity assigned to a property.

Mayor Tyndall said the Town's updated smart metering system now provides a better way to identify actual infrastructure usage and determine whether sufficient water and sewer capacity has been allocated to individual properties. Council recognized that requiring a property owner facing a substantial EDU deficiency to pay the full amount within 30 days could be impractical and discussed establishing a reasonable pathway to achieve compliance.

Council then considered modifying the draft policy to clearly distinguish between financing for new EDU purchases and payment arrangements intended solely to bring existing customers into

compliance. Councilmember Green discussed potential down-payment requirements and referenced a prior policy requiring approximately 10% down. He also raised questions regarding an appropriate interest rate and repayment period. Ms. Bohlen suggested that the Town could retain flexibility to address qualifying situations on a case-by-case basis rather than eliminating a payment option entirely.

Ms. Saleh emphasized that EDU allocations are part of the Town's overall water and sewer capacity-management system and must be accurately accounted for. She said long-term financing could delay the Town's receipt of funds associated with capacity being actively used by a customer. She also noted that capacity fees help support the Town's ability to manage and expand its water and sewer systems. Council further discussed potential complications if a property subject to a payment arrangement were sold before the outstanding obligation was satisfied.

Ms. Bohlen said compliance letters were ready to be issued and preferred providing affected property owners with a defined process for addressing their EDU deficiencies at the same time they received notice of the additional capacity requirement. She said this would avoid notifying property owners of potentially substantial obligations without also providing a mechanism for achieving compliance.

Council discussed structuring the terms so that a Town-administered payment plan would not be more attractive than financing available through private institutions. Potential adjustments included increasing the required down payment, shortening the repayment period, and increasing the administrative financing charge. Ms. Morris suggested another approach would be to characterize arrangements involving existing EDU deficiencies as settlement or payment agreements rather than conventional financing. She said such an agreement could potentially be recorded in the land records to provide notice of the outstanding obligation and protect the Town in the event of nonpayment or transfer of the property.

Ms. Bohlen clarified that unused EDUs do not represent physical inventory in which the Town has directly invested funds. She said, however, that unaccounted-for usage affects the Town's ability to accurately determine its remaining water and sewer system capacity. She added that revenue generated through EDU capacity allocations also supports future system expansion. Council discussed the importance of accurately determining available capacity as the Town approaches system capacity thresholds and considers competing demands from future development.

As the discussion progressed, Mayor Tyndall summarized an initial framework that included a 10% down payment, a repayment period not to exceed five years, and an administrative financing charge. He said the payment option would be limited to the identified group of existing customers receiving notices that additional EDUs were required to bring their properties into compliance. He further clarified that the amount eligible for the payment plan would be limited to the additional EDUs identified through compliance reconciliation. Council also discussed requiring any outstanding obligation to be satisfied under the applicable agreement if the property was transferred.

Council continued discussing whether a 3% administrative charge was sufficient. Ms. Saleh suggested a higher rate, potentially at least 5%, to reflect the unusual nature of the arrangement and encourage customers who could obtain private financing to do so. Council also considered repayment periods ranging from 12 to 60 months and discussed establishing the repayment period based on the number of additional EDUs required rather than applying the same term to every obligation.

Following discussion, Mayor Tyndall summarized Council's general consensus as a 5% administrative financing charge and a 10% down payment. He said the proposed repayment structure would allow up to 24 months for smaller obligations involving approximately 1 to 3 EDUs and up to 60 months for

obligations involving 4 or more EDUs. He reiterated that the payment arrangement would apply only to the additional EDUs necessary to bring an existing property into compliance.

Mayor Tyndall clarified that the proposed policy was not intended to provide financing for new development or allow developers to finance future EDU purchases. He said it would instead serve as a compliance payment plan for existing properties determined to have insufficient EDUs based on current usage. Ms. Bohlen agreed to revise the policy language to clearly reflect that limited purpose and remove outdated provisions that appeared to address broader objectives, such as encouraging new connections. She said the revised policy would return to Council at its next meeting as a resolution for formal adoption.

6. (Continued) Item(s) for Approval:

- a) Motion 2026-49: EDU Transfer Request from Triple D Rentals, LLC to Derrickson Enterprises, LLC: Applicant Mr. John Derrickson and attorney Mr. Peter Buas appeared before the Mayor and Council to present the request. Mr. Buas provided background on the proposed transfer, stating that Mr. Derrickson owns the properties associated with Triple D Rentals, located at 9913 Old Ocean City Boulevard, and Derrickson Enterprises, LLC, located at 9040 Worcester Highway. He explained that the applicant was seeking approval to transfer 17 EDUs from the 9913 Old Ocean City Boulevard property to the 9040 Worcester Highway property to support laundromat services at the proposed property. He further clarified that 4 EDUs would remain allocated to the 9913 Old Ocean City Boulevard property following the transfer.

Mayor Tyndall noted that staff was reconciling a discrepancy involving a portion of a previous EDU allocation by comparing Town records with the applicant's records. He stated that the matter would be resolved before executing the new allocation agreement.

On the motion of Councilmember Knerr, seconded by Vice President Burrell, Motion 2026-49: EDU Transfer Request from Triple D Rentals, LLC to Derrickson Enterprises, LLC was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Steve Green	X				
Jay Knerr	X				
Shaneka Nichols	X				
Jack Orris	X				
<i>Voting Tally</i>	5				

- e) Motion 2026-53: Recommendation for Appointment to Board/Commission:

Mayor Tyndall explained that the proposed changes to the Planning Commission membership were intended to fill an existing vacancy. He stated that the proposed appointments would move the current First Alternate to a full member position, the Second Alternate to the First Alternate position, and appoint Brian Winter to serve as the new Second Alternate.

On the motion of Councilmember Orris, seconded by Councilmember Nichols, Motion 2026-53: Recommendation for Appointment to Board/Commission was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Steve Green	X				
Jay Knerr	X				

Shaneka Nichols	X				
Jack Orris	X				
<i>Voting Tally</i>	5				

f) Motion 2026-54: Authorizing Utilization of Funds to Enter Agreement with PowerDMS:

Police Chief Howard Drewer explained that the department had appropriate funds available in its existing budget and requested authorization to use approximately \$15,950.50 for the proposed PowerDMS agreement. Chief Drewer stated that the platform would provide a new system for managing departmental policies while also allowing the department to digitize records and administrative processes currently maintained on paper. He described the existing paper-based process as outdated and explained that the new platform would improve efficiency and modernize the department's administrative operations.

Chief Drewer added that staff negotiated the service cost and identified potential savings from the transition. He said the Town could discontinue its existing policy-management system, saving about \$4,000 annually. Following the initial implementation costs, the new platform would have an annual subscription cost of approximately \$4,050, compared with approximately \$8,032 annually under the existing arrangement.

On the motion of Councilmember Orris, seconded by Councilmember Nichols, Motion 2026-54: Authorizing Utilization of Funds to Enter Agreement with PowerDMS was approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Steve Green	X				
Jay Knerr	X				
Shaneka Nichols	X				
Jack Orris	X				
<i>Voting Tally</i>	5				

7. Announcement: Motion 2026-55: Taylor House Museum Grading/Excavation Permit Fee Waiver Poll Vote: Associate Town Administrator Kate Daub reported that Burley Building Company had submitted a grading permit application on behalf of the Taylor House Museum to repair a failing sewer line on the property. Due to the time-sensitive nature of the repair and need for the permit, Councilmembers were polled by email regarding a request to waive the associated permit fee.

Ms. Daub reported that Councilmembers Green, Orris, and Knerr responded by email in favor of the fee waiver, while responses had not been received from Vice President Burrell and Councilmember Nichols at that time. With a majority of the Council voting in favor, the fee waiver was authorized, and the permit was issued.

For the official record, Mayor Tyndall asked the two remaining Councilmembers to cast their votes. Vice President Burrell and Councilmember Nichols each voted in favor of waiving the permit fee.

8. Reports:

b) Town Administrator's Report/Department Reports:

Ms. Bohlen clarified information previously provided regarding tours of Town Hall during renovations. She explained that insurance responsibility currently remained entirely with the contractor. She said Councilmembers and Town employees could tour the site by coordinating with Public Works Director

Jimmy Charles, but the site could not be opened for public tours because of health and safety concerns.

Ms. Saleh provided an update regarding changes to the Town's electronic payment processing. She said merchant processing fees would be passed directly to customers using electronic payment methods, including online or counter payments. She explained that credit and debit card payments would be subject to a 3% service charge and that an electronic check/ACH option would also be available for a flat fee of \$2.25 per transaction.

Ms. Saleh emphasized that the Town would not retain any portion of the processing fees. She said the merchant processor would collect the charges directly, and the Town would not receive any revenue. Mayor Tyndall noted that customers wishing to avoid the card-processing fee could pay by check. Ms. Saleh added that customers could also pay by cash, use the Town's dropbox, or mail a check, provided payment was received in time to avoid late penalties.

Ms. Bohlen emphasized that the Town had not received the processing fees under the previous arrangement; rather, the Town had been subsidizing those costs. Ms. Saleh said the Town had not yet set an implementation date because it first had to receive and install new credit card processing equipment. She said the Town would announce an effective date once the new system was operational.

Ms. Saleh further explained that she had explored whether debit card transactions could be handled differently but was advised that doing so would complicate the process and require staff to manually enter information into the Town's financial system. She said she did not recommend adding that manual process. Council also discussed the difference between the percentage-based card fee and the electronic check option. Ms. Saleh clarified that the \$2.25 electronic check fee would remain the same regardless of the amount paid, whereas the 3% fee would apply to credit and debit card transactions. She said the payment processor, not the Town, imposed both charges.

9. Comments from the Public:

Resident Mr. Bartosz Rafinski returned to the earlier discussion regarding the approved purchase of AMI support equipment and a vehicle for the Electric Utility. He questioned the need for an additional vehicle, noting that implementation of smart meters had previously been associated with anticipated efficiencies in labor, travel, fuel, maintenance, and vehicle usage.

Mayor Tyndall responded that the vehicle was intended to improve operational efficiency and support Electric Utility personnel and confirmed that it would be actively used by department employees. Mr. Rafinski then questioned how the vehicle and other equipment purchases related to the additional monthly charge for customers requiring manual meter readings.

Ms. Bohlen explained that the additional charge was intended to recover the cost of providing manual meter-reading service rather than distributing that expense among other electric customers. She noted that the matter was pending before the Public Service Commission, with a hearing anticipated in approximately two weeks, and that comments and supporting information had been submitted for the Commission's consideration.

Mr. Rafinski questioned the actual cost of manually reading an individual meter, noting that Electric Utility personnel and vehicles routinely travel throughout Town as part of their regular duties. He suggested that an employee already working in a neighborhood could perform a manual meter reading with minimal additional time, particularly with the new vehicle, laptop, and communications equipment. Mr. Rafinski emphasized that his comments were not intended as criticism of Electric Utility employees and expressed appreciation for their work, particularly during severe weather and emergency conditions. He maintained,

however, that the opt-out process and associated fees were unfair and questioned how the decision-making process had been communicated to affected customers.

Vice President Burrell acknowledged Mr. Rafinski's position and said Council had considered the comments received before deciding on the previously approved motion.

10. Comments from the Council:

Councilmember Green asked for clarification regarding the format of the next Council meeting. Mayor Tyndall confirmed that it would be a full meeting of the governing body. He said the meeting following the election would begin with approval of the minutes, followed by swearing-in activities and other recognitions. He identified Tuesday, October 13th, as an upcoming meeting date and asked Councilmembers to remain available. Mayor Tyndall also said a new Council orientation was being planned, tentatively for Monday, October 5th. He explained that returning Councilmembers would be invited to participate with incoming members and said staff would provide additional information once the arrangements were finalized.

11. Comments from the Mayor's Office:

Next, Mayor Tyndall reported that the Town was approaching closing on the Heron Park parcel 57 sale and discussed how certain closing-related expenses should be handled. He said the Town had a finite amount of funding allocated for the matter and recommended incorporating up to approximately \$12,000 in eligible professional costs into the settlement documentation rather than charging those expenses against FY2027 funding. He asked for Council's consensus to pay an appropriate portion of Mr. Morris's legal consultant costs associated with completing the Heron Park transaction from the settlement proceeds. Council generally agreed with the approach, with the understanding that the approximately \$12,000 represented a maximum amount and not necessarily the final expenditure.

Mayor Tyndall then returned to the subject of ditch maintenance. He said the Town continued to receive comments and questions regarding drainage ditches and, with possible changes in Council membership approaching, again asked Councilmembers to identify the ditches within their respective districts that should receive priority maintenance. He noted that members had previously been asked to work with constituents to identify problem areas but that the requested information had not yet been fully submitted.

Mayor Tyndall asked Councilmembers to provide a list of priority locations or mark the areas directly on a map so staff could consolidate the information and provide it to a contractor for pricing and planning purposes. Ms. Hardesty said she would provide Councilmembers with the applicable maps and make digital versions available. Mayor Tyndall explained that members could circle or otherwise identify the specific areas requiring attention rather than preparing lengthy written submissions.

He then revisited the Town's sidewalk cost-share program. He noted that Council had previously discussed whether the Town should assume greater or full responsibility for sidewalk maintenance rather than continuing the existing shared-responsibility approach, but said Council had not yet established a final policy direction.

Mayor Tyndall said the Berlin Fire Company had submitted a request to participate in the existing cost-share program for sidewalk repairs in front of its property. Ms. Hardesty confirmed that the Fire Company had submitted the applicable cost-share documentation and had indicated its willingness to accept the property owner's share of the cost under the existing program.

Ms. Bohlen noted that Council had previously discussed removing the property-owner responsibility provision from the Town Code but said that change had not yet been formally implemented. Council therefore discussed whether the Fire Company's application should proceed under the existing cost-share program while the broader sidewalk policy remained unresolved.

Council also discussed the complexity of sidewalk ownership and maintenance responsibilities throughout Town. Mayor Tyndall explained that responsibility is not uniform and may vary depending on the sidewalk's location and the applicable right-of-way, particularly along state highways and other rights-of-way.

Council expressed general support for allowing the Fire Company's project to proceed under the existing cost-share arrangement. Ms. Bohlen referenced an initial budget allocation of approximately \$20,000 for sidewalk-related work. Mayor Tyndall further clarified that the Town would not be responsible for sidewalk or related improvements on private property and that the cost-share program would cover only the area directly in front of the firehouse, including the truck ramp.

Mayor's Executive Assistant Sara Gorfinkel provided an update regarding the regularly scheduled work session meeting with the Berlin Fire Company. She explained that these meetings are generally held on the fifth Monday in September and March but noted that September did not have a fifth Monday. Because of this, she said Mayor Tyndall proposed rescheduling the meeting to the third Monday in October so that newly seated Councilmembers would have an opportunity to participate. Ms. Gorfinkel said notice of the revised meeting date would be distributed once the arrangements were finalized.

12. Comments from the Press: None.

13. Adjournment:

On a motion by Vice President Burrell, seconded by Councilmember Orris, the meeting adjourned at approximately 8:20 PM.

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP	X				
Steve Green	X				
Jay Knerr	X				
Shaneka Nichols	X				
Jack Orris	X				
<i>Voting Tally</i>	5				

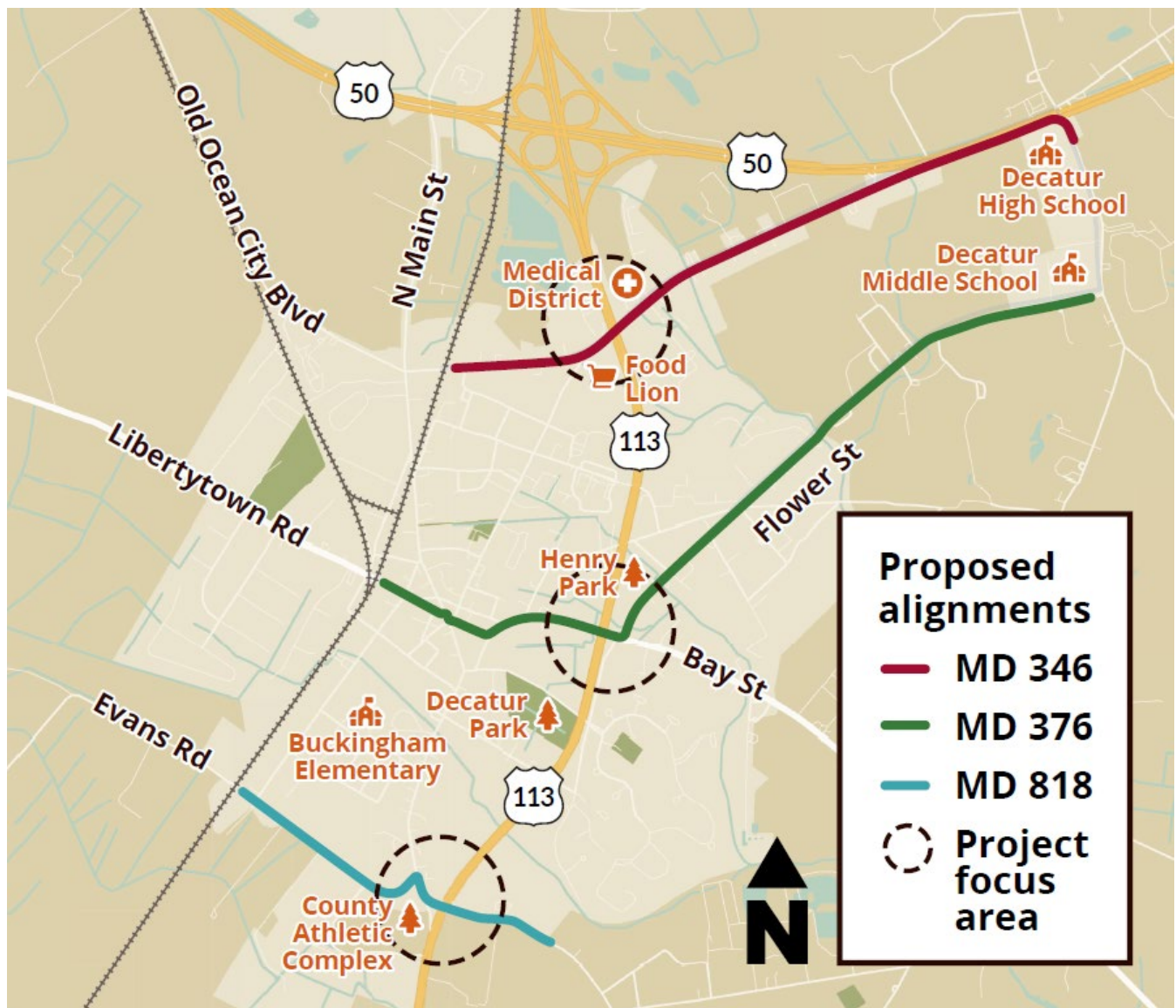
Respectfully submitted,



Kate Daub

Associate Town Administrator

Town of Berlin Pedestrian/ Bicycle Bridge Study Executive Summary



Town of Berlin Pedestrian/Bicycle Bridge Study

Executive Summary

Introduction

This study documents the process for investigating the viability of providing an elevated safe shared use crossing over U.S. Route 113 (US 113) in the Town of Berlin, Maryland. Gannett Fleming – Century/Klinefelter JV was contracted by the Maryland State Highway Administration, to develop and perform the scope, requirements and cost for subject project in accordance with the USDOT grant award. The objective of the effort is to clearly define and confirm project requirements, scope, cost and criteria.

Summary of Study Purpose

This feasibility study is funded by a US Department of Transportation (USDOT) grant, Reconnecting Communities Neighborhood Access and Equity Grant, specifically to assess how a future pedestrian and bicycle bridge over US 113 could improve the connectivity experienced by pedestrians and bicyclists in the Town of Berlin, Worcester County, Maryland. The specific locations of potential crossings were identified along US 113 at three intersections: US 113 at Old Ocean City Boulevard (MD 346), Bay Street (MD 376) and South Main Street/Germantown Road (MD 818). Desktop research, an in-depth site visit with Town staff, two in-person community engagement sessions and a survey informed the selection of the most beneficial alignments for a future pedestrian and bicycle bridge crossing.

How Bridge Locations were Selected

The Reconnecting Communities grant defined the three general intersections that were to be studied. These intersections were based on multimodal data as well as Worcester County trail plans. A pedestrian and bicycle bridge ramp should start at an intersection and bridge over the roadway before returning to sidewalk grade. The team had to determine whether a pedestrian and bicycle bridge would be better suited north or south of each study intersection.

The team noted that the US 376 location had the best existing crosswalks and therefore a ramp that went over and ramped down to US 376 (Bay Street) would not provide maximum benefits. Instead, having the bridge go north from the MD 376 and US 113 intersection north and then come through Henry Park could provide a unique asset. The Town of Berlin had conducted significant community engagement regarding the potential Community Center. Therefore, this bridge through Henry Park could become an asset to those trying to safely access the park, as well as access this community center in the future. The bridge would be at-grade through the park, allowing access between the basketball court area and the overflow play area.

The MD 346 (Old Ocean City Boulevard) pedestrian and bicycle bridge was proposed to be

located south of the US 113 intersection. This design enabled users of the bridge to be closer to assets such as Food Lion and sidewalk infrastructure leading to downtown Berlin. North of this intersection, there is minimal development along the roadway, with drainage ditches and no existing sidewalks. A bridge at this southern location could be a connection to potential future development on the agriculture parcel across from Food Lion.

The bridge studied at MD 818 (Germantown Road/South Main Street) was proposed north of the intersection due to the Town limits being located just south of this intersection. Therefore, the bridge was analyzed at the northern portion of the intersection, to ensure minimal jurisdictional confusion. This area had the fewest existing sidewalk access with several important cultural resources nearby.

Measures of Effectiveness (MOE)

The grant funding for this study outlined several measures of effectiveness:

- Utilize local knowledge to identify which alignments provide the greatest number of connections to essential services and amenities.
- Identify potential sidewalk and crossing improvements on the alignments supporting each of the three bicycle and pedestrian bridge study locations.
- Utilize existing pedestrian infrastructure to tie it into recommended alignments to the greatest extent possible.
- Improve perception of safety and safety outcomes for bicycles and pedestrians crossing US 113.

The function of this analysis is not to provide final National Environmental Policy Act (NEPA) level analysis. Rather, the resulting concepts could be utilized as potential bridge alignments and alternatives if a Lead Agency pursues construction in the future and becomes subject to required NEPA compliance documentation. Areas of sidewalk gaps that were identified via desktop research, field visits or community engagement were documented.

Key Findings

The main takeaway is that there is local support for the goals of the Reconnecting Communities program, to reconnect the communities around the US 113 highway. The analysis conducted revealed that the expected costs of constructing a bicycle and pedestrian bridge, including right-of-way and materials, would cost tens of millions of dollars, as seen in **Attachment F**. The analyses undertaken in this study have revealed two major interlinked challenges of developing a pedestrian and bicycle bridge, ADA accessibility and highway vertical clearance. These key safety measures do contribute to higher costs and a self-reported low propensity for usage. For example, the maximum 5% slope needed to ascend to the required vertical clearance over US 113 contributes to ramps that were perceived as quite long.

- **Short-Term (1–3 years):**

- Focus on infrastructure reliability, improving sight distance at studied intersections, and implementing Rectangular Rapid Flashing Beacons (RRFBs) where existing operation conditions allow.
- Implement at-grade pedestrian improvements, such as improved sidewalk access, ADA-compliant landings and pedestrian signals.
- Implement reduced speed limits along Route 113 within the town boundaries. This will enable installation of RRFBs and planning for a shared use path to connect existing crossings.
- Consideration for a shared use path on the right-of-way along Route 113.

- **Quick-Build (Within 5 years):** Expand the sidewalk and trail network through available public right-of-way with minimal environmental impacts.

- **Medium-Term (3–5 years):** Improve inter-neighborhood connectivity with added sidewalk and trails.

- **Long-Term (5+ years):** Large-scale recreation facility improvements, access modifications, and potential bridge construction if funding and usage justifications are met.

The Study Findings Memo identifies North Bay Street (MD 376) as the overall "best-fit" site for a potential bridge crossing. However, the memo also notes a significant disconnect between the technical feasibility of a bridge and community preference. Community engagement revealed that a majority of residents would not use a bridge or would only use it for special events. Instead, the community generally feels that at-grade solutions, such as improved sidewalk access, ADA-compliant landings, and pedestrian signals, would provide more network-wide benefits at a lower cost.

The results of community engagement revealed an interest in more connected communities with safer access opportunities but generally felt like other solutions could meet the current needs of the Town better than a pedestrian and bicycle bridge. For example, improving sidewalk access, including ADA-compliant landings and pedestrian signals at and around each study intersection could provide more network-wide benefits as compared to a potential bridge at one intersection.

The analysis completed showed that the cost for the studied ADA-accessible pedestrian and bicycle bridge option would cost tens of millions of dollars. However, at-grade safety solutions would be significantly less expensive. Limited at-grade improvements (all-way stop, new traffic signal, roundabout, new sidewalk, etc.) can range anywhere from \$50,000 to approximately \$1million, depending on the scale of improvements.

Study Recommendations

After analyzing intersections, preliminary engineered designs, cost considerations and public engagement, it was clear that a pedestrian and bicycle bridge at any of the three studied locations should not be advanced past this preliminary planning phase. Instead, the Town of Berlin should pursue improving the sidewalk network as a whole and improving safety through adding more crossings at-grade of US 113.

Overall community input reflected an overwhelming lack of support for moving any closer to constructing a pedestrian and bicycle bridge. The vast majority of survey and engagement participants supported the concept of increased connectivity. However, the next step of the project should be implementing at-grade improvements, such as installing rectangular rapid flashing beacons (RRFB's) at new midblock crossing locations, adding pedestrian signals, crosswalks, sidewalks and accompanying infrastructure. RRFB's are push button signals for pedestrians and cyclists, without the full vehicle traffic signal with it, making them great for adding safe crossings in between fully signalized intersections.

Operational changes, such as lowering the speed limit on US 113 itself, were also a priority for engagement participants. Reducing speeds on US 113 could improve safety outcomes and could enable the placement of RRFB's to add needed connections across US 113. Many participants stated that they wanted to have parallel shared use paths (wide sidewalks for people and cyclists) along US 113, running north-south through the town instead of a bridge. Shared use paths like this would require additional study and potential right-of-way acquisition.

The survey and in-person engagement revealed that engagement participants wanted sidewalks or wider, shared use paths along the highway.

Most people surveyed preferred typical sidewalks treatments and added midblock crossings along US 113 which would require reduced speeds on the road to support implementation of multiple RRFBs. Designing new midblock crossings outside of the three study intersections

should be further studied. Cost for the bridges and their needed overhead clearance were a major concern as well as concerns about the fit in a more rural environment. Individuals brought up concerns that the length of the ramps needed may be to the detriment of impaired walkers. The pedestrian and bicycle bridge needed to meet explicit ADA slope requirements and meet highway clearance requirements, which created the need for a potential bridge to have very long ramps. These are fixed attributes of the roadway that contribute to significant costs of the bridge. A bridge would have been popular only if it was much more convenient and less expensive but the fixed attributes of the roadway, such as the need for long ramps and gradual slopes, make these desires not feasible.

The cost estimate followed best practices and included the potential bridge improvements but could not capture potential NEPA costs for a bridge to be proposed to be constructed. Given how unpopular the cost of a bridge was, it is doubtful that the added cost and timeline of the NEPA process required for a bridge would make a bridge more amenable. Additionally, the difference in cost between bridge and sidewalk is widened when factoring in a lack of utility relocation needed. Sidewalks and RRFBs would have minimal impacts compared to a bridge including not having to do wetland delineation or ROW acquisition for sidewalks.

Given the much lower cost of these at-grade improvements, stakeholder input was clear that the priority should be improving and expanding the sidewalk network in Berlin, rather than improving connectivity with a bridge and some added sidewalk at one centralized location.



Moving the Town of Berlin Forward: Response to Phase 1 of the FY23 USDOT Reconnecting Communities and Neighborhoods Grant and Next Steps with The Maryland Department of Transportation's Reallocated Earmark for Berlin

In March 2024 the Town of Berlin was awarded \$1.2 Million of federal funding from the Reconnecting Communities and Neighborhood, Neighborhood Access and Equity program, and worked with the USDOT and MDOT to get these funds obligated to study to feasibility of building a bike and pedestrian bridge across US 113 to bridge the divide in our small town. Phase one was obligated in January 2025 but the remaining funds were then rescinded via the One Big Beautiful Bill Act. Mayor Zack, with advocacy support from National League of Cities, worked with MDOT to identify other sources of funding in order to keep the project moving forward. Phase one started in Fall 2025 and was just completed last month, July 2026.

As the project partner, MDOT contracted with a consulting joint venture which included the firms Kleinfelder, Century, Gannett Fleming, and PRR.

Over the past year, we worked collaboratively with the joint venture team to host virtual meetings, in person site visits in September 2025, and community engagement sessions in February 2026. The site visits were incredibly impactful and brought representatives from SHA District One to tour the project area and conditions. The public engagement process yielded over 2% of the Town's population's participation. You can see a summary of the meetings and materials on our website [here](#).

