



Millstone Borough

REGULAR MEETING AGENDA

October 19, 2020

In Compliance with the recent NJ State Executive Orders, the September 21, 2020 Borough Council meeting will be held virtually. The meeting will be conducted via the GoTo Meeting program and all are invited to participate. Meeting details are as follows;

Millstone Borough Council meeting - October 19, 2020
Mon, Oct 19, 2020 7:30 PM - 9:30 PM (EDT)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/388072029>

You can also dial in using your phone.

United States: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: 388-072-029

TIME: 7:30 PM

CALL TO ORDER – OPENING STATEMENT: The Regular meeting of the Borough Council, Borough of Millstone will please come to order. Adequate notice of this meeting has been noticed to the Hillsborough Beacon and Courier News. If any member of this body believes this meeting is being held in violation of the Open Public Meetings Act, please state your views at this time, stating the reason for which you feel the notice is improper. Hearing none, we proceed to the next item on the agenda.

PLEDGE TO THE FLAG:

ROLL CALL:

- Councilman Vincent Biviano
- Councilman Derek Dandy
- Councilman Alan Kidd
- Councilwoman Kristin Ross
- Councilman John Stashek
- Council President Scott Ross
- Mayor Raymond Heck

MINUTES:

- September 21, 2020 executive meeting minutes (DD KR abstain)
- September 21, 2020 regular meeting minutes (DD KR abstain)

REPORTS:

- Assessor –
- Clerk –
- Emergency Management/State Police/Fire/LEPC –
- Finance/Tax Collection –
- Historic Commission –
- Recreation Commission –

COUNCIL REPORTS:

- Buildings and Grounds -



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-
- Planning Board –
 - Traffic and Roads -

MAYOR’S REPORT:

MEETING OPEN TO THE PUBLIC:

- Motion to Open the Meeting to the Public
- Motion to Close the Meeting to the Public

CLAIMS FOR PAYMENT

- **RESOLUTION AUTHORIZING THE PAYMENT OF CLAIMS AGAINST THE BOROUGH OF MILLSTONE**

WHEREAS, request for payment has been made in connection with the attached claims against the Borough of Millstone for the month of August 2020; and

WHEREAS, the Chief Financial Officer has certified the availability of funds to pay for the following claims; and

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MILLSTONE IN THE COUNTY OF SOMERSET, NEW JERSEY, that the proper Borough Officials are hereby authorized to pay the following bills, subject to and contingent upon appropriation of sufficient funds and that this authorizing Resolution be and is hereby made a part of the official records of the Borough of Millstone.

(The bill list is included at the end of this agenda for review.)

NEW BUSINESS:

- **RESOLUTION OF THE BOROUGH OF MILLSTONE REGARDING EMERGENCY REMOTE MEETING PROTOCOL, PROCEDURES AND REQUIREMENTS FOR PUBLIC PARTICIPATION AT REMOTE MEETINGS**

WHEREAS, the purpose of N.J.A.C. 5:39-1 et seq. Emergency Remote Meeting Protocol for Local Public Bodies, is to ensure that local public bodies can continue to conduct official business in an open and transparent manner whenever a declared emergency exists that prohibits physical attendance by members of the public; and

WHEREAS, a “Declared Emergency” means a public health emergency pursuant to the Health Powers Act (N.J.S.A. 26:13-1 et seq.), or a state of emergency, pursuant to P.L. 1942, c. 251 or both, or a state of local disaster emergency which has been declared by the Governor and is in effect; and

WHEREAS, N.J.A.C. 5:39-1.3 permits a local public body to hold a remote public meeting to conduct public business during a declared emergency if the emergency reasonably prevents a local public body from safely conducting public business at a physical location with members of the public present; and



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WHEREAS, if during a declared emergency the Borough of Millstone (the “Borough”) holds a physical meeting in a location where, pursuant to State/Federal guidelines meant to mitigate risk, capacity restrictions are required to reduce the number of individuals that can be present in a meeting, the Borough Council shall either:

- 1) Hold the public meeting at another location with adequate capacity for the reasonable expected attendance by the public; or
- 2) Hold the public meeting as both an in-person and a remote public meeting; and

WHEREAS, no in person meeting shall proceed if the room capacity does not permit any member of the public to attend; and

WHEREAS, a public meeting held in person shall not prohibit members of the public from attending in person; and

WHEREAS, pursuant to N.J.A.C. 5:39-1, if the Borough holds a remote meeting to conduct public business they shall use electronic communication technology routinely used in business settings that can be accessed by the public at no cost and with participant capacity consistent with the reasonable expectations of the public body for the type of public meeting being held and shall, at minimum, not be limited to fewer than 50 public participants (beyond those persons required to conduct business at the meeting); and

WHEREAS, remote public meetings may be held by the Borough in a format as selected by the governing body, by means including but not limited to, audio-only teleconferencing, electronic communications platforms with video and audio or live streaming via the internet and shall, additionally, provide a telephonic conference line to allow members of the public to dial in by telephone to listen and to provide public comment; and

WHEREAS, when the Borough holds a remote public meeting they shall allow members of the public to make public comment by audio or by audio and video if the meeting is being held over both; and

WHEREAS, any remote public meeting where sworn testimony is being taken shall be broadcast by video as well as audio and all individuals giving sworn testimony shall appear by video in addition to audio; and

WHEREAS, any presentation or documents that would otherwise be viewed or made available to members of the public physically attending a local public meeting shall be made visible on a video broadcast of the remote public meeting or made available on the internet website of the Borough; and

WHEREAS, in addition to making public comments at any remote public meeting, the Borough Council, in advance of the remote meeting shall allow public comments to be submitted to the Clerk by electronic mail and in written letter form by a reasonable deadline as shall be established and posted on the website in advance of the remote public meeting; and

WHEREAS, public comments submitted prior to the remote public meeting through electronic or regular mail shall be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public; and



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WHEREAS, a reasonable time limit shall be placed on the reading of written comments, which shall be read from their beginning until the time limit is reached; and

WHEREAS, the electronic communications used for a remote public meeting shall have a function that allows the Borough to mute the audio of all members of the public as well as allow members of the public to mute themselves and same shall be announced at the beginning of every remote public session; and

WHEREAS, adequate notice of the remote public meeting shall also include, in addition to the OPMA requirements of N.J.S.A. 10: 4-8, clear and concise instructions for accessing the remote public meeting, the means for making public comment and how to access any public documents on their internet website in the manner as set forth at N.J.A.C. 5:39-1.5; and

WHEREAS, at the commencement of a remote public meeting the Mayor or his designee, or in their absence the Council President, shall announce publicly and shall cause to be entered into the minutes an accurate statement regarding adequate and electronic notice or an explanation of the reason or reasons it was not adequately provided as set forth in N.J.A.C. 5:39-1.5(g); and

WHEREAS, prior to the commencement of a remote public meeting the Township Council shall make a copy of the agenda available to the public for download on the website and shall post same at the building where the meeting would otherwise be held, including posting of same at any designated and clearly delineated handicap access entrance to the building; and

WHEREAS, in support of and respect for an open, fair and informed decision-making process, the Borough Council recognizes that civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and

WHEREAS, in an effort to preserve the intent of open government and maintain a positive environment for citizen input and Borough Council decision making, it has been decided that policies and rules should be established to promote civility and maintain decorum at local public meetings and remote public meetings in accordance with N.J.A.C. 5:39-1.4 (f)-(h); and

WHEREAS, if a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the Mayor or his designee, or in their absence the Council President, shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking during the remote public meeting or removed from the remote public meeting; and

WHEREAS, disruptive conduct at a public or remote public meeting includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity; and

WHEREAS, any member of the public who continues to act in a disruptive manner at a remote public meeting after receiving an initial warning, may be muted while other members of the public are allowed to proceed with their questions or comments; and



