

**TOWN OF NORTH HARMONY
TOWN BOARD
MONDAY, 4/11/2011, 8:00 PM**

SALLY P. CARLSON, SUPERVISOR	PRESENT
RALPH WHITNEY, COUNCILMAN	PRESENT
FRANK STOW, COUNCILMAN	PRESENT
DICK SENA, COUNCILMAN	PRESENT

OTHERS PRESENT: Jay Gould, Legislator; Penny Best, Deputy Town Clerk; Dave Stapleton, Attorney; Brad Lawson, Zoning CEO; Everett Bensink, Justice; Gary Ryan, Highway Superintendent; Betty Ryan, Lynn Smith, Clayton & Helen Emick, Dan Mangione, Goose Creek Corp.; David Munsee, Louis Rieg, Planning Board; Louise Ortman, ZBA

- **PLEDGE**
- **MINUTES**

MOTION #48 OF 2011

ON A MOTION MADE BY MR. STOW AND SECONDED BY MR. SENA, THE MINUTES OF THE 3/14/11, TOWN BOARD MEETING WERE ACCEPTED AS PRESENTED BY THE TOWN CLERK UNANIMOUSLY.

- **ANNOUNCEMENTS**
- **PUBLIC COMMENT:**

LYNN SMITH

Mrs. Smith said she has two questions for the board. She asked about the bridge on Chautauqua Avenue and what the plans are and asked if sewer and water issues she had brought up at an earlier meeting have been pursued.

Mrs. Carlson said the bridge will be addressed this year.

Mr. Sena said that as far as sewer and water, his recollection was that he had suggested that petitions be circulated by residents so there would be some basis for moving forward. He said he would make some calls after that had been done.

CLAYTON EMICK

Mr. Emick asked if the board was working on budget cuts in the town.

Mrs. Carlson said the town is trying to be fiscally responsible and said it has cut its debt so that it has no debt other than that for the water district and will of course be looking at expenses during the budget process in the fall. She said employees received no raises in 2011 and the town has not had a tax increase in 3 years.

DAVID MUNSEE

Mr. Munsee requested that he be allowed to have his produce stand at the town owned lot in Ashville from July through October, 2011, as he had in 2010.

Mrs. Carlson asked Mr. Lloyd when the Rain Garden project at the four corners would start.

Mr. Lloyd said the project was to start in late May or early June and should be completed by July.

Mrs. Carlson asked if Mr. Munsee's proposal could be discussed under New Business.

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- **CORRESPONDENCE:**

1. **DAVID STAPLETON – Revised BOCES Easement filed**
2. **STW – Thank You for Contribution**
3. **NYMIR – Handbook – Electrical Failures in Vehicles**
4. **AUCTIONS INTERNATIONAL**
5. **PCI – CULTURAL RESOURCE COMPLIANCE**
6. **ACCESS CH5 – Letter of Thanks**
7. **BOCES – Bond Payment Received – District Established for Next Year**
8. **NYS – DOS - Approval of Chautauqua Lake Local Waterfront Revitalization**
9. **BS&K MUNICIPAL CONFERENCES**
10. **Paradigm – Pipeline Safety – Peek & Peak 5/5/11 Registration, Meal 5:30 PM**
11. **SAMPO – Conference for Purchasing Officials 5/10-13/11**
12. **BOND, SCHOENECK & KING – Public Finance Practice Group**
13. **PUBLICATIONS:** Southern Tier Graphics – Disposal TV’s, computers, etc. 484-9105
The Capital News Public Works Magazine
Life Trail
14. **ZONING BOARD OF APPEALS MINUTES 3/23/11**
15. **CHAUTAUQUA CO. DEPT. OF INSURANCE – Exit Liability Workmans Comp. Ins.**
16. **SOUTHERN TIER GRAPHICS – DISPOSAL/RECYCLING OF ELECTRONICS**
Mrs. Thomas said there had been an article in the paper stating Southern Tier Graphics would accept old computers, electronics, TV’s, etc. at no cost for recycling. For more information on the e-waste program call 484-9105 or visit www.stg4me.com.