The results of the feasibility study and community engagement affirmed the Town's interest in improving connections with safer access for all residents but indicated that other solutions could meet multi-modal transportation needs better than a pedestrian and bicycle bridge. Alternative and lower-cost solutions were identified such as: improving sidewalk access, including ADA-compliant landings, and adding pedestrian activated signals at and around each of the three studied intersections, which could provide more network-wide benefits as compared to a potential bridge at only one intersection. The survey and in-person engagement revealed that participants wanted wider, shared use path(s) along the highway between the intersections more than one crossing point. Being able to walk along 113 safely will meet the needs of our community attempting to access areas of activity such as the medical center, grocery stores, parks, schools, and downtown.

The Feasibility Study has led the town to focus on the following three outcomes to improve connectivity and safety:

1. Design separated bicycle and pedestrian accommodation along US 113, working with MDOT/SHA to identify and acquire right-of-way and identify best location(s) and to use reallocated funding to develop preliminary design and construction plan. Work with SHA District 1 and Office of Traffic and Safety to determine feasibility of reduced travel speed (35mph from 45mph).
2. Implementing on-the-ground improvements to multi-modal safety at the three state highway intersections with US 113: Old Ocean City Boulevard (MD 346), Bay Street/Assateague Road (MD 376) and Main Street/Germantown Road (MD 818). Proposed improvements include pedestrian activated signals, crosswalks with ADA landing connecting to sidewalks and accompanying infrastructure at all intersections.
3. Improve east-west connections to and from these intersections, closing sidewalk gaps and/or adding trails to allow local circulation from neighborhoods to key destinations (schools, parks, health care, library community and recreation centers, retail and restaurants). Evaluate feasibility of future mid-block crossings with rapid flashing beacons at high activity areas (Stephen Decatur Park and Franklin Street).

As a result of in person engagement and site visits executed during phase one of the RCN grant, SHA District One has committed to improving the interstation of 113 at Old Ocean City Boulevard and the hospital and has already begun to study the feasibility of adding proposed improvements along the north side of Old Ocean City Boulevard, connecting the residential neighborhoods with the businesses along MD 346 (Old OCB) and improvements to complete the intersection for pedestrian safety at 113. Highway Safety Improvement Plan (HSIP) funds that the state will acquire via MDOT can help to contribute to this project.

MDOT has agreed to use its Repurposing Provision for Federal Earmarks to restore \$643,000 to the Town of Berlin's Reconnecting Communities and Neighborhood efforts. This earmark requires a 20% match from the town (\$128,000). The Town has permission from the county to utilize the Rails and Trails funds granted to Berlin for the same purpose (\$113,000) and additional funding as needed, already allocated in our municipal budget (\$104,000), to continue our vital work on this project.

The Town of Berlin is working with MDOT and the Assistant Division Chief of Federal Grant Programs at Maryland State Highway Administration to utilize the repurposed earmark for Berlin to being implementing the reconnections. As we work on creating these changes, consideration will align with connectivity to key community assets, such as the future community center on Flower Street, making sure that low and moderate income residents, and the transportation disadvantaged will be held in the forefront of our efforts.

ORDINANCE 2026-06

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND,
A MARYLAND MUNICIPAL CORPORATION AMENDING CHAPTER 16, ENTITLED FIRE
PREVENTION AND PROTECTION, ARTICLE II, ENTITLED OUTDOOR BURNING.**

**NOW, THEREFORE, BE IT RESOLVED that Chapter 16, entitled Fire Prevention and Protection,
Article II, entitled Outdoor Burning, be amended as follows:**

ARTICLE II. - OUTDOOR BURNING

~~Sec. 16-19. Purpose.~~

~~The purpose of this article shall be to prevent the danger to the public health and safety posed by
uncontrolled or unregulated outdoor burning.~~

~~(Code 1977, § 50-1; Ord. No. 92-10, 9-14-1992)~~

SEC. 16-19. PURPOSE AND INTENT

THE PURPOSE OF THIS ARTICLE IS TO PROTECT THE PUBLIC HEALTH, SAFETY, AND
WELFARE BY REGULATING OPEN BURNING AND RECREATIONAL BURNING WITHIN THE TOWN
OF BERLIN. IMPROPER BURNING CAN CREATE FIRE HAZARDS, AIR POLLUTION, AND PUBLIC
NUISANCES. THIS ARTICLE IS INTENDED TO ENSURE COMPLIANCE WITH APPLICABLE STATE
LAWS AND REGULATIONS, INCLUDING COMAR 26.11.07. NOTHING WITHIN THIS ORDINANCE
SHALL AUTHORIZE BURNING THAT IS PROHIBITED BY THE WORCESTER COUNTY CODE OF
PUBLIC LAWS, COMAR, MARYLAND FOREST SERVICE REGULATIONS, THE MARYLAND STATE
FIRE PREVENTION CODE, OR ANY COUNTY OR STATE BURN BAN.

~~Sec. 16-20. Permit required.~~

~~Within the corporate limits of the town, except by special permit from the director of the planning and
zoning commission, no outside or open fires or burnings of any kind shall be permitted.~~

~~(Code 1977, § 50-2; Ord. No. 92-10, 9-14-1992; Ord. No. 2011-04, 6-12-2011)~~

SEC. 16-20. DEFINITIONS

THE FOLLOWING WORDS, TERMS AND PHRASES, WHEN USED IN THIS CHAPTER, SHALL
HAVE THE MEANINGS ASCRIBED TO THEM IN THIS SECTION, EXCEPT WHERE THE CONTEXT
CLEARLY INDICATES A DIFFERENT MEANING:

BONFIRE A FIRE BUILT IN THE OPEN AIR

COOKING FIRE MEANS A FIRE USED SOLELY FOR FOOD PREPARATION IN GRILLS, SMOKERS, OR SIMILAR APPLIANCES

FIRE PIT A PERMANENTLY AFFIXED OR PORTABLE OUTDOOR CONTAINER, OR AN IN-GROUND EXCAVATION, CONSTRUCTED OF NON-COMBUSTIBLE MATERIALS DESIGNED TO CONTAIN AND CONTROL A RECREATIONAL WOOD OR GAS FIRE

LAND-CLEARING DEBRIS MEANS TREES, STUMPS, BRUSH, AND OTHER NATURAL VEGETATIVE MATERIAL

RECREATIONAL FIRE MEANS A SMALL, CONTROLLED FIRE (EITHER GAS OR WOOD BURNING) USED FOR WARMTH OR RECREATION, NOT INTENDED FOR WASTE DISPOSAL.

UNAUTHORIZED BURNING INCLUDES OPEN BURNING AND ALL BURNING DESCRIBED IN SECTION 16-23 ENTITLED PROHIBITED BURNING

YARD DEBRIS MEANS BRUSH, LIMBS, BRANCHES, SHRUBS AND TREE TRIMMINGS.

YARD WASTE MEANS LEAVES, GRASS CLIPPINGS, WEEDS AND SIMILAR VEGETATIVE MATERIAL.

~~Sec. 16-21. Fees.~~

~~The fees for all permits issued under this chapter shall be in accordance with a fee schedule adopted by resolution of the Mayor and Council, or as such schedule shall be amended from time to time.~~

~~(Code 1977, § 50-3, Ord. No. 92-10, 9-14-1992)~~

SEC. 16-21. AUTHORIZED BURNING.

RECREATIONAL FIRES AS WELL AS OUTDOOR COOKING FIRES USING GRILLS, SMOKERS, BARBECUE PITS, OR SIMILAR DEVICES SOLELY FOR FOOD PREPARATION ARE AUTHORIZED WITH THE FOLLOWING REQUIREMENTS OF SECTION 16-22.

~~Sec. 16-22. Violations.~~

~~Any person who shall violate any provision of this article shall be guilty of a municipal infraction and shall be subject to a fine in the amount of \$100.00 for any single or initial violation and a fine in the amount of \$200.00 for each repeat or continuing violation.~~

~~(Code 1977, § 50-4, Ord. No. 92-10, 9-14-1992)~~

SEC. 16-22. REQUIREMENTS FOR AUTHORIZED BURNING

1. BONFIRES AND FIRE PITS MUST BE A MINIMUM OF FIFTEEN (15) FEET FROM ANY BUILDING, STRUCTURE, OR FLAMMABLE MATERIAL.
2. MUST BE ATTENDED UNTIL COMPLETELY EXTINGUISHED.
3. BONFIRES MAY BE NO LARGER THAN THREE (3) FEET HIGH AND FOUR (4) FEET IN
4. DIAMETER.
5. NO HAZARDOUS CONDITIONS, AIR POLLUTION OR NUISANCE WILL BE CREATED.

SEC. 16-23. PROHIBITED BURNING

EXCEPT AS PROVIDED FOR IN SEC. 16-24 THE BURNING OF YARD WASTE, YARD DEBRIS, LAND-CLEARING DEBRIS GENERATED FROM THE MAINTENANCE OR CLEANING OF PROPERTY, HOUSEHOLD TRASH, HAZARDOUS MATERIALS, TREATED WOOD, PLASTICS, OR RUBBER IS PROHIBITED.

SEC. 16-24. OPEN BURNING ON PARCELS THAT EXCEED FIVE (5) ACRES.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER PROHIBITING OR RESTRICTING OPEN BURNING, THE OWNER OF A PARCEL OR REAL PROPERTY CONTAINING MORE THAN FIVE (5) CONTIGUOUS ACRES MAY CONDUCT OPEN BURNING OF YARD DEBRIS ON SUCH PROPERTY NOT MORE THAN ONE (1) TIME DURING ANY CALENDAR YEAR, SUBJECT TO THE REQUIREMENTS AND LIMITATIONS OF THIS SECTION.

PRIOR TO CONDUCTING AN OPEN BURN UNDER THIS SECTION, THE PROPERTY OWNER SHALL NOTIFY THE TOWN PLANNING DIRECTOR AT LEAST 48 HOURS BEFORE IGNITION AND PROVIDE THE ANTICIPATED DATE, ALTERNATIVE DATE IN THE EVENT OF INAPPROPRIATE CONDITIONS, LOCATION, AND THE NAME OF INDIVIDUAL RESPONSIBLE FOR SUPERVISING THE BURN. HAVING NOTIFIED THE PLANNING DIRECTOR, THE PROPERTY OWNER SHALL THEN OBTAIN ANY PERMIT OR APPROVAL REQUIRED BY THE WORCESTER COUNTY FIRE MARSHAL.

THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR NOTIFICATION OF NEIGHBORING PROPERTIES IMMEDIATELY ADJACENT TO THE SUBJECT PROPERTY A MINIMUM OF FORTY-EIGHT (48) HOURS PRIOR TO THE PLANNED BURN, BUT NO MORE THAN SEVEN (7) DAYS.

OPEN BURNING UNDER THIS SECTION MAY NOT TAKE PLACE WHEN A STATE, COUNTY, OR MUNICIPAL BURN BAN IS IN FORCE AND MUST OCCUR AT LEAST 200 FT FROM ANY HABITABLE STRUCTURE. ALL OPEN BURNING UNDER THIS SECTION SHALL TAKE PLACE WHERE ADEQUATE MEANS OF EXTINGUISHING THE FIRE IS IMMEDIATELY AVAILABLE AND

THE OPEN BURN MUST BE ATTENDED BY A RESPONSIBLE ADULT UNTIL THE FIRE IS COMPLETELY EXTINGUISHED.

SEC. 16-25. ENFORCEMENT AND PENALTIES

ANY PERSON WHO SHALL VIOLATE ANY PROVISION OF THIS ARTICLE SHALL BE GUILTY OF A MUNICIPAL INFRACTION AND SHALL BE SUBJECT TO A FINE IN THE AMOUNT OF \$100.00 FOR ANY SINGLE OR INITIAL INFRACTION AND A FINE IN THE AMOUNT OF \$200.00 FOR EACH REPEAT OR CONTINUING VIOLATION.

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the _____ day of _____, 2026, and thereafter a statement of the substance of the Ordinance having been published as required by law.

A PUBLIC HEARING was held and this Ordinance was adopted this _____ day of _____, 2026, by the Mayor and Council of the Town of Berlin, Maryland, by the vote as indicated below:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP					
Steve Green					
Jay Knerr					
Shaneka Nichols					
Jack Orris					
Voting Tally					

Dean Burrell, Vice-President

Approved on this _____ day of _____, 2026 by the Mayor of the Town of Berlin and therefore effective twenty (20) calendar days later on the _____ day of _____, 2026.

ATTEST:

Zack Tyndall, Mayor and President of Council

Mary Bohlen, Town Administrator

ORDINANCE 2026-07

AN ORDINANCE to amend Chapter 108 (“Zoning”) of the Code of the Town of Berlin, Maryland, by adding a new Section 719 in Section of Article VIII, entitled “Supplemental District Regulations,” to authorize and regulate the development of accessory dwelling units on land zoned for single-family detached residential use, as required by Title 4, Subtitle 5 of the Land Use Article, Annotated Code of Maryland, enacted by Chapter 197 of the Laws of Maryland 2025 (House Bill 1466); establishing definitions, applicability, development and design standards, permit review procedures, limitations on development impact fees, and requirements governing utility connections for accessory dwelling units; and generally relating to the development and use of accessory dwelling units within the Town of Berlin.

WHEREAS, Title 4, Subtitle 5 of the Land Use Article, Annotated Code of Maryland (“State ADU Law”), requires the legislative body of each Maryland county and municipal corporation to adopt, on or before October 1, 2026, a local law authorizing the development of accessory dwelling units on land zoned for a single-family detached dwelling unit as the primary use; and

WHEREAS, the State ADU Law establishes certain requirements that a local law must include and certain limitations that a local law may not impose, while preserving local discretion over other aspects of accessory dwelling unit regulation; and

WHEREAS, the Mayor and Council of the Town of Berlin find that adoption of this Article is necessary to bring the Town Code into compliance with the State ADU Law and to provide clear, administrable standards for the development of accessory dwelling units within the Town with consideration of the Town’s public health, safety, welfare standards, and adequacy of the public facilities, including the Town’s electric, water, sewer, and other Town resource capacity.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Berlin, Maryland, that Chapter 108 of the Code of the Town of Berlin is hereby amended by adding a new §108-719 of Article VIII to read as follows:

SECTION 108-719, ARTICLE VIII. ACCESSORY DWELLING UNITS IN R-1 AND R-2 ZONES

§ 108-719.01 Purpose and authority.

A. This Article is adopted pursuant to, and is intended to satisfy, the requirement of Md. Code Ann., Land Use § 4-504(a) that the Town adopt a local law authorizing the development of accessory dwelling units on or before October 1, 2026. Except as expressly provided in this Article, nothing in this Article alters or abrogates the Town's zoning authority under Chapter 108 or the Land Use Article.

B. The purpose of this Article is not to establish two-unit rental units or multi-family residential uses in single-family residential zones, which are expressly prohibited by Town zoning requirements.

§ 108-719.02 Definitions.

As used in this Article, the following terms have the meanings indicated. Terms not defined in this Article have the meanings given in § 100-95 (Definitions) and Article V (Housing Standards) of the Town Code.

ACCESSORY DWELLING UNIT (ADU) — A secondary subordinate dwelling unit that is: (1) located on the same lot, parcel, or tract as a primary single-family detached dwelling unit; (2) of a height

of no more than one and half stories for stand-alone Accessory Dwelling Unit structures or 25 feet in height if the ADU is constructed above an Accessory Structure garage used for storage of vehicles, workshop, or other permissible use containing that contains no Livable Space; and (3) not less than 350 net square feet and greater than 600 net square feet of Livable Space, and (4) subordinate in use to the primary single-family detached dwelling unit. An Accessory Dwelling Unit is constructed:

- (i) attached to, or through the conversion of, a portion of the Primary Dwelling Unit (such as a basement apartment);
- (ii) attached to, or through the full or partial conversion of, an existing Accessory Structure located on the same lot, parcel, or tract as the primary dwelling unit; or
- (iii) as a new building, detached from the primary dwelling unit and any existing accessory structure.

ACCESSORY DWELLING STRUCTURE — shall mean the structure in which the Accessory Dwelling Unit is located, including any portion of the Accessory Dwelling Structure that is not intended to be utilized as a Dwelling Unit (e.g., inclusive of the portion of structure that is used as a garage, for storage, or a workshop).

ACCESSORY STRUCTURE — shall mean a building or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure that is permanently affixed to a foundation and constructed concurrently with or after the Primary Dwelling Unit and subject to the location requirements set forth in § 108-702 of the Town Code.

DETACHED ACCESSORY DWELLING UNIT – means any Accessory Dwelling Unit not within the building footprint of the Primary Dwelling Unit, including any Accessory Dwelling Units attached to the Primary Dwelling Structure with a breezeway.

DOMESTIC PARTNER – means a domestic partner pursuant to a Declaration of Domestic Partnership filed with the Worcester County Register of Wills.

DWELLING UNIT — for the purpose of this Chapter, a single unit providing complete, independent living facilities for no more than two adult persons with two minor Immediate Family members, including, at a minimum, permanent provisions for sanitation, cooking, eating, and sleeping, toilet, bathing, and other activities routinely associated with daily life. “Dwelling unit” in the context of Accessory Structure does not include a unit in a multifamily residential building, manufactured homes not attached to permanent foundation systems or containing chassis, mobile homes, RVs, trailers, or any structure on wheels or otherwise designed to be relocated.

ELDERLY OR DISABLED OWNERS — means an Owner or Domestic Partner of record (or their spouse, partner, parent, or child) of the subject property who, as of the date of application, either:

- (a) has attained the age of 65 years; or
- (b) has been determined to have a permanent and total disability, as evidenced by:
 - (i) an award of disability benefits from the Social Security Administration; or
 - (ii) an award of disability benefits from the U.S. Department of Veterans Affairs, the Railroad Retirement Board, or a federal, state, or local government retirement or disability system.

IMMEDIATE FAMILY MEMBERS — means the spouse, a domestic partner, children or grandchildren (including step-children of the Owner’s current legal spouse or domestic partner),

parents of the Owner or their current legal spouse or domestic partner, siblings, nieces, nephews, and grandparents of the Owner or their current legal spouse or domestic partner. Immediate Family Members does not include friends or people that the Owner otherwise considers Immediate Family.

LIVABLE SPACE — shall mean any indoor area of any structure on a residential property in R-1 or R-2 zone that is designed, constructed, or configured to be occupied by persons for living, sleeping, eating, cooking, or sanitation purposes, and shall include without limitation living rooms, dining rooms, kitchens, bedrooms, bathrooms, dens, family rooms, and finished basements or attics meeting the minimum ceiling height, egress, light, ventilation, and heating requirements of the applicable building code.

Livable Space shall not include garages, carports, unfinished basements, unfinished attics, crawl spaces, storage rooms, utility or mechanical rooms, breezeways, porches, or other accessory or ancillary spaces not intended for human occupancy, ***provided that any such space shall be deemed Livable Space***, notwithstanding its designation on approved plans or its stated use, ***if it:***

- (a) contains, or is constructed or plumbed in a manner that would readily allow the installation of, permanent heating, plumbing, or cooking facilities beyond what is customary for its stated accessory use;
- (b) has a finished floor, wall, and ceiling surface comparable to that of adjoining Livable Space and that is of sufficient size and dimensions to be classified as Livable Space under applicable building codes, including pool houses or workshops;
- (c) is directly accessible from Livable Space by a standard interior doorway without passing through a garage door, overhead door, or other opening not used or customarily used for pedestrian ingress and egress to habitable rooms; or
- (d) otherwise exhibits physical characteristics indicating that the space is designed, adapted, or intended for use — whether immediately or upon minor, non-structural alteration — as a living, sleeping, or other habitable area, regardless of the space's classification on any building permit, plat, or certificate of occupancy.

Any determination that a garage, storage area, or other accessory space constitutes Livable Space under subsection (d) shall be made by the Code Enforcement Officer, Building Official, or Planning Director based on the totality of the physical evidence when applying the relevant Town and Worcester County building code standards, and such space shall thereafter be subject to all applicable requirements for Livable Space, including but not limited to minimum square footage, egress, and parking or setback calculations tied to habitable floor area.

OWNER — means a natural person or persons (including a revocable living trust established for a natural person and/or his or her spouse), but not a corporate entity, including, without limitation to, a single-member limited liability company.

ONE AND HALF STORIES — an area above the first story whose Livable Space does not exceed one-half of the usable floor space of the story directly below it.

PERMANENT RESIDENCE — the owner resides on the subject property for an aggregate of at least 180 days annually and the subject property's official designation as the owner's principal

residence in accordance with the criteria governing the State of Maryland Department of Assessment and Taxation Homestead Tax Credit Program.

PRIMARY DWELLING UNIT — the primary single-family detached dwelling unit on a lot, parcel, or tract to which an accessory dwelling unit is, or is proposed to be, accessory and subordinate.

ZONING CERTIFICATE and CERTIFICATE OF OCCUPANCY — The zoning certificate and/or certificate of occupancy required under Division 3 of Subpart B (Land Development Regulations) as a condition of establishing a use and authorized occupancy, including the development and use of an Accessory Dwelling Unit.

§ 108-719.03 Applicability.

A. This Article applies to the development of Accessory Dwelling Units on all land within the Town zoned as R-1 or R-2.

B. This Article applies to a lot, parcel, or tract only if:

(1) the Owner is personally developing or contracting for construction or conversion of the Detached Accessory Dwelling Unit for his or her personal use or occupancy, and has the exclusive right to use the lot, parcel, or tract on which the Detached Accessory Dwelling Unit is to be developed; and

(2) the use of an existing Accessory Structure or the development of new Detached Accessory Dwelling Units on the lot, parcel, or tract is not otherwise prohibited due to limitations on available safe drinking water, public health risks arising from limitations on sewage disposal, or risks associated with fire, floodplain limitations set forth in Chapter 102 of the Town Code, or landslide.

C. This Article does not limit any restriction on use affecting property listed in the Historic District, or determined by the Director of the Maryland Historical Trust to be eligible for inclusion on the Maryland Register of Historic Properties under MD Land Use Code § 8-301 *et seq.*, as further authorized and addressed under Town Code § 104 (Historic District).

§ 108-719.04 General requirements.

A. A single Accessory Dwelling Unit (whether attached or detached) is permitted on any lot, parcel, or tract meeting the applicability requirements of § 108-719.03 and subject to the standards of this Article.

B. An Accessory Dwelling Unit, and the lot on which it is located, shall at all times satisfy all applicable public health, safety, and welfare standards, including the Town's applicable Town and Worcester County building codes; Berlin and Worcester County fire codes and best practices; life-safety codes; Historic District requirements, regulations, reviews under Town Code § 104, and any applicable requirements of this Chapter.

C. As a condition of occupancy of the Accessory Dwelling Unit, Owner shall occupy either the Accessory Dwelling Unit and/or the Primary Dwelling Unit as his or her Primary Residence. If the Owner does not occupy the property as his or her Primary Residence, the Owner may not rent or permit any persons who are not Immediate Family Members to occupy the ADU for any period of time, including any tenants occupying the primary residence. An Owner may seek a time-limited special exception from the Board of Appeals to this § 108-719.04(c) for good cause shown and so long as the special exception does not create a de facto two-unit or multi-family property (i.e.,

the Primary Dwelling Unit and the Accessory Dwelling Unit are rented and occupied by a single-family unit of Immediate Family).

D. The final design and construction of an Accessory Dwelling Unit shall satisfy all relevant building code requirements before a Zoning Certificate, building permit, or certificate of occupancy may be issued.

E. Construction, occupancy, or use of a Detached Accessory Dwelling Structure shall not be authorized before or during construction of the primary dwelling unit.

F. Subject to the applicable minimum open space requirements, no more than two Accessory Structures may be constructed or used on a single residential R-1 or R-2 lot, which includes a single allowed Accessory Dwelling Unit. Provided, however, one additional storage shed is allowed so long as the shed is less than 12x12 feet in width and no taller than 14 feet, and meets all other Town Code requirements.

G. The full or partial conversion of an Accessory Structure into an Accessory Dwelling Unit or construction of a new Accessory Dwelling Unit is prohibited if the only pedestrian or vehicular access to the Accessory Dwelling Structure is from an alley or through another lot.

§ 108-719.05 Development and Design Standards for Detached ADUs.

A. Size. The total square footage of Livable Space of a Detached Accessory Dwelling Unit (whether newly constructed or converted from existing Accessory Structure) shall be: (1) the total square footage of Livable Space shall not be less than 350 net square feet and not greater than 600 net square feet; (2) not contain more than one kitchen facility, one toilet and one shower; and (3) does not contain more than one bedroom.

B. Number. In no event shall more than one Accessory Dwelling Unit, whether attached or detached, be located on a single lot.

C. Conversion of Existing Accessory Structures. If a lot contained more than one Accessory Structure on or before October 1, 2025, as evidenced by historic photography or evidence, the Owner so long as the existing structure is not enlarged or expanded beyond its existing footprint and height and subject to the other requirements set forth in this chapter, including the limitations as square footage of the Livable Space and number of bedrooms and bathrooms.

D. Lot size. No lot, parcel, or tract shall be required to exceed the minimum lot size required for a primary dwelling unit in the applicable R-1 or R-2 zoning district as a condition of developing an Accessory Dwelling Unit.

E. Setbacks. Detached Accessory Dwelling Units shall be subject to the same setback requirements set for other Accessory Structures required by the applicable residential section of the Town Code.

F. Massing and subordination. A Detached Accessory Dwelling Structure shall be designed and massed so as to be visibly subordinate to the Primary Dwelling Structure, located in the rear yard, and in conformance with the open space requirements for applicable residential zone.

G. Design. Newly constructed Detached Accessory Dwelling Structures (including the portions of the Accessory Structure that do not contain the Accessory Dwelling Unit) or modifications to the exterior of existing Accessory Structures should be to the greatest extent possible: (i) be within a converted existing Accessory Structure; (ii) designed and built with materials that are in character with Town and neighboring properties; (iii) exterior finish material (e.g. siding, trim, eaves) be same or visually match or blend in type, size, and placement to the exterior finish materials of the

Principal Dwelling; (iv) the roof pitch should be same as the predominant roof pitch of the Principal Dwelling; (v) the windows should match Principal Dwelling in proportion and location; and (vi) positioned to maximize the privacy of the adjacent property owner's property (such as appropriate screening, fencing, and window placement) and so as to not impact the air and light of the neighboring properties.

H. Mail. An Accessory Dwelling Unit shall not be given a separate street or mailing address unless the Fire Marshall or police department determines that separate street or mailing addresses are required for public safety.

§ 108-719.06 Off-street Parking Requirements.

Per State ADU Law, no parking requirements or restrictions may be imposed as a condition of issuance of a building permit, zoning certificate, or, if applicable, certificate of occupancy for an Accessory Dwelling Unit unless and until the Town conducts requisite parking study. Unless and until the Town conducts a parking study, Applicants are strongly encouraged to provide at least one dedicated off-street parking space per Accessory Dwelling Unit.

§ 108-719.07 Review procedure.

A. An application for a building permit, zoning certificate, or certificate of occupancy for an Accessory Dwelling Unit shall be submitted to the Planning Department in the form prescribed by the Planning Department along with all information required by the Planning Department.

B. If the subject property is located within the Historic District and involves changes to the exterior of the existing Accessory Structure, the Applicant shall also submit an application for the Historic District Commission review as required under Town Code §104-26 of the Town Code and shall be considered pursuant to the terms and requirements of Town Code § 104. The Historic District Commission shall also review and, as a condition of approval of the Detached Accessory Dwelling Structure, make the following affirmative determinations:

- (i) the design and proposed materials are in character with the historic nature of the Town and, specifically, the subject property and neighboring properties;
- (ii) exterior finish material (e.g., siding, trim, eaves) is the same or visually matches or blends in type, size, and placement to the exterior finish materials of the Principal Dwelling;
- (iii) the roof pitch shall be the same as the predominant roof pitch of the Principal Dwelling;
- (iv) the windows must match the Principal Dwelling Unit in proportion and location;
- (v) positioned to maximize the privacy and air/light of the adjacent property owner's property (such as appropriate screening, fencing, and window placement so long such screening, fencing, and window placement do not impede the historic nature of the Historic District);
- (vi) whether the requested Accessory Dwelling Unit is new (less preferred) or could be constructed in an existing Accessory Structure; and

(vii) does not otherwise impact the historic nature of the Historic District or the historic nature of structures and properties listed on the Maryland Register of Historic Properties, including historically significant yards and old-growth trees.

C. The Historic Commission shall deny an Applicant's request for a Detached Accessory Dwelling Unit if it determines that an Applicant has not met all requirements set forth in (B) above. The Historic Commission shall give great weight to the historic nature of the subject property and any reasonable design modifications requested by neighboring property owners when addressing § 108-719.07(B)(v) when evaluating an Applicant's request to construct a new Accessory Dwelling Structure. The Historic Commission shall deny an Applicant's request if the Historic Commission determines that the proposed Detached Accessory Dwelling Structure would materially impact the historic nature of the subject property and neighboring properties.

D. For Detached Accessory Dwelling Structure Applicants that do not require Historic Commission or Board of Zoning and Appeals review, as a condition of receiving a Zoning Certificate, the Applicant's proposed design of the Detached Accessory Dwelling Structure shall be submitted to the Planning and Zoning Commission for its confirmation that the proposed Detached Accessory Dwelling Unit meets the requirements of § 108-719.05, including the design standards under § 108-719.05 (G).

§ 108-719.08 Development impact fees; Fee Waivers.