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WHEREAS, if time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make comment and, if the person still remains disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting; and

WHEREAS, the content of the electronic notice shall be posted on the main access door of the building where the public would routinely attend public meetings of the local public body in person and the notice must be viewable from the outside; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Millstone that the standards and procedures for emergency remote meeting protocol as set forth in this resolution and as codified in N.J.A.C. 5:39-1 et seq. are hereby established and adopted; and

BE IT FURTHER RESOLVED that procedures and requirements for public participation are hereby established and adopted in order to safeguard public participation in any public or remote public meetings in the Borough of Millstone and shall apply to all members of the public in attendance at any public or remote public meeting in the Borough of Millstone.

• RESOLUTION AUTHORIZING BOROUGH OF MILLSTONE TO EXECUTE THE 2020 SERVICE CONTRACT BY AND BETWEEN THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY; [THE BOROUGH OF MILLSTONE; AND THE HILLSBOROUGH MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Borough of Millstone (“Millstone”) presently does not have sanitary sewer service within its boundaries; and

WHEREAS, Millstone has entered into a New Jersey Council of Affordable Housing In Re: Petition for Substitute Certification: Millstone Borough Mediation Agreement in Settlement of the Objections of Van Cleef Among Millstone, the Planning Board of the Borough of Millstone and Van Cleef Family Limited Partnership, and Riverside, L.L.C. (the “Mediation Agreement”); and

WHEREAS, the Mediation Agreement is intended to satisfy and fulfill Millstone’s obligations with respect to affordable housing; and

WHEREAS, pursuant to the Mediation Agreement, the Borough of Millstone has agreed to take all actions which are necessary or appropriate in conjunction with obtaining adequate utility service and sewer treatment service to the area which is the subject of the Mediation Agreement; and

WHEREAS, further, in accordance with the Mediation Agreement, Millstone has obtained a designation as a center or village pursuant to the State Development and Redevelopment Plan and an amendment to the applicable Wastewater Management Plan in order to allow the sanitary sewer service to the property which is the subject of the Mediation Agreement; and



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WHEREAS, Millstone has entered into an Inter-municipal Cooperation Agreement between the Township of Hillsborough, Millstone, Van Cleef Family Limited Partnership, and Riverside L.L.C. by which the parties to that Agreement agree to cooperate for the inclusion of Millstone in a sewer service area and the provision of sufficient sewer capacity from Township of Hillsborough Municipal Utilities Authority (the “MUA”) and Somerset Raritan Valley Sewerage Authority (the “Authority”); and

WHEREAS, the Authority has adopted Resolution No. 17-0626-16 entitled “Resolution Authorizing Execution and Issuance of Conditional Will-Serve Letter to the Borough of Millstone in the Form Attached Hereto for Not More Than the Combined Average Daily Flow of 95,860 GPD”; and

WHEREAS, Millstone has entered into an agreement with the MUA to become a customer of it; and

WHEREAS, the Authority, the MUA and Millstone wish to enter into an agreement reflecting the understanding among them.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Millstone, County of Somerset, State of New Jersey that the Borough of Millstone is hereby authorized to enter into the 2020 Service Contract by and between the Somerset Raritan Valley Sewerage Authority; the Borough of Millstone; and the Hillsborough Municipal Utilities Authority in the form attached to this resolution; and

FURTHER RESOLVED that the Mayor and any other appropriate official of the Millstone are authorized and directed to enter into the attached agreement on behalf of Millstone and to take any other necessary action in furtherance of this resolution.