- **OLD BUSINESS:**

- **LOOMIS BAY WATER DIST. BAN RENEWAL CONFERENCE- Ralph, Frank**
4/2/11 Bal. \$35,250.00; Principal \$9,455.00; Int. \$1,105.00
4/3/11 Bal. \$25,795.00

TOWN BOARD

MOTION #49 OF 2011

MR. WHITNEY MOTIONED THAT THE BOARD RATIFY THE BOND RESOLUTION ACTIVITY TAKEN BY THE BOARD TO RENEW THE LOOMIS BAY WATER DISTRICT BAN, INCLUDING THE EXECUTION OF THE NECESSARY BAN DOCUMENTS BY THE TOWN SUPERVISOR. BAN BALANCE \$35,250.00; PRINCIPLE PAYMENT OF \$9,455.00; AND INTEREST PAYMENT OF \$1,105.00. MR. STOW SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

• **SALE OF ROAD SIGNS – When exchange is complete**

Mrs. Carlson said the board had previously discussed what to do with the old road signs when the required new signs are in place. She asked Mr. Ryan what the status of the signs is.

Mr. Ryan said about half of the signs have been replaced at this time. He said he did not know what a legitimate price for the old ones would be.

Mr. Gould said why not try selling them at Ashville Day to college students, etc. Other ideas discussed for their disposal were donation for snowmobile trail use and recycling them for metal as prices are good at this time.

Mrs. Carlson said the town could check at the recyclers to see what they will sell for and go from there in making their decision.

• **HIGHWAY BUILDING PROJECT – Siting Water, Septic, Permeable Pavement**

Mr. Stow said he had met with Mark Stow, County Health Dept., and Bill Borea to discuss a tentative site for the well and septic for the new Highway Building. He said there are still some issues with the overhead door clearance in the building. He said Mr. Ryan will be doing more landscaping at the project site and Mr. Ryan has suggested a retention pond/swale to prevent runoff to the road.

Mr. Carlson said she would like to get some prices for permeable pavement to prevent some of the rapid runoff that occurs there.

• **MOTION #50 OF 2011**

MR. WHITNEY MOTIONED TO ADVERTISE FOR BIDS FOR A WATER WELL DRILLER FOR THE HIGHWAY BUILDING PROJECT. BIDS TO BE RECEIVED NO LATER THAN THURSDAY, MAY 5, 2011 AT 11:00 AM. MR. STOW SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

• **MONEY FROM CEMETERY PERMANENT MAINTENANCE FUNDS – USE?**

Mrs. Carlson said the town has a substantial amount of money (\$44,491.00) in the cemetery permanent maintenance fund and has never made a plan for how to use those funds.

Mrs. Thomas said she has spoken to our Cemetery Sextant, Jack Knowlton, about Wild Rose Cemetery and the work that will need to be done in order for him to take over the maintenance. She said he is willing to meet with the town at the site to discuss the work when it is convenient.

There was general discussion of uses for the funds including: fencing at Wild Rose, removal of old dead trees at Maple Grove before damage occurs to headstones, etc. The board decided to come up with a list of projects and go from there.

Mr. Stow said if trees are removed from Maple Grove, he would like to see new ones planted.

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- **ANDERSON PROPERTY – TITLE INSURANCE**

Mr. Stapleton said he had conversations with the donator's attorney and had provided him with two discharges of mortgages that had been prepared after the title search. He said the attorney is fine with the forms and the bank is willing to execute those documents. He said the attorney has sent out the affidavit needed to his client in Michigan that states that the mortgage they can't get discharged has not been paid on in over six years. He said when those documents are completed he will order the title insurance. He said he has had conversations with the title company and they are willing to issue the policy as soon as the town feels comfortable that the Camp Chautauqua people can perform. He said it should be ready by next month.

- **ART'S BOOK – A FERRY TALE**

Mrs. Carlson said 75 of the 500 copies ordered of Art's books had been received prior to the Chautauqua Bicentennial Celebration on 4/9/10, in Mayville. She said 48 had been taken and had sold out almost immediately and a number of people had asked that their names be added to a list for copies. She said she doesn't feel there will be a problem selling the rest of them. She said if anyone was interested in a copy to be sure and let the Town Clerk know.

- **FERRY BI-CENTENNIAL CELEBRATION – WOODEN NICKELS**

Mrs. Carlson said the plans for the Ferry Bicentennial are ongoing and indicated that the nickels she had given out to those present are advertising and will be given out at area restaurants in Bemus.

