

Hamlin Town Board
April 9, 2007

The regular scheduled meeting of the Hamlin Town Board was held in the Hamlin Town Hall located at 1658 Lake Rd., Hamlin, New York. Supervisor Dennis Roach called the meeting to order at 7 pm. The location of the fire exits was explained for those present. Everyone present participated in Pledge of Allegiance and a Moment of Silence for all deceased residents of Hamlin.

Present: Supervisor Dennis Roach, Councilperson Michael Marchetti, Councilperson Paul Rath, Councilperson David Rose and Councilperson George Todd.

Also present: Highway Sup. Tom Ingraham, Assessor Melanie Fahmer, Code Enforcement Officer B. J. Maier, Attorney Ken Licht, Conservation Bd. Members Mark Reeves and Tom Breslawski, Planning Bd. Member Tom Jensen, Zoning Board Member Ed Haight, Recreation Director Pat Batty, Recreation Commissioner Stan Lyons, Residents John & Linda DeRue, Kathy Habgood, Nancy Jennejahn, Andy Simpson. Other Attendees: David Matt, Michael Sagan

PUBLIC FORUM

Request for Water:

Mr. Michael Sagan of 17 Clarkson-Hamlin Town Line Road, a Clarkson resident, stated he has bad water. He has had Culligan out and there is a lot of salt in the water. It would be easier to make ocean water drinkable. I have seven kids. I have talked with the Town of Clarkson and was told to contact Hamlin to connect to the water line. The board explained to him that a Hamlin resident had paid for that line which Mr. Sagan wished to connect to. Supervisor Roach suggested that Mr. Sagan and the other Clarkson residents, who desire water meet with the Town of Clarkson to see about forming a district extension. Supervisor Roach explained the appropriate thing that would have to be done. Supervisor Roach will send a letter on his behalf to the Town of Clarkson that he has been before the Hamlin Town Board.

Request for Sewer:

David Matt from Schultz Associates is requesting out-of-district sewer use for a Clarkson resident at 575 Hamlin Clarkson Town Line Rd. Supervisor Roach stated it is a little different on a sewer request. A resolution would be needed from the Town of Clarkson first. Attorney Licht explained the process with a letter of agreement needed from the Town of Clarkson. Councilperson Rose stated we would need a way to bill for sewage usage. Supervisor Roach stated he would send a letter to Town of Clarkson that the Hamlin Town Board has discussed this matter and that the Town of Hamlin action is depending on the Town of Clarkson.

Presentation by Recreation:

Commissioner Stan Lyons wanted to talk to the board about the position of Program Assistant. Recreation has a line item in the budget for a Program Assistant, who might

only work one month to six weeks. The hours are limited, therefore, they are having a hard time filling the position. Recreation Director Pat Batty stated the hours are limited and are dependant on the program and the registration. I have had one resignation and I recently had a situation in which one program assistant resigned without notice and I had to fill in. Assistant Director Patty Jo and I have split our time to cover one vacant position. We are requesting that the Director or Assistant Director be paid an hourly rate when they need to fill in. It would not increase the budget line. The commission or board could make the decision on the rate to be paid. Councilperson Rath stated the head of the department should fill in. Pat Batty explained that we are there for events such as Snow Day or Easter Egg Hunt. In case of emergency, I have stepped in when I recently lost a person during a program, but I also have another life. I had a Program Assistant that wanted more hours but I didn't have them. So she took another position and now I can't use her. Pat explained that she would like to have an employee all year round to use but it is for a limited amount of programs. I use outside contracts for other programs.