A. For Detached Accessory Dwelling Structures granted amnesty pursuant to § 108-719.10, no development impact fee or building excise tax will be charged on a Detached Accessory Dwelling Unit with a total Livable Space square footage of not less than 350 net square feet and not greater than 600 net square feet or Accessory Dwelling Units attached to or within the Primary Dwelling Unit greater than two bedrooms and two bathrooms and less than 1200 net square feet of Livable Space. For existing Detached Accessory Dwelling Units with greater than 600 net square feet of Livable Space, the development impact fee shall be assessed proportionately in relation to square footage of the Primary Dwelling Unit less 600 square feet (i.e. if the Detached Accessory Dwelling Unit is 800 net square feet of Livable Space and the Primary Dwelling Unit is 1800 net square feet of Livable Space, the impact fee would be $800-600/1800 = 0.11\%$ of the published impact fee for primary structures). The impact fee shall be paid prior to the issuance of an amnesty certificate.

B. For new construction or conversions with Livable Space in excess of 600 net square feet whether detached or attached, the development impact fee shall be: (1) assessed proportionately in relation to the net square footage of Livable Space of the Primary Dwelling Unit (i.e. if the Applicant is seeking Accessory Dwelling Unit of 700 net square feet of Livable Space and the Primary Dwelling Unit is 1800 net square feet of Livable Space, the impact fee would be $700-600/1800 = 0.055\%$ of the published impact fee for primary structures) or (2) as otherwise published in an updated General Fee Schedule published by Town Council. The impact fee shall be paid prior to the issuance of a zoning certificate.

C. Town Council may waive or reduce an impact fee, utility connection or EDU fees, or any application fee charged under this section for Accessory Dwelling Units designed to accommodate Elderly or Disabled Owners for good cause shown, as determined by the Town Council in its sole and absolute discretion.

§ 108-719.09 Utility connections and EDUs.

A. No separate connection between an Accessory Dwelling Unit and the water or sewer main of the existing primary structure is required if the existing connection between the Primary Dwelling Unit and the water or sewer main is determined by the Building Official to be sufficient to support the addition of the Accessory Dwelling Unit that contains one shower facility and one toilet facility.

B. As a condition of the issuance of a building permit, zoning certificate, or, if applicable, certificate of occupancy, an Applicant must purchase additional water EDUs and sewer EDUs for an Accessory Dwelling Unit at the amount set by the General EDU Fee Schedule and as may be later adjusted by Town based upon actual water and sewage usage if any of the following applies:

(i) site topography requires separate water and/or sewer connections as determined by the Building Official;

(ii) the existing capacity of the water and sewer lines located in the space servicing the applicable property at the time of the passage of this chapter necessitates upgrades by the Town in size or locations to accommodate the Accessory Dwelling Unit; or

(iii) the Accessory Dwelling Structure includes more than one toilet or shower as may be authorized by a conditional use authorization granted by the Board of Zoning Appeals.

C. If an Accessory Dwelling Unit is integrated into the existing connection between the Primary Dwelling Unit and the water or sewer main as of October 1, 2025, or structurally attached to the Primary Structure, no additional connection fee associated with the integration of the Accessory Dwelling Unit may be charged by the Town so long as water annual average usage for the subject property remains at 250 gallons or less per day.

D. For all new construction or conversion of Accessory Dwelling Units, whether attached or detached, an Accessory Dwelling Unit shall use a separate meter or submeter from the Primary Dwelling Unit to track the delivery of water from a utility to the Accessory Dwelling Structure.

§ 108-719.10 Amnesty for Detached Accessory Dwelling Units Constructed and Used Prior to October 1, 2026.

A. **Purpose.** The Mayor and Council recognize that Detached Accessory Dwelling Units may exist within the Town that were constructed, converted, or established prior to October 1, 2025, without the benefit of a building permit, zoning certificate, or other authorization, and that requiring such units to meet all current code requirements applicable to new construction may impose an undue hardship where the unit has been safely occupied for a substantial period. This § 108-719.10 establishes a limited amnesty program allowing such ADUs to obtain legal, non-conforming status upon a showing of (1) the date of original construction and continuous use, and (2) verified compliance with applicable electrical and plumbing safety standards.

B. **Eligibility.** A Detached Accessory Dwelling Unit is eligible for amnesty under this § 108-719.10 if:

- (i) The Accessory Structure was physically constructed and in use as a Dwelling Unit prior to October 1, 2025;
- (ii) The application for amnesty is submitted to the Planning Director no later than April 1, 2027, with accompanying photographs of the existing conditions of the exterior and interior of the Detached Accessory Dwelling Unit;

- (iii) The Detached Accessory Dwelling otherwise complies, or is brought into compliance with the structural, electrical and plumbing safety requirements of this § 108-719.10 within the period set by the Building Official, which shall not be later than January 1, 2028; and
 - (iv) Any impact fees are paid to the Town.
- C. **Evidence of pre-October 1, 2025, Construction and Use.** An applicant shall establish the construction date and continuous use of the ADU by submitting at least two of the following, at least one of which must be independently verifiable through a third-party source not created or controlled by the applicant:
- (i) Photographs bearing a machine-generated date stamp, metadata timestamp, or other embedded date data showing the ADU's exterior and/or interior condition prior to October 1, 2025 (such as photos from previous MRIS listings), together with an affidavit from the applicant attesting to the authenticity and circumstances of the photographs;
 - (ii) Insurance policies, riders, or declarations pages referencing the ADU and predating October 1, 2025;
 - (iii) Aerial or satellite imagery (including Google Earth historical imagery, County GIS historical imagery, or comparable services) showing the structure's footprint as of a date prior to October 1, 2025;
 - (iv) A permit, inspection record, or other official document issued by the Town, Worcester County, or the State of Maryland referencing the structure prior to October 1, 2025, even if such permit did not authorize the ADU use itself (e.g., a building permit for an unrelated addition that depicts the ADU on an accompanying plan); or
 - (v) Sworn affidavits from a disinterested third party (e.g., neighbors, contractors, former tenants) with personal knowledge attesting to the ADU's existence and use prior to October 1, 2025, provided that affidavit evidence alone, absent any documentary corroboration under § 108-719.10 subsections (i)–(iv), shall not be sufficient to establish eligibility.

The Housing Inspector and Planning Director shall have discretion to request additional evidence where the evidence submitted is inconsistent, incomplete, or insufficient to establish a reliable construction and use date.

D. **Electrical and Plumbing Compliance.**

- (i) *Documentary compliance.* An applicant may establish electrical and plumbing compliance by submitting:
 - (a) A copy of an electrical and/or plumbing permit issued by the Town or Worcester County for the ADU's electrical or plumbing systems, together with evidence of final inspection or approval (if available); or
 - (b) A written agreement, contract, or invoice from a Maryland-licensed electrician and master plumber reflecting installation, alteration, or repair of the ADU's electrical or plumbing systems, together with such additional evidence as the Planning Director may require to confirm the scope of work performed.
- (ii) *Inspection in lieu of documentation.* Where an applicant cannot produce documentation under § 108-719.10(D)(i), or where the Planning Director determines that the documentation produced is insufficient to confirm current safety compliance, the applicant shall have the ADU's electrical and plumbing systems inspected by a Maryland-licensed electrician and/or

master plumber, at the applicant's sole expense. The inspection shall assess the electrical and plumbing systems against the safety provisions of the electrical and plumbing codes currently in effect in Worcester County, provided that:

- (a) The inspection shall be limited to health and life-safety elements of the electrical and plumbing systems (including but not limited to service capacity and grounding, GFCI/AFCI protection where required for the systems' use, absence of unsafe wiring methods, water supply and drain-waste-vent integrity, and absence of cross-connection or backflow hazards), and shall not require full compliance with dimensional, cosmetic, or non-safety-related provisions of the current code applicable to new construction;
- (b) Any deficiencies identified shall be corrected by the applicant within 90 days of the inspection, or such longer period as the Building Official may allow for good cause, and shall be subject to re-inspection and applicable re-inspection fees; and
- (c) Nothing in this § 108-719.10(D) shall be construed to require strict compliance with ceiling height, room area, or other habitability provisions of the building code as a condition of amnesty under this § 108-719.10 (D), except as separately required under § 108-719.10(E) below.

E. **Effect of Amnesty; Continued Applicability of Other Standards.** An ADU granted amnesty under this § 108-719.10 shall be deemed a legal, nonconforming Accessory Dwelling Unit for zoning purposes as of its documented construction date, and shall not be required to meet dimensional or use standards applicable to new ADU construction under Chapter 108, ADU ordinance above, provided that:

- (i) The ADU shall at all times comply with minimum life-safety standards, including but not limited to structural integrity, smoke and carbon monoxide alarm requirements, and emergency egress, regardless of the ADU's status under this § 108-719.10;
- (ii) Amnesty granted under this §108-719.10 addresses electrical, plumbing, and zoning nonconformity only, and does not constitute a determination that any room within the ADU satisfies other habitability requirements; and
- (iii) Amnesty under this § 108-719.10 is personal to the ADU as documented and does not authorize expansion; structural alteration; or rental or use of an ADU that exceeds the one bedroom and one bathroom (inclusive of one toilet and one shower); or any occupancy of an ADU of more than 600 net Livable Square Feet, but less than 1200 net square feet of Livable Space unless and until the requisite impact fee is paid to the Town within the amnesty period;
- (iv) Amnesty for ADUs that contain greater than 800 net square feet of Livable Space (but less than 1200 net square feet) or with more than two bedrooms and two bathrooms shall require a conditional use authorization under § 108-719.13 prior to the issuance of an amnesty certificate;
- (v) Before the issuance of a rental license for a detached ADU that exceeds the maximum square footage, bedroom, and bathroom count, the Owner must obtain a BZA conditional use authorization if the existing ADU exceeds the maximum square footage, bathroom, and bedroom restrictions.
- (vi) Failure to file an amnesty application on or before April 1, 2027 shall require Owner to meet all requirements, filings, and approvals required for newly constructed or converted ADUs under this § 108-719, including payment of fees and any applicable fee multipliers and any applicable fines or other applicable enforcement penalties.

- F. **Fees.** The application fee for amnesty under this § 108-719.10 shall be set forth on the “Town of Berlin General Fee Schedule.” No penalty or retroactive permit-fee multiplier otherwise applicable to unpermitted work shall be assessed against an ADU granted amnesty under this Section, provided the application is submitted to the Planning Department on or before April 1, 2027, as may be extended by Town Council.
- G. **Denial; Appeal.** A denial of amnesty under this § 108-719.10 may be appealed to the Housing Board of Review in accordance with § 108-719.10.

§ 108-719.11 Record Covenant

- A. **Amnesty Certificate.** An Applicant may request the Town to issue a zoning certificate or amnesty certificate in the form prescribed by the Planning Director that may be recorded in the land records of Worcester County. Such certificate shall detail the estimated square footage of Livable Space; number and type of cooking facilities; number of bedrooms, bathrooms (including number of toilets and showers); maximum occupancy under applicable Town and Worcester County code; any other conditions deemed relevant to be listed on the certificate, such as limitations on expansion of the Accessory Structure’s Livable Space without further Town authorization.
- B. **Non-Conforming Certificate.** As a condition of the issuance of a zoning certificate and, if applicable, certificate of occupancy for Accessory Unit Dwelling is located in the Historic District or receive a conditional use authorization from the Board of Zoning Appeals under § 108-719.13, the issuance of such zoning certificate or certificate of occupancy shall be conditioned upon recording of a covenant in the land records that states the specific conditions upon which Board of Appeals or Historic Commission authorized their approvals, including the maximum authorized square footage of Livable Space, number of bathrooms, maximum occupancy, and statement that any further modifications to the interior or exterior of the Accessory Structure used as Detached Accessory Dwelling Unit are not authorized without additional required approvals.

§ 108-719.12 Enforcement; Penalties; Appeals

- A. **Inspections.** If the Housing Inspector has reason to believe that an Accessory Structure is being utilized as a Dwelling Unit without the issuance of a zoning certificate or certificate of occupancy authorizing such use after April 1, 2027, or otherwise in violation of this § 108-719 and other applicable Town Codes, the Housing Inspector shall provide the Owner notice of inspection, which shall be delivered via first-class mail return receipt requested at the mailing address of the owners listed on the SDAT and posted on the front door of the Primary Dwelling. If the Housing Inspector determines that the Accessory Structure is being utilized or capable of being utilized as a Dwelling Unit, the Owner shall have 30-days to file the required application and pay the necessary fees for such Accessory Structure to be permitted as an Accessory Dwelling Unit under this §108-719 or provide a written statement that such Accessory Structure is not and will not be utilized as an Accessory Dwelling Unit. If it is later determined that the Accessory Dwelling Structure is being utilized as a Dwelling Unit without a zoning certificate or certificate of occupancy (as applicable), the Owner shall be subject to fines (and fine multipliers) as may be published by the Town Council and the other remedies set forth in § 108-719.12(B) below.
- B. **Enforcement.** In addition to the remedies under § 108-118 or § 108-119, failure to meet the applicable public health, safety or welfare standards or any applicable Town noise ordinance shall entitle the Building Official or Housing Inspector to issue a cease and desist order; impose fines

set by the Town Council in the General and seek a judicial lien to be recorded in the land records Worcester County for any fines imposed; and seek civil and injunctive relief against the Owner and any occupants of the Accessory Dwelling Unit, including court order requiring the removal of habitable structures within Accessory Structure (such as bathrooms, kitchens, etc) or as otherwise provided in the Town Code.

C. Appeals.

- (i) Any person denied a building permit, zoning certificate, or certificate or otherwise aggrieved by the action of the Building Official or Housing Inspector under this § 108-719 or other applicable provisions of the Town Code, within ten days of receipt of written notice of such action, appeal such action to the Town Housing Board of Review by filing a notice of appeal to the Building Official or Housing Inspector. The Housing Board of Review shall meet within 30 days of such notice and conduct a hearing according to its regulations as established under Article 5 of the Town Code (Housing Standards). Except in incidents involving the life, safety, or an immediate neighbor's peaceful enjoyment of their property, all fines, penalties, suspensions, or revocations shall be stayed pending the board of review hearing and the decision of the Housing Board of Review.
- (ii) Any person aggrieved by an action of the Housing Board of Review may appeal such action to the circuit court for the county pursuant to the Maryland Rules of Procedure.

§ 108-719.13 Conditional Use Authorization.

- A. **General prohibition.** Except for previously permitted attached ADUs granted amnesty hereunder, a Detached Accessory Dwelling Unit shall exceed 600 net square feet of net Livable Space and shall not contain more than one toilet, one shower and one bedroom, except upon grant of a conditional use authorization sought and granted by the Board of Zoning Appeals under this § 108-719.13.
- B. **Burden of proof.** The Applicant bears the burden of proving each element below by clear and convincing evidence. Failure to satisfy any single element shall result in denial. The Board of Appeals shall not grant a conditional use authorization based on the cumulative weight of partial showings.
- C. **Mandatory findings.** The Board of Appeals may grant a size conditional use authorization only upon written findings that:
 - (i) *Unique physical circumstance.* The lot possesses an exceptional physical condition — topography, large lot size, lot configuration, easement, or environmental constraint — not shared generally by other lots in the same zoning district, and that condition is determined to lessen the impact of the additional square footage and need for additional bedrooms and bathrooms;
 - (ii) *Not self-created.* The condition necessitating the variance was not created by the Applicant, a prior owner, or any voluntary act (including subdivision, prior construction, or lot-line adjustment) undertaken after October 1, 2025;
 - (iii) *Minimum necessary relief.* The requested square footage is the minimum necessary to afford relief, supported by a floor-plan analysis demonstrating that the stated functional need cannot reasonably be met within the base size cap or, in the case of existing Detached Accessory Dwelling Units seeking amnesty, would cause the Owner significant financial

- hardship should the Owner be required to convert the Accessory Structure to a non-habitable space or significantly small habitable space;
- (iv) *Existing Accessory Structure.* Whether the requested ADU is or can be located in an existing Accessory Structure on the subject property as opposed to a new Accessory Structure;
 - (v) *No substantial detriment.* The increased size and number of bedrooms and bathrooms will not (i) alter the essential character of the neighborhood, (ii) substantially diminish or impair the use, privacy, or value of adjacent properties, or (iii) result in an ADU exceeding the footprint or height of the principal dwelling;
 - (vi) *Consistency with purpose.* The conditional use is consistent with the stated purpose of this Article — to provide supplemental, subordinate housing — and does not result in an ADU that functions as a co-equal or competing dwelling unit; and
 - (vii) *No economic hardship alone.* Desire for increased rental income, resale value, or general convenience shall not, standing alone or in combination with other non-physical factors, constitute grounds for granting the conditional use;
 - (viii) *Massing and Design Considerations.* The Board of Appeals shall consider, and may decline a conditional use, if the massing or design requirements under § 108-719.05(E) and (F) are not appropriately addressed or, if applicable, the Applicant has not received all required approvals of the Historic Commission; and
 - (ix) *Impact on Neighbors.* Any conditional use granted under this § 108-719.10 shall be conditioned on the Board of Zoning Appeals giving great weight to the impact of granting the relief on the immediately adjacent neighbors (within 100 feet of the subject properties' lines), including the potential need for additional on- or off-street parking to support the ADU.

D. **Additional conditions on any conditional use granted.** The granting of conditional use shall not relieve an Applicant from the requirements to pay additional Town fees, including any applicable impact fees or EDUs fees.

E. **No self-perpetuation.** A conditional use granted under this § 108-719.10 runs with the specific approved plans only. Any subsequent modification, expansion, or reconstruction of the ADU requires a new conditional use application under this § 108-719.10 in its entirety.

F. **Limitations on Relief.** In no event shall the Board of Appeals grant a conditional use authorization for a Detached Accessory Dwelling Structure that is greater than 1,200 square feet of Livable Space or 75% of net square footage of Livable Space of the Primary Dwelling Unit (whichever is less); authorize more than two toilets and two showers; and two bedrooms; or for more than one Accessory Dwelling Unit to be located on a single lot or property.

§ 108-719.14 Relationship to restrictive covenants and to other Town Code provisions; severability.

A. Except as expressly modified by this Article, all other applicable requirements of the Town Code and this Chapter, including nonconforming use and structure provisions under Chapters 104 and 108 shall continue to apply. In the event of a conflict between this §108-719 and other provisions of this chapter regarding Accessory Structures or Accessory Dwelling Structures, this Chapter 108-719 shall govern.

C. If any provision of this Article or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Article that can be given effect without the invalid provision or application, and to this end the provisions of this Article are declared severable.

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the _____ day of _____, 2026, and thereafter a statement of the substance of the Ordinance was published as required by law.

A PUBLIC HEARING was held, and this Ordinance was adopted this _____ day of _____ 2026, by the Mayor and Council of the Town of Berlin, Maryland, by the vote as indicated below:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Dean Burrell, VP					
Steve Green					
Jay Knerr					
Shaneka Nichols					
Jack Orris					
<i>Voting Tally</i>					

Dean Burrell Sr., Vice President of the Council

This Ordinance was approved this _____ day of _____, 2026 by the Mayor of the Town of Berlin and is effective at the start of the 2027 Fiscal Year on July 1, 2026.

Zackery Tyndall, Mayor, President of the Council

ATTEST:

Mary Bohlen, Town Administrator

TOWN OF BERLIN, MARYLAND

[ORDINANCE NO. ____]

DRAFT — FOR REVIEW

AN ORDINANCE to amend Chapter 108 (“Zoning”) of the Code of the Town of Berlin, Maryland, by adding a new Section 719 in Section of Article VIII, entitled “Supplemental District Regulations,” to authorize and regulate the development of accessory dwelling units on land zoned for single-family detached residential use, as required by Title 4, Subtitle 5 of the Land Use Article, Annotated Code of Maryland, enacted by Chapter 197 of the Laws of Maryland 2025 (House Bill 1466); establishing definitions, applicability, development and design standards, permit review procedures, limitations on development impact fees, and requirements governing utility connections for accessory dwelling units; and generally relating to the development and use of accessory dwelling units within the Town of Berlin.

WHEREAS, Title 4, Subtitle 5 of the Land Use Article, Annotated Code of Maryland (“State ADU Law”), requires the legislative body of each Maryland county and municipal corporation to adopt, on or before October 1, 2026, a local law authorizing the development of accessory dwelling units on land zoned for a single-family detached dwelling unit as the primary use; and

WHEREAS, the State ADU Law establishes certain requirements that a local law must include and certain limitations that a local law may not impose, while preserving local discretion over other aspects of accessory dwelling unit regulation; and

WHEREAS, the Mayor and Council of the Town of Berlin find that adoption of this Article is necessary to bring the Town Code into compliance with the State ADU Law and to provide clear, administrable standards for the development of accessory dwelling units within the Town with consideration of the Town’s public health, safety, welfare standards, and adequacy of the public facilities, including the Town’s electric, water, sewer, and other Town resource capacity.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Berlin, Maryland, that Chapter 108 of the Code of the Town of Berlin is hereby amended by adding a new §108-719 of Article VIII to read as follows:

SECTION 108-719, ARTICLE VIII. ACCESSORY DWELLING UNITS IN R-1 AND R-2 ZONES

§ 108-719.01 Purpose and authority.

A. This Article is adopted pursuant to, and is intended to satisfy, the requirement of Md. Code Ann., Land Use § 4-504(a) that the Town adopt a local law authorizing the development of accessory dwelling units on or before October 1, 2026. Except as expressly provided in this Article, nothing in this Article alters or abrogates the Town's zoning authority under Chapter 108 or the Land Use Article.

B. The purpose of this Article is not to establish two-unit rental units or multi-family residential uses in single-family residential zones, which are expressly prohibited by Town zoning requirements.

§ 108-719.02 Definitions.

As used in this Article, the following terms have the meanings indicated. Terms not defined in this Article have the meanings given in § 100-95 (Definitions) and Article V (Housing Standards) of the Town Code.

ACCESSORY DWELLING UNIT (ADU) — A secondary subordinate dwelling unit that is: (1) located on the same lot, parcel, or tract as a primary single-family detached dwelling unit; (2) of a height of no more than one and half stories for stand-alone Accessory Dwelling Unit structures or 25 feet in height if the ADU is constructed above an Accessory Structure garage used for storage of vehicles, workshop, or other permissible use containing that contains no Livable Space; and (3) not ~~less than 350 net square feet and~~ greater than ~~800~~600 net square feet of ~~net~~Livable Space ~~or the Accessory Structure is 35% of the net Livable Floor Space of the Primary Dwelling Unit (whichever is lesser);~~, and (4) subordinate in use to the primary single-family detached dwelling unit. An Accessory Dwelling Unit is constructed:

- (i) attached to, or through the conversion of, a portion of the ~~primary dwelling unit;~~Primary Dwelling Unit (such as a basement apartment);
- (ii) attached to, or through the full or partial conversion of, an existing Accessory Structure located on the same lot, parcel, or tract as the primary dwelling unit; or
- (iii) as a new building, detached from the primary dwelling unit and any existing accessory structure¹;

~~An~~**ACCESSORY DWELLING STRUCTURE** — ~~shall mean the structure in which the~~ Accessory Dwelling Unit ~~includes and is located, including any portion of the~~ Accessory Dwelling Structure that is ~~separate from the primary single family detached dwelling unit not intended to be utilized as a Dwelling Unit (e.g., inclusive of the portion of structure that is used as a garage, for storage, or attached as an addition to the primary single family detached dwelling unit-a workshop).~~

ACCESSORY STRUCTURE — shall mean a building or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure that is permanently affixed to a foundation and constructed concurrently with or after the Primary Dwelling Unit and subject to the location requirements set forth in § 108-702 ¹ of the Town Code.

¹~~-Sec. 108-702. Accessory buildings in residence districts. [foot note Included for context purposes, to be removed for final ordinance]~~

~~(a) — No accessory building shall be located in any required court or in any yard other than a rear yard except as provided hereinafter. Accessory buildings shall be distant at least six feet from alley lines and from any other building on the same lot and at least six feet from lot lines of adjoining lots, which are in any R-District.~~

~~(b) — Accessory buildings, except stables, may be erected as a part of the principal building or, if at least six feet therefrom, may be connected thereto by a breezeway or similar structure, provided that all yard requirements for a principal building are complied with.~~

~~(c) — In any R-District, where a corner lot adjoins in the rear a lot fronting on the side street and located in an R-District, no part of any accessory building on such corner lot shall be nearer the side street lot line than the least depth of the front yard required along such side street for a dwelling on such adjoining lot; and in no case shall any part of such accessory building be nearer to the common lot line than the least width of a side yard required for the principal building.~~

~~(Code 1977, § 107-17; Ord. No. 2000-10, § 25-2000)~~

DETACHED ACCESSORY DWELLING UNIT – means any Accessory Dwelling Unit not within the building footprint of the Primary Dwelling Unit, including any Accessory Dwelling Units attached to the Primary Dwelling Structure with a breezeway.

DOMESTIC PARTNER – means a domestic partner pursuant to a Declaration of Domestic Partnership filed with the Worcester County Register of Wills.

DWELLING UNIT — for the purpose of this Chapter, a single unit providing complete, independent living facilities for no more than ~~three adult persons or~~ two adult persons with two minor Immediate Family members, including, at a minimum, permanent provisions for sanitation, cooking, eating, and sleeping, toilet, bathing, and other activities routinely associated with daily life. “Dwelling unit” in the context of Accessory Structure does not include a unit in a multifamily residential building, manufactured homes not attached to permanent foundation systems or containing chassis, mobile homes, RVs, trailers, or any structure on wheels or otherwise designed to be relocated.

ELDERLY OR DISABLED OWNERS — means an Owner or Domestic Partner of record (or their spouse, partner, parent, or child) of the subject property who, as of the date of application, either:

- (a) has attained the age of 65 years; or
- (b) has been determined to have a permanent and total disability, as evidenced by:
 - (i) an award of disability benefits from the Social Security Administration; or
 - (ii) an award of disability benefits from the U.S. Department of Veterans Affairs, the Railroad Retirement Board, or a federal, state, or local government retirement or disability system.

IMMEDIATE FAMILY MEMBERS — means the spouse, a domestic partner, children or grandchildren (including step-children of the Owner’s current legal spouse or domestic partner), parents of the Owner or their current legal spouse or domestic partner, siblings, nieces, nephews, and grandparents of the Owner or their current legal spouse or domestic partner. Immediate Family Members does not include friends or people that the Owner otherwise considers Immediate Family.

LIVABLE SPACE — shall mean any indoor area of any structure on a residential property in R-1 or R-2 zone that is designed, constructed, or configured to be occupied by persons for living, sleeping, eating, cooking, or sanitation purposes, and shall include without limitation living rooms, dining rooms, kitchens, bedrooms, bathrooms, dens, family rooms, and finished basements or attics meeting the minimum ceiling height, egress, light, ventilation, and heating requirements of the applicable building code.

Livable Space shall not include garages, carports, unfinished basements, unfinished attics, crawl spaces, storage rooms, utility or mechanical rooms, breezeways, porches, or other accessory or ancillary spaces not intended for human occupancy, ***provided that any such space shall be deemed Livable Space***, notwithstanding its designation on approved plans or its stated use, ***if it***:

- (a) contains, or is constructed or plumbed in a manner that would readily allow the installation of, permanent heating, plumbing, or cooking facilities beyond what is customary for its stated accessory use;
- (b) has a finished floor, wall, and ceiling surface comparable to that of adjoining Livable Space and that is of sufficient size and dimensions to be classified as Livable Space under applicable building codes, including pool houses or workshops;

(c) is directly accessible from Livable Space by a standard interior doorway without passing through a garage door, overhead door, or other opening not used or customarily used for pedestrian ingress and egress to habitable rooms; or

(d) otherwise exhibits physical characteristics indicating that the space is designed, adapted, or intended for use — whether immediately or upon minor, non-structural alteration — as a living, sleeping, or other habitable area, regardless of the space's classification on any building permit, plat, or certificate of occupancy.

Any determination that a garage, storage area, or other accessory space constitutes Livable Space under subsection (d) shall be made by the Code Enforcement Officer, Building Official, or Planning Director based on the totality of the physical evidence when applying the relevant Town and Worcester County building code standards, and such space shall thereafter be subject to all applicable requirements for Livable Space, including but not limited to minimum square footage, egress, and parking or setback calculations tied to habitable floor area.

OWNER — means a natural person or persons (including a revocable living trust established for a natural person and/or his or her spouse), but not a corporate entity, including, without limitation to, a single-member limited liability company.

ONE AND HALF STORIES — an area above the first story whose Livable Space does not exceed one-half of the usable floor space of the story directly below it.

PERMANENT RESIDENCE — the owner resides on the subject property for an aggregate of at least 180 days annually and the subject property's official designation as the owner's principal residence in accordance with the criteria governing the State of Maryland Department of Assessment and Taxation Homestead Tax Credit Program.

PRIMARY DWELLING UNIT — the primary single-family detached dwelling unit on a lot, parcel, or tract to which an accessory dwelling unit is, or is proposed to be, accessory and subordinate.

ZONING CERTIFICATE and CERTIFICATE OF OCCUPANCY — The zoning certificate and/or certificate of occupancy required under Division 3 of Subpart B (Land Development Regulations) as a condition of establishing a use and authorized occupancy, including the development and use of an Accessory Dwelling Unit.

§ 108-719.03 Applicability.

A. This Article applies to the development of Accessory Dwelling Units on all land within the Town zoned as R-1 or R-2.

B. This Article applies to a lot, parcel, or tract only if:

(1) the Owner is personally developing or contracting for construction or conversion of the Detached Accessory Dwelling Unit for his or her personal use or occupancy, and has the exclusive right to use the lot, parcel, or tract on which the Detached Accessory Dwelling Unit is to be developed; and

(2) the use of an existing Accessory Structure or the development of new Detached Accessory Dwelling Units on the lot, parcel, or tract is not otherwise prohibited due to limitations on available safe drinking water, public health risks arising from limitations on sewage disposal, or risks associated with fire, floodplain limitations set forth in Chapter 102 of the Town Code, or landslide.

