MAYOR AND COUNCIL WORK SESSION AND AGENDA MEETING June 13, 2017 7:00 P.M.

CALL TO ORDER

SALUTE TO COLORS

Mayor Maio invited all those present to stand in a salute to the colors.

MAYOR'S STATEMENT AS TO COMPLIANCE WITH P.L. 1975

Adequate Notice of this Meeting has been provided according to the Open Public Meetings Act, Assembly Bill 1030. Notice of this Meeting was included in the Annual Meeting Notice sent to the New Jersey Herald and the Daily Record on January 4, 2017 and was placed on the Official Bulletin Board in the Municipal Building.

In the event the Mayor and Council have not addressed all items on this Agenda by 11:00 PM and they are of the opinion that they cannot complete the Agenda in a reasonable time period, the Mayor and Council may exercise their option to continue this meeting at an agreed to date, time and place within ten (10) days of this meeting. Please turn off all cell phones for the duration of this meeting.

ROLL CALL

Council Members:

Councilman Depew – present

Councilwoman Kuncken - present

Councilman Romano – absent

Councilman Thistleton – present

Councilman Thornton – present

Councilwoman Zdichocki – present

Mayor Maio – present

PRESENTATION: (Ray Sarinelli, Borough Auditor)

Mayor Maio welcomed Ray Sarinelli, Nisivoccia, to come forward to discuss the Borough's 2016 Audit. Mr. Sarinelli stated he had discussed the Borough's financial position during the audit process but tonight he will review some of the critical numbers and key information. The audit consists of the review of the Borough's transactions and makes sure that the financial statements are accurate and correct. The results for the current fund in 2016 began the year with \$1,679,000 and ended the year with \$1,801,000 which is an increase of \$122,000. Mr. Sarinelli stated he has spoken with Dana Mooney, CFO, with regard to allocating some of the fund balance to different areas. Mr. Sarinelli stated Ms. Mooney then spoke with the Governing Body and the decision was made to place it in the fund balance. The sum of \$918,000 was then used for the 2017 budget which is a fairly large increase from the \$779,000 the year before. This is alright because it was used in expenses that can also be cut like debt service, etc. If the fund balance does not recur at that higher level you can adjust the budget accordingly and it will not impact the tax rate. Mr. Sarinelli stated he is comfortable with that. The reason the fund balance increased, was primarily due to the unexpended balance of the 2015 reserves which were carried over to 2016 and were then cancelled at the end of the year. The amount was \$86,000 is more than it has been. The Governing Body is very frugal and operates a tight budget. In fact, the Borough accomplished the goals for 2015 and the reserve balances in 2016 and still has an excess of \$86,000. Another occurrence was as a result of New Jersey's accounting requirements. There were some grants which were cancelled. They had off setting receivables but the receivable has a reserve. They offset each other but the grant reserve ends up in fund balance. It does not offset. There has to be a reserve for every receivable. There were two grants: the Highlands Grant for \$27,000 and the Police Accreditation Grant for \$50,000. These are the three primary reasons the fund balance increased. Two of these issues will not recur and the reserves will not be as high. The Borough is in good shape. The fund balance is up and it has been used wisely. These are good results and this has to do with the experience of the Mayor and Council. The plan is followed each year, the right amount is appropriated, too much revenue is not used and the staff is experienced. The Business Administrator and the CFO are very experienced and

know how to stretch a dollar very far, which is important in Stanhope. A lot gets done for a small amount of money.

Mr. Sarinelli stated the results for the current fund were good and the plan going forward is good. In the Trust Fund things occurred as expected. The storm recovery account is still at approximately \$140,000. The accumulated sick for those people that retire with a substantial amount is approximately 80% funded, which is excellent. The Borough has \$168,000 reserved for a \$193,000 liability. Mr. Sarinelli stated he is of the opinion the Borough does not need to go any further than that. The liability is not that big. Some other towns have much larger payouts than Stanhope does. The Capital Fund began and ended the year with approximately the same amount of debt. The year began with \$2,278,000. The Borough paid down \$305,000 and appropriated \$305,000 in debt. The plan is always to pay it off in less than 10 years if possible.