• **RESOLUTION TO RENEW THE LIQUOR LICENSE FOR MILLSTONE WINE AND LIQUORS FOR LICENSE YEAR 2020/2021.**

WHEREAS, Millstone Wine and Liquors has satisfied its requirements for renewal approval from the State of NJ and Borough of Millstone;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Millstone, that it hereby authorizes the renewal of the following liquor license effective July 1, 2020

<u>LICENSEE/ADDRESS</u>	<u>TYPE</u>	<u>LICENSE NO.</u>
Millstone Wine & Liquors Inc. 1377 Main Street Millstone, NJ 08844	Plenary Retail Consumption	1812-33-002-006



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OLD BUSINESS:

- Sewers

EXECUTIVE SESSION (if necessary):

WHEREAS, the law commonly known as the “Sunshine Law” requires that Borough Council meetings be open to the public except for the discussion of certain subjects; and

WHEREAS, the “Sunshine Law” requires that a closed session be authorized by Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Millstone that the balance of this meeting shall be closed to the public; and

BE IT FURTHER RESOLVED, that the meeting shall be adjourned at the end of the closed session; and

BE IT FURTHER RESOLVED, that the subjects to be discussed and the time of public release of the minutes of the closed session are indicated below:

<u>SUBJECT MATTER</u>	<u>TIME WHEN AND THE CIRCUMSTANCES UNDER WHICH THE SUBJECT MATTER CAN BE DISCLOSED</u>
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ADJOURNMENT of Regular Meeting:



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BILL LIST FOR October 19, 2020

October 14, 2020
10:13 PM

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Purchase Order Listing By P.O. Number

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P.O. Type: All
 Range: First to Last
 Format: Detail without Line Item Notes
 Include Non-Budgeted: Y

Open: N Paid: Y Void: N
 Rcvd: N Held: N Aprv: N
 Bid: Y State: Y Other: Y Exempt: Y

Paid Date Range: 09/22/20 to 12/31/20

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
20-00002	01/02/20	MILLPAYR MILLSTONE BORO PAYROLL				B					
		55 FINANCE S/W - OCTOBER	138.75	0-01-20-130-100		B FINANCE-SALARY & WAGES	P	101 06/08/20	10/11/20	10/11/20	OCTOBER
		56 PLANNING BOARD S/W - OCTOBER	476.83	0-01-21-180-100		B PLANNING BD-SALARY & WAGES	P	101 06/08/20	10/11/20	10/11/20	OCTOBER
		57 TAX COLLECTOR S/W - OCTOBER	953.67	0-01-20-145-100		B TAX COLLECTOR-SALARY & WAGES	P	101 06/08/20	10/11/20	10/11/20	OCTOBER
		58 TAX ASSESSOR S/W - OCTOBER	606.92	0-01-20-150-100		B TAX ASSESSOR-SALARY & WAGES	P	101 06/08/20	10/11/20	10/11/20	OCTOBER
		59 CLERK S/W - OCTOBER	1,111.50	0-01-20-121-100		B MUN CLERK-SALARY & WAGES	P	101 06/08/20	10/11/20	10/11/20	OCTOBER
			<u>3,287.67</u>								
20-00017	01/11/20	SOMERENG SOMERSET COUNTY ENGINEERING									
		1 ENGINEERING SERVICES	1,971.57	0-01-20-165-200		B ENGINEERING-OTHER EXPENSES	P	4861 04/01/20	10/12/20	10/19/20	436
		5 ENGINEERING SERVICES	2,275.28	0-01-20-165-200		B ENGINEERING-OTHER EXPENSES	P	4861 04/01/20	10/12/20	10/19/20	443
		6 ENGINEERING SERVICES	52.99	0-01-20-165-200		B ENGINEERING-OTHER EXPENSES	P	4861 04/01/20	10/12/20	10/19/20	448
			<u>4,299.84</u>								
20-00022	01/11/20	MILLERPO MILLER PORTER & MULLER				B					
		2 PLANNING SERVICES - JANUARY	20.50	0-01-21-180-200		B PLANNING BD-OTHER EXPENSES	P	4848 01/11/20	10/11/20	10/19/20	13851
		3 PLANNING SERVICES - FEB/MARCH	2,685.50	0-01-21-180-200		B PLANNING BD-OTHER EXPENSES	P	4848 01/11/20	10/11/20	10/19/20	13924
		4 PLANNING SERVICES - APRIL/MAY	225.50	0-01-21-180-200		B PLANNING BD-OTHER EXPENSES	P	4848 01/11/20	10/11/20	10/19/20	13995
		5 PLANNING SERVICES - JUNE/JULY	82.00	0-01-21-180-200		B PLANNING BD-OTHER EXPENSES	P	4848 01/11/20	10/11/20	10/19/20	13998
		6 PLANNING SERVICES - AUGUST	225.50	0-01-21-180-200		B PLANNING BD-OTHER EXPENSES	P	4848 01/11/20	10/11/20	10/19/20	14006
			<u>3,239.00</u>								
20-00055	06/10/20	COMPASSM COMPASSMSP				B					
		4 REMOTE SUPPORT-EMAIL MAINT	175.00	0-01-20-140-200		B INFORMATION TECHNOLOGY - OTHER EXPENSES	P	4846 06/10/20	10/13/20	10/19/20	140073
20-00062	07/06/20	SDGSECUR SDG SECURITY				B					
		3 4th Qtr Monitoring	147.80	0-01-26-300-200		B BUILDINGS&GROUNDS-OTHER EXPENSES	P	4857 07/06/20	10/11/20	10/19/20	20105267
20-00072	08/06/20	PSEG PSE&G				B					
		4 ELEC SERVICES; 13 014 015 01	710.34	0-01-31-435-205		B STREET LIGHTING	P	4852 08/06/20	10/11/20	10/19/20	BILL: 10/8/20
20-00073	08/06/20	NJAMWATE NJ AMERICAN WATER				B					
		3 ACCT 210022797651;HYDRANTS	1,066.72	0-01-25-265-202		B FIRE HYDRANT SERVICE	P	4849 08/06/20	10/11/20	10/19/20	BILL: 9/18/2020