C. This Article does not ~~apply to a~~limit any restriction on use affecting property listed in the Historic District, or determined by the Director of the Maryland Historical Trust to be eligible for inclusion on the Maryland Register of Historic Properties under MD Land Use Code § 8-301 *et seq.*, as further authorized and addressed under Town Code § 104 (Historic District).

§ 108-719.04 General requirements.

A. A single Accessory Dwelling Unit (whether attached or detached) is permitted ~~by right~~ on any lot, parcel, or tract meeting the applicability requirements of § 108-719.03 and subject to the standards of this Article.

B. An Accessory Dwelling Unit, and the lot on which it is located, shall at all times satisfy all applicable public health, safety, and welfare standards, including the Town's applicable Town and Worcester County building codes; Berlin and Worcester County fire codes and best practices; life-safety codes; Historic District requirements, regulations, reviews under Town Code § 104, and any applicable requirements of this Chapter.

C. ~~The~~As a condition of occupancy of the Accessory Dwelling Unit, Owner shall occupy either the Accessory Dwelling Unit and/or the Primary Dwelling Unit as his or her Primary Residence. If the Owner does not occupy the property as his or her Primary Residence, the Owner may not rent or permit any persons who are not Immediate Family Members to occupy the ADU for any period of time, including any tenants occupying the primary residence. An Owner may seek a time-limited special exception from the Board of Appeals to this § 108-719.04(c) for good cause shown and so long as the special exception does not create a de facto two-unit or multi-family property (i.e., the ~~primary dwelling~~Primary Dwelling Unit and the Accessory Dwelling Unit are rented and occupied by a single-family unit of Immediate Family).

D. The final design and construction of an Accessory Dwelling Unit shall satisfy all relevant building code requirements before a ~~zoning certificate~~Zoning Certificate, building permit, or certificate of occupancy may be issued.

E. Construction, occupancy, or use of ~~an~~a Detached Accessory Dwelling ~~Unit~~Structure shall not be authorized before or during construction of the primary dwelling unit.

F. Subject to the applicable minimum open space requirements, no more than two Accessory Structures may be constructed or used on a single residential R-1 or R-2 lot, which includes a single allowed Accessory Dwelling Unit. Provided, however, one additional storage shed is allowed so long as the shed is less than 12x12 feet in width and no taller than 14 feet, and meets all other Town Code requirements.

G. The full or partial conversion of an Accessory Structure into an ~~accessory dwelling unit~~Accessory Dwelling Unit or construction of a new Accessory Dwelling Unit is prohibited if the only pedestrian or vehicular access to the Accessory Dwelling Structure is from an alley or through another lot.

§ 108-719.05 Development and Design Standards for Detached ADUs.

A. **Size.** The total square footage of Livable Space of ~~an~~a Detached Accessory Dwelling Unit (whether newly constructed or converted from existing Accessory Structure) shall be: (1) the total

square footage of ~~the of~~ Livable Space shall not ~~exceed 800~~ be less than 350 net square feet and ~~the Accessory Structure shall be less than 35% of the~~ not greater than 600 net square ~~footage of Livable Space of the Primary Dwelling Unit, whichever is less~~ feet; (2) not contain more than one kitchen facility, one toilet and one shower; and (3) does not contain more than ~~two~~ one bedrooms.

B. Number. In no event shall more than one Accessory Dwelling Unit, whether attached or detached, be located on a single lot.

C. Conversion of Existing Accessory Structures. If a lot contained more than one Accessory Structure on or before October 1, 2025 as evidenced by historic photography or evidence, the Owner ~~may convert one of the existing Accessory Structures into an Accessory Dwelling Unit as a matter of right~~ so long as the existing structure is not enlarged or expanded beyond its existing footprint and height and subject to the other requirements set forth in this chapter, including the limitations as square footage of the Livable Space and number of bedrooms and bathrooms.

D. Lot size. No lot, parcel, or tract shall be required to exceed the minimum lot size required for a primary dwelling unit in the applicable R-1 or R-2 zoning district as a condition of developing an ~~accessory dwelling unit~~ Accessory Dwelling Unit.

E. Setbacks. Detached Accessory Dwelling Units shall be subject to the same setback requirements set for other Accessory Structures required by the applicable residential section of the Town Code.

F. Massing and subordination. ~~An A Detached~~ Accessory Dwelling ~~Unit and other Accessory Structures~~ Structure shall be designed and massed so as to be visibly subordinate to the ~~primary dwelling unit~~ Primary Dwelling Structure, located in the rear yard, and in conformance with the open space requirements for applicable residential zone.

G. Design. Newly constructed Detached Accessory Dwelling Structures (including the portions of the Accessory Structure that do not contain the Accessory Dwelling Unit) or modifications to the exterior of existing Accessory Structures should be to the greatest extent possible: (i) be within a converted existing Accessory Structure; (ii) designed and built with materials that are in character with Town and neighboring properties; ~~(iii)~~ exterior finish material (e.g. siding, trim, eaves) be same or visually match or blend in type, size, and placement to the exterior finish materials of the Principal Dwelling; ~~(iv)~~ the roof pitch should be same as the predominant roof pitch of the Principal Dwelling; ~~(v)~~ the windows should match Principal Dwelling in proportion and location; and ~~(vi)~~ positioned to maximize the privacy of the adjacent property owner's property (such as appropriate screening, fencing, and window placement); ~~and~~ so as to not impact the air and light of the neighboring properties. ~~Except as provided under § 108-719.07(B) for properties located in the Historic District, a building permit, zoning certificate, or certificate of occupancy cannot be withheld for a matter of right Accessory Dwelling Structure if the Applicant's design does not strictly meet the criteria above.~~

H. Mail. An Accessory Dwelling Unit shall not be given a separate street or mailing address unless the Fire Marshall or police department determines that separate street or mailing addresses are required for public safety.

§ 108-719.06 Off-street Parking Requirements.

Per State ADU Law, no parking requirements or restrictions may be imposed as a condition of issuance of a building permit, zoning certificate, or, if applicable, certificate of occupancy for an Accessory Dwelling Unit unless and until the Town conducts requisite parking study. Unless and until the Town conducts a parking study, Applicants are strongly encouraged to provide at least one dedicated off-street parking space per Accessory Dwelling Unit.

§ 108-719.07 Review procedure for New Construction or Conversions.

A. An application for a building permit, zoning certificate or certificate of occupancy for an Accessory Dwelling Unit shall be submitted to the Planning Department in the form prescribed by the Planning Department along with all information required by the Planning Department.

B. If the subject property is located within the Historic District and involves changes to the exterior of the existing Accessory Structure, the Applicant shall also submit an application for the Historic District Commission review as required under Town Code §104-26 of the Town Code and shall be considered pursuant to the terms and requirements of Town Code § 104. The Historic District Commission shall also review and, as a condition of approval of the Detached Accessory Dwelling Structure, make the following affirmative determinations:

(i) the design and proposed materials are in character with the historic nature of the Town and, specifically, the subject property and neighboring properties;

(ii) exterior finish material (e.g. siding, trim, eaves) is the same or visually matches or blends in type, size, and placement to the exterior finish materials of the Principal Dwelling;

(iii) the roof pitch shall be the same as the predominant roof pitch of the Principal Dwelling;

(iv) the windows must match the Principal Dwelling Unit in proportion and location;

(v) positioned to maximize the privacy and air/light of the adjacent property owner's property (such as appropriate screening, fencing, and window placement so long such screening, fencing, and window placement do not impede the historic nature of the Historic District); ~~and~~

(vi) whether the requested Accessory Dwelling Unit is new (less preferred) or could be constructed in an existing Accessory Structure; and

(vii) do not otherwise impact the historic nature of the Historic District or the historic nature of structures and properties listed on the Maryland Register of Historic Properties, including historically significant yards and old growth trees.

C. The Historic Commission shall deny an Applicant's request for ~~ana Detached~~ Accessory Dwelling Unit if it determines that an Applicant has not met all requirements set forth in (B) above. The Historic Commission shall give great weight to the historic nature of the subject property and ~~the any reasonable design modifications requested by neighboring properties~~ property owners when addressing § 108-719.07(B)(v) when evaluating an Applicant's request to construct a new Accessory Dwelling Structure ~~and~~. The Historic Commission shall deny an Applicant's request if the Historic Commission determines that the proposed Detached Accessory Dwelling Structure would materially impact the historic nature of the subject property and neighboring properties.

D. For Detached Accessory Dwelling Structure Applicants that do not require Historic Commission or Board of Zoning and Appeals review, as a condition of receiving a Zoning Certificate, the Applicant's proposed design of the Detached Accessory Dwelling Structure shall be submitted to the Planning and Zoning Commission for its confirmation that the proposed Detached Accessory Dwelling Unit meets the requirements of § 108-719.05, including the design standards under § 108-719.05 (G).

§ 108-719.08 Development impact fees; Fee Waivers.

A. For Detached Accessory Dwelling Structures granted amnesty pursuant to § 108-719.10, no development impact fee or building excise tax will be charged on ~~ana Detached~~ Accessory

Dwelling Unit with a total Livable Space square footage of not less than 350 net square feet and not greater than 600 net square feet or Accessory Dwelling Units attached to or within the Primary Dwelling Unit greater than two bedrooms and two bathrooms and less than 1200 net square feet of Livable Space. For existing Detached Accessory Dwelling Units with greater than 600 net square feet of Livable Space, the development impact fee shall be assessed proportionately in relation to square footage of the Primary Dwelling Unit less 600 square feet (i.e. if the Detached Accessory Dwelling Unit is 800 net square feet or 35% of the primary structure of Livable Space and the Primary Dwelling Unit is 1800 net square feet of Livable Space, the impact fee would be $800-600/1800=0.11\%$ of the published impact fee for primary structures). The impact fee shall be paid prior to the issuance of an amnesty certificate.

B. For new construction or conversions with Livable Space in excess of 600 net square feet whether detached or attached, the development impact fee shall be: (1) assessed proportionately in relation to the net square footage of Livable Space of the primary dwelling unit Primary Dwelling Unit (i.e. if the Applicant is seeking Accessory Dwelling Structure that is 35% Unit of the size 700 net square feet of Livable Space and the Primary Structure Dwelling Unit is 1800 net square feet of Livable Space, the impact fee will would be $35700-600/1800=0.055\%$ of the published impact fee for primary structures); or (2) as otherwise published in an updated General Fee Schedule published by Town Council. The impact fee shall be paid prior to the issuance of a zoning certificate.

C. Town Council may waive or reduce an impact fee, utility connection or EDU fees, or any application fee charged under this section for Accessory Dwelling Units designed to accommodate Elderly or Disabled Owners for good cause shown, as determined by the Town Council in its sole and absolute discretion.

§ 108-719.09 Utility connections and EDUs.

A. No separate connection between an Accessory Dwelling Unit and the water or sewer main of the existing primary structure is required if the existing connection between the primary dwelling unit Primary Dwelling Unit and the water or sewer main is determined by the Building Official to be sufficient to support the addition of the Accessory Dwelling Unit that contains one shower facility and one toilet facility.

B. As a condition of the issuance of a building permit, zoning certificate, or, if applicable, certificate of occupancy, an Applicant must purchase additional water EDUs and sewer EDUs for aan Accessory Dwelling Unit at the amount set by the General EDU Fee Schedule and as may be later adjusted by Town based upon actual water and sewage usage if any of the following applies:

(i) site topography requires separate water and/or sewer connections as determined by the Building Official;

(ii) the existing capacity of the water and sewer lines located in the space servicing the applicable property at the time of the passage of this chapter necessitates upgrades by the Town in size or locations to accommodate the Accessory Dwelling Unit; or

(iii) the Accessory Dwelling Unit-structure Structure includes more than one toilet or shower as may be authorized by a hardship variance conditional use authorization granted by the Board of Zoning Appeals.

C. If an Accessory Dwelling Unit is integrated into the existing connection between the Primary Dwelling Unit and the water or sewer main as of October 1, 2025 or structurally attached to the Primary Structure, no additional connection fee associated with the integration of the aeccessory dwelling unit Accessory Dwelling Unit may be charged by the Town so long as water annual average usage for the subject property remains at 250 gallons or less per day.

D. For all new construction or conversion of Accessory Dwelling Units whether attached or detached, an Accessory Dwelling Unit shall use a separate meter or submeter from the Primary Dwelling Unit to track the delivery of water from a utility to the Accessory Dwelling Structure.

§ 108-719.10 Amnesty for Detached Accessory Dwelling Units Constructed and Used Prior to October 1, 2026.

- A. Purpose.** The Mayor and Council recognize that Detached Accessory Dwelling Units may exist within the Town that were constructed, converted, or established prior to October 1, 2025, without the benefit of a building permit, zoning certificate, or other authorization, and that requiring such units to meet all current code requirements applicable to new construction may impose an undue hardship where the unit has been safely occupied for a substantial period. This § 108-719.10 establishes a limited amnesty program allowing such ADUs to obtain legal, non-conforming status upon a showing of (1) the date of original construction and continuous use, and (2) verified compliance with applicable electrical and plumbing safety standards.
- B. Eligibility.** An Detached Accessory Dwelling Unit is eligible for amnesty under this § 108-719.10 if:
- (i) The Accessory Structure was physically constructed and in use as a Dwelling Unit prior to October 1, 2025;
 - (ii) The application for amnesty is submitted to the Planning Director no later than April 1, 2027 with accompanying photographs of the existing conditions of the exterior and interior of the Detached Accessory Dwelling Unit;
 - (iii) The Detached Accessory Dwelling otherwise complies, or is brought into compliance with the structural, electrical and plumbing safety requirements of this § 108-719.10 within the period set by the Building Official, which shall not be later than January 1, 2028; and
 - (iv) Any impact fees are paid to the Town.
- C. Evidence of Pre-October 1, 2025 Construction and Use.** An applicant shall establish the construction date and continuous use of the ADU by submitting at least two of the following, at least one of which must be independently verifiable through a third-party source not created or controlled by the applicant:
- (i) Photographs bearing a machine-generated date stamp, metadata timestamp, or other embedded date data showing the ADU's exterior and/or interior condition prior to October 1, 2025 (such as photos from previous MRIS listings), together with an affidavit from the applicant attesting to the authenticity and circumstances of the photographs;
 - (ii) Insurance policies, riders, or declarations pages referencing the ADU and predating October 1, 2025;
 - (iii) Aerial or satellite imagery (including Google Earth historical imagery, County GIS historical imagery, or comparable services) showing the structure's footprint as of a date prior to October 1, 2025;
 - (iv) A permit, inspection record, or other official document issued by the Town, Worcester County, or the State of Maryland referencing the structure prior to October 1, 2025, even if such permit did not authorize the ADU use itself (e.g., a building permit for an unrelated addition that depicts the ADU on an accompanying plan); or
 - (v) Sworn affidavits from ~~two or more~~ disinterested third ~~parties~~party (e.g., neighbors, contractors, former tenants) with personal knowledge attesting to the ADU's existence and use prior to October 1, 2025, provided that affidavit evidence alone, absent any documentary

corroboration under § 108-719.10 subsections (i)–(iv), shall not be sufficient to establish eligibility.

The Housing Inspector and Planning Director shall have discretion to request additional evidence where the evidence submitted is inconsistent, incomplete, or insufficient to establish a reliable construction and use date.

D. Electrical and Plumbing Compliance.

- (i) *Documentary compliance.* An applicant may establish electrical and plumbing compliance by submitting:
 - (a) A copy of an electrical and/or plumbing permit issued by the Town or Worcester County for the ADU's electrical or plumbing systems, together with evidence of final inspection or approval (if available); or
 - (b) A written agreement, contract, or invoice from a Maryland-licensed electrician and master plumber reflecting installation, alteration, or repair of the ADU's electrical or plumbing systems, together with such additional evidence as the Planning Director may require to confirm the scope of work performed.
- (ii) *Inspection in lieu of documentation.* Where an applicant cannot produce documentation under § 108-719.10(D)(i), or where the Planning Director determines that the documentation produced is insufficient to confirm current safety compliance, the applicant shall have the ADU's electrical and plumbing systems inspected by a Maryland-licensed electrician and/or master plumber, at the applicant's sole expense. The inspection shall assess the electrical and plumbing systems against the safety provisions of the electrical and plumbing codes currently in effect in Worcester County, provided that:
 - (a) The inspection shall be limited to health and life-safety elements of the electrical and plumbing systems (including but not limited to service capacity and grounding, GFCI/AFCI protection where required for the systems' use, absence of unsafe wiring methods, water supply and drain-waste-vent integrity, and absence of cross-connection or backflow hazards), and shall not require full compliance with dimensional, cosmetic, or non-safety-related provisions of the current code applicable to new construction;
 - (b) Any deficiencies identified shall be corrected by the applicant within 90 days of the inspection, or such longer period as the Building Official may allow for good cause, and shall be subject to re-inspection and applicable re-inspection fees; and
 - (c) Nothing in this § 108-719.10(D) shall be construed to require strict compliance with ceiling height, room area, or other habitability provisions of the building code as a condition of amnesty under this § 108-719.10 (D), except as separately required under § 108-719.10(E) below.

- E. Effect of Amnesty; Continued Applicability of Other Standards.** An ADU granted amnesty under this § 108-719.10 shall be deemed a legal, nonconforming ~~accessory dwelling unit~~Accessory Dwelling Unit for zoning purposes as of its documented construction date, and shall not be required to meet dimensional or use standards applicable to new ADU construction under Chapter 108, ADU ordinance above, provided that:

- (i) The ADU shall at all times comply with minimum life-safety standards, including but not limited to structural integrity, smoke and carbon monoxide alarm requirements and emergency egress, regardless of the ADU's status under this § 108-719.10;
- (ii) Amnesty granted under this §108-719.10 addresses electrical, plumbing, and zoning nonconformity only, and does not constitute a determination that any room within the ADU satisfies other habitability requirements; and
- (iii) Amnesty under this § 108-719.10 is personal to the ADU as documented and does not authorize expansion; structural alteration; or rental or use of an ADU that exceeds the ~~two~~one bedrooms and one bathroom (inclusive of one toilet and one shower); ~~use or any occupancy of an ADU of more than 800/600 net Livable Square Feet or 35% of the, but less than 1200 net square feet of Livable Space~~ of Livable Space ~~of~~ unless and until the requisite impact fee is paid to the Primary Dwelling Town within the amnesty period;
- ~~(iv)~~ (v) Amnesty for ADUs that contain greater than 800 net square feet of Livable Space (but less than 1200 net square feet) or with more than two bedrooms and two bathrooms shall require a conditional use authorization under § 108-719.13 prior to the issuance of an amnesty certificate;
- ~~(iv)~~ (v) Before the issuance of a rental license for a detached ADU that exceeds the maximum square footage, bedroom, and bathroom count, the Owner must obtain a BZA ~~variance~~conditional use authorization if the existing ADU exceeds the maximum square footage, bathroom, and bedroom restrictions.
- ~~(v)~~ (vi) Failure to file an amnesty application on or before April 1, 2027 shall require Owner to meet all requirements, filings, and approvals required for newly constructed or converted ADUs under this § 108-719, including payment of fees and any applicable fee multipliers and any applicable fines or other applicable enforcement penalties.

F. Fees. The application fee for amnesty under this § 108-719.10 shall be set forth on the “Town of Berlin General Fee Schedule.” No penalty or retroactive permit-fee multiplier otherwise applicable to unpermitted work shall be assessed against an ADU granted amnesty under this Section, provided the application is submitted to the Planning Department on or before April 1, 2027, as may be extended by Town Council.

G. Denial; Appeal. A denial of amnesty under this § 108-719.10 may be appealed to the Housing Board of Review in accordance with § 108-719.10.

§ 108-719.11 Record Covenant

- A. Amnesty Certificate.** An Applicant may request the Town to issue a zoning certificate or amnesty certificate in the form prescribed by the Planning Director that may be recorded in the land records of Worcester County. Such certificate shall detail the estimated square footage of Livable Space; number and type of cooking facilities; number of bedrooms, bathrooms (including number of toilets and showers); maximum occupancy under applicable Town and Worcester County code; any other conditions deemed relevant to be listed on the certificate, such as limitations on expansion of the Accessory Structure’s Livable Space without further Town authorization.
- B. Non-Conforming Certificate.** As a condition of the issuance of a zoning certificate and, if applicable, certificate of occupancy for Accessory Unit Dwelling is located in the Historic District or receive a ~~variance~~conditional use authorization from the Board of Zoning Appeals under § 108-719.13, the issuance of such zoning certificate or certificate of occupancy shall be conditioned upon recording of a covenant in the land records that states the specific conditions upon which Board of Appeals or Historic Commission authorized their approvals, including the maximum authorized square footage of Livable Space, number of bathrooms, maximum occupancy, and statement that

any further modifications to the interior or exterior of the Accessory Structure used as Detached Accessory Dwelling Unit are not authorized without additional required approvals.

§ 108-719.12 Enforcement; Penalties; Appeals

- A. Inspections.** If the Housing Inspector has reason to believe that Accessory Structure is being utilized as a Dwelling Unit without the issuance of a zoning certificate or certificate of occupancy authorizing such use after April 1, 2027 or otherwise in violation of this § 108-719 and other applicable Town Codes, the Housing Inspector shall provide the Owner notice of inspection, which shall be delivered via first class mail return receipt requested ~~or at the mailing address of the owners listed on the SDAT and~~ posted on the front door of the Primary Dwelling. If the Housing Inspector determines that the Accessory Structure is being utilized or capable of being utilized as a Dwelling Unit, the Owner shall have 30-days to file the required application and pay the necessary fees for such Accessory Structure to be permitted as an Accessory Dwelling ~~Structure~~Unit under this §108-719 or provide a written statement that such Accessory Structure is not and will not be utilized as an Accessory Dwelling Unit. If it is later determined that the Accessory Dwelling Structure is being utilized as a ~~dwelling-unit~~Dwelling Unit without a zoning certificate or certificate of occupancy (as applicable), the Owner shall be subject to fines (and fine multipliers) as may be published by the Town Council and the other remedies set forth in § 108-719.12(B) below.
- B. Enforcement.** In addition to the remedies under § 108-118 or § 108-119, failure to meet the applicable public health, safety or welfare standards or any applicable Town noise ordinance shall entitle the Building Official or Housing Inspector to issue a cease and desist order; impose fines set by the Town Council in the General and seek a judicial lien to be recorded in the land records Worcester County for any fines imposed; and seek civil and injunctive relief against the Owner and any occupants of the Accessory Dwelling Unit, including court order requiring the removal of habitable structures within Accessory Structure (such as bathrooms, kitchens, etc) or as otherwise provided in the Town Code.
- C. Appeals.**
- (i) Any person denied a building permit, zoning certificate, or certificate or otherwise aggrieved by the action of the Building Official or Housing Inspector under this § 108-719 or other applicable provisions of the Town Code, within ten days of receipt of written notice of such action, appeal such action to the town Housing Board of Review by filing a notice of appeal to the Building Official or Housing Inspector. The Housing Board of Review shall meet within 30 days of such notice and conduct a hearing according to its regulations as established under Article 5 of the Town Code (Housing Standards). Except in incidents involving the life, safety or an immediate neighbor's peaceful enjoyment of their property, all fines, penalties, suspensions or revocations shall be stayed pending the board of review hearing and the decision of the Housing Board of Review.
 - (ii) Any person aggrieved by an action of the Housing Board of Review may appeal such action to the circuit court for the county pursuant to the Maryland Rules of Procedure.

§ 108-719.13 ~~Hardship Variances.~~Conditional Use Authorization.

- A. **General prohibition.** Except for previously permitted attached ADUs granted amnesty hereunder, an Detached Accessory Dwelling Unit shall exceed ~~800~~600 net square feet of net Livable Space; ~~or 35% of the Livable Space of the Principal Dwelling, whichever is less and shall not contain more than one toilet, one shower and one bedroom.~~, except upon grant of a varianceconditional use authorization sought and granted by the Board of Zoning Appeals under this § 108-719.13.
- B. **Burden of proof.** The Applicant bears the burden of proving each element below by clear and convincing evidence. Failure to satisfy any single element shall result in denial. The Board of Appeals shall not grant a varianceconditional use authorization based on the cumulative weight of partial showings.
- C. **Mandatory findings.** The Board of Appeals may grant a size varianceconditional use authorization only upon written findings that:
- (i) *Unique physical circumstance.* The lot possesses an exceptional physical condition — topography, large lot size, lot configuration, easement, or environmental constraint — not shared generally by other lots in the same zoning district, and that condition is determined to lessen the impact of the additional square footage and need for additional bedrooms and bathrooms;
 - (ii) *Not self-created.* The condition necessitating the variance was not created by the Applicant, a prior owner, or any voluntary act (including subdivision, prior construction, or lot-line adjustment) undertaken after October 1, 2025;
 - (iii) *Minimum necessary relief.* The requested square footage is the minimum necessary to afford relief, supported by a floor-plan analysis demonstrating that the stated functional need cannot reasonably be met within the base size cap or, in the case of existing Detached Accessory Dwelling Units seeking amnesty, would cause the Owner significant financial hardship should the Owner be required to convert the Accessory Structure to a non-habitable space or significantly small habitable space;
 - ~~(iv)~~ (v) *Existing Accessory Structure. Whether the requested ADU is or can be located in an existing Accessory Structure on the subject property as opposed to a new Accessory Structure;*
 - ~~(iv)~~(v) *No substantial detriment.* The increased size, number of bedrooms, bathrooms will not (i) alter the essential character of the neighborhood, (ii) substantially diminish or impair the use, privacy, or value of adjacent properties, or (iii) result in an ADU exceeding the footprint or height of the principal dwelling;
 - ~~(v)~~(vi) *Consistency with purpose.* The varianceconditional use is consistent with the stated purpose of this Article — to provide supplemental, subordinate housing — and does not result in an ADU that functions as a co-equal or competing dwelling unit; and
 - ~~(vi)~~(vii) *No economic hardship alone.* Desire for increased rental income, resale value, or general convenience shall not, standing alone or in combination with other non-physical factors, constitute grounds for granting the varianceconditional use;
 - ~~(vii)~~(viii) *Massing and Design Considerations.* The Board of Appeals shall consider, and may decline a varianceconditional use, if the massing or design requirements under § 108-719.05(E) and (F) are not appropriately addressed or, if applicable, the Applicant has not received all required approvals of the Historic Commission; and
 - ~~(viii)~~(ix) *Impact on Neighbors.* Any varianceconditional use granted under this § 108-719.10 shall be conditioned on the Board of Zoning Appeals giving great weight to the impact of granting the relief on the immediately adjacent neighbors (within 100 feet of the subject properties' lines), including the potential need for additional on- or off-street parking to support the ADU.

D. Additional conditions on any ~~variance~~conditional use granted. The granting of ~~variance~~conditional use shall not relieve an Applicant from the requirements to pay additional Town fees, including any applicable impact fees or EDUs fees.

E. No self-perpetuation. A ~~variance~~conditional use granted under this § 108-719.10 runs with the specific approved plans only. Any subsequent modification, expansion, or reconstruction of the ADU requires a new ~~variance~~conditional use application under this § 108-719.10 in its entirety.

F. Limitations on Relief. In no event shall the Board of Appeals grant a ~~variance~~conditional use authorization for an Detached Accessory Dwelling Structure that is greater than 1,200 square feet of Livable Space or 75% of net square footage of Livable Space of the Primary Dwelling Unit (whichever is less); authorize more than ~~three~~two toilets and two showers; and two bedrooms; or for more than one Accessory Dwelling Unit to be located on a single lot or property.

§ 108-719.14 Relationship to restrictive covenants and to other Town Code provisions; severability.

A. Except as expressly modified by this Article, all other applicable requirements of the Town Code and this Chapter, including nonconforming use and structure provisions under Chapters 104 and 108 shall continue to apply. In the event of a conflict between this §108-719 and other provisions of this chapter regarding Accessory Structures or Accessory Dwelling Structures, this Chapter 108-719 shall govern.

C. If any provision of this Article or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Article that can be given effect without the invalid provision or application, and to this end the provisions of this Article are declared severable.

SECTION 2. AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect on [[date]], in accordance with the Charter of the Town of Berlin.

Introduced: [[date]]

Adopted: [[date]]

Effective: [[date]]

Accessory Dwelling Units

How a Berlin property owner develops — or legalizes an existing — accessory dwelling unit under the proposed §108-719.