Mr. Sarinelli stated the water and sewer utility are solid. Mr. Sarinelli stated there had been a discussion about reducing the sewer rent and increasing the water rent to offset each other so there would not be a net increase. Fortunately the unexpended balance in the water reserve was pretty good also. That fund balance started the year at \$244,000 and ended at \$239,000. At this time no action should be taken until we see how water sorts out and where the debt service needs are. In the sewer utility the debt was paid off two years ago. The fund balance is up \$140,000 because the sewer utility no longer has to fund that debt. This is a solid position. There is \$68,000 in debt which could most likely be paid off in the 2017 budget. Mayor Maio stated she is of the opinion this has been done.

Mr. Sarinelli stated the last section of the audit is the compliance section. This covers all the statutory requirements and ensures vouchers are being processed, and that the checks and receipts are being managed properly. There are two minor recommendations. One is the segregation of duties. Due to the size of the office this issue will not be cleared. The Council needs to be made aware they have a responsibility to be aware of any discrepancies. There is no need to micro manage. Mr. Sarinelli stated the second recommendation was left in from last year and may not have been necessary. Ms. Mooney has cleaned up a lot of the balance of the grant Mr. Sarinelli stated sometimes funding is received but it may not be used. Administrator McNeilly stated Ms. Mooney is doing a good job of getting this area of the budget all in order and then the next set of grants arrive the next year. Mayor Maio stated this issue deals with the funds left over from the grants. Mr. Sarinelli stated sometimes the money can be spent within a certain timeframe and if not it can be cancelled against each other. Ms. Mooney is not doing anything wrong and in fact there was a nice improvement in the number and amount which helped the fund balance. Administrator McNeilly stated Ms. Mooney has worked closely with Bob Beinfeld, Bond Counsel, to make sure the descriptions are not as narrow as they used to be. Prior CFO's were too specific in the descriptions.

Mr. Sarinelli stated Administrator McNeilly had emailed him with regard to long term debt. Administrator McNeilly stated money is being managed very well on the debt side but the future is not going in the same direction as it has been with regard to interest and things like that. If we can get an idea of what the long term debt looks like, we can manage some of the long term projects which are bigger than the ten year window. Administrator McNeilly stated he would like to gather the information and then have a meeting with the Finance Committee. After that a full discussion can take place. Councilwoman Kuncken stated she is of the opinion this would be helpful. Mayor Maio agreed this needs to be done. Mr. Sarinelli stated he will meet with Administrator McNeilly. Mr. Sarinelli stated he needs to see the size of what is planned for the next year. There is \$2.2 million in general capital debt and the Borough is on a good payoff plan. When the interest rates are low this is fine because you do not have to lock in a low interest rate. Interest rates have nowhere to go but up, the economy is recovering and Wall Street is doing well. Administrator McNeilly stated we also need to determine if funds could be obtained from other areas such as NJEIT. Mr. Sarinelli stated it may be favorable, if the Borough is ready to take a bigger step to accomplish some projects, and then the debt you have and that debt could be bonded over a period of time. Annually the Borough would be paying less than you are in the five to seven year plan. If that plan is stretched out, bonded and the rate locked in, then you will have a lower debt service annually and the recurring projects can still be done without having a big impact on the tax payers. Mayor Maio stated that is always the goal. There are projects which need to be done and projects we would like to do but the impact on the tax payers is what guides us. Mayor Maio thanked Mr. Sarinelli for attending this evenings meeting.

ADMINISTRATOR'S REPORT

<u>Salmon Park Fence</u> – Administrator McNeilly stated he has asked Eric Keller, Borough Engineer, to provide cost estimates and a project scope for observation and installation of the Salmon Park fence. Mayor Maio stated this is part of the completion of the trail which was started. The funds are available through a grant which was received a long time ago for Salmon Park.

