

*Village of New Maryland*  
*Council*

**19 January 2022**  
**Via Video-Conference**

<b>Present:</b>	Mayor Judy Wilson-Shee	Deputy Mayor Tim Scammell
	Councillor Laurie Pearson	Councillor Mike Pope
	Councillor Alex Scholten	Councillor Mariet van Groenewoud
	CAO/Clerk Cynthia Geldart	Fire Chief Harry Farrell

**1. Call to Order**

Mayor Judy Wilson-Shee called the **virtual** meeting to order at 7:15 p.m. with the acknowledgement that the land on which we gather is the traditional unceded territory of the Wolastoqiyik and Mi'kmaq people and that we should live and work on this land in relationships of peace, friendship, and mutual respect. She also explained that although the meeting was hosted virtually, it was still recorded for broadcast.

**2. Approval of the Agenda**

**MOVED BY** Councillor Alex Scholten and **seconded by** Deputy Mayor Tim Scammell that the agenda be approved as circulated. **MOTION CARRIED.**

**3. Approval of the Minutes**

**MOVED BY** Councillor Mike Pope and **seconded by** Councillor Mariet van Groenewoud that the minutes of the regular session of Council of 15 December 2021 be approved as circulated. **MOTION CARRIED.**

**4. Disclosure of Interest**

No *Disclosures of Interest* were declared.

**5. Presentations**

There were no presentations.

**6. Proclamations**

There were no proclamations.

**7. Correspondence:**

There was no correspondence.

**8. Mayor's Comments**

Mayor Wilson-Shee provided an update of the meetings and events that she attended since the last Council meeting:

- December 16, 2021: Regional Service Commission (RSC) 11 Special Board Meeting to approve year-end transfers;
- December 16, 2021: volunteered at the New Maryland Fire Department (NMFD) Christmas dinner;
- December 17 & 18, 2021: accompanied Michelle Sawler, Recreation Coordinator to present prizes to the winners of the Village's second annual Community Christmas Lights Competition;
- December 20, 2021: visited staff to share holiday greetings and wish everyone a safe holiday;
- January 10, 2022: RSC 11 audit presentation;
- January 11, 2022: Lions Club meeting (*Councillor Alex Scholten also attended*);
- January 13: RSC 11 Special Board Meeting where it was announced that the Department of Local Government and Local Governance Reform has appointed Don Fitzgerald as a Facilitator for Municipal Reform for a one-year period; Mr. Fitzgerald will not be involved with RSC 11 during this transition period and Brett McCrea will serve as RSC 11 Acting Executive Director;

- January 14, 2022: birthday gathering via Zoom in recognition of Ray Burke's birthday; Mr. Burke and his wife, former Council member Gisèle McCaie-Burke, were long-time residents of New Maryland until they relocated to the Moncton area in December 2020;
- January 18, 2022: Lions Club meeting (*Councillor Alex Scholten also attended*);
- Several virtual meetings with the Department of Local Government and Local Governance Reform regarding updates on the COVID-19 pandemic; and
- Mayor Wilson-Shee offered congratulations to Mr. Willie O'Ree on having his jersey # 22 retired by the Boston Bruins hockey team prior to their game with the Carolina Hurricanes. Mr. O'Ree's jersey # 22 was raised to the rafters of the TD Garden in Boston and January 18<sup>th</sup> has been proclaimed as Willie O'Ree Day in the City of Boston. The City of Fredericton had planned a special event to honor Mr. O'Ree, however the event has been postponed due to the pandemic restrictions. Mayor Wilson-Shee concluded her comments by noting that she had the privilege to meet Mr. O'Ree in person prior to a scheduled event.

### **9. Comments by Members of Council**

Councillor Alex Scholten reported that he had participated in the following meetings and/or events since the last Council meeting:

- December 15, 2021: chaired a Zoom meeting with the Union of Municipalities of New Brunswick (UMNB) Municipal Reform Committee to discuss the proposed municipal reform legislation passed by the province and members' concerns and recommendations for changes;
- January 04, 2022: New Maryland Lions Club meeting via Zoom;
- January 12, 2022: chaired a Zoom meeting with UMNB's Municipal Reform Committee to discuss matters including committee member updates and concerns regarding the municipal reform legislation recently passed by the province, as well as transition issues that may arise during implementation of the proposed changes;
- January 12, 2022: Zoom call with representatives of the Cities Association, Association of Municipal Administrators of NB (AMANB), Association of Francophone Municipalities of NB (AFMNB) and UMNB to discuss the municipal reform legislation and transition matters; the 4 (four) associations will be working closely together to provide feedback to the Department of Local Government and Local Governance Reform as the new legislation is implemented;
- January 17, 2022: chaired a Zoom call with UMNB's Municipal Reform Committee to discuss the new legislation and members' concerns and recommendations for changes;
- January 18, 2022: chaired a UMNB Annual Conference Committee Zoom call to discuss plans for UMNB's annual conference scheduled for October 07<sup>th</sup> and 08<sup>th</sup>; the committee is hopeful that the 2022 conference will bring together representatives of New Brunswick municipalities in person as opposed to the virtual format of the past 2 (two) years;
- January 18, 2022: New Maryland Lions Club meeting via Zoom; and
- January 19, 2022: conference call with UMNB Executive Director Dan Murphy to finalize UMNB's presentation to the Government of New Brunswick Climate Change and Environmental Stewardship Committee scheduled for 20 January 2022 with discussions focused on UMNB member concerns around climate change and why it is important for the province to closely engage with municipalities on the topic as municipal operations are significantly impacted by climate change.

Councillor Mike Pope expressed congratulations to NB resident Dr. Ryan Hamilton, a Stanley Cup Champion, who has been added to the coaching staff for the Canada Men's Olympic Hockey Team and will be travelling with the team to the 2022 Beijing Olympics.

## **10. Planning Advisory Committee (PAC)**

Councillor Mariet van Groenewoud reported on the business conducted at the PAC meeting of Monday, 10 January 2022.

- The committee reviewed and discussed the Building Permit Summary Reports for November and December 2021. The November report noted 6 (six) permits having been issued for home renovation projects and the construction of 2 (two) semi-detached dwellings located on Lynda Lane with \$867,398.00 (*eight hundred sixty-seven thousand, three hundred ninety-eight dollars*) in estimated value of construction and \$6,018.00 (*six thousand eighteen dollars*) in permit fee revenue for the month.
- The December report noted 1 (one) permit issued. The estimated value of construction was \$7,500.00 (*seven thousand five hundred dollars*) and the permit fee revenue for the month was \$78.00 (*seventy-eight dollars*).
- Staff also presented to the committee the Annual Building Permit Summary Report for 2021. A total of 133 (one hundred thirty-three) building permits had been issued to the end of December with a total estimated value of construction of \$6.6 million dollars and just over \$50,000 (*fifty thousand dollars*) in fees collected. Compared to building permit activity in 2020, it was a nearly identical year in terms of number of permits, value of construction and permit fee revenue.
- Highlights for 2021 included an increase in residential new home construction comprising mostly of semi-detached dwellings on Lynda Lane. Another notable activity included a significant increase in the number of new swimming pool installations in comparison to previous years. Despite the extenuating social circumstances due to the COVID-19 pandemic, 2021 remained a progressive and productive year for construction and development in the Village.
- The committee reviewed and approved the proposed PAC meeting schedule and application deadline dates for 2022. The information will soon be posted on the Village website and is important information for anyone who wants to submit an application for review by PAC.
- The committee reviewed the draft version of the “Urban Design and Public Realm Guidelines” that was submitted to staff by Upland Planning + Design Studio. The initial input and recommendations from PAC and the project Steering Committee will be compiled by staff and will be forwarded to the project consultant for consideration. Upon receipt of the revised draft, the document will be forwarded to Council with recommendations on the schedule for the public consultation component of the project work plan.

**MOVED BY** Councillor Mariet van Groenewoud and **seconded by** Deputy Mayor Tim Scammell the adoption of the Planning Advisory Committee report as presented. **MOTION CARRIED**

## **11. Emergency Response Plan (ERP) Committee**

The ERP Committee has not met since the last Council meeting.

## **12. Project Reports / Updates**

### **12. (i) Recreation & Leisure Services Department Updates**

Councillor Laurie Pearson provided an update of the Recreation & Leisure Services Department activities as detailed in a summary prepared by Michelle Sawler, Recreation Coordinator.

- Congratulations were offered to the winners in the Village’s 2<sup>nd</sup> annual Community Christmas Lights Competition. The 1<sup>st</sup> place winner (overall) was the Duclos family at 63 Atkinson Lane; 2<sup>nd</sup> place

was awarded to the Daigle family of 131 Bradshaw Drive; and 3<sup>rd</sup> place was awarded to the Valdron family of 34 Doherty Street. The judges pick for Old Fashioned Christmas was Janice Shaw of 98 Stonehurst Avenue and the Clark W. Griswold Award was presented to Sharon Scott at 115 Timothy Drive. Many thanks from our Recreation Coordinator who, along with our judges panel members Mayor Wilson-Shee, Deputy Mayor Scammell and Lion Fonda French, thoroughly enjoyed visiting the contest entries. Mayor Wilson-Shee also presented prizes and had photos taken with each of the contest winners prior to Christmas.