Supervisor Roach asked whether the program assistant needed certain requirements such as CPR and AED. Pat stated that they do send them to the CPR and AED classes, if there is one available. We want someone who has experience and has a recreational background. Pat explained the role the program assistants play out on the fields. The commissioners use to go out there to the various games but when I came on board the commissioners wanted to be more of an administrative role and stay with policy making. Stan Lyons explained the volunteer status of the commissioners. Councilperson Rath stated I have no problem paying a commissioner on an emergency basis. Pat stated that is why I am here to ask you. Supervisor Roach explained we might have a hard time back tracking to require the commissioners to do it for free as we have been paying program assistants. Councilperson Marchetti stated he would like to see the commissioners out there. Stan Lyons mentioned how hard it is to fill the position of commissioner. A volunteer is a volunteer stated Supervisor Roach. Pat mentioned that Stan is the most active commissioner but what I need is a person to step up when it is needed. I am happy to take any suggestions from the board. Pat also mentioned we are not full-time employees. I put more hours in than you might expect as a part-time recreation director. I can use Patty Jo as an example. She needed more money so she took on another part-time job. Supervisor Roach asked if she had a stand-by list and if the other Program Assistants could step in. Commissioner Lyons would be talking with the commissioners Tuesday night at their meeting. Councilperson Todd explained the commissioners volunteered for one thing and now you are asking having them to do another so they may say no and walk away. Councilperson Rath stated then they would have to come back to us. The board discussed that this will not increase the budget. Attorney Licht will research the legalities of paying Recreation Commissioners.

PUBLIC FORUM FOR THE RESIDENTS

Jack Shevlin of 768 Redman Rd. stated at the last Wind Tower Committee Mtg. the discussion was having Duncan McEachern attend the meetings. Supervisor Roach explained that he had suggested to one of the committee members that it might be helpful having someone available to answer technical questions. Mark Reeves stated they didn't

need him there all the time but a list of questions could be assembled. Mr. Shevlin felt having someone there is a good idea. People have come into the Supervisor's office asking for technical assistance.

Mrs. Habgood of 142 Cook Rd. has been reading a lot of letters in the newspapers. She read a letter authored by Tom Golisano on wind towers, some of the problems that come with them and that he is not supportive of them.

Troy Nesbitt of Cook Rd. asked about a possible Town Board Executive Session. Supervisor Roach stated that has not been announced.

Sandy Gligic, of 3 Clarkson Town Ln. Rd., a Clarkson resident, stated that she came in late and missed the presentation by her neighbor, Mr. Sagan, who was requesting water. She mentioned she moved into her home about a year ago and she has had problems with water and would be interested in signing a petition. Supervisor Roach explained the steps that would need to be taken.

Public forum was then closed by Supervisor Roach.

APPROVAL OF TOWN BOARD MINUTES OF MARCH 12, 2007

Resolution #128 A motion was made by Councilperson Marchetti seconded by Councilperson Rath to approve the minutes of March 12, 2007 as presented. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose abstain, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

AUTHORIZATION OF PAYMENT OF BILLS FROM THEIR RESPECTIVE FUNDS

Resolution #129 A motion was made by Supervisor Roach seconded by Councilperson Todd to approve payment of bills from their respective funds as follows:

MONTHLY TOTALS			ABSTRACT	4
<u>ACCOUNTS</u>	<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>ACCOUNT TOTALS</u>	
General	110-112	1260.58		
	326	4425.00		
	327-332	11328.05		
	345-346	822.77		
	395-458	108681.02		
			\$ 126,517.42	
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Library	113	91.40		
	208-209	85.13		
	333-334	473.21		

	339-340	79.10	
	343	123.64	
	459-473	6039.42	
	347-349	221.79	
			\$ 7,113.69
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Highway	211-212	84.17	
	351-352	69.00	
	355-390	49995.39	
			\$ 50,148.56
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Sewer	210	19.59	
	335	262.96	
	344	187.77	
	350	19.88	
	391-394	342.56	
			\$ 832.76
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Consolidated			\$ -
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Huntington Park			\$ -
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Trust	215-217	5322.89	
	337	20342.62	
	341-342	2039.45	
	353	55.00	
			\$ 27,759.96
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Light	336	1199.65	
			\$ 1,199.65
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Hamlin-Kendall #1	1	2500.00	\$ 2,500.00
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Wiler Rd.#2	2	2753.16	\$ 2,753.16
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GRAND TOTAL:			\$ 218,825.20

Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

CORRESPONDENCE

- a. A copy of a letter from Supervisor Roach to Michael Gross, President of the Hamlin Fire Department RE: resolution.
- b. A copy of a letter from Supervisor Roach to Lt. William Lawrence RE: Certificate of Need
- c. A copy of a letter to Senator Maziarz RE: LOCI.
- d. A copy of a letter to Assemblyman Hawley RE: LOCI.
- e. A copy of a letter from Time Warner Cable RE: National Teacher Award.
- f. A copy of the Hamlin Library Minutes of 2-7-07 & 3-7-07.
- g. A copy of a letter from S. Glantz RE: Moratorium on Wind Towers.
- h. A copy of a letter from Monroe County RE: Dog License fee surplus.
- i. A copy of a letter to Mr. Bonacchi, Mayor of the Village of East Rochester RE: train speed.
- j. A copy of an email from C. Ragan RE: slowing down the Wind Farms.
- k. A copy of a letter from Monroe County RE: Ag Districts.
- l. A copy of a letter from Supervisor Roach RE: Distribution of Surplus Water operation Funds.
- m. A copy of the minutes of the Zoning Workshop.
- n. A copy of a letter from Time Warner RE: our franchise fee.
- o. A Thank you from Mr. Armstrong RE; Dog Control Officer.
- p. A copy of the Proceedings of the Legislature of Monroe County for 2005.
- q. A copy of the Radio Control Club of Rochester's newsletter.
- r. A copy of the Program to Prevent Violence in the Workplace.
- s. A copy of the Walker Fire District Minutes of 3-6-07.
- t. A letter from Attorney Licht RE: Shoreline Residential.
- u. A copy of a report from USDA.
- v. A copy of Spring Training at the Zoo.
- w. A copy of an email from Geoff Benway, Penfield Town Engineer RE: Support for Open Access Fiber.
- x. A copy of NYPF Training Opportunities – Zoning School.
- y. Assessor's Monthly Report – March 2007
- z. County Fishing Advisory Board Minutes of March 12 and Agenda for April 9, 2007
- aa. A copy of a letter from Supervisor to Mr. Kevin Buckley, DOT RE: Safety Concern, Roosevelt Highway (Route 18)
- bb. Wind Tower Meeting Minutes of March 6, 2007
- cc. A copy of a letter from The Association of Towns of the State of NY, RE: Tax Incentives for Local Volunteers
- dd. A copy of an email from Mr. David Matt, Schultz Associates RE: Out-of-District/Town Sewer Use
- ee. A copy of CPI Update, Monroe County Civil Preparedness Newsletter, March-April 2007
- ff. The 2007-08 Rochester-Genesee RTA Comprehensive Plan

- gg. A copy of a letter from Time Warner Cable RE: Channel Relocations
- hh. A copy of a letter from Tammy Palumbo RE: Resignation from Hamlin Conservation Board
- ii. Copy of draft Wind Tower Committee Minutes of April 3, 2007
- jj. A Copy of the March 2007 Building Dept. Monthly report
- kk. A copy of an e-mail from K. Habgood RE: Wind Towers
- ll. A copy of a letter from Mr. Miller, Secretary of the Hamlin Public Library RE: appointment of Peter Terry and Lillian Park for 5-year terms.