<u>Main Street Crosswalks</u> – Administrator McNeilly stated Eric Keller, Borough Engineer, has sent a memo regarding the milling and paving of the existing surface on the Main Street crosswalks. Three quotes have been received and the work is below the threshold. The work can be authorized by purchase order. Mayor Maio asked the Governing Body if there were any objections to moving forward with the project. There were no objections.

<u>Lakeside Park</u> – Administrator McNeilly stated the DPW received the garbage and recycling containers for Lakeside Park. They will be installed this week. There are funds available from the Clean Communities fund which will enable the Borough to purchase a picnic table, like the one at Musconetcong Park. The picnic table should be placed away from the area with the stones. Councilwoman Zdichocki asked if there should be a Clean Communities meeting to discuss the issue. A meeting has not been held in approximately six months. Mayor Maio stated meetings are held when funds are being considered to be used for community programs for things like the school and the funds which are distributed. The Borough has always used Clean Community funds for items relating to the parks. Administrator McNeilly stated the Chairperson for the committee is responsible to schedule meetings. Councilwoman Kuncken stated on Clean Up Day a few people mentioned it would be nice to have a picnic table at the park.

<u>Lakeside Park (Part II)</u> – Administrator McNeilly stated Jason Titsworth, Acting DPW Superintendent, is gathering the materials necessary to change out the parking lot fence. The fence will be made of 6x6 posts, 3 feet high with 1 1/2" roping and periodic breaks will be made to permit walking access. Mayor Maio stated the Environmental Commission has set aside funds for plantings to be placed inside the fence area. The Environmental Commission has been asked to submit a list and pictures, if available, of what they plan to install. The Borough does not want any plantings which will require high maintenance or that will create an issue.

<u>Lutheran Church</u> – Administrator McNeilly stated, as per the direction of the Governing Body, he will be reaching out to the President of the Lutheran Church to discuss the Environmental Commission's request for a trail on the church property. The trail area is already clear due to the fact the sewer lateral runs from the back of the church down to the corner of Spring and Coursen. If the church is in favor of the trail, an agreement will be drawn up by the Borough Attorney.

<u>Musconetcong Sewerage Authority (MSA)</u> – Administrator McNeilly stated James, from the MSA, has informed him that the sewer flows from Stanhope are elevated. The issue is being investigated by using the camera system in possible trouble sites within the Borough.

<u>Defibrillator (AED)</u> – Administrator McNeilly stated Councilwoman Zdichocki contacted him regarding a defibrillator which she purchased recently and would like to donate to Borough Hall. Administrator McNeilly stated he will provide the Fact Sheet for review by the Governing Body. AED's are required in schools and health clubs but they are not required in municipal facilities. This does not mean the municipality should not have one. It is a choice for the Governing Body to make. Administrator McNeilly stated he sent out an email throughout the state asking for feedback regarding the AED's. By and large the training is done by the ambulance squad. The maintenance issues involve the expiration date on the pads, the batteries and staying on top of any recalls. The best practices from the federal government occupational health department suggested a backup battery be purchased, which is an outdated premise. They also discuss proper disposal. One of the towns who responded said they had a DPW employee who had an incident shortly after they installed the AED. They used the AED and he survived. In certain instances training is necessary and monitoring of the equipment is necessary. The unit in question would be maintained by Cintas, similar to the monitoring of the first aid kits in the Borough. Administrator McNeilly stated he will have to find out what the monitoring for the unit would cost. If the Governing Body decides to accept the donation, a resolution will be required. Councilwoman Zdichocki stated she spoke with the representatives at the League of Municipalities Conference and the company stated they would provide training to the Borough free of charge. Mayor Maio is of the opinion if training is provided it should be done by the Ambulance Squad. Mayor Maio asked Administrator McNeilly who would be trained to use the

AED. Administrator McNeilly stated we cannot force people to be trained in the use of the AED. The way the AED's operate now, training is not necessary. Mayor Maio asked the Governing Body to review the information and this topic will be added to the next agenda for discussion. Administrator McNeilly stated the initial cost is free but he will find out what the maintenance costs will be and he will provide that information at the next meeting. Councilwoman Kuncken stated it is much easier to learn how to use the AED as compared to learning CPR.