Source: Draft ADU Ordinance (V6), PC/Council Meeting Sept. 28, 2026

§§ 108-719.01 - .14

Maryland's ADU Mandate — Ch. 197 (HB 1466)

State law requires every Maryland county and municipality to adopt a local ADU law by October 1, 2026. It sets a floor and ceiling on what the Town's ordinance can do:

- Applies only to a lot whose primary dwelling is an existing single-family detached home (not tied to a zoning label)
- The Town may cap an ADU at up to 75% of the primary home's size — the Town's own flat 600 sf cap is stricter, which is allowed
- The Town must exclude ADUs from density calculations (larger lot size requirement) and growth-management measures
- The Town may not set ADU setbacks stricter than its existing accessory-structure setbacks — Town's current code requires 6 ft side/rear setbacks under §108-702(a)
- The Town may add off-street parking requirements only after a parking study, weighing cost, curb space, stormwater impact & lot size, with a waiver process
- Restrictive covenants/HOA rules can't unreasonably block or effectively prohibit building or renting an ADU (though they may still restrict short-term rentals); an HOA may treat an ADU as its own lot for voting and assessments
- That restrictive-covenant protection doesn't apply to historic property listed in, or determined by the Director to be eligible for inclusion in, the Maryland Register of Historic Properties

Md. Code Ann., Land Use §§4-501-.504; Real Prop. §§2-126, 11B-101, 11B-111.11, 11B-117 — eff. Oct. 1, 2025 (last bullet: §2-126(c))

Key Definitions — Berlin Draft Ordinance

- ADU: subordinate attached or detached unit on the primary home's lot — ≤1.5 stories (or 25 ft. if above a no-livable-space accessory structure); **350–600 sf of Livable Space (flat cap; no % of primary alternative).**
- Accessory Dwelling Structure: the building housing the ADU, distinct from the ADU itself; includes any non-dwelling portion (garage, storage, workshop) — this is to allow PC review of entire structure in which the ADU is located
- Elderly/Disabled Owners: 65+/receiving disability
- Detached Accessory Dwelling Unit: any ADU not within the footprint of the Primary Dwelling Unit (including ADUs attached via breezeways) — this is to allow for design standards to apply to semi-detached ADUs.
- Dwelling Unit: complete independent living facilities for **≤2 adults + 2 minor Immediate Family (sole standard now — the 3-adult alternative was removed)**; requires permanent attachment to foundation; excludes multifamily units, mobile homes & RVs
- One/Half Stories: upper floor ½ livable space sq.ft. of 1st floor
- Owner: a natural person (or a revocable living trust for one) — never a corporate entity or single-member LLC
- Immediate Family Members: spouse/partner, children/grandchildren, parents, siblings, nieces/nephews & grandparents of the Owner or spouse/partner
- Livable Space: any indoor area designed for living, sleeping, eating, cooking or sanitation — a garage/storage room counts too if it has habitability hallmarks (plumbing, finish, access) to practice of design for post-construction expansion
- Permanent Residence: Owner lives there 180+ days/yr. as the Homestead Tax Credit principal residence

§108-719.02

Who Qualifies

- Lot is zoned R-1 or R-2, with a primary single-family detached home already on it
- Owner personally (not LLC or corporate entity) develops the ADU for his or her own use and exclusively controls the lot
- No other code blocking limitation — lot limits on water, sewer, fire, floodplain, or landslide risk
- Not Historic District / historic-register listed — unless it goes through Historic Commission review (Step 4)
- Owner occupies the ADU or the primary home as a primary residence

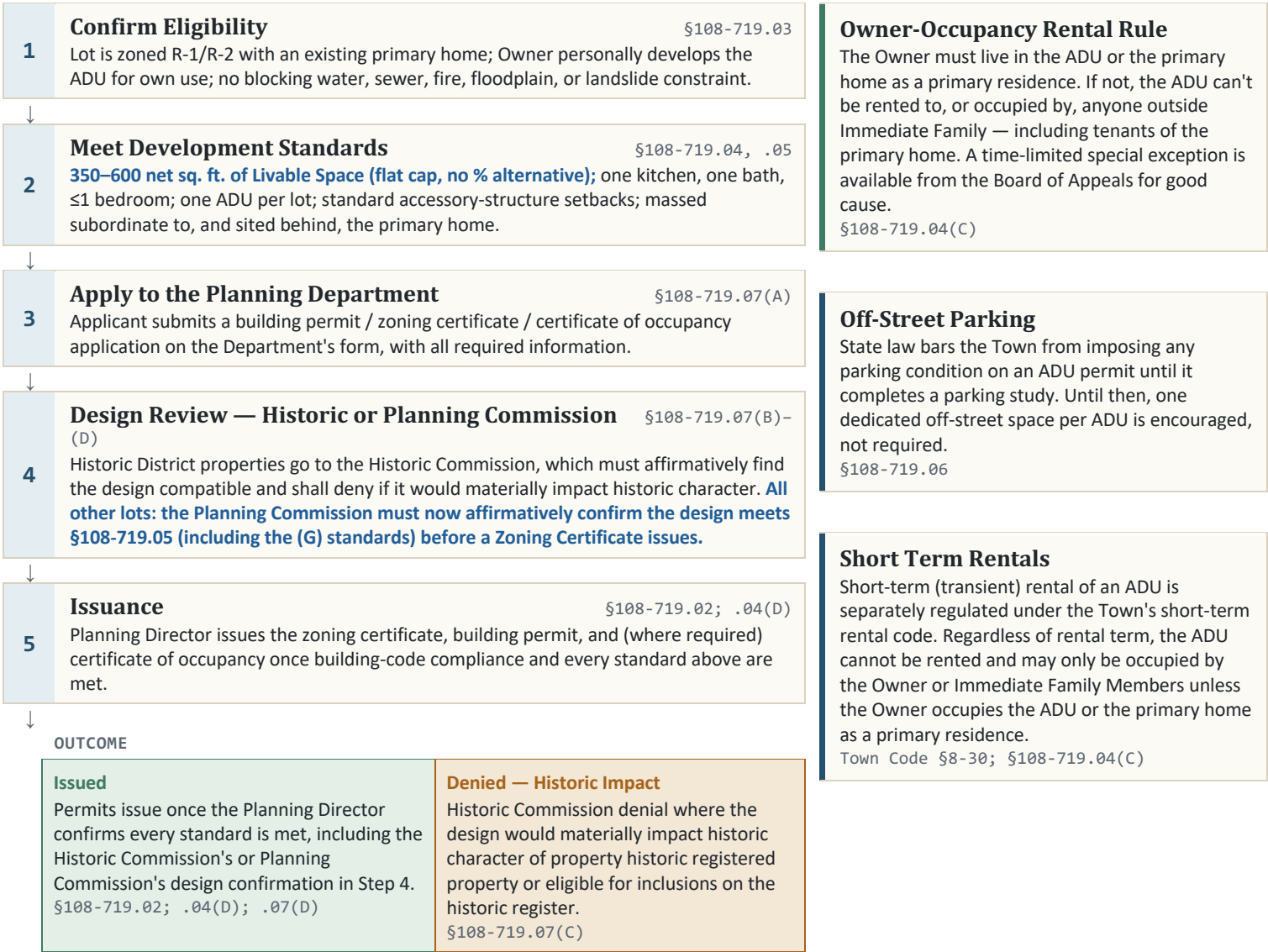
§108-719.03; .04(A), (C)

Purpose of the Ordinance

- Brings the Town Code into compliance with the State ADU Law, requiring ADUs on single-family lots by October 1, 2026
- Satisfies Md. Code Ann., Land Use §4-504(a) without limiting the Town's zoning authority under Chapter 108
- Provides clear, administrable ADU standards, considering health, safety, welfare, and Town facilities (electric, water, sewer)
- Not intended to permit two-unit rental or multi-family use in single-family zones

Recitals; §108-719.01(A)–(B)

Main Sequence — Matter-of-Right ADU



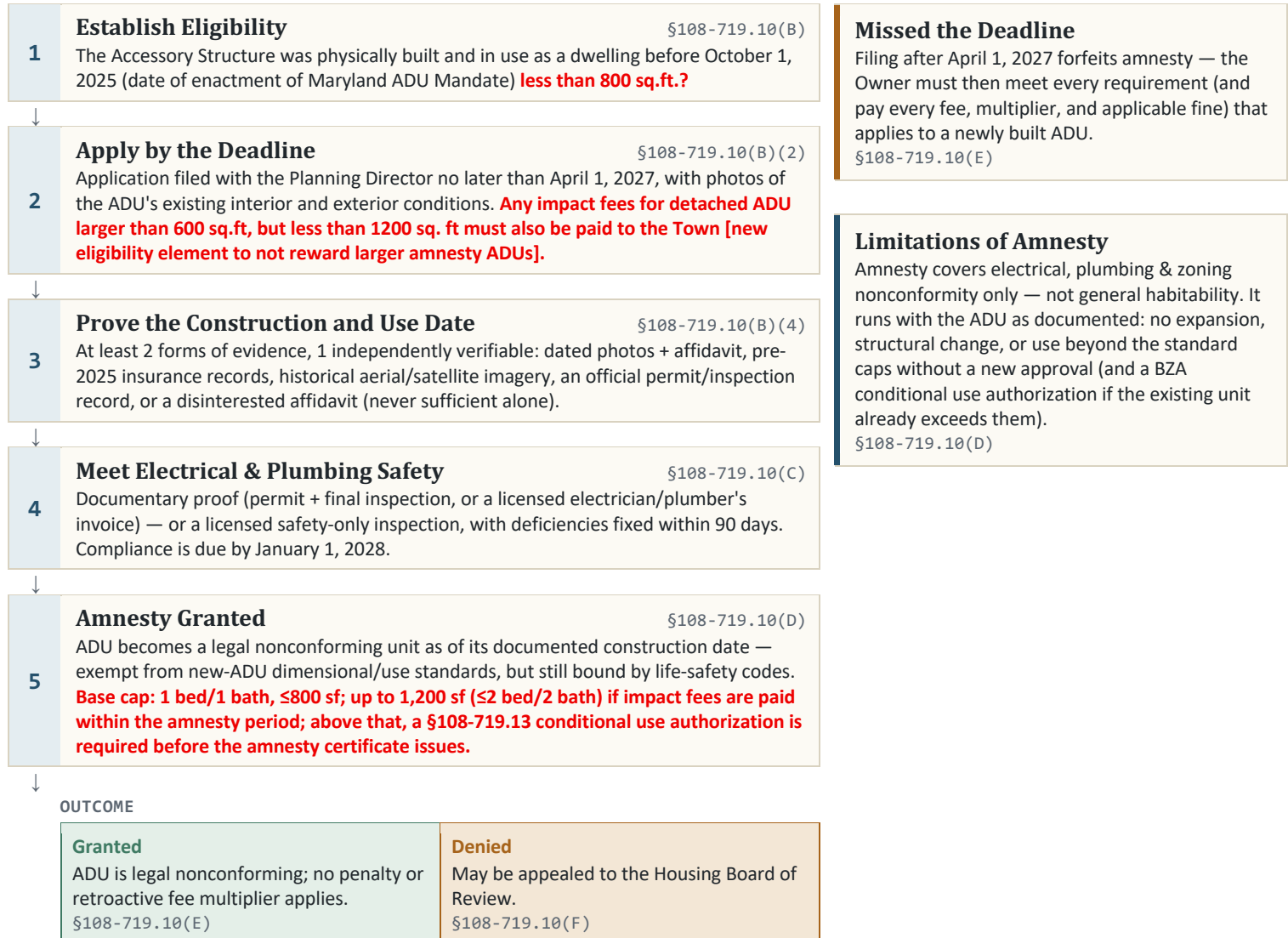
Record Covenant

An Applicant may request a recordable zoning/amnesty certificate detailing the ADU's square footage, facilities, bedrooms/bathrooms, and occupancy cap to confirm legal status of ADU for record keeping/future sale. A recorded covenant is mandatory whenever the ADU sits in the Historic District or relies on a BZA conditional use authorization — it locks in the approved conditions and bars further changes without new approval.

§108-719.11

Pre-Existing Detached ADUs — Amnesty Program

A path to legal, nonconforming status for an ADU built or converted without permits before October 1, 2025. · §108-719.10



BZA Conditional Use Authorization — Exceeding the ADU Size/Room Limits

§108-719.13

Mandatory Findings (Board of Zoning Appeals) for Conditional Use Authorization

Granted only on clear-and-convincing proof of **every** element below — no partial showing substitutes for one missing element:

- Unique physical circumstance not shared by other lots in the zone — not created by the Applicant or a prior owner after Oct. 1, 2025
- Requested footage is the minimum necessary, backed by a floor-plan analysis (or, for amnesty ADUs, proof of significant financial hardship)
- No substantial detriment to neighborhood character or adjacent property use/privacy/value; still can't exceed the primary home's footprint or height
- Consistent with the ADU's subordinate purpose — not a competing, co-equal unit; rental income or convenience alone is never sufficient
- **Whether new or conversion (conversion preferred);** Massing and design are considered
- Impact on neighbors within 100 feet to be given great weight, including parking limitations

Even with a conditional use authorization: capped at 1,200 sf (or 75% of the primary home, whichever is less); no more than 2 toilets/2 showers/2 bedrooms; still only one ADU per lot. Runs only with the approved plans — any later change needs a new conditional use authorization.

§108-719.13(C)-(F)

Enforcement, Appeals, Fees & Fines

*Council can waive fees/fines for Elderly/Disabled owners for good cause shown. §108-719.08(C)
§108-719.12

1

Inspection & Notice
If the Housing Inspector suspects an unpermitted Detached ADU in use after April 1, 2027, the Owner gets notice mailed to the SDAT address of record AND posted on the primary dwelling's door (both required now), then has 30 days to file a permit application and pay the fee — or state in writing the space isn't (and won't be) used as an ADU.

§108-719.12(A)

↓

2

Enforcement Remedies
An unresolved violation exposes the Owner to fines/multipliers, a recordable judicial lien, a cease-and-desist order, and civil/injunctive relief — including a court order to remove habitable features like a kitchen or bathroom.

§108-719.12(B)

↓

3

Appeal
Any denial or enforcement action can be appealed to the Housing Board of Review within 10 days; the Board hears it within 30 days. Fines/penalties are stayed pending that hearing, except where safety or a neighbor's peaceful enjoyment is at immediate risk. Further appeal runs to the Circuit Court.

§108-719.12(C)

Impact Fees

- No impact fee or excise tax on amnesty-qualifying detached ADUs at 600 sf or less, or on any attached ADU/structure
- New/converted ADU over 600 sf, or oversized amnesty detached or attached ADU: fee is proportional to the Primary Dwelling's size (new formula)[this is to limit the size of even attached ADUs],** or per the Town's published schedule
- Town Council may waive or reduce fees for ADUs serving Elderly or Disabled Owners, at its sole discretion

§108-719.08

Utility Connections & EDUs

- No separate water/sewer connection needed if the existing connection can support one added shower + toilet
- Separate EDU purchase required if topography needs separate lines, capacity needs upgrades, or the ADU has more than one toilet/shower
- Integrated ADUs get no added connection fee while usage stays ≤250 gal/day; ADU must have its own water meter or submeter

§108-719.09

ADU Fee Schedule (Proposed — To Be Established by Council Resolution)

Fee	FY27 (eff. 7/1/26)	FY28 (eff. 7/1/27)	FY29 (eff. 7/1/28)	FY30 (eff. 7/1/29)
Amnesty application (filed by 4/1/27)	\$300	N/A	N/A	N/A
New construction ADU	\$500	\$525	\$550	\$575
Existing accessory-structure conversion (≤110% of pre-10/1/25 footprint)	\$350	\$375	\$400	\$425
ADU certificate (zoning / occupancy / covenant)	\$150	\$155	\$160	\$165
New/converted structure over 600 sf (detached) or any attached structure	% of then-current dwelling-unit fee	same	same	same

Note: Fees are in addition to any other applicable fees, multipliers, review or license fees

ADU Fine Schedule (Proposed - To Be Established by Council Resolution)

Violation	Notice to Correct	Failure to Correct in Time
Non-registered ADU	30-day warning	\$100 per day/continuing \$200 per day
ADU housing-code violation	30-day warning	\$100 per week/revocation of COO

See §108-719.12 for enforcement procedure

B. Type of Loan			
1. ☐ FHA	2. ☐ RHS	3. ☐ Conv. Unins.	6. File No. 25-7228C-A
4. ☐ VA	5. ☐ Conv Ins.		7. Loan No.
			8. Mortgage Insurance Case No.
C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.			
D. Name & Address of Borrower: Heron Park Development, LLC 3501 South Canal Street Ocean City, MD 21842		E. Name & Address of Seller: Mayor and Council of Berlin 10 Williams Street Berlin, MD 21811	
G. Property Location: 10009 Old Ocean City Boulevard Berlin, MD 21811		H. Settlement Agent: Resort Land Title & Escrow, LLC Place of Settlement: 6200 Coastal Highway Suite 200 Ocean City, MD 21842	
		I. Settlement Date: 10/05/2026 Funding Date: 10/05/2026 Disbursement Date: 10/05/2026	
J. Summary of Borrower's Transaction		K. Summary of Seller's Transaction	
100. Gross Amount Due from Borrower		400. Gross Amount Due to Seller	
101. Contract sales price	\$1,200,000.00	401. Contract sales price	\$1,200,000.00
102. Personal property		402. Personal property	
103. Settlement charges to borrower (line 1400)	\$26,836.00	403.	
104. Deed of exchange	\$9,485.00	404. Deed of exchange	\$9,485.00
105.		405.	
Adjustment for items paid by seller in advance		Adjustment for items paid by seller in advance	
106. City/Town Taxes		406. City/Town Taxes	
107. County Taxes		407. County Taxes	
108. Assessments		408. Assessments	
109.		409.	
110.		410.	
111.		411.	
112.		412.	
120. Gross Amount Due from Borrower	\$1,236,321.00	420. Gross Amount Due to Seller	\$1,209,485.00
200. Amount Paid by or in Behalf of Borrower		500. Reductions in Amount Due to Seller	
201. Deposit	\$50,000.00	501. Excess deposit (see instructions)	
202. Principal amount of new loan(s)		502. Settlement charges to seller (line 1400)	\$12,000.00
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to	
204.		504. Payoff of First Mortgage Loan	
205.		505. Payoff of Second Mortgage Loan	
206.		506.	
207.		507.	
208. Reimbursement for traffic study (Traffic Group)	\$14,250.00	508. Reimbursement for traffic study (Traffic Group)	\$14,250.00
209. Reimbursement for Design Plans for Four-Way Stop	\$2,250.00	509. Reimbursement for Design Plans for Four-Way Stop	\$2,250.00
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210. City/Town Taxes		510. City/Town Taxes	
211. County Taxes		511. County Taxes	
212. Assessments		512. Assessments	
213.		513.	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
220. Total Paid by/for Borrower	\$66,500.00	520. Total Reduction Amount Due Seller	\$28,500.00
300. Cash at Settlement from/to Borrower		600. Cash at Settlement to/from Seller	
301. Gross amount due from borrower (line 120)	\$1,236,321.00	601. Gross amount due to seller (line 420)	\$1,209,485.00
302. Less amounts paid by/for borrower (line 220)	\$66,500.00	602. Less reductions in amounts due seller (line 520)	\$28,500.00
303. Cash ☒ From ☐ To Borrower	\$1,169,821.00	603. Cash ☒ To ☐ From Seller	\$1,180,985.00

Section 5 of the Real Estate Settlement Procedures Act (RESPA) requires the following: • HUD must develop a Special Information Booklet to help persons borrowing money to finance the purchase of residential real estate to better understand the nature and costs of real estate settlement services; • Each lender must provide the booklet to all applicants from whom it receives or for whom it prepares a written application to borrow money to finance the purchase of residential real estate; • Lenders must prepare and distribute with the Booklet a Good Faith Estimate of the settlement costs that the borrower is likely to incur in connection with the settlement. These disclosures are mandatory.

Section 4(a) of RESPA mandates that HUD develop and prescribe this standard form to be used at the time of loan settlement to provide full disclosure of all charges imposed upon the borrower and seller. These are third party disclosures that are designed to provide the borrower with pertinent information during the settlement process in order to be a better shopper.

The Public Reporting Burden for this collection of information is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

The information requested does not lend itself to confidentiality.

L. Settlement Charges		
700. Total Real Estate Broker Fees	Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
Division of commission (line 700) as follows :		
701. \$		
702. \$		
703. Commission paid at settlement		
704.		
800. Items Payable in Connection with Loan		
801. Our origination charge		
802. Your credit or charge (points) for the specific interest rate chosen		
803. Appraisal fee		
804. Credit report		
805. Tax service		
806. Flood certification		
807.		
808.		
809.		
810.		
900. Items Required by Lender to be Paid in Advance		
901. Daily interest charges from 10/05/2026 to 11/01/2026		
902. Mortgage insurance premium		
903. Homeowner's insurance		
904.		
1000. Reserves Deposited with Lender		
1001. Initial deposit for your escrow account		
1002. Homeowner's insurance		
1003. Mortgage insurance		
1004. Property taxes		
1005.		
1006.		
1007. Aggregate Adjustment \$0.00		
1100. Title Charges		
1101. Settlement or closing fee to Resort Land Title & Escrow, LLC		
1102. Owner's title insurance to Resort Land Title & Escrow, LLC	\$3,046.00	
1103. Lender's title insurance to Resort Land Title & Escrow, LLC		
1104. Lender's title policy limit \$		
1105. Owner's title policy limit \$1,200,000.00		
1106. Title abstracts & bring to dates to First American \$1,250.00	\$1,250.00	
1107.		
1108.		
1200. Government Recording and Transfer Charges		
1201. Recording fees: Deed \$60.00 Mortgage \$ Release \$ to Clerk of the Circuit Court	\$60.00	
1202. City/County tax/stamps Deed \$6,000.00 Mortgage \$0.00 to Worcester County Treasurer	\$6,000.00	
1203. State tax/stamps Deed \$6,000.00 Mortgage \$0.00 to Clerk of the Circuit Court	\$6,000.00	
1204. Recordation Tax - County (Deed) to Worcester County Treasurer	\$7,920.00	
1205. Recording Fee (Deed 2) to Clerk of the Circuit Court	\$60.00	
1300. Additional Settlement Charges		
1301.		
1302.		
1303.		
1304. Escrow for future DBF invoices to Mayor and Council of Berlin	\$2,500.00	
1305. Legal fees to EKM Law, PLLC		\$12,000.00
1306.		
1307.		
1308.		
1309.		
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)	\$26,836.00	\$12,000.00

See signature addendum

Heron Park Development, LLC, a Maryland Limited Liability Company

Mayor and Council of Berlin

By:

By:

Zackery Tyndall, Mayor

Date

Palmer Gillis, Managing Member

Date

The HUD-1 settlement statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement

Settlement Agent

Date



To: Mayor and Council

From: Mary Bohlen, Town Administrator

Meeting Date: September 28, 2026

SUMMARY OF CHANGES TO EDU FINANCE POLICY RESOLUTION AS DISCUSSED AT SEPTEMBER 14, 2026 MAYOR AND COUNCIL MEETING

Key Changes from Prior Draft

- The resolution **re-establishes** the Town's EDU Financing Policy after the prior Resolution 2017-01 was revoked on March 24, 2025. It also modifies the previously enacted policy.

Major Policy Revisions

- Introduces a **two-tier financing structure**:
 - **Tier 1:** Financing for 1 to 3 EDUs with repayment over 24 monthly installments.
 - **Tier 2:** Financing for 4 or more EDUs with repayment over 60 monthly installments.
- Establishes a **minimum 10% deposit** requirement.
- Adds a **5% annual financing and administrative fee** on the outstanding balance.
- Requires the remaining balance to be paid in full upon transfer of property ownership.
- Specifies that nonpayment may result in termination of water/sewer service and loss of prior EDU allocations.
- States that unpaid balances constitute a **lien on the property** and that financing agreements will be recorded in land records as appropriate.

Application Process Clarifications

- Requires a written application signed by the legal property owner.
- Authorizes financing up to the number of EDUs needed to reconcile the required allocation.
- Requires review by Town departments and approval by the Mayor and Council.

Drafting/Structural Revisions

- Clarifies that multi-unit residential projects with two or more units are treated as commercial/nonresidential projects for purposes of this policy.
- Adds detailed application, review, and approval procedures involving the Town Administrator and Mayor and Council.
- States that Council denial of a financing application is final and not appealable.

Bottom Line

The primary substantive revision is the creation of a structured EDU financing program with defined tiers, repayment periods, deposits, fees, lien provisions, and approval procedures, along with clarification that the policy replaces the prior repealed EDU financing policy.



RESOLUTION NO. 2026-07

EQUIVALENT DWELLING UNIT (EDU) FINANCING POLICY

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND RE-ESTABLISHING AN EQUIVALENT DWELLING UNIT (EDU) FINANCING POLICY FOR NONRESIDENTIAL PROJECTS

WHEREAS, the Mayor and Council of the Town of Berlin had, by Resolution 2017-01, established an EDU Financing Policy. Resolution 2017-01 was revoked in its entirety on March 24, 2025. By this Resolution, 2026-07, the Mayor and Council seeks to re-establish and modify the previously enacted EDU Financing Policy.

WHEREAS, pursuant to the Code of the Town of Berlin, Chapter 30-Utilities; Article IV. Water and Sewer Allocation; Special Connection, Connection and Ready to Service Charges, §30-246.g through i., the Town of Berlin shall require nonresidential properties to purchase additional EDUs upon having been determined to exceed previously allocated EDUs; and

WHEREAS, the Mayor and Council have determined that it is desirable and serves an important public purpose to allow financing of the purchase of EDU costs on a case-by-case basis for properties which are required to purchase additional EDUs upon determination of usage in excess of previously allocated EDUs; and

WHEREAS, the Mayor and Council of the Town of Berlin, Maryland have, in the past, and subject to certain conditions, periodically approved financing of the EDU charges, and wish to continue to do so subject to this policy, and on a case-by-case basis.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Berlin, Maryland that the following regulation is hereby established regarding financing of the Equivalent Dwelling Unit (EDU) charge for developed properties which are required to purchase additional EDUs upon determination of excess usage.

PURPOSE

The purpose of this resolution is to re-establish a policy for financing, subject to certain conditions, the EDU charge for developed properties which are required to purchase additional EDUs per Town of Berlin Code Chapter 30; Article IV. §30-246.

For the purpose of this policy multi-unit residential projects, consisting of existing or post-development residential unit counts of two (2) or more, are defined as commercial, or nonresidential projects.

CONDITIONS

For properties with existing EDU allocations and determined to be required by Town Code to purchase additional EDUs, the property owner may request financing terms to be extended by the Town. The following conditions shall apply:

1. There shall be two (2) tiers of EDU Financing established for the purposes of this Policy:
 - a. Tier 1: Purchase and Financing of one to three (1 – 3) EDUs; and
 - b. Tier 2: Purchase and Financing of four (4) or more EDUs.

Tiers may be adjusted or modified from time to time, including as applied to an individual request, by separate action of the Mayor and Council.

2. Financing of EDUs shall be subject to the following conditions:
 - a. Tier 1:
 - i. The balance of the total cost of the EDUs less deposit paid shall be payable in twenty-four (24) equal monthly installments on a scheduled to be determined by the Town;
 - b. Tier 2:
 - i. The balance of the total cost of the EDUs less deposit paid shall be payable in sixty (60) equal monthly installments on a scheduled to be determined by the Town;
 - c. All Financing of EDUs shall be subject to the following:
 - i. Financing terms apply exclusively to the purchase of required additional EDUs and are not available for the purchase of new EDUs.
 - ii. A minimum deposit of 10% (ten-percent) shall be required at the execution of the agreement.
 - iii. All financing shall be subject to an annual administrative financing fee equal to five percent (5% of the outstanding balance remaining after application of the deposit.
 - iv. If ownership of the property is transferred to another person prior to full payment of the finance agreement, the remaining balance shall be paid in full at the time of transfer.
 - v. Failure to make appropriate payment according to this agreement may result in termination of water/sewer service to the property and disconnection from the Town's water/sewer system. Reconnection to the system will be treated as any new connection with no consideration to prior connections or to any monies paid for or EDUs allocated to the property under this agreement.
 - vi. Any balance owed per item v above, shall constitute a lien on the property. This agreement shall be recorded with Worcester County and

the State of Maryland as appropriate in the land records. The property owner is responsible for all costs related to the physical connection of their property to the existing public water and sewer infrastructure and for proper capping and closure or removal of their previous well and/or septic system as applicable.

- vii. When using a Public Works Agreement (PWA), a property owner pursuing construction of water or sewer lines or facilities must pay actual construction inspection fees and charges. The terms for financing the EDU charge shall be added to the final Public Works Agreement.

APPLICATION FOR FINANCING OF EDUS

1. The property owner must submit a written application to the Town Administrator requesting financing of the EDU charge(s). Said application shall be signed by the legal owner(s) of the property to be served, and other documentation as required by the Town Administrator shall be provided upon request.
2. The property owner may request to finance up to the maximum number of EDUs determined to reconcile the EDU Allocation required.
3. If the application is not in accordance with the conditions of this policy, it shall not be recommended to the Mayor and Council for approval.
4. The Town Administrator shall coordinate review of the application by appropriate Town Departments and if it is found favorable and in accordance with the conditions of this policy, recommendation shall be made to the Mayor and Council for approval. The Mayor and Council shall review the application at a regularly scheduled meeting of that body, and the applicant shall appear before them at that time.
5. If an application for Financing is recommended for approval to the Mayor and Council, and that body denies approval, there shall be no appeal to any court and there shall be no right of review of appeal by any other person, board, commission, or other entity.

The Town Administrator shall maintain a record of all applications for financing of EDUs and all decisions made on each application.

Approved this _____ day of _____, 20____ by the Council of the Town of Berlin, Maryland, by the following vote.

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP					
Steve Green					
Jay Knerr					
Shaneka Nichols					
Jack Orris					
<i>Voting Tally</i>					

Dean Burrell, Sr., Vice-President of the Council

Approved this _____ day of _____, 20____ by the Mayor of the Town of Berlin.