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PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
20-00074	08/06/20	NJAMWATE NJ AMERICAN WATER				B					
		3 ACCT 210022093410; MAIN ST	30.32	0-01-26-300-200	B BUILDINGS&GROUNDS-OTHER EXPENSES		P	4850 08/06/20	10/11/20	10/19/20	DATE: 9/21/20
20-00075	08/07/20	REPUBLIC REPUBLIC SERVICES				B					
		3 SANITATION SERVICES - SEPT	2,692.80	0-01-26-305-200	B SANITATION-OTHER EXPENSE		P	4855 08/07/20	10/11/20	10/19/20	0865-001956298
20-00076	08/07/20	OFFENSTE STEPHEN OFFEN				B					
		4 LEGAL SERVICES-SEPTEMBER	300.00	0-01-20-155-200	B LEGAL-OTHER EXPENSES		P	4851 08/07/20	10/11/20	10/19/20	11064103
		5 LEGAL SERVICES-SEPTEMBER	100.00	0-01-20-155-200	B LEGAL-OTHER EXPENSES		P	4851 08/07/20	10/11/20	10/19/20	11064102
			400.00								
20-00077	08/07/20	PSEG PSE&G				B					
		3 ELECTRIC;66-363-804-03-AMWELL	96.97	0-01-31-435-205	B STREET LIGHTING		P	4853 08/07/20	10/11/20	10/19/20	BILL: 10/5/20
20-00078	08/07/20	PSEG PSE&G				B					
		3 ELEC SERV; 65-081-353-09	100.06	0-01-31-435-205	B STREET LIGHTING		P	4854 08/07/20	10/11/20	10/19/20	BILL: 10/5/20
20-00083	08/10/20	VERIZONW VERIZON WIRELESS				B					
		4 WIRELESS COMM; BILL DATE: 9/25	220.53	0-01-31-440-210	B TELEPHONE		P	4841 08/10/20	10/12/20	10/12/20	9863607594
20-00084	08/10/20	AWCONTRA A.W. CONTRACTING				B					
		3 LANDSCAPE SERVICES - SEPTEMBER	461.25	0-01-26-300-200	B BUILDINGS&GROUNDS-OTHER EXPENSES		P	4842 08/10/20	10/12/20	10/19/20	SEPTEMBER
20-00085	08/10/20	RLDATA R & L DATA CENTERS				B					
		3 PAYROLL; ACCT 8R-8R-SEPTEMBER	152.00	0-01-20-100-200	B A&E-OTHER EXPENSES		P	4856 08/10/20	10/12/20	10/19/20	101424
20-00086	08/11/20	COMCAST COMCAST				B					
		3 INTERNET SERVICE-8/16-9/15	282.52	0-01-31-440-210	B TELEPHONE		P	4845 08/11/20	10/11/20	10/19/20	AUGUST
		4 INTERNET SERVICE-9/16-10/15	175.97	0-01-31-440-210	B TELEPHONE		P	4845 08/11/20	10/11/20	10/19/20	SEPTEMBER
			458.49								
20-00092	09/13/20	OASI OASI				B					
		3 SOCIAL SECURITY PAYROLL EXPENS	251.51	0-01-36-472-213	B SOCIAL SECURITY		P	100 09/13/20	10/11/20	10/11/20	OCTOBER
20-00095	10/01/20	CEUNION1 CEUNION				B					
		1 ETHICS WEBINAR-MAYOR HECK	95.00	0-01-20-100-201	B A&E-EMPLOYEE DEVELOPMENT		P	4844 10/01/20	10/11/20	10/19/20	4405
20-00096	10/06/20	NJPENSIO STATE OF NEW JERSEY				B					
		1 2020 3rd QTR PENSION	726.49	0-01-55-901-004	B DUE TO/FROM PAYROLL		P	102 10/06/20	10/06/20	10/06/20	