<u>DPW Summer Projects</u> – Councilman Thornton asked Administrator McNeilly to contact Jason Titsworth, Acting DPW Superintendent, to arrange an Infrastructure Committee meeting to discuss the summer project list. Administrator McNeilly asked what days would be best. Mayor Maio stated Tuesday or Thursday. Councilwoman Zdichocki and Councilman Thornton stated Tuesday or Thursday at 9:30am would be acceptable.

<u>Records Scanning</u> – Mayor Maio asked Administrator McNeilly to follow up on the pricing for the scanning of the Borough records. Councilman Thornton stated there had been discussion about having a representative from the scanning company make a presentation to the Governing Body.

WORK SESSION

Municipal Parking Regulations - Mayor Maio stated she received a call from a resident who had purchased a parking permit and she was not pleased with the fact the permit would allow her to park in the specified lot between the hours of 4:00am to 6:00am if space was available. Otherwise anyone can park in those lots. Mayor Maio stated the sign posted at the municipal building parking lot states parking is permitted on Friday 6pm - 12am/midnight; Saturday 12am/midnight – 3am and then again 6am – midnight (From 3am – 6am you have to move your car. This prevents overnight parking.) On Sunday 12am/midnight - 3am and again from 6am midnight; Monday 12am/midnight - 3am. All other hours are for official business only. The Kelly Place Municipal Parking Lot has 2 hour parking from 6am – 9pm and a permit is required to park from 4am - 6am. Mayor Maio stated in her opinion the hours are strange and she has issue with charging \$50 for a permit in order to park from 4am – 6am and only if a parking space is available. If the Borough is selling permits for a parking spot then a spot should be available for them to park in. If there are twenty spots, then only twenty permits should be sold. Mayor Maio stated the Master Plan, the Land Use Board and the Council have encouraged commercial properties to be located on the first floors with residential on the second floors. We invite those landlords to bring tenants in but we only provide a place to park from 4am to 6am. This issue needs to be looked at. Councilwoman Kuncken asked how the permits would be sold for just the number of spots in the Kelly Place lot. Mayor Maio stated it would have to be first come, first served. Administrator McNeilly stated there are issues with policing the lot due to the 6am shift change of the officers. Mayor Maio stated she has spoken with the Chief of Police who indicated to her that he has received complaints from people who have purchased permits and have nowhere to park. The Chief should be involved in the discussion. Mayor Maio stated she is of the opinion the permit should be required from 6pm to 7am and during the day the lot would be available to anyone without a permit with the 2 hour parking limit for the businesses. Administrator McNeilly stated then those with permits become subject to the two hour limit and would have to move their car by 9am and there could be someone that works third shift. Mayor Maio stated the regulations have to be as convenient as possible for the most number of people. Much discussion took place regarding the issue. Mayor Maio asked the Clerk to add this topic for discussion on the next agenda.

<u>Fire Department</u> – Mayor Maio stated the Fire Department sent a memo regarding a public safety memorial service being held tomorrow at 7PM to honor emergency responders who died in the line of duty. The letter indicates there is a member from the Fire Department and a member from the Ambulance Squad being honored. Mayor Maio asked the Clerk to obtain the names of the members being honored. Mayor Maio stated she will contact the Governing Body with the names of the members.