Mrs. Thomas suggested that some be given to Hogan's Hut to be distributed for sandwiches purchased there.

Mrs. Carlson said she wasn't sure how many they will have to distribute and that's why she shared those she had been given with those present. She said the agenda for the celebration includes the 7/8/11 Dedication; 7/9-10/11 will include Classic Car/Motorcycle Shows, chicken BBQ, ice cream social, a wedding on the ferry, face painting and many other events. She said there are still lots of opportunities for serving on the committee. Next meeting date is 5/4/11 at 7:00 PM at the Community Building.

Mrs. Emick said the water levels at Lighthouse Park are really bad and creating a lot of muddy areas. She asked if there were any plans to place gravel at the site to alleviate the problem.

Mrs. Carlson said the town would be doing some paving at the park. She said they had wanted to use the permeable pavers but the water levels are too high and it won't work.

Mr. Stow said part of the reason it is so muddy is that the company doing the work on the landings had been loading and unloading trailers there.

- **VETERAN'S MEMORIAL – ADDITIONS FROM NEWSLETTER**

Mrs. Carlson said response to the town newsletter has provided a number of additions to the Veteran's list for the memorial. She said if anyone is or knows of a Veteran in the town, to please be sure that she gets their name, even if they no longer live in the town.

- **MITCHELL HOUSE – APPLIED FOR GAS**

Mrs. Carlson said the gas lines have been installed at the Mitchell house.

- **DOCK AT LIGHTHOUSE PARK**

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Mrs. Carlson said two bids had been received for the installation/removal of the dock at Lighthouse Park for 2011.

- Chautauqua Landscaping & Dock Service Installation \$1,250 Removal \$1,250
- Hohl Industrial Installation \$6,800 Removal \$5,500

MOTION #51 OF 2011

ON A MOTION MADE BY MR. WHITNEY AND SECONDED BY MR. SENA, THE BID FOR THE INSTALLATION/REMOVAL OF THE DOCK AT LIGHTHOUSE PARK IN THE AMOUNT OF \$2,500.00 SUBMITTED BY CHAUTAUQUA LANDSCAPING AND DOCK SERVICE WAS ACCEPTED. THE MOTION WAS CARRIED UNANIMOUSLY.

- TRANSFER STATION – Tonnage for 2009 was 635 compared to 2010 626 tons
- ICE PICK WINNER – Greg Peterson 3/18/11, 9:37 – Pick will move to Bemus Pt. next year
- GOOSE CREEK CORPORATION – DAN MANGIONE

Mr. Mangione said as requested at the last meeting he is providing the stamped survey which shows the dwellings and indicated he would leave the map for review.

Mr. Lawson said the town has the SEQR and building application. He asked if the town clerk could send out the Municipal Zoning Referral form to County Planning and the coordinating review to other possible interested entities (NYS-DEC for Goose Creek and NYS-DOT for Rt. 394).

Mrs. Best, Planning Board Clerk, read the relevant portion of the Planning Board minutes dated 4/6/11, in which they expressed their approval of the project and outlined additional criteria requirements for the project.

MOTION #52 OF 2011

MR. WHITNEY MOTIONED THAT THE TOWN ACCEPT LEAD AGENCY STATUS ON THE SEQR FOR THE GOOSE CREEK CORPORATION PROJECT. MR. SENA SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

MOTION #53 OF 2011

MRS. CARLSON MOTIONED TO SCHEDULE A SEQR REVIEW AND PUBLIC HEARING ON THE GOOSE CREEK CORPORATION PROJECT FOR MONDAY 5/9/11 AT 7:15 PM PRIOR TO THE REGULAR BOARD MEETING. MR. STOW SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

- **NEW BUSINESS:**
- **VACANCY OF COUNCILMAN ART THOMAS' SEAT**

Mrs. Carlson said several people have expressed an interest in the seat left vacant by Art Thomas' death. She suggested that the town should advertise in the paper for the vacancy and schedule interviews based on response.

Mr. Sena indicated that both the Planning and Zoning Boards should be advised and given the opportunity to interview for the vacancy.