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PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct	PO Type Description	First Stat/Chk	Rcvd Enc Date	Chk/Void Date	Invoice		
20-00097	01/14/20	CARTERVA CARTER VAN DYKE ASSOCIATES				B						
2		PLANNING SERVICES - JAN/FEB	49.50	0-01-21-180-200		B PLANNING BD-OTHER EXPENSES	P 4843	01/14/20	10/11/20	10/19/20 18431		
3		PLANNING SERVICES-MARCH/APRIL	864.00	0-01-21-180-200		B PLANNING BD-OTHER EXPENSES	P 4843	01/14/20	10/11/20	10/19/20 18449		
4		PLANNING SERVICES-AUGUST	808.50	0-01-21-180-200		B PLANNING BD-OTHER EXPENSES	P 4843	01/14/20	10/11/20	10/19/20 18573		
			1,722.00									
20-00098	10/11/20	SOMERCY SOMERSET COUNTY										
1		4TH QTR TAXES - COUNTY	49,275.61	0-01-55-907-001		B COUNTY TAXES PAYABLE	P 4858	10/11/20	10/11/20	10/19/20 4TH QTR CTY TAX		
20-00099	10/11/20	SOMERCY SOMERSET COUNTY										
1		4TH QTR TAXES - LIBRARY	7,158.14	0-01-55-907-001		B COUNTY TAXES PAYABLE	P 4859	10/11/20	10/11/20	10/19/20 4TH QTR LIBRARY		
20-00100	10/11/20	SOMERCY SOMERSET COUNTY										
1		4TH QTR TAXES - OPEN SPACE	4,717.00	0-01-55-907-001		B COUNTY TAXES PAYABLE	P 4860	10/11/20	10/11/20	10/19/20 4TH QTR OPEN SP		
20-00101	10/11/20	FRANKLIN FRANKLIN TOWNSHIP				B						
2		ANIMAL CONTROL SERVICES	1,560.00	0-01-27-340-206		B DOG REGULATION	P 4847	10/11/20	10/11/20	10/19/20 1ST,2ND,3RD QTR		
Total Purchase Orders:			24	Total P.O. Line Items:		38	Total List Amount:		83,044.54	Total Void Amount:		0.00

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Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	0-01	83,044.54	0.00	0.00	83,044.54
Total of All Funds:		83,044.54	0.00	0.00	83,044.54