ITEMS FOR MUNICIPAL AUCTION AS SURPLUS EQUIPMENT

Resolution #130 A motion was made by Councilperson Rose seconded by Councilperson Todd authorizing the Highway Superintendent to send to municipal auction as surplus equipment for the Hamlin Highway Department a 1996 Dodge pickup, 1988 Ford 9000 6 wheel dump, 1991 Ford 4630 tractor with cab, 2001 Woods rotary mower and a 1953 Army generator. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

ACCEPTING RESIGNATION OF TAMMY PALUMBO

Resolution #131 A motion was made by Councilperson Todd seconded by Councilperson Rose accepting the resignation of Tammy Palumbo from the Hamlin Conservation Board effective April 30, 2007. The board advertised for the vacant position on the Hamlin Conservation Board with applications due to the Town Clerk's Office by May 7, 2007. Further requested was approval of a Resolution of Appreciation for Tammy Palumbo's service. The reason for her leaving the board is her husband's job has been relocated. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

APPOINTMENT OF PETER TERRY TO THE HAMLIN PUBLIC LIBRARY BOARD OF TRUSTEES

Resolution #132 A motion was made by Councilperson Rose seconded by Councilperson Rath to appoint Peter Terry to the Hamlin Public Library as Library Trustee with a term ending December 31, 2011. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

RE-APPOINTMENT OF LILLIAN PARKER AS TRUSTEE TO THE HAMLIN PUBLIC LIBRARY

Resolution #133 A motion was made by Councilperson Todd seconded by Councilperson Rose to re-appoint Lillian Parker as Trustee to the Hamlin Public Library for a five year term ending December 31, 2011. Members polled, Councilperson

Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

DISCUSSION

Supervisor Roach updated the board on items listed under discussion:

- a. Supervisor will follow-up on the three items addressed during the public forum (out-of-district water, sewer and paying Recreation Commissioners).
- b. Item for the Hamlin Fire Dept. Certificate does not require Town Board resolution.
- c. Distribution of Surplus Water Dept. Funds & Equipment, correspondence (1.) pertains. In the letter item (a) needs to be changed. The task for the Assessor and Clerk should be for the number of users not the number of parcels. Town of Kendall is making the same resolution on the items for the municipal auction.

SURPLUS EQUIPMENT FROM HAMLIN-KENDALL WATER DEPT. TO MUNICIPAL AUCTION

Resolution #134 A motion was made by Councilperson Rose seconded by Councilperson Rath to send to the municipal auction on behalf of the Hamlin-Kendall Water Department a 2005 Chevrolet pickup with utility box, a 1998 Allied Hole Hog pneumatic boring toll tool and a 1974 General 16-ton trailer. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

SURPLUS EQUIPMENT FROM HAMLIN WATER DEPT. TO MUNICIPAL AUCTION

Resolution #135 A motion was made by Councilperson Marchetti seconded by Councilperson Rath to send to the municipal auction on behalf of the Hamlin Water Department a 1999 Dodge pickup, floor type drill press, pump and miscellaneous water line parts and tools. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

DISCUSSION ITEMS

- d. Program to Prevent Violence in the Workshop is a State requirement and Attorney Licht has been doing research. Pat MacIntosh attended the Workman's Compensation meeting and it came up that a representative from the group is working on a policy for all its members. They will also be having training. Once the draft is done I will have the Attorney review it.
- e. Monroe County Open Access Fiber Project. Supervisor Roach explained that this would be a huge benefit to all municipalities and requests a resolution to send a

letter supporting this project. This support would not include any commitment of funds.

MONROE COUNTY OPEN ACCESS FIBER PROJECT

Resolution #136 A motion was made by Councilperson Rose, seconded by Supervisor Roach to send a letter to County Executive Maggie Brooks supporting the County efforts of installing an open access fiber network throughout Monroe County. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

DISCUSSION ITEMS

- f. Zoning School: Information from the New York State Planning Federation's Education Committee provides for local boards, CEO's, and municipal attorneys to be certificated by a course offered by training. The question is, does this Town Board want to approve this for use by Support Boards and other local government officials? Each course has documentation and ratings.