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MOTION #54 OF 2011

MR. SENA MOTIONED THAT THE TOWN RUN A LEGAL AD ADVERTISING FOR INTERESTED CANDIDATES FOR THE TOWN BOARD VACANCY LEFT BY ART THOMAS. MR. STOW SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

- **CENSUS FIGURES – Contest outcome – Maps from STW**

Mrs. Carlson said she had received a strange letter from the Department of Commerce, U.S. Census Bureau stating they will be conducting the 2010 census count question resolution. She said they had not sent any other information, but had given dates of 6/1/11 – 6/1/13, by which the town could object to the information that we did not receive. She said the town has the opportunity to dispute the location of the governmental unit and from what she and Mr. Stow had discussed; they believe that the map they used was incorrect. She said she has contacted STW and received the census map for 2000 and 2010. She said she and Mr. Stow would be reviewing the maps and hoped to get the protest into the census bureau as quickly as possible.

Mr. Sena said the initial census report indicating the town had lost 10% of its population did not make any sense. All agreed there must be some type of error in their reporting.

- **NYMIR – AUTHORIZE SUPERVISOR TO EXECUTE PROXY**

Mrs. Carlson said NYMIR has done very well for the town; rate reductions and refunds have been received.

MOTION #54 OF 2011

ON A MOTION MADE BY MR. STOW AND SECONDED BY MR. SENA, THE SUPERVISOR WAS AUTHORIZED TO EXECUTE THE PROXY PROVIDED BY NYMIR INSURANCE. THE MOTION WAS CARRIED UNANIMOUSLY.

- **DAVE MUNSEE – REQUEST FOR VEGETABLE STAND AT 4 CORNERS ASHVILLE**

MOTION #55 OF 2011

ON A MOTION MADE BY MR. SENA AND SECONDED BY MR. WHITNEY, DAVE MUNSEE WAS AUTHORIZED TO HAVE A VEGETABLE STAND AT THE 4 CORNERS OF ASHVILLE ON TOWN LAND FROM 7/1/11 – 10/31/11, WITH THE STIPULATION THAT HIS LIABILITY INSURANCE WHICH EXPIRES ON 9/15/11, BE RENEWED AND A COPY PROVIDED TO THE TOWN. THE MOTION WAS CARRIED UNANIMOUSLY.

Mr. Lawson indicated that Mr. Munsee would need to go through the same permitting process that had occurred in 2010.

- **SIGN AT BOCES; SIGN FOR 4 CORNERS LIGHTHOUSE PARK & FERRY**

Mrs. Carlson said a vehicle had knocked over the town sign located across from BOCES. She said the Sheriff's Dept. has indicated that the driver's insurance would cover the cost of replacing the sign which is \$1,550.00. She said Mr. Barron will replace the sign when the check is received. She said she has also asked Mr. Barron for a quote for a sign at the corner to indicate where Lighthouse Park and the Ferry are.

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- **BOCES/SUNRISE COVE BAN due 5/20/11 Bal. \$149,900.00; Principle \$13,960.00; Int.**

\$4,834.53

MOTION #56 OF 2011

ON A MOTION MADE BY MR. WHITNEY AND SECONDED BY MR. SENA, THE SUPERVISOR WAS AUTHORIZED TO EXECUTE THE NECESSARY BAN DOCUMENTS TO MAKE PAYMENT ON THE BOCES/SUNRISE COVE BAN (BALANCE \$149,900.00; PRINCIPLE PAYMENT \$13,985.00; INTEREST PAYMENT \$4,834.53) AND TO RENEW THE BAN ON 5/20/11 AT PREVAILING INTEREST RATES. THE MOTION WAS CARRIED UNANIMOUSLY.

• **LEGAL NOTICE CHAUTAUQUA UTILITIES REQUESTING 36.3% RATE INCREASE**

Mrs. Carlson said she had contacted Chautauqua Utilities to find out why the rate increase was so substantial and why the town had not received notification. She said they had advised her that their only legal requirement was to put in the legal notice and that the rate increase was because their rates were so reasonable that they were not covering their costs. She said she would continue to monitor the situation.