- Various outdoor activities are available in the Village. The outdoor rink is now open in Athletic Park and additional updates on the status of the rink can be found on the Village's social media sites or through the Recreation Hotline at 451-4732. The sliding hill in Sunrise Park is also available for use. Recreation staff regularly clear the area adjacent to the sliding hill to allow for parking and ensure the access road off Weston Street is plowed. Access is also available from the Sunrise Estates playground. The New Maryland Centre nature trails and the New Maryland Elementary School nature trails are also available for walking and snowshoeing. Residents were reminded to ensure that any four-legged friends are always kept on a leash and to pick up after your pets.
- Staff of the Recreation & Leisure Services Department are pleased to introduce a new contest for the winter months. Starting on January 21<sup>st</sup> and running until March 13<sup>th</sup>, residents are invited to send a photo of their hand-crafted snow-people, snow sculpture, or snow fort to our Recreation Coordinator via e-mail at [michelle.sawler@vonm.ca](mailto:michelle.sawler@vonm.ca). Residents are invited to submit multiple entries and be as creative as possible. Staff will draw from the submissions received each week for prizes. During the week of March 14<sup>th</sup>, staff will select their "favourites" from all the submissions received over the winter and the finalists will be posted on the Village's Facebook page. Residents were encouraged to vote for their favourite creation over a two-week period and the submission with the most "likes" will receive a family prize package. Full details on this contest will soon be shared on the Village's social media, website, and bulletin board.
- Given the ongoing concerns with the Omicron variant of the COVID-19 virus and the recent move to Level 3 in the province, recreation staff are not able to offer any community programs or host any sports user groups at the New Maryland Elementary School for at least the next month.
- Following are this month's updates of the PNM Zoomers activities taking place at the New Maryland Centre:
  - ❖ in order to belong to the PNM Zoomers and attend any of their events, proof of vaccination and wearing of masks are required;
  - ❖ monthly meetings are held the first Monday of the month at 10:00 a.m. via Zoom, with the next meeting scheduled for 07 February 2022; all members are welcome to attend; and
  - ❖ activities may be impacted by the Level 3 pandemic protocols and residents should contact the Zoomers directly at [pnmzoomers@gmail.com](mailto:pnmzoomers@gmail.com) for confirmation of activities.

**MOVED BY** Councillor Laurie Pearson and **seconded by** Councillor Mariet van Groenewoud the adoption of the Recreation and Leisure Services Department report as presented.

*Discussion:* Mayor Wilson-Shee acknowledged the hard work of the Recreation Foreman Kirk Billings who has done an outstanding job in preparing the outdoor rinks.

**MOTION CARRIED.**

## 12. (ii) Public Works Department Updates

Deputy Mayor Tim Scammell provided an update of the Public Works Department activities as detailed in the summary prepared by Rockland Miller, Public Works Supervisor.

- Public Works staff investigated 53 (fifty-three) reports in 2021. The number of reports has decreased by 38% from the previous year and show a decline of 47% from the past five-year average. The reports are inquiries from residents relating to drainage issues, culverts inspections, or water and sewer issues, and the majority of the reports concluded with gratitude and compliments from the residents involved.
- The COVID-19 pandemic continues to force Council and staff to adapt to new ways of working through the pandemic. Public Works staff worked every day to ensure the Village's infrastructure continued to function properly, provided safe drinking water and wastewater was treated to not pose a risk to the environment. The year proved to be a challenge with delays in receiving supplies and equipment however Public Works staff were able to accomplish several projects which include: replacement and upgrade of 260 meters of water main and sanitary force main along Woodlawn Lane; repair and/or replacement of 22 (twenty-two) driveway culverts; planting of 25 (twenty-five) trees along MacIntosh Drive and Cortland Street; and establishment of a robust inventory of equipment and supplies in the water and sewer department.
- The largest and most exciting project for the Village is the continued development of the Sunrise Wellfield. The components of the project completed in 2021 included the drilling and development of a second production well that will generate a safe yield of 250 gallons per minute, the drilling of 4 (four) observation wells to monitor water levels and water quality, the construction of the access road to the 2 (two) production well sites, the installation of the water supply line from the well sites to the treatment plant location and the installation of the water distribution line from the treatment plant site to the New Maryland Highway. This wellfield development will provide redundancy for the Village's existing water system as well as allow further development in the Village. Deputy Mayor Scammell shared a thank you on behalf of Council and staff to the residents who have allowed us to monitor their wells during this construction and the further development of the wellfield. This project would not be possible without the financial support from the federal and provincial levels of government.
- With winter weather upon us motorists are reminded to allow extra time and greater stopping distances when slippery conditions may exist. It is important to abide by the posted speed limit of 40 km/hr and also to be mindful of pedestrians using crosswalks and walking along streets with no sidewalks.
- A reminder was shared regarding the ban on overnight parking on Village Streets that is now in effect. As per By-Law No. 63, vehicles are not permitted to park on Village streets between midnight and 7:00 a.m. of any day, or leave any vehicle unattended during periods of snowfall, on any street or highway so as to interfere with snow removal operations.
- Public Works staff assisted the New Maryland Scouts with their annual Christmas Tree pick-up that took place on Saturday, January 8<sup>th</sup>. The trees were collected and hauled to the Wastewater Treatment Plant site for chipping and disposal in the spring. The New Maryland Scouting group will be removing boughs from some of the trees to use for winter camping activities.
- Deputy Mayor Scammell encouraged residents to participate in the adopt-a-hydrant program during the winter months by keeping hydrants clear of snow.
- The Public Works Department will be hiring a new utilities operator to assist with the operation and maintenance of the water and wastewater utilities. The new operator will require a truck to perform their duties. Council approved the purchase price of \$45,000.00 (*forty-five thousand dollars*) for a new truck in the 2022 Capital Budget. Staff sought quotes from four local dealerships on a super-