ATTEST:

Zackery Tyndall, Mayor and President of Council

Mary Bohlen, Town Administrator

**RESOLUTION NO. 2026-08**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF BERLIN UPDATING AND
AMENDING THE GENERAL FEE SCHEDULE TO ESTABLISH ACCESSORY DWELLING UNIT FEES.**

WHEREAS, the Mayor and Council of the Town of Berlin amends the General Fee Schedule from time to time; and

WHEREAS, the Town has developed regulations for Accessory Dwelling Units ("ADUs") under proposed §108-719 of the Town Code, including application, permitting, certification, conversion, and impact-fee provisions; and

WHEREAS, the proposed ADU regulations contemplate that certain fees will be established by resolution of the Mayor and Council and published in the Town's General Fee Schedule; and

WHEREAS, the Mayor and Council desire to establish a clear fee schedule for ADU applications and approvals, including phased fees for new construction, conversion of existing accessory structures, ADU certificates, and applicable fees for structures exceeding 600 square feet;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Berlin hereby amends the General Fee Schedule to add the Accessory Dwelling Unit fees set forth in Attachment A, incorporated herein by reference.

BE IT FURTHER RESOLVED, that this Resolution does not preclude the Mayor and Council from consideration of further adjustment to the fee schedule as required or recommended from time-to-time.

Approved this _____ day of _____, 20____ by the Council of the Town of Berlin, Maryland, by the following vote.

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP					
Steve Green					
Jay Knerr					
Shaneka Nichols					
Jack Orris					
<i>Voting Tally</i>					

Dean Burrell, Sr., Vice-President of the Council

Approved this _____ day of _____, 20____ by the Mayor of the Town of Berlin.

ATTEST:

Zackery Tyndall, Mayor and President of Council

Mary Bohlen, Town Administrator

ATTACHMENT A

ACCESSORY DWELLING UNIT FEE SCHEDULE

Fee	FY27 (eff. 7/1/26)	FY28 (eff. 7/1/27)	FY29 (eff. 7/1/28)	FY30 (eff. 7/1/29)
Amnesty application (filed by 4/1/27)	\$300	N/A	N/A	N/A
New construction ADU	\$500	\$525	\$550	\$575
Existing accessory-structure conversion (≤110% of pre-10/1/25 footprint)	\$350	\$375	\$400	\$425
ADU certificate (zoning / occupancy / covenant)	\$150	\$155	\$160	\$165
New/converted structure over 600 sf (detached) or any attached structure	% of then-current dwelling-unit fee	same	same	same

Note: Fees are in addition to any other applicable fees, multipliers, review fees, license fees, utility charges, or other charges.

ADU FINE SCHEDULE

Violation	Notice to Correct	Failure to Correct in Time
Non-registered ADU	30-day warning	\$100 per day/continuing \$200 per day
ADU housing-code violation	30-day warning	\$100 per week/revocation of COO

See §108-719.12 for enforcement procedure

Impact-fee treatment reflected in the ADU summary: No impact fee or excise tax applies to an amnesty-qualifying detached ADU of 600 square feet or less, or to an attached ADU/structure where the ordinance provides an exemption. For a new or converted ADU over 600 square feet, or an oversized amnesty ADU, the applicable fee is determined under the Town's then-current dwelling-unit fee methodology or published schedule, as provided by the governing ADU ordinance.

Waiver authority: Any waiver or reduction for qualifying elderly or disabled owners remains subject to the standards and discretion provided in the governing ADU ordinance.



MOTION OF THE MAYOR AND COUNCIL 2026-37

A motion of the Mayor and Council of the Town of Berlin APPROVING THE ATTACHED AGREEMENT TO PROVIDE REAL PROPERTY TAX ABATEMENT TO THE PROPERTY LOCATED AT 9930 DEER PARK ROAD, BERLIN, MD 21811; PROPERTY TAX ID 03008746.

APPROVED this ____ day of _____, 2026, by the Council of the Town of Berlin, Maryland, by the vote as indicated below:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP					
Steve Green					
Jay Knerr					
Shaneka Nichols					
Jack Orris					
<i>Voting Tally</i>					

Dean Burrell, Sr. Vice President of the Council

Approved this ____ day of _____, 2026, by the Mayor of the Town of Berlin.

Zack Tyndall, Mayor, President of the Council

Attest: _____

Mary Bohlen, Town Administrator

TAXATION ABATEMENT AGREEMENT

This Taxation Abatement Agreement is entered into this ____ day of _____ 2026, by and between the Mayor and Council of the Town of Berlin, Maryland, hereinafter Taxing Authority, and Michael J. Cluster, Kathy R. Cluster, and Michael Cori Cluster, hereinafter, Taxpayers.

WHEREAS, Taxpayers are the fee simple owners of 9930 Deer Park Road, Property Tax Identification Number 03-008746, located within the Town of Berlin; and

WHEREAS, Taxpayers are subject to the Taxing Authority of the Mayor and Council to pay real property tax on the value of the real property that Taxpayers own within the jurisdiction of the Taxing Authority; and

WHEREAS, the Taxing Authority does not currently provide Town services to the real property owned by Taxpayer, which include Town water, sewer, and trash pickup; and

WHEREAS, the parties hereto wish to enter into this Agreement in the interest of fairness.

NOW THEREFORE, the parties hereto agree as follows:

1. The Taxing Authority shall abate the collection of all real property taxes from Taxpayers until Town services (water, sewer, and trash pickup) are provided to the real property owned by Taxpayers at 9930 Deer Park Road, Tax ID Number 03-008746.
2. The parties agree that when the Taxing Authority makes Town services available to Taxpayers real property located at 9930 Deer Park Road, Taxpayer shall be required to accept Town services and shall pay the costs of connecting to said services.

Zackery Tyndall, Mayor and
President of Council

Michael J. Cluster, Property Owner

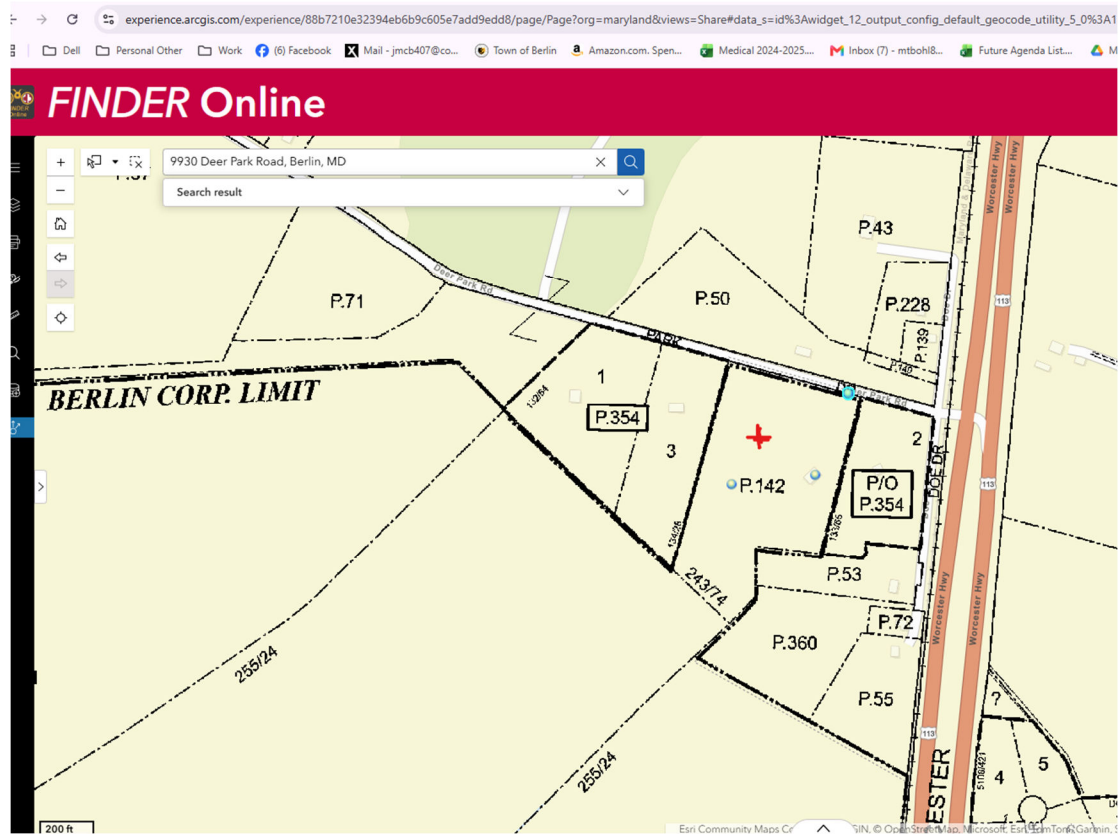
Kathy R. Cluster, Property Owner

Michael Cori Cluster, Property Owner

Real Property Data Search ()

Search Result for WORCESTER COUNTY

Search Land Records			No Ground Rent Redemption on File			No Ground Rent Registration on File				
Special Tax Recapture: None										
Account Number:			District - 03 Account Identifier - 008746							
Owner Information										
Owner Name:			CLUSTER MICHAEL J CLUSTER KATHY R ETAL			Use: Principal Residence:		RESIDENTIAL YES		
Mailing Address:			26 TAIL OF THE FOX DR BERLIN MD 21811-0000			Deed Reference:		/08693/ 00386		
Location & Structure Information										
Premises Address:			9930 DEER PARK RD BERLIN 21811-0000			Legal Description:		8.708 ACS DEER PARK RD MIN SUB BRUCE & CHERYL CLARK		
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	141001
0020	0020	0142	3040044.24	0000				2025	Plat Ref:	134/ 28
Town: BERLIN										
Primary Structure Built			Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
2025			1,719 SF				8.7000 AC			
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements			
2	NO	STANDARD UNIT	SIDING/	4	2 full					
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2025		07/01/2025		07/01/2026	
Land:			91,500		91,500					
Improvements			253,400		324,500					
Total:			344,900		416,000		379,400		392,300	
Preferential Land:			0		0					
Transfer Information										
Seller: CLUSTER MICHAEL J & Type: NON-ARMS LENGTH OTHER				Date: 01/10/2024 Deed1: /08693/ 00386				Price: \$0 Deed2:		
Seller: SLAYSMAN JULIA C Type: ARMS LENGTH VACANT				Date: 03/29/2016 Deed1: /06738/ 00336				Price: \$85,000 Deed2:		
Seller: TYLER W KENNETH & BARBARA M Type: ARMS LENGTH VACANT				Date: 10/31/2001 Deed1: SVH /03161/ 00056				Price: \$65,000 Deed2:		
Exemption Information										
Partial Exempt Assessments:			Class			07/01/2025		07/01/2026		
County:			000			0.00				
State:			000			0.00				
Municipal:			000			0.00 0.00		0.00 0.00		
Special Tax Recapture: None										
Homestead Application Information										
Homestead Application Status: Approved 11/04/2025										
Homeowners' Tax Credit Application Information										
Homeowners' Tax Credit Application Status: No Application Date:										





MOTION OF THE MAYOR AND COUNCIL 2026-56

A motion of the Mayor and Council of the Town of Berlin to AWARD RFP 2026-03, BERLIN LEAD SERVICE LINE REPLACEMENT PROJECT PHASE 1A, TO TEAL CONSTRUCTION INC. IN THE AMOUNT OF \$1,938,938.00.

The award is limited to the Base Bid and excludes Bid Alternate No. 1.

APPROVED this ____ day of _____, 2026, by the Council of the Town of Berlin, Maryland, by the vote as indicated below:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
Dean Burrell, VP					
Steve Green					
Jay Knerr					
Shaneka Nichols					
Jack Orris					
<i>Voting Tally</i>					

Dean Burrell, Sr. Vice President of the Council

Approved this ____ day of _____, 2026, by the Mayor of the Town of Berlin.

Zack Tyndall, Mayor, President of the Council

Attest: _____
Mary Bohlen, Town Administrator

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
SEPTEMBER 16, 2026**



*Contact: Adriana Caldarelli 410-537-3981
adriana.caldarelli@maryland.gov*

**18. MARYLAND DEPARTMENT OF THE ENVIRONMENT
*Maryland Drinking Water State Revolving Fund***

Recommendation: That the Board of Public Works approve new funding as described.

Authority: Maryland Water Infrastructure Financing Administration Act
Sections 9-1601--9-1622, Environment Article, Annotated Code of Maryland

Projects: Berlin Lead Service Line Replacement Phase I

Recipient: Mayor and Council of Berlin

Amount: Up to \$2,286,853

Location: Worcester County/Legislative Districts 38A

Project Description: This project involves replacing all lead service lines (LSLs) along Williams Street in the Town of Berlin. Work includes test-pitting at each water service line to verify material types, removing identified LSLs, and restoring affected areas. Though the use of lead pipes in water systems is prohibited today due to health risks, much of the distribution system was constructed before the ban and thus potentially uses lead- containing materials. To address this, the Town of Berlin is executing a town-wide investigation and replacement program. Phase 1A focuses on Williams Street, with subsequent phases targeting other areas. All construction will adhere to Coast Smart Program guidelines for coastal and non-coastal resiliency to mitigate future risks.

Financing Description:

A. New Loan (up to) \$1,007,863 – Drinking Water State Revolving Loan Fund

Term. Period not to exceed 40 years following project completion

Rate. Disadvantaged community interest rate of 25% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. (Based on this formula, in fiscal year 2026, loan recipients received interest rates ranging from 1.10% to 1.20%.)

Security. Borrower will deliver its bond, along with its full faith credit endorsement, to the Maryland Water Infrastructure Financing Administration.

B. New Loan Forgiveness (up to) \$1,278,990 – Drinking Water State Revolving Loan Fund

This funding is provided under the Drinking Water State Revolving Loan Fund Program disadvantaged-community criteria. The principal forgiveness loan terms/grant conditions are enforceable should grantee default.

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
SEPTEMBER 16, 2026**



18. MARYLAND DEPARTMENT OF THE ENVIRONMENT (continued)

Project Funding Sources:

Drinking Water State Revolving Loan Fund (<i>this Item</i>)	\$ 1,007,863
Drinking Water State Revolving Loan Fund Forgiveness (<i>this item</i>)	<u>\$ 1,278,990</u>
Total Estimated Project Cost	\$ 2,286,853

Funding may involve multiple sources which may include general obligation bond proceeds as the required 20% match to federal funds and other funds.

State Clearinghouse: MDE has determined that its recommendation is consistent with Maryland's State Clearinghouse comments and recommendations.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

TOWN OF BERLIN
Berlin Lead Service Line Replacement Phase 1A
DBF # 0050A120
April 1, 2026

BID TABULATION

Teal Construction Inc.

Item No. & Description		Size/ Depth	Unit	Est. Qty	Unit Price	Total Price
1	Mobilization, Bonds, and Insurance, (Max. 3% of Total Bid)	--	LS	--	--	\$ 45,698.00
2	Furnish and Install Sediment and Erosion Control Measures	--	LS	--	--	\$ 10,030.00
3	Furnish and Install Traffic Control	--	LS	--	--	\$ 229,392.00
4	Test Pit Public and Private Service Lines	--	EA	168	\$ 388.00	\$ 65,184.00
5A.	Furnish & Install Wet Tap, Fittings, and Appurtenances for Connection to Water Main	1"	EA	83	\$ 5,500.00	\$ 456,500.00
5B.		2"	EA	1	\$ 8,500.00	\$ 8,500.00
5C.	Furnish & Install Water Service Line from Water Main to Water Meter	1"	LF	2,490	\$ 84.00	\$ 209,160.00
5D.		2"	LF	30	\$ 210.00	\$ 6,300.00
6A.	Furnish & Install Water Service Line from Water Meter to Building Exterior	1"	LF	8,300	\$ 55.50	\$ 460,650.00
6B.		2"	LF	100	\$ 65.00	\$ 6,500.00
7A.	Furnish & Install Water Service Penetration of Existing Structure, Water Service line, Isolation valve, and Fittings to Connect to Premise Plumbing.	1"	EA	83	\$ 1,650.00	\$ 136,950.00
7B.		2"	EA	1	\$ 2,650.00	\$ 2,650.00
8	Furnish & Install Water Meter Pit and Assembly	--	EA	84	\$ 1,650.00	\$ 138,600.00
9	Furnish & Install Graded Aggregate Base	12"	SY	450	\$ 34.00	\$ 15,300.00
10	Furnish & Install Bituminous Concrete Base Pavement.	6"	SY	450	\$ 45.00	\$ 20,250.00
11	Furnish & Install Curb & Gutter	--	LF	420	\$ 57.00	\$ 23,940.00
12	Remove & Replace Concrete Sidewalk	--	SY	233	\$ 98.00	\$ 22,834.00
Allowances						
13	Private Side Restoration Allowances	--	LS	--	--	\$ 60,000.00
Contingency						
14	Excavation Below Subgrade and Gravel Refill*	--	CY	50	\$ 88.00	\$ 4,400.00
15	Furnish and Install Select Fill*	--	CY	50	\$ 150.00	\$ 7,500.00
16	Furnish and Place Miscellaneous 4000 psi Concrete*	--	SY	20	\$ 350.00	\$ 7,000.00
17	Furnish and Install Additional Fittings Not Shown on the Plans*	--	LBS	200	\$ 8.00	\$ 1,600.00
TOTAL BASE BID (ITEMS 1 - 17)					\$	1,938,938.00
Bid Alternative #1						
9.1	Furnish & Install Graded Aggregate Base	12"	SY	1,620	\$ 32.00	\$ 51,840.00
10.1	Furnish & Install Bituminous Concrete Base Pavement.	6"	SY	1,620	\$ 44.00	\$ 71,280.00
11.1	Furnish & Install Curb & Gutter	--	LF	285	\$ 56.00	\$ 15,960.00
12.1	Remove & Replace Concrete Sidewalk	--	SY	440	\$ 98.00	\$ 43,120.00
18	Furnish and Install Water Mains, Fittings and Appurtenances	10"	LF	4,050	\$ 284.00	\$ 1,150,200.00
19	Furnish and Install Fire Hydrant Assemblies and Appurtenances	--	EA	9	\$ 12,500.00	\$ 112,500.00
TOTAL BID ALTERNATIVE #1 (ITEMS 9.1, 10.1, 11.1, 12.1, 18, & 19)					\$	1,444,900.00
TOTAL BASE BID + BID ALTERNATIVE #1					\$	3,383,838.00

I certify this tabulation is true and accurate based on information compiled from the one bid received on April 1, 2026 at 11:00 AM, for the Berlin Lead Service Line Replacement Phase 1A project.

Nicholas Bradley



Nicholas S. Bradley Jr. P.E., Civil Engineer, Davis, Bowen & Friedel, Inc.

September 22, 2026

Town of Berlin,
10 William Street
Berlin, Maryland 21811

*Ring W. Lardner, P.E.
W. Zachary Crouch, P.E.
Michael E. Wheedleton, AIA, LEED GA
Jason P. Loar, P.E.
Jamie L. Sechler, P.E.*

ATTN: Mary Bohlen
Town Administrator

RE: Recommendation of Bid Award
Berlin Lead Service Line Replacement Phase 1A
Town of Berlin, Maryland
DBF# 0050A120

Ms. Bohlen:

This correspondence is to inform you that the low bidder for the referenced project is Teal Construction Inc., please note that one bid was received by the project deadline. Teal Construction Inc. is the low bidder with a base bid of \$1,938,938.00, and a bid alternative #1 of \$1,444,900.00, resulting in a total base bid and bid alternative #1 sum of \$3,383,838.00. Enclosed, please find copy of the bid package submitted, as well as a copy of the final Bid Tabulation for the referenced project. Davis, Bowen & Friedel, Inc., (DBF) has reviewed the Bid Package and found all documentation to be properly submitted. Based on Teal Construction Inc. previous work experience with municipal water distribution projects we are confident that the Contractor has the resources and work experience necessary to successfully complete the project.

Following the approval of additional funding assistance by the Maryland Board of Public Works, the Town has \$1,938,938.00 budgeted for construction. All budgeted funds are provided by the Maryland Drinking Water State Revolving Fund, facilitated by the Maryland Department of the Environment.

The low bid, base bid amount is covered by the budgeted funds for the project. DBF recommends the Town award only the base bid to Teal Construction Inc.

Should the Town of Berlin choose to award the project to Teal Construction Inc, the total award amount for the completion of the referenced project would be One Million, Nine Hundred and Thirty-Eight Thousand, Nine Hundred and Thirty-Eight dollars and zero cents (\$1,938,938.00). We look forward to hearing the Town's decision.

Should you have any questions, comments, or concerns, please contact us at 410-543-9091.

Sincerely,
DAVIS, BOWEN & FRIEDEL, INC.



Nicholas S. Bradley Jr. P.E.
Civil Engineer

L:\0050A Berlin\0050A120 - Lead Service Line Replacement\Phase 1A\Bidding\Re-bid\Bids\Recommendation of Bid Award.docx

RFP #2026-03 Berlin Lead Service Line Replacement - Phase 1A

Contractor: TEAL CONSTRUCTION, INC.

COST PROPOSAL

Please note: The Town of Berlin is exempt from Maryland Sales Tax – information to be provided upon request as applicable.

The following table should be included within the proposal submission.

ITEM NO.	DESCRIPTION OF WORK	SIZE OR DEPTH	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE
1.	Mobilization, Bonds, and Insurance, (Max. 3% of Total Bid)	--	LS	--	--	145,678. ⁰⁰
2.	Furnish and Install Sediment and Erosion Control Measures	--	LS	--	--	10,030. ⁰⁰
3.	Furnish and Install Traffic Control	--	LS	--	--	229,392. ⁰⁰
4.	Test Pit Public and Private Service Lines	--	EA	168	393. ⁰⁰	65,184. ⁰⁰
5A.	Furnish & Install Wet Tap, Fittings, and Appurtenances for Connection to Water Main	1"	EA	83	5,500. ⁰⁰	456,500. ⁰⁰
5B.		2"	EA	1	8,500. ⁰⁰	8,500. ⁰⁰
5C.	Furnish & Install Water Service Line from Water Main to Water Meter	1"	LF	2,490	84. ⁰⁰	209,160. ⁰⁰
5D.		2"	LF	30	210. ⁰⁰	6,300. ⁰⁰
6A.	Furnish & Install Water Service Line from Water Meter to Building Exterior	1"	LF	8,300	55. ⁵⁰	460,650. ⁰⁰
6B.		2"	LF	100	65. ⁰⁰	6,500. ⁰⁰
7A.	Furnish & Install Water Service Penetration of Existing Structure, Water Service line, Isolation valve, and Fittings to Connect to Premise Plumbing.	1"	EA	83	1,650. ⁰⁰	136,950. ⁰⁰
7B.		2"	EA	1	2,650. ⁰⁰	2,650. ⁰⁰
8.	Furnish & Install Water Meter Pit and Assembly	--	EA	84	1,650. ⁰⁰	138,600. ⁰⁰
9.	Furnish & Install Graded Aggregate Base	12"	SY	450	34. ⁰⁰	15,300. ⁰⁰
10.	Furnish & Install Bituminous Concrete Base Pavement.	6"	SY	450	45. ⁰⁰	20,250. ⁰⁰
11.	Furnish & Install Curb & Gutter	--	LF	420	57. ⁰⁰	23,940. ⁰⁰
12.	Remove & Replace Concrete Sidewalk	--	SY	233	99. ⁰⁰	22,934. ⁰⁰
ALLOWANCES						
13.	Private Side Restoration Allowances	--	LS	--	--	\$60,000.00



RFP #2026-03 Berlin Lead Service Line Replacement - Phase 1A

ITEM NO.	DESCRIPTION OF WORK	SIZE OR DEPTH	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE
CONTINGENCIES						
14.	Excavation Below Subgrade and Gravel Refill*	--	CY	50	\$ 88.00	\$ 4,400.00
15.	Furnish and Install Select Fill*	--	CY	50	150.00	7,500.00
16.	Furnish and Place Miscellaneous 4000 psi Concrete*	--	SY	20	350.00	7,000.00
17.	Furnish and Install Additional Fittings Not Shown on the Plans*	--	LBS	200	8.00	1,600.00
Total Base Bid (Items 1 – 17) \$ 1,938,938.00 (Written Amount) ONE MILLION NINE HUNDRED THIRTY- EIGHT THOUSAND NINE HUNDRED THIRTY-EIGHT DOLLARS						

*Contingencies shall only be used if and as directed by the Engineer.

ITEM NO.	DESCRIPTION OF WORK	SIZE OR DEPTH	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE
BID ALTERNATIVE #1						
9.1	Furnish & Install Graded Aggregate Base	12"	SY	1,620	\$ 32.00	\$ 51,840.00
10.1	Furnish & Install Bituminous Concrete Base Pavement.	6"	SY	1,620	44.00	71,280.00
11.1	Furnish & Install Curb & Gutter	--	LF	285	56.00	15,960.00
12.1	Remove & Replace Concrete Sidewalk	--	SY	440	98.00	43,120.00
18	Furnish and Install Water Mains, Fittings and Appurtenances	10"	LF	4,050	284.00	1,150,200.00
19	Furnish and Install Fire Hydrant Assemblies and Appurtenances	--	EA	9	12,500.00	112,500.00
*Items 9.1 through 12.1 are to be tracked as additional quantities for bid items 9 through 12 of the Base Bid, if Bid Alternative #1 is included in the award. As such they shall have the same unit prices as the corresponding bid item. Total Bid Alternative #1 (Item 9.1, 10.1, 11.1, 12.1, 18, & 19) \$ 1,444,900.00 (Written Amount) ONE MILLION FOUR HUNDRED FORTY-FOUR THOUSAND NINE HUNDRED DOLLARS Total Base Bid + Total Bid Alternative #1 \$ 3,383,838.00 (Written Amount) THREE MILLION THREE HUNDRED EIGHTY-THREE THOUSAND EIGHT HUNDRED THIRTY-EIGHT DOLLARS						



RFP #2026-03 Berlin Lead Service Line Replacement - Phase 1A

Contractor: TEAL CONSTRUCTION, INC.

Proposed Subcontractors:

Individual/Firm Name and Tax ID Number	Address	Proposed work to be completed
PREMIER SERVICE GROUP, LLC 33-1717165	7140 BARKERS LANDING RD EASTON, MD 21601	PLUMBING

Please attach additional sheet(s) or continue list on reverse if necessary.



RFP #2026-03 Berlin Lead Service Line Replacement - Phase 1A

Contractor: TEAL CONSTRUCTION, INC.

SIGNATURES

I, the undersigned, am an authorized agent of the firm listed below and am authorized to submit the attached Cost Proposal for the RFP as indicated above. I certify that all information included herein is true and correct to the best of my knowledge. I further acknowledge the conditions and requirements expressed in the RFP and the agreement to adhere to same.

Signature:  Date: APRIL 1, 2026

Printed Name: CHARLES REED, III

Firm Name: TEAL CONSTRUCTION, INC. Tax/EIN: 51-0106713

DBA (if different than above): N/A

Address: PO Box 779

City, State Zip: DOVER, DE 19903

Phone: (302) 678-9500

BIDDER acknowledges receipt of the following ADDENDUM:

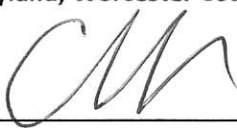
Addendum No. 1, dated MARCH 24, 2026

Addendum No. , dated , 2026

Addendum No. , dated , 2026



By checking this box, I hereby certify that the individual or organization represented in the submission of this response to Town of Berlin Request for Proposals/Quote is not debarred by the federal government from contracting with a federal agency, nor with the State of Maryland, Worcester County, or the Town of Berlin.

Signature: 



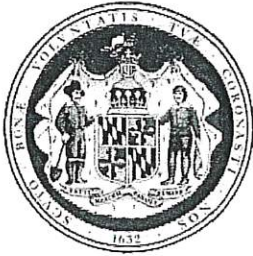
90 County

State of Maryland License

09332182

09748006

01500558



TEAL CONSTRUCTION INC
ATTN: TRACY
PO BOX 779
DOVER DE 19903

TEAL CONSTRUCTION INC
612 MARY STREET
DOVER DE 19904

25

CODE	UNIT	TYPE OF LICENSE	NO OF LIC	COST
66	015	OUT-OF-STATE CONTRACTOR (NOT FOR HOME IMPROVEMENT)	1	15.00

DATE OF ISSUE
MO DAY YR
06/13/2025

MONTHS PAID
12

ISSUING FEES 2.00

THIS LICENSE MUST BE PUBLICLY DISPLAYED
AND EXPIRES ON **APRIL 30, 2026**

TOTAL 17.00

AMOUNT PAID
1.50 18.50

ISSUED BY

DORCHESTER COUNTY CLERK OF CIRCUIT COURT
206 HIGH STREET
CAMBRIDGE, MARYLAND 21613 (410)228-0480

KFR

The information below is for the Clerk's Office use only, customers can disregard.

These barcodes are for use with the new Cashiering System. When your site is upgraded, you will be given instructions for their use.