• **REPORTS:**

JAY GOULD, LEGISLATOR

Mr. Gould said the following had occurred at the March, 2011 legislative meeting:

- Local Law passed to continue \$.25 per \$100 tax on Mortgage tax
- Mr. Gould reappointed to the Off Track Betting committee (Chaut. share 2010 \$265,000)
- Resolution passed modifying the membership of the CLMC (10 members originally; Save Our Lake removed themselves and Soil and Water and Conewango Watershed Assoc. have been added to make the membership 11).
- Renewed rental of offices at the Airport for General Services Administration and U.S. General Service Administration
- County Clerk authorized to sell EZ Passes
- North Harmony share of Dog Monies from county \$532.76
- Prisoner Pilot Project passed. Mr. Gould said he voted against it because he feels the local share might cost between \$70-100,000.00. The program will hire a Probation District Attorney and Public Defender to keep persons out of jail. He said currently 20,000 come from Jamestown to the Chaut. Co. Jail each year and it cost \$62/day to house them.
- Board of Elections – Emergency Resolution passed for Cassadaga to use the county voting machines in their upcoming elections
- Reapportionment of Legislative Districts – Special meeting to be held on 4/20/11 to vote on the proposal which would move Mr. Gould out of North Harmony. He said if the proposal does not pass on the 20th, they have 2 years to get it done and the 25 legislators will remain until 2013.

Mrs. Carlson asked Mr. Gould if he had any luck getting the information for the town on the census.

Mr. Gould said he had tried but had been unsuccessful. He said the census people are not very helpful. He said Ms. Kinn is in contact with him and hopefully will get some info that will be helpful.

Mr. Bensink asked Mr. Gould how much each legislator costs the county.

Mr. Gould said \$9,000/year; committee chairs receive an additional \$1,000.

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Mr. Bensink said that in essence if the county cuts 6 legislators the only savings will be about

\$60,000.

Mr. Gould said that is correct, and with the county budget at \$220,000,000, the \$60,000 saved on 6 legislators represents only a very small cut. **Mr. Bensink** said the requirement of sitting on more committees would probably eat up all the savings. **Mr. Gould** said it would save the taxpayers about \$.1 per \$1,000 on their taxes. There was further lengthy discussion of the issue.

RANDY HOLCOMB, ASSESSOR

Grievance Day scheduled for Wednesday, 5/25/11, 3-8:00 PM, at the Municipal Bldg. in Mayville.

GARY RYAN, HIGHWAY SUPERINTENDENT

Mr. Ryan said they are still waiting for the engineering report from **Mr. Tolman** before work can begin on the Chautauqua Ave. Bridge.

Mrs. Carlson said the use of a box culvert had been discussed but at a cost of \$150,000 we are also investigating the possibility of re-doing the decking. She said currently the bridge is unsafe but will be addressed this summer.

Mr. Ryan said the highway department has been sweeping roads, repairing winter equipment and repairing some pot holes. He said upcoming projects include stabilizing the banks at Cheney Creek; step project on Bly Hill Road; Ferry parking lot work and the bridge on Chautauqua Avenue.

Mr. Stow asked **Mr. Ryan** about the hole located at the Rain Garden project site in Ashville.

Mr. Ryan said N.Y.S. has labeled (and tagged) the hole a state bridge and the town cannot touch it even though it is on town land.

EVERETT BENSINK, JUSTICE (copy of report in minute book)

Mr. Bensink read the report for those present.

BRAD LAWSON, ZONING CEO

Mr. Lawson said he had held an informal meeting with area contractors to discuss changes to the code and it had gone very well. He said he would like to do something similar in the future for area residents. He said it looks as if another home will be built in Sunrise Cove. He said he has also been working on processing some violations.

DAVE LLOYD, STORMWATER PLANNING

Ashville Rain Garden Project: **Mr. Lloyd** said he has met with **Betsy Haight**, Master Gardener who is helping them to pick out flowers, shrubs, etc. for planting. He said **Ms. Haight** will be helping with the ordering of the plants from **Brigotta's** (10% discount) and **Art Samples Trees and Shrubs**. He said he had put together a proposal and presented it to **Jeff Deers**, Watershed Coordinator, to get extra funding as a demonstration project (information station with literature and gazebo), but he said that does not fit into their idea of a demonstration project. He said he would continue to work on that. He said the reason they had hired an engineer for the project was because it was so close to **Goose Creek** which is a NYS protected stream. He said he has a meeting scheduled with **Mr. Deers** and **Mr. Wilson** to discuss issues with gravel washing down from the hill to **Neits Crest**. He said **Ms. Height** has offered to help with some community education projects that would involve homeowners and landscapers.