TRAINING OPPORTUNITIES THROUGH NY PLANNING FEDERATION

Resolution #137 A motion was made by Councilperson Rath, seconded by Councilperson Marchetti to approve the nine lesson-training program identified by the New York State Planning Federation Education Committee for use by Support Boards and other local government officials with Supervisor Roach the designated official. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

DISCUSSION ITEMS

- g. Community Center Exploratory Committee Report: Supervisor Roach is asked for comments/thoughts from the board on what guidance to give to the committee. Supervisor Roach offered that he was looking for more recommendations or specific requirements as what they would like to see. They did provide a lot of good information. I don't think I saw in the information the concept they are looking for. Councilperson Todd thought we gave them permission for a concept design. Supervisor Roach stated he didn't recall anything such as that in the minutes. Supervisor Roach stated there was not a specific task given back to them. The board discussed coming up with the square footage, not a picture. Perinton was their preferred choice for reference and fitting their needs. Councilperson Todd stated for a design that you would have to go other places other than this committee. Supervisor Roach provided some other statements from their report. Councilperson Rose gave the input from the Library standpoint as they are leaning towards being included on one end and to allow for future expansion if needed. He also suggested a rough draft be presented jointly with the committee and Library Trustees. It was the consensus that it would be good

- for a joint Town Board – Community Center Exploratory Committee – Library Board of Trustees meeting to discuss concepts.
- h. Safety Concern for Roosevelt Hgwy: Supervisor Roach has sent a letter to the State DOT with copies to our legislators regarding safety concerns and possible accident counter measures since the accident last week that caused the death of one of our residents. Also Supervisor Roach stated that County Legislator Wayne Zyra called and he would like to be included in supporting us and is setting up a meeting with the County Highway Director on our behalf.
 - i. Wind Tower Committee Motions: Supervisor Roach explained that he couldn't act on the request of every committee member who comes in to talk with him. Committee Chairperson Mark Reeves explained that 21 meetings had been scheduled and they have sixteen left. He asked if they could call Attorney Daniel Spitzer if they had questions and is he the right guy? Supervisor Roach stated when Spitzer approached the town; he stated he develops regulations based on what the town wanted. Are you at that point? Committee Chairperson Mark Reeves stated that at the last two meetings since Art left, we have come up with action items and objectives that we are looking to have responses to. I would like to map out a schedule and in my opinion work on regulations in the next four weeks, but we are still in the fact-finding stage so we are not going to make it. Supervisor Roach stated that every time you call Mr. Spitzer the clock is on. A general fee was given the Supervisor when he asked him about doing draft regulations. I would suspect it would be reasonable, as he has done others. If hired as a consultant, the fees would increase dramatically. Supervisor Roach asked if the committee could come up with a list of questions to give to Attorney Spitzer it may cut down on the time and we could get an estimate. Chairman Reeves stated maybe a two-hour meeting and some office prep time but he would put out the question. Glen Quetschenbach asked Attorney Licht would it be appropriate to ask an attorney questions by e-mail? Attorney Licht felt it wasn't very difficult to answer your questions, once an attorney knew what direction you wanted to go in. You can get an hourly rate and maybe a flat fee for a two-hour meeting and answering some questions. I don't know how he works. I am sure he can give you a reasonable response. Supervisor Roach stated it would require Town Board approval to hire a lawyer and still feels it should be one person asking the questions. I also feel an outline would be needed. Various committee members asked the Supervisor to ask Attorney Spitzer fees and if he would be willing to work as a consultant. We are going to need to ask the cost. Supervisor Roach explained that the more condensed and organized we are in asking the questions, the less it will cost. There are other options and there are other people who do it. Supervisor Roach hoped the board had provided enough information to those present representing the Wind Tower Committee to take back to their committee members.

REPORTS

Councilperson George Todd had nothing to report.

Councilperson Marchetti reported on the following:

- Hilton Parma Fire Dept. got approval to start on the new structure.
- Hamlin Ambulance Meeting is this week.
- Dog Control Officer got bit this week.
- Nothing on the agenda for Zoning.