NEW BUSINESS

RESOLUTIONS

Mayor Maio offered the following resolutions which were read by title:

RESOLUTION AWARDING CONTRACT FOR ROUTE 183/206 SIDEWALK IMPROVEMENT PROJECT

WHEREAS, the Borough of Stanhope heretofore advertised for the receipt of sealed competitive bids for Route 183/206 Sidewalk Improvement Project; and

WHEREAS, the Borough accepted sealed, competitive bids on May 11, 2017 for Route 183/206 Sidewalk Improvement Project; and

WHEREAS, the Borough Attorney has reviewed the bids for compliance with the Local Public Contracts Law and the Borough's bidding requirements; and

WHEREAS, Your Way Construction, Inc. is the lowest responsive, responsible bidder for the Borough's request for bids received on May 11, 2017; and

WHEREAS, the Borough Engineer concurs in the recommendation of the award of a bid to Your Way Construction, Inc.;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Stanhope that the Borough does hereby award a bid to Your Way Construction, Inc. in an amount not to exceed \$339,736.96 for Route 183/206 Sidewalk Improvement Project; and

BE IT FURTHER RESOLVED that the award of this bid is subject to certification of the availability of funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Borough Clerk shall notify all bidders on May 11, 2017 of the award of the bid to Your Way Construction, Inc.; and

BE IT FURTHER RESOLVED that the bid bond of all of the bidders be returned to said bidder.

On motion by Councilwoman Kuncken, seconded by Councilwoman Zdichocki and carried by a majority of the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

Councilman Depew – no
Councilwoman Thistleton – yes
Councilwoman Kuncken – yes
Councilman Romano - absent
Councilwoman Zdichocki – yes

Resolution 110-17

AWARD OF CONTRACT TO BOWMAN CONSULTING GROUP, LTD. FOR LANDSCAPE ARCHITECTURAL SERVICES TO DEVELOP A CONCEPTUAL PLAN FOR TRESTLE PARK

WHEREAS, the Borough of Stanhope is seeking to develop Trestle Park into an aesthetically pleasing passive park to be utilized by the public; and

WHEREAS, the Borough of Stanhope has outlined a program, conceptual in nature, that includes a proposed 25-30 space parking lot, restrooms and pavilion with a potential entrance to the site from Canfield or Lawrence Street; and

WHEREAS, Bowman Consulting Group has submitted a Proposal to prepare a conceptual plan for Trestle Park, a copy of which is attached hereto; and

WHEREAS, the Borough desires to retain Bowman Consulting Group for said services;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope, New Jersey as follows:

1. That the Borough Administrator is hereby authorized to execute a contract on the Borough's behalf with Bowman Consulting Group, 54 Horsehill Road Cedar Knolls, NJ 07927 to prepare conceptual plan for Trestle Park.

- 2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law.
- 3. Award of this contract is contingent upon the certification as to the availability of funds by the Chief Financial Officer.
- 4. The term of service shall be from the date of acceptance of the Professional Services Agreement until its completion, in full accord with the terms and conditions thereof. The total fee for this service shall not exceed \$5,850.00
- 5. Notice of this action shall be published in the *New Jersey Herald* within ten (10) days of the passage thereof.

On motion by Councilwoman Thistleton, seconded by Councilman Thornton and carried by a majority of the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

Councilman Depew – no Councilwoman Thistleton – yes Councilwoman Kuncken – yes Councilman Romano - absent Councilwoman Zdichocki – yes

RESOLUTION TO AMEND BUDGET TO INCLUDE 2017 CLEAN COMMUNITIES GRANT

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Stanhope has received a total of \$7,623.88 from the NJ Solid Waste Administration for the 2017 Clean Communities Grant, and

WHEREAS, the Borough of Stanhope now wishes to amend its 2017 budget to include the additional grant funds approved of \$7,623.88 as a revenue.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Stanhope does hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$7,623.88, which will be available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public And Private Revenues Offset with Appropriations: 2017 Clean Communities Grants, and

be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Public and Private Programs Offset by Revenues: 2017 Clean Communities Grant, and

BE IT FURTHER RESOLVED that the Chief Financial Officer shall submit one copy of the Chapter 159 certification form to the Director of Local Government Services.