Bly Hill Step Project: **Mr. Lloyd** said once they have the engineer drawings, they may be able to get some shared services help with the project.

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NANCY THOMAS, TOWN CLERK (copy of report in minute book)

Mrs. Thomas said she had closed out tax collection for the year 2011 and gave a brief report:

Original Warrant:	\$3,419,993.13
Full Payments Received	\$3,101,145.73
Penalties	\$ 5,498.51
Total Collections	\$3,106,644.24
Taxes Outstanding	\$ 318,847.40 (Unpaid)

She said the unpaid amount represent about 9.32% of the total warrant and stated that in 2010 the amount of unpaid taxes represented about 9.01% of the warrant.

MOTION #57 OF 2011

ON A MOTION MADE BY MR. STOW AND SECONDED BY MR. SENA, THE TOWN CLERK'S REPORT WAS ACCEPTED AS PRESENTED AND THE MOTION WAS CARRIED UNANIMOUSLY.

SALLY P. CARLSON, SUPERVISOR: (copy of report in Minute Book)

Mrs. Carlson said Mr. Reig had taken some photos of the places in Goose Creek and put together a notebook that will be very helpful to Mr. Lawson. She thanked him for his hard work. She said she would like to schedule a joint session of the Town, Zoning and Planning Boards to meet with the CLMC. She suggested Wednesday, 5/11/11, at the Senior Citizen Center for a dinner meeting. She said the CLMC would like the town's to agree on control of silt, lakefront plantings and basically reach a compact to improve the lake all the way around. She said they will hold a breakfast to include all towns on 5/21/11.

MOTION #58 OF 2011

MR. STOW MOTIONED THAT THE SUPERVISOR'S REPORT BE ACCEPTED AS PRESENTED. MR. WHITNEY SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

DICK SENA, PARKS

Mr. Sena asked if there had been any response on the memorial bricks.

Mrs. Thomas said she had received a couple of calls asking about them.

Mr. Sena said we need to set a deadline date for orders sometime in May because it takes a couple of weeks for the orders to come in and then they will have to be installed before the ferry celebration.

Mrs. Carlson said she would contact Sharron Turano at the Post Journal about possibly putting an article in the paper about the blocks.

Mr. Sena said he had spoken to the person who will be doing the painting at the park and that is in the works.

- **INDEPENDENT HEALTH – PREMIUM ONLY PAYMENT (POP) PLAN EXECUTION**

Mr. Stapleton said this is a document that allows pre-tax wage deductions to reimburse individuals for their co-pays on health insurance premiums. He said new IRS regulations require that a written document be in place to cover this.

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MOTION #59 OF 2011

ON A MOTION MADE BY MR. WHITNEY AND SECONDED BY MR. STOW, THE

SUPERVISOR WAS AUTHORIZED TO EXECUTE THE PREMIUM ONLY PAYMENT (POP) PLAN DOCUMENT FOR INDEPENDENT HEALTH FOR TAX PURPOSES. THE MOTION WAS CARRIED UNANIMOUSLY.

- **YOUTH REC**

Mrs. Carlson said we still don't know what is going on with Youth Rec. She said she will be meeting with Mr. Stow and the people in Harmony to see if something can be worked out.

MOTION #60 OF 2011

MR. WHITNEY MOTIONED TO PAY THE GENERAL FUND BILLS AS AUDITED AND REVIEWED EARLIER. MR. SENA SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

MOTION #61 OF 2011

MR. WHITNEY MOTIONED TO PAY THE HIGHWAY FUND BILLS AS AUDITED AND REVIEWED EARLIER. MR. SENA SECONDED AND THE MOTION WAS CARRIED UNANIMOUSLY.

MOTION #62 OF 2011

ON A MOTION MADE BY MR. STOW AND SECONDED BY MR. SENA THE MEETING WAS ADJOURNED AT 9:25 PM.

*Nancy M. Thomas
Town Clerk*