Highway Sup. Tom Ingraham reported on the following:

- A group of Highway Superintendents traveled to Albany last week and it must have done some good as we got an extra 16 million in CHIPS money.
- Snow fencing is coming down and as soon as the weather clears up for good, we will be out sweeping and doing lawns.
- Oil and Water separator is in service.
- Lifts for the shop came in and we will be training next week.
- Security-I have met with the three individuals who will be doing it again. They will probably be starting around the 15th next month.
- Quotes for Spring Cleanup were received. Waste Management came in the lowest. I did receive four quotes. No resolution is needed. Supervisor Roach mentioned a few groups calling about volunteering for the cleanup in May.
- It came out last week that computer recycling is being offered by the County.

Code Enforcement Officer B. J. Maier reported on the following:

- I attended school last month to continue with my certification.
- A lot of people are calling on decks and sheds.
- It appears ICC will be voting in May on requiring sprinklers in all new residences.
- Inquiries are being made regarding noise complaints.
- Gathering quotes for lawn mowing and property cleanup.

Assessor Melanie Fahmer reported on the following:

- We are putting the finish touches on the final roll for May 1st.
- We working on the list for water users.
- STAR-If any questions are asked this is what we know so far: They will have to apply on a special application and we don't know when that will be available.

Councilperson Paul Rath reported on the following:

- Conservation Bd. will be having their tree give away on April 28th in the Top's parking lot.
- Disaster Plan Revisions: Supervisor Roach stated he hoped to have it in front of Town Board by next month. B. J. and I have gotten together to go over some of the questions.

Councilperson David Rose reported on the following:

- Library has put together an accident report form. It has been reviewed by our Attorney, so we will be implementing it shortly.
- Friends of the Library-I personally want to say thank you to Nancy Jennejahn for selling 308 tickets for their dinner with a profit of \$1,246.00.

- Munchkin Monday they had 76 participants. The Library is moving along real good.
- Planning Board discussed the use of the property across the street for a nursery and farmers market. Coffee may be served.
- Senior Citizens Executive Meeting is tomorrow. On the 19th they have a trip scheduled.

Supervisor Roach reported on the following:

- I attended the Zoning Workshop in Dave's absence and I sent out information on the lake front and one-acre floating zoning.
- I also participated in the disaster drill for the mass immunization. They had hundreds of volunteers. They anticipate doing another local one after they review the lessons learned from this one.

EXECUTIVE SESSION

Supervisor Roach requested a motion for Executive Session to discuss a request for a pay raise, appointment and petition for a district.

Resolution #138 A motion was made by Councilperson Rose, seconded by Councilperson Marchetti to go into Executive Session to discuss a request for a pay raise, appointment and petition for a district. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

COME OUT OF EXECUTIVE SESSION

Resolution #139 A motion was made by Councilperson Rose, seconded by Councilperson Todd to come out of executive session. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

ROOSEVELT HIGHWAY WATER EXTENSION

Resolution #140 A motion was made by Councilperson Todd, seconded by Councilperson Rath to authorize the preparation of the map for extension of the Roosevelt Highway Water District. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

APPOINTMENT TO WIND TOWER COMMITTEE

Resolution #141 A motion was made by Councilperson Todd, seconded by Councilperson Marchetti to appoint Lester Wilson as a primary member of the Wind Tower Committee and Tom Jensen as an alternate. Members polled, Councilperson

Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

ADJOURNMENT

A motion was made by Councilperson Rath, seconded by Councilperson Rose to adjourn the meeting at 9:35 pm as all business has been concluded. Members polled, Councilperson Marchetti aye, Councilperson Rath aye, Councilperson Rose aye, Councilperson Todd aye, and Supervisor Roach aye. Motion carried.

Respectfully submitted,

Kathi A. Rickman, RMC/CMC
Hamlin Town Clerk