These barcodes must be scanned in order for RCS:

Scan this one first



09\$150\$109748006\$109332182

Scan this one second



16.50\$M0.00\$M0.00\$M2.00



References

1. Kent County Engineering Dept.
555 Bay Road
Dover, Delaware 19901
Brian Hall, P.E. - County Engineer 302-744-2430
2. Sussex County Engineering Dept.
P.O. Box 589
Georgetown, Delaware 19947
Mike Harmer, P.E. - County Engineer 302-855-7718
3. City of Dover – Department of Public Works
860 Buttner Place
Dover, Delaware 19903
Jason Lyon - Construction Mgr. 302-674-7562

SECTION 00 43 13

BID Security Form

KNOW ALL PERSONS BY THESE PRESENTS, that we, the Undersigned
Teal Construction, Inc. as Principal, and
Travelers Casualty and Surety Company of America as Surety, are hereby held and
 firmly bound unto the Town of Berlin, as OWNER, the penal sum of
Five Percent of the Amount Bid for the payment of which, well and truly to be made, we
 hereby jointly and severally bind ourselves, successors and assigns.

Signed, this 1st day of April, 2026.

The Condition of the above obligation is such that whereas the Principal has submitted to the Town of Berlin a certain BID, attached hereto and hereby made a part hereof to enter into a contract in writing, for the Berlin Lead Service Line Replacement Phase 1A, Contract No. 0050A120.

NOW, THEREFORE,

- (a) If said BID shall be rejected, or
- (b) If said BID shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract attachment hereto (properly completed in accordance with said BID) and shall furnish a BOND for faithful performance of said contract, and for the payment of all persons performing labor and furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said BID, then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

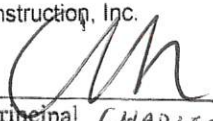
BID SECURITY FORM

00 43 13-1

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its BOND shall be in no way impaired or affected by any extension of the time within which the OWNER may accept such BID; and said Surety does hereby waive notice of any extension.

In WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above. Surety executing Bonds shall be a licensed agent in the State of Maryland.

Teal Construction, Inc.


 Principal CHARLES REED, III - PRESIDENT (L.S.)
 Travelers Casualty and Surety Company of America


 Surety

By: Catherine Mathews, Attorney-in-Fact

IMPORTANT - Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the PROJECT is located.

END OF SECTION



**Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company**

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **CATHERINE MATHEWS** of **COLUMBIA, Maryland**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory 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, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April**, **2021**.



State of Connecticut

By:

Robert L. Raney

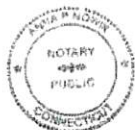
Robert L. Raney, Senior Vice President

City of Hartford ss.

On this the **21st** day of **April**, **2021**, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June**, **2026**



Anna P. Nowik

Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each 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 remains in full force and effect.

Dated this **1st** day of **April**, **2026**



Kevin E. Hughes

Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.

Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.



**September 28, 2026
Weekly Report**

Departments This Week:

Town Administrator

SAVE THE DATE: REMINDER: Unless otherwise noted, meetings will be held at the Berlin Library until Town Hall Renovations are completed.

- ***Monday, September 28: 5:00 PM Joint Work Session with the Planning Commission to discuss the ADU Ordinance; public hearing is scheduled for the Mayor and Council Meeting immediately following.
 - ***Monday, September 28: 6:00 PM Regular Session immediately following the Work Session above; Closed Session to follow Regular Session. TBD, but would immediately follow.
 - Tuesday, September 29, 5:30 PM: (Subject to change) Board of Elections Meeting
 - Tuesday, October 6, 7 AM to 7 PM: (Subject to cancellation pending Write-In Filing Deadline of September 25) Town Election
 - Monday, October 12: Most Town offices closed for Indigenous Peoples' Day.
 - Tuesday, October 13: Held at Buckingham Presbyterian Church, 20 S. Main Street: 6:00 PM Regular Session, including swearing-in of Councilmembers; Closed Session TBD.
- Work has begun on the Stephen Decatur Park Comfort Station. The Community Parks and Playgrounds Program and the Land-Water Conservation Fund fund this project. Parking near the construction area will be impacted for the duration of the project.

Economic and Community Development

- Continued work on the FOIA request.
- Enterprise Zone reapplication and annual report to the Maryland Department of Commerce.
- 2027 event schedule planning
- Mailed donation requests to local businesses for the Berlin Christmas Parade and Ice Ice Berlin ice sculpture sponsorships.
- Preparing for the October Pumpkin Scavenger Hunt.
- Attended the Maryland Arts & Entertainment District annual conference.
- Finalizing Oktoberfest event details, including vendors, maps & logistics
- Filmed the Main Street documentary for Main Street Maryland.
- Attended the Worcester County Tourism & Economic Development Summit.

Electric

- Installed AMI meters
- Located Underground wires
- Fixed some streetlights
- Trimmed Trees
- Changed out x-arms on an angle pole
- Installed a new overhead transformer
- Built new ramp at powerplant
- Installed conduit at town hall
- Repaired poles on Purnell St

Finance Director

Continues to work on:

- FY 2026 Audit completion, outstanding reports for auditors.
- FY 2026 quarter performance. Preparation of financial highlights.
- FY 2026 capital projects for fixed assets.
- ChargePoint station contract review and billing reconciliations.
 - AMI meter opt-out PSC tariff and hearing, meetings, discussions
- Tyler's credit card processing and fees
- New credit card processing discussions.
- Grants, water loans, public works bond, electric AMI meters bond
- Opioid settlements, outstanding plan, and questions. Program implementation with Hope 4 Recovery.
- Bank accounts review, collateral coverage, positive pay implementation.
- CDA Bond paperwork, bond records information for USDA office.
- Delinquent accounts review
- Public Service Commissioner's reports and submissions, PCA calculations - Michelle
- DBF invoices review and processing
- EA invoices review and processing
- Credit card payments and processing- Shirley
- Bank reconciliations - Melissa
- Journal entries and invoices - Linda
- Electric rate study paperwork and necessary reports for evaluation
- Working with Booth and Assoc-in process
- Water and electric meter readings- Michelle
- Check processing and credit card payments, review registers, checks, and the Town's card payments - Shirley
- Department meetings scheduled, projects, and planning.
- Implementation of new Tyler modules for code enforcement, assets, and project accounting

Human Resources Department

- Processed payroll and all related reports on 09/21/26.
- Held interviews for Plant Operator and Distribution and Collection Technician for Water Resources. Onboarded a new employee for one of the roles, Patrick Freeman, he started in the role on 09/21/26.
- I submitted the Worker's Compensation Audit - it was determined that we owe about \$13,000, which still keeps us under budget. I am waiting for the bill to submit the payment.
- Gathering information for the PKS Audit.
- Working to organize and respond to all applications received for open positions at this time.
- Working on the payroll schedule and holiday schedule in ADP for 2027.
- Working on the Town-wide holiday, trash, and meeting schedule for 2027.
- Working with Natalie to ensure the Town is enrolled in the FAMI program, we intend to seek a private plan through a consortium with MABE, MML, and MACO, but we are still required to establish an account and declare our intent to join a private plan. Working with ADP on the same.
- Working on a Human Resources Succession Guide for my replacement.
- Open positions:
 - Administrative Assistant II - Administration (on hold)
 - Police Officer - entry level and lateral - Police
 - Police Communications Officer - full or part-time - Police

- Plant Operator I - Wastewater
- Human Resources Director - Administration
- Town Administrator - Administration
- Customer Service Representative - Customer Service/Finance (coming soon)

Planning Department

- Preparing for the 10/7/26 HDC meeting
- Preparing for the 10/7/26 BZA meeting
- Attended 9/15/26 Planning Commission meeting- 1 case and code revision discussion
- Attended 9/14/26 ADU work session
- Virtual Comp Plan Feedback meeting
- Attended the Technical Review meeting
- Met with Finance for a Rental/Business License discussion. The Planning Department has now taken ownership of the Rental license and Business license tracking information
- Plan review meeting with consultant
- Provided revisions for the Open Burning ordinance
- Discussion about EDU allocation agreements
- Revising Town applications
- Accepted new development submissions
- Ongoing review of development projects
- Received applications for: Building permits- 2, Grading/Excavation permits- 1, Sign permits- 1, Fence permits- 1, PIA- 1
- Released applications for: Building permits- 7, Fence- 2, Grading- 1, Sign- 2
- Issued door tags/verbal warnings/corrective action letters for: Grass- 3, Exterior- 4
- ESRI training
- Created trash/recycling routes
- Collected data points
- Preparing zoning data for MD Dept of Planning

Police Department

- 9/18: Cpl. Lloyd Fiddlers 9/19 Pfc. Ebke Fiddlers
- 9/21-23: Chief Drewer, MD Chiefs Assoc. Conference
- 9/23: Cpl. Bratten Range Ocean Pines PD

Public Works

- PW assisted with the Fiddler's Convention this past weekend. We assisted in closing streets, event setup and teardown, and trash collection throughout the event.
- We've been putting up "No Smoking" signs throughout the parks in an effort to decrease the amount of smoking and vaping we're seeing in these areas. These signs have been placed at both park pavilions, as well as near entrances to each park for visibility.
- Construction has begun on the comfort station at SDP. We look forward to park patrons being able to use this in the near future.
- Normal trash and recycling collection are taking place.
- Daily parks maintenance and grass cutting is taking place in parks and town owned areas.
- Weekly street sweeping is continuing around town as the leaves begin to fall and road debris increases.
- Added three 25mph speed limit signs to Buckingham Lane; More on order.

Water Resources

- Cleaned the influent tanks
- Fixed a water leak on Branch St
- Helped with the water line replacement on Bay St for Town Hall
- Camera sewer line(s) on Broad St
- Water Disconnection Day
- Cut Grass Throughout Town
- Fixed meter on Pitts St.



Check Run Report
9.15.26
9.16.26
Credit Card Statements



Town of Berlin, MD

Payment Register

APPKT03847 - 20260915SW

01 - Vendor Set 01

Bank: BOC AP - BOC AP Checks

Vendor Number	Vendor Name					Total Vendor Amount
0000088	AFFORDABLE BUSINESS SYSTEMS					162.20
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	162.20	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
IN303894	ABS EQUIP RENTAL SHIRLEY'S PRINTER AND DESKTOP	09/14/2026	09/14/2026	0.00	162.20	

Vendor Number	Vendor Name					Total Vendor Amount
0000090	AFLAC					936.38
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	936.38	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
180201	FY27 AFLAC EMPLOYEE PAID SUPPLEMENTAL INSURANCE	09/10/2026	09/10/2026	0.00	936.38	

Vendor Number	Vendor Name					Total Vendor Amount
0002612	AT&T MOBILITY					5,228.37
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	5,228.37	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
AUG FY 27	AT&T TOWN OWNED CELL PHONES & DEVICES FY27	09/14/2026	09/14/2026	0.00	5,228.37	

Vendor Number	Vendor Name					Total Vendor Amount
0000246	ATLANTIC PUMPING INC.					337.50
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	337.50	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
375081	EFFLUENT TANK CLEAN OUT	09/14/2026	09/14/2026	0.00	337.50	

Vendor Number	Vendor Name					Total Vendor Amount
0003394	BEAR INDUSTRIES INC					1,100.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	1,100.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
74558	ANNUAL MAINTENANCE FIRE PROTECTION SYSTEM	09/08/2026	09/08/2026	0.00	1,100.00	

Vendor Number	Vendor Name					Total Vendor Amount
0003747	BECKER MORGAN GROUP INC					11,000.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	11,000.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
2024294.00-16	PUBLIC WORKS FACILITY	09/11/2026	09/11/2026	0.00	11,000.00	

Vendor Number	Vendor Name					Total Vendor Amount
0000529	CINTAS FIRST AID & SAFETY					77.04
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	77.04	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
5358974214	SAFETY SUPPLIES AND REPLENISHMENT	09/10/2026	09/10/2026	0.00	77.04	

Payment Register

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Vendor Number	Vendor Name					Total Vendor Amount
0003463	CIVICPLUS LLC					1,488.37
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		09/15/2026	1,488.37			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
387582	CIVICPLUS ONLINE CODE HOSTING SUBSCRIPTION DUES	09/14/2026	09/14/2026	0.00	1,488.37	
Vendor Number	Vendor Name					Total Vendor Amount
0000534	CJIS-CR					588.00
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		09/15/2026	588.00			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
APP-8R-029	FINGERPRINTING	09/14/2026	09/14/2026	0.00	588.00	
Vendor Number	Vendor Name					Total Vendor Amount
0000572	COMCAST					384.09
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		09/15/2026	267.24			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
10 016 0451971 SEPT FY 27	INTERNET & DIGITAL SERVICES	09/10/2026	09/10/2026	0.00	267.24	
Check		09/15/2026	116.85			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
41 016 0042978 SEPT FY 27	DOWNTOWN WIFI	09/10/2026	09/10/2026	0.00	116.85	
Vendor Number	Vendor Name					Total Vendor Amount
0003896	CRC BENEFITS					92,653.74
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		09/15/2026	92,653.74			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
321525 OCT FY 27	OCT FY 2027 CRC BENEFITS MED DENT VIS LIFE DIS	09/10/2026	09/10/2026	0.00	92,653.74	
Vendor Number	Vendor Name					Total Vendor Amount
0000770	DOVER PLUMBING					1,971.07
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		09/15/2026	1,971.07			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
194309	METER PITS W/ LIDS	09/14/2026	09/14/2026	0.00	1,971.07	
Vendor Number	Vendor Name					Total Vendor Amount
0002092	DPSCS - ITCD					119.00
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		09/15/2026	119.00			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
AB6-08-420	METER LOG ON	09/14/2026	09/14/2026	0.00	119.00	
Vendor Number	Vendor Name					Total Vendor Amount
0000794	EASTERN SHORE COFFEE					57.02
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		09/15/2026	57.02			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
616136	DRINKING WATER & COOLER RENTAL FEE	09/10/2026	09/10/2026	0.00	57.02	
Vendor Number	Vendor Name					Total Vendor Amount
0000847	ENVIROCORP, INC.					1,348.00
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		09/15/2026	1,348.00			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
IN2602279	WEEKLY DISCHARGE WELL SAMPLES	09/14/2026	09/14/2026	0.00	496.00	
IN2602280	WELL MONITORING	09/14/2026	09/14/2026	0.00	852.00	

Payment Register

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Vendor Number	Vendor Name						Total Vendor Amount
0000907	FLAG PUBLICATIONS INC						621.25
Payment Type	Payment Number						Payment Date Payment Amount
Check							09/15/2026 621.25
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
404845	MISC BERLIN ADS	09/10/2026	09/10/2026	0.00	90.00		
405136	MISC BERLIN ADS	09/10/2026	09/10/2026	0.00	90.00		
405450	MISC BERLIN ADS	09/10/2026	09/10/2026	0.00	90.00		
405799	MISC BERLIN ADS	09/10/2026	09/10/2026	0.00	90.00		
407136	FLAG PUBLICATIONS ADMINISTRATION ADVERTISING	09/14/2026	09/14/2026	0.00	38.75		
407137	FLAG PUBLICATIONS ADMINISTRATION ADVERTISING	09/14/2026	09/14/2026	0.00	35.00		
407138	FLAG PUBLICATIONS ADMINISTRATION ADVERTISING	09/14/2026	09/14/2026	0.00	45.00		
407309	FLAG PUBLICATIONS BZA AD 8/20/2026	09/14/2026	09/14/2026	0.00	26.25		
407310	FLAG PUBLICATIONS BZA AD 8/27/2026	09/14/2026	09/14/2026	0.00	26.25		
407422	MISC BERLIN ADS	09/14/2026	09/14/2026	0.00	90.00		

Vendor Number	Vendor Name						Total Vendor Amount
0000908	FLEET MAINTENANCE, INC						108.06
Payment Type	Payment Number						Payment Date Payment Amount
Check							09/15/2026 108.06
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
46048	SERVICE FOR TRUCK #52	09/14/2026	09/14/2026	0.00	108.06		

Vendor Number	Vendor Name						Total Vendor Amount
0000949	GEORGE S COYNE CHEMICAL						6,700.83
Payment Type	Payment Number						Payment Date Payment Amount
Check							09/15/2026 6,700.83
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
483342	POLYMER	09/14/2026	09/14/2026	0.00	6,700.83		

Vendor Number	Vendor Name						Total Vendor Amount
0000977	GREAT AMERICA FINANCIAL						530.64
Payment Type	Payment Number						Payment Date Payment Amount
Check							09/15/2026 530.64
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
42933829	GREAT AMERICA LEASE COPIERS TH, PZ/ECON, MICHELLE	09/14/2026	09/14/2026	0.00	455.04		
42933830	GREAT AMERICA COPIER LEASE SHIRLEY'S MACHINE	09/14/2026	09/14/2026	0.00	75.60		

Vendor Number	Vendor Name						Total Vendor Amount
0003746	HALEY ARCHITECTURE						7,945.50
Payment Type	Payment Number						Payment Date Payment Amount
Check							09/15/2026 7,945.50
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
BERL TWN HALL - 20	TOWN HALL RENOVATION DESIGN DEVELOP BUILD	09/11/2026	09/11/2026	0.00	7,945.50		

Vendor Number	Vendor Name						Total Vendor Amount
0003800	HAWKINS INC						2,756.60
Payment Type	Payment Number						Payment Date Payment Amount
Check							09/15/2026 2,756.60
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
7559678	HYPOCHLORIDE	09/14/2026	09/14/2026	0.00	2,756.60		

Vendor Number	Vendor Name						Total Vendor Amount
0001032	HILL'S ELECTRIC MOTOR SERVICE INC.						6,747.71
Payment Type	Payment Number						Payment Date Payment Amount
Check							09/15/2026 6,747.71
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
0172629	SBR I EMERGENCY MOTOR REPAIR	09/14/2026	09/14/2026	0.00	2,495.00		
0172826	REPAIR 346 WEST PUMP	09/14/2026	09/14/2026	0.00	4,252.71		

Payment Register
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Vendor Number	Vendor Name					Total Vendor Amount	
0004079	HILTI INC					222.25	
Payment Type	Payment Number					Payment Date	Payment Amount
Check						09/15/2026	222.25
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
4626531118	SUPPLY CORD ASSY REPAIR PART, LABOR COMBIHAMMEF	09/14/2026	09/14/2026	0.00	222.25		
Vendor Number	Vendor Name					Total Vendor Amount	
0004070	IDEXX DISTRIBUTION INC					9,200.72	
Payment Type	Payment Number					Payment Date	Payment Amount
Check						09/15/2026	9,200.72
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
3209206346	FECAL CALIFORM	09/14/2026	09/14/2026	0.00	9,200.72		
Vendor Number	Vendor Name					Total Vendor Amount	
0001390	MARYLAND CHIEFS OF POLICE ASSOC					475.00	
Payment Type	Payment Number					Payment Date	Payment Amount
Check						09/15/2026	475.00
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
INV0000584	CHIEFS OF POLICE PROFESSIONAL DEVELOPMENT SEMINAR	09/08/2026	09/08/2026	0.00	475.00		
Vendor Number	Vendor Name					Total Vendor Amount	
0001495	MIDDLE DEPARTMENT INSPECTION AGENCY					3,255.45	
Payment Type	Payment Number					Payment Date	Payment Amount
Check						09/15/2026	3,255.45
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
189835	INSPECTION SERVICES	09/14/2026	09/14/2026	0.00	2,437.81		
189836	INSPECTION SERVICES	09/14/2026	09/14/2026	0.00	659.64		
189837	INSPECTION SERVICES	09/14/2026	09/14/2026	0.00	158.00		
Vendor Number	Vendor Name					Total Vendor Amount	
0003637	NAPA AUTO PARTS					87.80	
Payment Type	Payment Number					Payment Date	Payment Amount
Check						09/15/2026	87.80
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
563247	HYDRAULIC OIL	09/14/2026	09/14/2026	0.00	87.80		
Vendor Number	Vendor Name					Total Vendor Amount	
0000804	ONSOLVE INTERMEDIATE HOLDING COMPANY					3,839.90	
Payment Type	Payment Number					Payment Date	Payment Amount
Check						09/15/2026	3,839.90
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
15375562	CODERED ANNUAL CONTRACT FY27	09/14/2026	09/14/2026	0.00	3,839.90		
Vendor Number	Vendor Name					Total Vendor Amount	
0001677	PENINSULA DRY CLEANERS, INC					110.00	
Payment Type	Payment Number					Payment Date	Payment Amount
Check						09/15/2026	110.00
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
4038	DRY CLEANING SERVICE	09/09/2026	09/09/2026	0.00	110.00		
Vendor Number	Vendor Name					Total Vendor Amount	
0001707	PITTSVILLE MOTORS					367.50	
Payment Type	Payment Number					Payment Date	Payment Amount
Check						09/15/2026	367.50
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount		
80433	TRUCK # 77 TURN SIGNAL SWITCH	09/14/2026	09/14/2026	0.00	367.50		

Payment Register

APPKT03847 - 20260915SW

Vendor Number	Vendor Name					Total Vendor Amount
0001819	ROBERT CREST					1,400.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	1,400.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
236545	OSHA TRAINING	09/14/2026	09/14/2026	0.00	1,400.00	
Vendor Number	Vendor Name					Total Vendor Amount
0004076	ROOTX					1,092.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	1,092.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
90679	GREASE & OTHER SUPPLIES	09/14/2026	09/14/2026	0.00	1,092.00	
Vendor Number	Vendor Name					Total Vendor Amount
0003811	SCARBOROUGH OIL CO INC					1,965.75
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	1,965.75	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
295078,295079	DIESEL FUEL FOR SITES 001-002	09/14/2026	09/14/2026	0.00	1,965.75	
Vendor Number	Vendor Name					Total Vendor Amount
0001904	SELBYVILLE TRACTOR & EQUIPMENT INC					1,415.10
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	1,415.10	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
R72465	LAWN MOWER REPAIR	09/14/2026	09/14/2026	0.00	1,415.10	
Vendor Number	Vendor Name					Total Vendor Amount
0001947	SHORITE CONTROL JOHN FUNK JR INC					623.36
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	623.36	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
21947	PARTS TO FIX BELT PRESS PUMP AND INFLUENT TOTALIZE	09/14/2026	09/14/2026	0.00	623.36	
Vendor Number	Vendor Name					Total Vendor Amount
0003941	SHORITE CONTROLS LLC					497.99
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	497.99	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
21979	VFD FAN REPAIR	09/14/2026	09/14/2026	0.00	497.99	
Vendor Number	Vendor Name					Total Vendor Amount
0002928	UNIFIRST CORPORATION					2,208.12
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	2,208.12	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
09201000339	MEDICAL SUPPLIES	09/14/2026	09/14/2026	0.00	529.30	
09201000340	MEDICAL SUPPLIES @ SPRAY SITES 001, 002	09/14/2026	09/14/2026	0.00	191.70	
1430253851	UNIFORM FOR ALL CREW MEMBERS	09/08/2026	09/08/2026	0.00	186.85	
IN000033864	MEDICAL SUPPLIES	09/14/2026	09/14/2026	0.00	1,300.27	
Vendor Number	Vendor Name					Total Vendor Amount
0003950	UNIVAR SOLUTIONS USA LLC					10,838.42
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	10,838.42	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
54147177	CAUSTIC 50%	09/14/2026	09/14/2026	0.00	10,838.42	

Payment Register

APPKT03847 - 20260915SW

Vendor Number	Vendor Name					Total Vendor Amount
0002602	W W GRAINER					130.16
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	130.16	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
9059646555	WHEELS	09/10/2026	09/10/2026	0.00	130.16	
Vendor Number	Vendor Name					Total Vendor Amount
0002304	WEST OCEAN CITY ILLNESS & INJURY CENTER					210.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	210.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
25208688,8653,8715	RANDOM DRUG TESTING	09/08/2026	09/08/2026	0.00	210.00	
Vendor Number	Vendor Name					Total Vendor Amount
0002363	WORCESTER COUNTY LANDFILL					14,035.20
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				09/15/2026	14,035.20	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
124 AUG FY 27	REFUSE, RECYCLE, CAN PULLS AND DEMOLITIONS	09/09/2026	09/09/2026	0.00	13,144.00	
309 AUG FY 27	SLUDGE DISPOSAL - LANDFILL	09/14/2026	09/14/2026	0.00	891.20	

Payment Summary

Bank Code	Type	Payable Count	Payment Count	Discount	Payment
BOC AP	Check	60	42	0.00	194,836.09
Packet Totals:		60	42	0.00	194,836.09



Town of Berlin, MD

Payment Register

APPKT03850 - 20260916SW

01 - Vendor Set 01

Bank: BOC AP - BOC AP Checks

Vendor Number	Vendor Name			Total Vendor Amount
0000394	BOOTH & ASSOCIATES INC			19,305.00
Payment Type	Payment Number	Payment Date	Payment Amount	
Check		09/16/2026	19,305.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount Payable Amount
8282515841	PROJ P.0916450.F.50 FINANCIAL SERVICES	09/11/2026	09/11/2026	0.00 12,966.00
8282515843	PROJ P.0970431.F.51 BERLIN RATE CASE	09/11/2026	09/11/2026	0.00 6,339.00

Vendor Number	Vendor Name			Total Vendor Amount
0000581	COMPTROLLER OF MARYLAND			660.24
Payment Type	Payment Number	Payment Date	Payment Amount	
Check		09/16/2026	660.24	
Payable Number	Description	Payable Date	Due Date	Discount Amount Payable Amount
AUG FY 27	ENVIRONMENTAL TRUST FUND REPORT	09/15/2026	09/15/2026	0.00 660.24

Vendor Number	Vendor Name			Total Vendor Amount
0000584	COMPTROLLER OF MARYLAND			2,420.46
Payment Type	Payment Number	Payment Date	Payment Amount	
Check		09/16/2026	2,420.46	
Payable Number	Description	Payable Date	Due Date	Discount Amount Payable Amount
AUG FY 27	ELECTRIC UNIVERSAL SERVICE PROGRAM FUND	09/15/2026	09/15/2026	0.00 2,420.46

Vendor Number	Vendor Name			Total Vendor Amount
0004083	EASTON WILKINS			35.00
Payment Type	Payment Number	Payment Date	Payment Amount	
Check		09/16/2026	35.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount Payable Amount
REFUND 914	PARK RESERVATION DEPOSIT	09/14/2026	09/14/2026	0.00 35.00

Vendor Number	Vendor Name			Total Vendor Amount
0000907	FLAG PUBLICATIONS INC			272.00
Payment Type	Payment Number	Payment Date	Payment Amount	
Check		09/16/2026	272.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount Payable Amount
407556,407423	BAYSIDE GAZETTE,& OC TODAY ADS GOLF TOURNAMENT	09/14/2026	09/14/2026	0.00 272.00

Vendor Number	Vendor Name			Total Vendor Amount
0004080	HOWARD DREWER			252.00
Payment Type	Payment Number	Payment Date	Payment Amount	
Check		09/16/2026	252.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount Payable Amount
INV0000585	ALTERATIONS TO UNIFORM DRESS JACKET	09/10/2026	09/10/2026	0.00 252.00

Vendor Number	Vendor Name			Total Vendor Amount
0003963	INTEGRIS LLC			3,200.00
Payment Type	Payment Number	Payment Date	Payment Amount	
Check		09/16/2026	3,200.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount Payable Amount
699205-	INTEGER ONE MONTHLY SECURITY AGREEMENT AUG FY	09/15/2026	09/15/2026	0.00 3,200.00

Payment Register
APPKT03850 - 20260916SW

Vendor Number 0003109	Vendor Name JAMES BRADFORD FARM TRUST					Total Vendor Amount 4,045.00
Payment Type Check	Payment Number	Payment Date	Payment Amount			
		09/16/2026	2,022.50			
Payable Number BOUNDS PAYMENT AUG FY 2	Description JAMES BOUNDS BOND SPRAY SITE	Payable Date 09/15/2026	Due Date 09/15/2026	Discount Amount 0.00	Payable Amount 2,022.50	
Payment Type Check	Payment Number	Payment Date	Payment Amount			
		09/16/2026	2,022.50			
Payable Number BOUNDS PAYMENT SEPT FY 2	Description JAMES BOUNDS BOND SPRAY SITE	Payable Date 09/15/2026	Due Date 09/15/2026	Discount Amount 0.00	Payable Amount 2,022.50	
Vendor Number 0003110	Vendor Name JESSE JONES FARM TRUST					Total Vendor Amount 4,045.00
Payment Type Check	Payment Number	Payment Date	Payment Amount			
		09/16/2026	2,022.50			
Payable Number BOUNDS PAYMENT AUG FY 2	Description JAMES BOUNDS BOND SPRAY SITE	Payable Date 09/15/2026	Due Date 09/15/2026	Discount Amount 0.00	Payable Amount 2,022.50	
Payment Type Check	Payment Number	Payment Date	Payment Amount			
		09/16/2026	2,022.50			
Payable Number BOUNDS PAYMENT SEPT FY 2	Description JAMES BOUNDS BOND SPRAY SITE	Payable Date 09/15/2026	Due Date 09/15/2026	Discount Amount 0.00	Payable Amount 2,022.50	
Vendor Number 0000570	Vendor Name JESSICA COLLINS					Total Vendor Amount 126.26
Payment Type Check	Payment Number	Payment Date	Payment Amount			
		09/16/2026	126.26			
Payable Number REIMB 9/9	Description PARTY TRAY FOR LUNCH FORENSIC EVIDENCE TRAINING	Payable Date 09/10/2026	Due Date 09/10/2026	Discount Amount 0.00	Payable Amount 126.26	
Vendor Number 0004077	Vendor Name JILL GREY					Total Vendor Amount 100.00
Payment Type Check	Payment Number	Payment Date	Payment Amount			
		09/16/2026	100.00			
Payable Number REIMB	Description HALLOWEEN PET PARADE WINNER PRIZE FARMERS MKT	Payable Date 09/08/2026	Due Date 09/08/2026	Discount Amount 0.00	Payable Amount 100.00	
Vendor Number 0004084	Vendor Name KATLYNN RAY					Total Vendor Amount 35.00
Payment Type Check	Payment Number	Payment Date	Payment Amount			
		09/16/2026	35.00			
Payable Number REFUND 9/13	Description PARK RESERVATION DEPOSIT	Payable Date 09/14/2026	Due Date 09/14/2026	Discount Amount 0.00	Payable Amount 35.00	
Vendor Number 0001349	Vendor Name MAIL MOVERS					Total Vendor Amount 334.86
Payment Type Check	Payment Number	Payment Date	Payment Amount			
		09/16/2026	334.86			
Payable Number 52564	Description MAILMOVERS OUTSOURCED MAIL	Payable Date 09/15/2026	Due Date 09/15/2026	Discount Amount 0.00	Payable Amount 334.86	
Vendor Number 0002624	Vendor Name MAYOR ZACK TYNDALL					Total Vendor Amount 216.82
Payment Type Check	Payment Number	Payment Date	Payment Amount			
		09/16/2026	216.82			
Payable Number 9/10 REIMB	Description MEETING TO & FROM TURF VALLEY ELLICOTT CITY	Payable Date 09/10/2026	Due Date 09/10/2026	Discount Amount 0.00	Payable Amount 216.82	