On motion by Councilwoman Kuncken, seconded by Councilwoman Zdichocki and unanimously carried by the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

Councilman Depew – yes

Councilwoman Kuncken – yes

Councilman Romano - absent

Councilwoman Thistleton – yes

Councilman Thornton – yes

Councilwoman Zdichocki – yes

<u>CONSENT AGENDA</u> (All items listed on the Consent Agenda are considered routine by the Borough Council and were enacted by one motion of the Borough Council with no separate discussion.)

RESOLUTION AUTHORIZING REFUND OF PROPERTY TAXERS

WHEREAS, the homeowner made a payment of \$5,000.00 for property taxes on May 12, 2017; and

WHEREAS, the homeowner has a municipal lien on the property, and in order to redeem a municipal lien, payment must be made in full of all municipal delinquencies including property taxes and water/sewer utilities; and

WHEREAS, the amount needed to redeem such lien would have been approximately \$13,425.20 on May 12, 2017, and no partial payments are acceptable; and

WHEREAS, the payment was inadvertently accepted and deposited into the Borough's checking account.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, that a warrant be drawn to the homeowner in the designated amount representing an unacceptable payment of taxes, as follows:

Block Lot	Qual	Name & Address	Tax Year	Amount
11006 7		Robert B Lanning 58 Brooklyn Road Stanhope, New Jersey 07874	2015-17	\$5,000.00

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER

WHEREAS, the Tax Collector has received payment for the redemption of Tax Title Lien No. 2016-029, representing 2015 property taxes and/or utility charges on Block 11501, Lot 2, C0334, known as 17334 Aspen Court, currently assessed to Gregory C Watson, and;

WHEREAS, the Tax Collector certifies that reimbursement is now required to be made to the following lien holder for the required redemption amounts as shown below:

To Lienholder: US Bank Cust for Actlien Holding Inc.

50 South 16th Street, Suite 2050 Philadelphia, Pennsylvania 19102

Redemption Amount: Tax Title Lien #2016-029 and

Total From Current Fund: \$ 1,866.90 Total From Tax Premium Account \$ 1,400.00

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stanhope, County of Sussex, State of New Jersey, that the Borough Treasurer be authorized to prepare the necessary check as stated above and to forward same to the lien holder.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer/Tax Collector.

On motion by Councilman Thornton, seconded by Councilwoman Kuncken and unanimously carried by the following roll call vote the foregoing resolutions were duly adopted.

Roll Call:

Councilman Depew – yes
Councilwoman Kuncken – yes
Councilman Romano - absent
Councilwoman Thistleton – yes
Councilman Thornton – yes
Councilman Thornton – yes
Councilwoman Zdichocki – yes

PAYMENT OF BILLS

Resolution 114-17

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF STANHOPE AUTHORIZING PAYMENT OF BILLS

WHEREAS, the Chief Finance Officer has certified that funds are available in the proper account; and

WHEREAS, the Chief Finance Officer has approved payment upon certification from the Borough Department Heads that the goods and/or services have been rendered to the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stanhope that the current bills list, dated June 13, 2017 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

On motion by Councilwoman Kuncken, seconded by Councilman Depew and unanimously carried by the following roll call vote the foregoing resolution was duly adopted.

Roll Call:

Councilman Depew – yes
Councilwoman Kuncken – yes
Councilman Romano - absent

Councilwoman Thistleton – yes
Councilman Thornton – yes
Councilman Romano - Zdichocki – yes

AGENDA ITEMS

All items listed on the Agenda for June 27, 2017 were approved.

CITIZEN'S TO BE HEARD

Mayor Maio opened the meeting to the public after advising attendees that there is a five (5) minute time limit for each speaker.

Seeing no one from the public wishing to speak, Mayor Maio closed the public portion of the meeting.

ADJOURNMENT

On a motion by Councilwoman Kuncken, seconded by Councilman Thornton, and unanimously carried by voice vote the meeting was adjourned at 7:45 P.M.

Approved:	Linda Chirip,
	Deputy Clerk for
	Ellen Horak, RM
	Borough Clerk