Payment Register

APPKT03850 - 20260916SW

Vendor Number	Vendor Name					Total Vendor Amount
0004078	MIKE THOMPSON					132.00
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		09/16/2026	132.00			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
REIMB	SAFETY GLASSES	09/10/2026	09/10/2026	0.00	132.00	
Vendor Number	Vendor Name					Total Vendor Amount
0001625	ONE CALL CONCEPTS, INC.					47.24
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		09/16/2026	47.24			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
6086174	MISS UTILITY TICKETS	09/10/2026	09/10/2026	0.00	47.24	
Vendor Number	Vendor Name					Total Vendor Amount
0002163	TOWN OF BERLIN					35,269.02
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		09/16/2026	35,269.02			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
FY 27 OCT	TOWN UTILITY BILLINGS	09/11/2026	09/11/2026	0.00	35,269.02	
Vendor Number	Vendor Name					Total Vendor Amount
0002384	WORCESTER YOUTH & FAMILY COUNSELING SERVICES					895.92
Payment Type	Payment Number	Payment Date	Payment Amount			
Check		09/16/2026	895.92			
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
SEPT FY 27	FY27 BERLIN YOUTH PROGRAM	09/15/2026	09/15/2026	0.00	895.92	

Payment Summary

Bank Code	Type	Payable Count	Payment Count	Discount	Payment
BOC AP	Check	21	20	0.00	71,391.82
Packet Totals:		21	20	0.00	71,391.82



Town of Berlin, MD

Refund Check Register

Refund Check Detail

UBPKT13286 - 20260914MT

Account	Name	Date	Check #	Amount	Code	Receipt	Amount	Type
22-0040221-22	RENDINA, TAYAH	9/14/2026	31753	1,127.64			1127.64	Deposit
99-1900002-00	DELMARVA OIL INCORPORATED	9/14/2026	31754	175.00			175.00	Deposit
Total Refunds: 2		Total Refunded Amount:		1,302.64				

Revenue Code Summary

Revenue Code	Amount
996 - UNAPPLIED CREDITS / REFUNDS	1302.64
Revenue Total:	1302.64

General Ledger Distribution

Posting Date: 09/15/2026

	Account Number	Account Name	Posting Amount	IFT
Fund:	10 - ELECTRIC			
	10-1110-1098	CLAIM ON CASH-FUND 10	-1,302.64	Yes
	10-2010-2074	UNAPPLIED CREDITS	1,302.64	
	10 Total:		0.00	
Fund:	98 - POOLED CASH			
	98-1098-1000	CENTRAL DEPOSITORY CASH	-1,302.64	
	98-2498-2200	DUE TO OTHER FUNDS	1,302.64	Yes
	98 Total:		0.00	
	Distribution Total:		0.00	



Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Website:

www.24-7cardaccess.com

Send Billing Inquiries To:

P.O. Box 31112, Tampa, FL 33631-3112

BANK OF OCEAN CITY Credit Card Account Statement
August 11, 2026 to September 9, 2026

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$52.95
- Payments	\$52.95
- Other Credits	\$0.00
+ Purchases	\$849.54
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$849.54

Account Number XXXX XXXX XXXX
Credit Limit \$5,000.00
Available Credit \$3,490.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$849.54
Minimum Payment Due: \$42.00
Payment Due Date: October 4, 2026

MESSAGES

For legal and bankruptcy notifications please send all correspondence to Card Assets at PO Box 827, Jacksonville, AR 72078-0827.

Privacy Notice - Federal law requires us to tell you how we collect, share, and protect your personal information. Our privacy policy has not changed and you may review our policy and practices with respect to your personal information at www.24-7cardaccess.com or we will mail you a free copy upon request if you call us at 1-800-854-7642.

SEP 15 '26 am 8:13

NOTICE: See reverse side of page 1 for important information.

5106 0001 JRH 001 7 5 260909 0

PAGE 1 Of 2

1 0 1985 1200 BPI

01AB5106

29998

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360



Please detach and return this portion of the statement for proper credit.

Account Number: XXXX XXXX XXXX 0959
New Balance: \$849.54
Minimum Payment Due: \$42.00
Payment Due Date: October 4, 2026

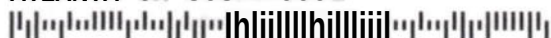
Amount Enclosed: \$

849.54

☐ Indicate name or address change on reverse side and check here.

Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002



Payments received at other than the address shown on the front of this statement may be subject to a delay in crediting of up to 5 days after the date of receipt.

TOWN OF BERLIN MD
10 WILLIAMS ST
BERLIN MD 21811-1233

1367

24948
L102



Account Number:

XXXX XXXX XXXX

TRANSACTIONS					
Tran Date	Post Date	Reference Number	Transaction Description	Amount	
08/25	08/25	8542120KX00XSZQFP	PAYMENT -THANK YOU	\$52.95-	
08/24	08/25	7271305KWS66D5X02	SOMERSET AUTO PRINCESS ANNE MD	\$46.71	
08/25	08/27	5531020KYEBMAHPBM	STAPLES 1288-OCEAN CITY MD	\$14.98	
09/01	09/02	0543684L5BLK6WKBZ	WM SUPERCENTER #2560 BERLIN. MD	\$78.85	
09/08	09/09	5543286LQ5WWGEVDK	MICHAELS STORES 5136 BERLIN MD	\$14.00	
09/08	09/09	5754024LBMM6825R	EB *MD-DC UTILITIES AS. 8014137200 CA	\$695.00	

INTEREST CHARGE CALCULATION					
Annual Percentage Rate (APR) is 20.24% (variable) for purchases and 23.74% (variable) for cash advances. Interest is calculated on the outstanding balance.					
Type of Balance	Annual Percentage Rate (APR)	Balance Subject to Interest Rate	Days in Billing Cycle	Interest Charge	
Purchases	20.24% (v)	\$0.00	30	\$0.00	
Cash Advances	23.74% (v)	\$0.00	30	\$0.00	

You can avoid additional interest on purchases by paying the New Balance in full by the payment due date. Payments received at other than the address shown on the front of this statement may be subject to a delay in crediting of up to 5 days after the date of receipt. Payments and credits are effective as of the post date shown on this statement.

Are you making your payment through an online Bill Pay service? Look for the Payee "Card Assets" for faster delivery of your payment.

To report your card lost or stolen, please contact us at: 1-800-854-7642.

ENROLL WITH E-STATEMENTS TODAY! Go To: www.24-7cardaccess.com TO ENROLL WITH E-STATEMENTS, SET UP EMAIL ALERTS TO NOTIFY YOU WHEN YOUR STATEMENT IS AVAILABLE, AND DOWNLOAD YOUR E-STATEMENT EVERY MONTH. GET YOUR STATEMENT QUICKER, INCREASE THE SECURITY OF YOUR ACCOUNT BY NOT RECEIVING YOUR STATEMENTS IN THE MAIL, AND SAVE PAPER BY ENROLLING WITH E-STATEMENTS TODAY!

To view your credit card rewards, please visit www.dreampoints.com/everywhererewardspayback.

NOTICE: See reverse side of page 1 for important information.

9.28.26 MC Regular Session_pg. 116 of 133

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$945.50
- Payments	\$945.50
- Other Credits	\$0.00
+ Purchases	\$334.20
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$334.20

Account Number XXXX XXXX XXXX
Credit Limit \$1,500.00
Available Credit \$0.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$334.20
Minimum Payment Due: \$25.00
Payment Due Date: **October 4, 2026**

MESSAGES

Help us "Go Green" by reducing paper. Visit our website www.24-7cardaccess.com to sign up for electronic statements or to make a payment online.

TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/24	08/24	8542120KW00XSZ2P9	PAYMENT - THANK YOU	\$945.50-
08/10	08/11	5543286KE5YNJ33LV	AMAZON MKTPL*5H4JC3ZZ1 SEATTLE WA	\$135.23
08/12	08/13	0543684KHBLKAP0XL	WM SUPERCENTER #2560 BERLIN MD	\$75.79
08/20	08/21	5543286KR6214LA61	AMAZON MKTPL*5A54J87Z0 SEATTLE WA	\$55.85
08/21	08/23	5543286KT62B17QG9	AMAZON.COM*5A4IS9KG2 SEATTLE WA	\$67.33

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$334.20
Minimum Payment Due: \$25.00
Payment Due Date: **October 4, 2026**

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAMS ST
BERLIN MD 21811-1233

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$454.71
- Payments	\$454.71
- Other Credits	\$0.00
+ Purchases	\$1,289.83
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$1,289.83

Account Number XXXX XXXX XXXX
Credit Limit \$1,500.00
Available Credit \$26.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$1,289.83
Minimum Payment Due: \$64.00
Payment Due Date: **October 4, 2026**

MESSAGES

Help us "Go Green" by reducing paper. Visit our website www.24-7cardaccess.com to sign up for electronic statements or to make a payment online.

TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/24	08/24	8542120KW00XSZ2P9	PAYMENT - THANK YOU	\$454.71-
08/19	08/20	5754024KPLX0LAPKV	SUPPLYHOUSE.COM 8887574774 NY	\$81.53
08/31	09/01	5550629L3TJXNMR5R	AED SUPERSTORE WOODRUFF WI	\$1,208.30

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$1,289.83
Minimum Payment Due: \$64.00
Payment Due Date: **October 4, 2026**

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAMS ST
BERLIN MD 21811-1233

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$111.89
- Payments	\$111.89
- Other Credits	\$0.00
+ Purchases	\$61.25
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$61.25

Account Number XXXX XXXX XXXX
Credit Limit \$1,500.00
Available Credit \$1,438.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$61.25
Minimum Payment Due: \$25.00
Payment Due Date: **October 4, 2026**

MESSAGES

Help us "Go Green" by reducing paper. Visit our website www.24-7cardaccess.com to sign up for electronic statements or to make a payment online.

TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/24	08/24	8542120KW00XSZ2P9	PAYMENT - THANK YOU	\$111.89-
08/25	08/26	5116094KY0V9PDEAK	WAL-MART #2560 BERLIN MD	\$53.26
09/04	09/06	5526352L8TPS7WBQN	HARBOR FREIGHT TOOLS34 BERLIN MD	\$7.99

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$61.25
Minimum Payment Due: \$25.00
Payment Due Date: **October 4, 2026**

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAMS ST
BERLIN MD 21811-1233

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$703.49
- Payments	\$703.49
- Other Credits	\$0.00
+ Purchases	\$973.80
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$973.80

Account Number XXXX XXXX XXXX
Credit Limit \$1,500.00
Available Credit \$526.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$973.80
Minimum Payment Due: \$49.00
Payment Due Date: **October 4, 2026**

MESSAGES

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TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/24	08/24	8542120KW00XSZ2P9	PAYMENT - THANK YOU	\$703.49-
08/18	08/19	8230509KNEHP34VGK	AMAZON MARK* 5A98B2EV2 SEATTLE WA	\$35.98
08/19	08/20	8230509KPEHNXGL86	AMAZON RETA* 5A5YZ56M0 SEATTLE WA	\$154.36
08/31	09/01	5544641L463Q2KLXX	THE MARYLAND RURAL WAT GLENWOOD MD	\$350.00
08/31	09/01	8230509L3EHP17LLG	AMAZON RETA* 5Q5XN1MV0 SEATTLE WA	\$134.96
09/03	09/04	5543286L65V2RTZ9M	AMAZON MKTPL*5382T7ED1 SEATTLE WA	\$183.55
09/03	09/04	8230509L6EHP5V86V	AMAZON RETA* 5Q9NH4I32 SEATTLE WA	\$114.95

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$973.80
Minimum Payment Due: \$49.00
Payment Due Date: **October 4, 2026**

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAM ST
BERLIN MD 21811

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$1,656.84
- Payments	\$1,656.84
- Other Credits	\$0.00
+ Purchases	\$1,959.17
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$1,959.17

Account Number XXXX XXXX XXXX
Credit Limit \$5,000.00
Available Credit \$2,551.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$1,959.17
Minimum Payment Due: \$98.00
Payment Due Date: October 4, 2026

MESSAGES

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TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/24	08/24	8542120KW00XSZ2P9	PAYMENT - THANK YOU	\$1,656.84-
08/11	08/12	5543286KF5Z2HEM80	HP *INSTANT INK PALO ALTO CA	\$18.01
08/16	08/18	5531020KME6GN9D33	STAPLS0239122265000001 STAPLES.COM CT	\$192.69
08/21	08/23	5543286KT62AZ21VV	AMAZON MKTPL*5A2AQ2YQ1 SEATTLE WA	\$499.50
08/21	08/23	5543286KT62Q6A6B2	AMAZON MKTPL*5A7BL17W2 SEATTLE WA	\$281.85
08/22	08/23	5543286KS8S7EJBYW	AMAZON MKTPL*5O6355Z10 SEATTLE WA	\$262.95
08/25	08/26	5543286KY8VBREHS3	PANERA BREAD #203590 P HAGERSTOWN MD	\$13.02

Transactions continued on next page

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$1,959.17
Minimum Payment Due: \$98.00
Payment Due Date: October 4, 2026

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAMS ST
BERLIN MD 21811-1233

Account Number: XXXX XXXX XXXX

TRANSACTIONS (continued)

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/30	08/30	7541823L27PMPQRS7	CCI*CONSTANT-CONTACT WALTHAM MA	\$110.24
09/02	09/03	8230509L5EHNFFJZMA	LINKTREE* LINKTREE SAN FRANCISCO CA	\$152.64
09/02	09/03	8173261L5EHV6R467	OCEAN CITY, MARYLAND C OCEAN CITY MD	\$250.00
09/04	09/06	5543286L75VEZ2M3Y	AMAZON MKTPL*532515MM1 SEATTLE WA	\$85.27
09/08	09/09	8550246LBS66EQGAN	J & A BOTTLELESS WATER FRUITLAND MD	\$93.00

INTEREST CHARGE CALCULATION

Your Annual Percentage Rate (APR) is the annual interest rate on your account

Type of Balance	Annual Percentage Rate (APR)	Balance Subject to Interest Rate	Days in Billing Cycle	Interest Charge
Purchases	20.24% (v)	\$0.00	30	\$0.00
Cash Advances	23.74% (v)	\$0.00	30	\$0.00

(v) - variable

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$2,750.64
- Payments	\$2,750.64
- Other Credits	\$0.00
+ Purchases	\$741.30
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$741.30

Account Number XXXX XXXX XXXX
Credit Limit \$5,000.00
Available Credit \$2,311.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$741.30
Minimum Payment Due: \$37.00
Payment Due Date: **October 4, 2026**

MESSAGES

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TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/24	08/24	8542120KW00XSZ2P9	PAYMENT - THANK YOU	\$2,750.64-
08/11	08/13	5270824KGA2KWGLA5	ROYAL FARMS #178 BERLIN MD	\$156.16
08/14	08/16	0230537KK00MFDWM6	TRACTOR SUPPLY CO #181 BERLIN MD	\$217.93
08/20	08/21	0230537KT00MXP7L1	TRACTOR SUPPLY CO #181 BERLIN MD	\$64.99
08/25	08/26	7265429KXS66LNZPX	EAST COAST FAMILY FOOD FRANKFORD DE	\$302.22

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$741.30
Minimum Payment Due: \$37.00
Payment Due Date: **October 4, 2026**

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAMS ST
BERLIN MD 21811-1233

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$1,970.05
- Payments	\$1,970.05
- Other Credits	\$0.00
+ Purchases	\$1,052.46
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$1,052.46

Account Number XXXX XXXX XXXX
Credit Limit \$5,000.00
Available Credit \$3,947.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$1,052.46
Minimum Payment Due: \$53.00
Payment Due Date: **October 4, 2026**

MESSAGES

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TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/24	08/24	8542120KW00XSZ2P9	PAYMENT - THANK YOU	\$1,970.05-
08/10	08/11	0230537KF00M4EDWL	TRACTOR SUPPLY CO #181 BERLIN MD	\$39.95
08/12	08/14	5530876KHRYGWM95H	SHELL OIL 236862200QPS BERLIN MD	\$18.43
08/13	08/14	0230537KJ00MBWJPN	TRACTOR SUPPLY CO #181 BERLIN MD	\$339.98
08/24	08/25	5116094KX0V7X53K8	SAMSClub #6383 SALISBURY MD	\$415.70
08/24	08/26	5531020KXEB4JLKS	STAPLES 1288 OCEAN CITY MD	\$123.96
08/28	09/01	7270088L3S66QKNJH	YOUR STORE MARKET BERLIN MD	\$71.97
09/08	09/09	0230537LQ00KRVS7M	TRACTOR SUPPLY CO #181 BERLIN MD	\$42.47

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$1,052.46
Minimum Payment Due: \$53.00
Payment Due Date: **October 4, 2026**

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAMS ST
BERLIN MD 21811-1233

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$1,490.31
- Payments	\$1,490.31
- Other Credits	\$0.00
+ Purchases	\$391.40
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$391.40

Account Number XXXX XXXX XXXX
Credit Limit \$1,500.00
Available Credit \$1,108.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$391.40
Minimum Payment Due: \$25.00
Payment Due Date: October 4, 2026

MESSAGES

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TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/24	08/24	8542120KW00XSZ2P9	PAYMENT - THANK YOU	\$1,490.31-
09/01	09/02	8230509L5EHMN3Z8F	SP SYLVIE ROSE BERLIN MD	\$42.40
09/03	09/04	5543286L65V2F1KSA	B2B PRIME*5370T8E11 SEATTLE WA	\$349.00

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$391.40
Minimum Payment Due: \$25.00
Payment Due Date: October 4, 2026

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAMS ST
BERLIN MD 21811-1233

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$1,961.87
- Payments	\$1,961.87
- Other Credits	\$0.00
+ Purchases	\$2,279.46
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$2,279.46

Account Number XXXX XXXX XXXX
Credit Limit \$5,000.00
Available Credit \$2,720.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$2,279.46
Minimum Payment Due: \$114.00
Payment Due Date: **October 4, 2026**

MESSAGES

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TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/24	08/24	8542120KW00XSZ2P9	PAYMENT - THANK YOU	\$1,961.87-
08/10	08/11	8271329KES66DJ3GE	REDNERS MARKET READING PA	\$170.00
08/10	08/11	8271329KES66DJ3GE	REDNERS MARKET READING PA	\$32.99
08/17	08/18	8271116KMEHNQ6E5T	OPENAI *CHATGPT SUBSCR SAN FRANCISCO CA	\$21.20
09/03	09/04	5543286L65V2VLQML	SQ *BERLIN BAKERY MAND BERLIN MD	\$40.00
09/03	09/04	5543286L65V5STRFK	TST*ROWCO LLC - POPS K BERLIN MD	\$10.00
09/03	09/04	5543286L65V5STRHW	TST*ROWCO LLC - POPS K BERLIN MD	\$20.00
09/03	09/04	5543286L75V97BGX8	TST*410 SOCIAL & BARRO BERLIN MD	\$20.00
09/03	09/04	0543684L700Q0S8RS	WALGREENS #11951 BERLIN MD	\$37.92
09/03	09/04	5548872L64BBHXJBX	WGC*DUNKIN CANTON MA	\$20.00

Transactions continued on next page

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$2,279.46
Minimum Payment Due: \$114.00
Payment Due Date: **October 4, 2026**

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAMS ST
BERLIN MD 21811-1233

Account Number: XXXX XXXX XXXX

TRANSACTIONS (continued)

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
09/03	09/04	8211755L6EHN227WL	CAFE BERLIN BERLIN MD	\$10.00
09/04	09/06	8519917L7LQ720GYA	BASKETS AND BOWS TASLEY VA	\$60.00
09/04	09/06	5269215L8TPMTAVMW	SOCIETYFORHUMANRESOURC ALEXANDRIA VA	\$339.00
09/04	09/06	5269215L8TPMTAV5L	SOCIETYFORHUMANRESOURC ALEXANDRIA VA	\$499.00
09/08	09/09	5526352LBTVK2SVWW	ADP PAYROLL & TAX S 973-974-7265 NJ	\$999.35

INTEREST CHARGE CALCULATION

Your Annual Percentage Rate (APR) is the annual interest rate on your account

Type of Balance	Annual Percentage Rate (APR)	Balance Subject to Interest Rate	Days in Billing Cycle	Interest Charge
Purchases	20.24% (v)	\$0.00	30	\$0.00
Cash Advances	23.74% (v)	\$0.00	30	\$0.00

(v) - variable

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$103.54
- Payments	\$103.54
- Other Credits	\$0.00
+ Purchases	\$104.27
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$104.27

Account Number XXXX XXXX XXXX
Credit Limit \$1,500.00
Available Credit \$1,395.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$104.27
Minimum Payment Due: \$25.00
Payment Due Date: **October 4, 2026**

MESSAGES

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TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/24	08/24	8542120KW00XSZ2P9	PAYMENT - THANK YOU	\$103.54-
08/15	08/16	5543286KK60E97N6S	QUIZLET.COM SAN FRANCISCO CA	\$38.15
08/24	08/25	0230537KX00LHG88Y	USPS PO 2306490811 BERLIN MD	\$66.12

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$104.27
Minimum Payment Due: \$25.00
Payment Due Date: **October 4, 2026**

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAMS ST
BERLIN MD 21811-1233

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$556.87
- Payments	\$556.87
- Other Credits	\$0.00
+ Purchases	\$538.55
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$538.55

Account Number XXXX XXXX XXXX
Credit Limit \$1,500.00
Available Credit \$961.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$538.55
Minimum Payment Due: \$27.00
Payment Due Date: **October 4, 2026**

MESSAGES

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TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/24	08/24	8542120KW00XSZ2P9	PAYMENT - THANK YOU	\$556.87-
08/13	08/14	5554650KHRZ2RB5GD	WAINWRIGHT'S TIRE CENT BERLIN MD	\$31.90
08/18	08/19	0230537KP00LXE1X5	TRACTOR SUPPLY CO #181 BERLIN MD	\$45.97
08/21	08/23	5270824KSA6QPSDXJ	ROYAL FARMS #178 BERLIN MD	\$88.31
08/27	08/30	5270715L009FJTA9M	HOMEDEPOT.COM 800-430-3376 GA	\$55.66
09/01	09/02	8230509L4EHNYQ7LL	AMAZON MARK* 5Q4AO48J0 SEATTLE WA	\$62.69
09/02	09/03	5543286L55SNDMXH2	AMAZON MKTPL*5Q7YV2220 SEATTLE WA	\$208.47
09/03	09/03	5543286L65SX8ELK0	AMAZON MKTPL*530ZK8T01 SEATTLE WA	\$15.94
09/04	09/06	5270715L809FP5QJD	THE HOME DEPOT #2578 BERLIN MD	\$29.61

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$538.55
Minimum Payment Due: \$27.00
Payment Due Date: **October 4, 2026**

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAMS ST
BERLIN MD 21811-1233

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$1,685.97
- Payments	\$1,685.97
- Other Credits	\$0.00
+ Purchases	\$2,286.15
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$2,286.15

Account Number XXXX XXXX XXXX
Credit Limit \$5,000.00
Available Credit \$2,188.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$2,286.15
Minimum Payment Due: \$114.00
Payment Due Date: **October 4, 2026**

MESSAGES

Help us "Go Green" by reducing paper. Visit our website www.24-7cardaccess.com to sign up for electronic statements or to make a payment online.

TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/24	08/24	8542120KW00XSZ2P9	PAYMENT - THANK YOU	\$1,685.97-
08/10	08/11	7520799KES66M36QQ	MATRIX WINDOW TINTING DELMAR DE	\$200.00
08/11	08/12	5554650KFRWVJZXZL	ARROWHEAD FORENSICS LENEXA KS	\$207.30
08/12	08/13	5544641KG5YNBAA0J	GALLS LEXINGTON KY	\$268.50
08/12	08/13	5544641KG5YNBAJ0J	GALLS LEXINGTON KY	\$71.50
08/13	08/14	5548382KJ0SLPW4A6	WAL-MART #2560 BERLIN MD	\$239.70
08/13	08/16	5270715KJ09FP9KKY	THE HOME DEPOT #2578 BERLIN MD	\$18.15
08/14	08/16	5544641KJ5Z6EB37V	GALLS LEXINGTON KY	\$300.90
08/19	08/20	5104323KP1WJX27HZ	IAPE 8004494273 OH	\$425.00
08/24	08/25	0543684KXEHSXPNT	PY *PARSONS FARM MARKE FRANKFORD DE	\$53.00
08/26	08/27	7520799KYS66QKJYV	MATRIX WINDOW TINTING DELMAR DE	\$100.00

Transactions continued on next page

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$2,286.15
Minimum Payment Due: \$114.00
Payment Due Date: **October 4, 2026**

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAMS ST
BERLIN MD 21811-1233

Account Number: XXXX XXXX XXXX

TRANSACTIONS (continued)

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/28	08/30	5563995L110D0PX34	EXXON DELMAR TIGER MAR DELMAR MD	\$10.00
08/29	08/30	5544641L162TWVS7E	GALLS LEXINGTON KY	\$174.50
09/02	09/03	0543684L6HEV9JXEZ	DOLLAR-GENERAL #0489 BERLIN MD	\$10.07
09/04	09/04	1527021L700HWWXD9	MICROSOFT-G181536226 MSBILL.INFO WA	\$123.60
09/05	09/06	1527021L800HXVTTY	MICROSOFT-G181871860 MSBILL.INFO WA	\$83.93

INTEREST CHARGE CALCULATION

Your Annual Percentage Rate (APR) is the annual interest rate on your account

Type of Balance	Annual Percentage Rate (APR)	Balance Subject to Interest Rate	Days in Billing Cycle	Interest Charge
Purchases	20.24% (v)	\$0.00	30	\$0.00
Cash Advances	23.74% (v)	\$0.00	30	\$0.00

(v) - variable

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$129.13
- Payments	\$129.13
- Other Credits	\$0.00
+ Purchases	\$160.10
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$160.10

Account Number XXXX XXXX XXXX
Credit Limit \$5,000.00
Available Credit \$4,839.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$160.10
Minimum Payment Due: \$25.00
Payment Due Date: **October 4, 2026**

MESSAGES

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TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/24	08/24	8542120KW00XSZ2P9	PAYMENT - THANK YOU	\$129.13-
08/12	08/13	0230537KH00M9SEEJ	USPS PO 2306490811 BERLIN MD	\$22.04
08/12	08/13	0230537KH00M9SEH5	USPS PO 2306490811 BERLIN MD	\$33.06
09/01	09/01	5543286L463HKW47X	INT'L CODE COUNCIL INC COUNTRY CLUB IL	\$105.00

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$160.10
Minimum Payment Due: \$25.00
Payment Due Date: **October 4, 2026**

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAM ST
BERLIN MD 21811

Account Number: XXXX XXXX XXXX

Billing Questions:

800-854-7642

Send Billing Inquiries To:

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$0.00
- Payments	\$0.00
- Other Credits	\$0.00
+ Purchases	\$277.07
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$277.07

Account Number XXXX XXXX XXXX
Credit Limit \$1,500.00
Available Credit \$1,222.00
Statement Closing Date September 9, 2026
Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$277.07
Minimum Payment Due: \$25.00
Payment Due Date: **October 4, 2026**

MESSAGES

Help us "Go Green" by reducing paper. Visit our website www.24-7cardaccess.com to sign up for electronic statements or to make a payment online.

TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/12	08/13	7545667KGS66F5ZNZ	COPY CENTRAL OF OCEAN BERLIN MD	\$120.00
08/13	08/14	5543286KH5ZRG8DVQ	FOOD LION #0658 BERLIN MD	\$18.51
08/13	08/16	2524780KJ02TNJASV	ISLAND CREAMERY BERLIN MD	\$38.56
08/27	08/28	8230509L0EHMBASA3	SP SYLVIE ROSE BERLIN MD	\$100.00

BANK OF OCEAN CITY
PO BOX 2360
OMAHA, NE 68103-2360

Account Number: XXXX XXXX XXXX
New Balance: \$277.07
Minimum Payment Due: \$25.00
Payment Due Date: **October 4, 2026**

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICES CENTER
PO BOX 740002
ATLANTA GA 30374-0002

TOWN OF BERLIN MD
10 WILLIAMS ST
BERLIN MD 21811-1233