cab/crew cab truck. The lowest quote was submitted by Riverview Ford at a price of \$52,002.93 (*fifty-two thousand, two dollars and ninety-three cents*) including 15% HST. The Village pays a reduced amount of HST and with this tax rate applied the total cost of the truck will be \$47,178.46 (*forty-seven thousand, one hundred seventy-eight dollars and forty-six cents*) or \$2,200.00 (*twenty-two hundred dollars*) more than the approved budget amount. The extra cost will be covered by the Capital Budget.

**MOVED BY** Deputy Mayor Tim Scammell and **seconded by** Councillor Alex Scholten the adoption of the Public Works Department report as presented.

*Discussion:* Councillor Scholten commented on the significant reduction in public works reports. He commended staff, advisors and previous Councils on proper planning and being pro-active with projects such as our Climate Change Adaptation Study to help avoid serious issues.

**MOTION CARRIED.**

**MOVED BY** Deputy Mayor Tim Scammell and **seconded by** Councillor Mike Pope the following Resolution of Council: ***Be It Resolved That*** the Council for the Village of New Maryland, as per the recommendation of the Public Works Supervisor, move forward with the purchase of a 2022 Ford F150 Super Cab Four-Wheel Drive truck from Riverview Ford at a cost of \$45,029.50 (*forty-five thousand, twenty-nine dollars and fifty cents*) plus \$6,754.43 (*six thousand, seven hundred fifty-four dollars and forty-three cents*) HST plus \$219.00 (*two hundred nineteen dollars*) License fee, for a total purchase price of \$52,002.93 (*fifty-two thousand, two dollars and ninety-three cents*). **MOTION CARRIED.**

### **12. (iii) New Maryland Fire Department**

Fire Chief Harry Farrell provided a summary of the quarterly and year-end reports for 2021. The quarterly report for October, November and December 2021 consisted of a total of 24 (twenty-four) fire calls and 202 (two hundred and two) firefighting hours. The fire calls consisted of 12 (twelve) calls within the Village limits for a total of 78 (seventy-eight) firefighting hours, 10 (ten) calls outside the Village limits for a total of 89 (eighty-nine) firefighting hours, and 2 (two) mutual aid calls which involved 35 firefighting hours.

The summary report for 2021 contained a total of 70 (seventy) fire calls, compared to 82 (eighty-two) in 2020. The total firefighting hours for 2021 was 674 (six hundred seventy-four). The total fire calls included 30 (thirty) calls within the Village limits, 31 (thirty-one) outside the Village limits and 9 (nine) mutual aid calls. The total number of firefighting hours consisted of 186 (one hundred eighty-six) within the Village limits, 353 (three hundred fifty-three) outside the Village limits, and 135 (one hundred thirty-five) for mutual aid calls.

**MOVED BY** Councillor Alex Scholten and **seconded by** Councillor Mariet van Groenewoud the adoption of the New Maryland Fire Department Quarterly and Year-End Summary Reports as presented by Chief Farrell.

*Discussion:* Councillor Scholten thanked Chief Farrell and all of the volunteer fire fighters for their excellent service. **MOTION CARRIED.**

Councillor Scholten introduced a motion regarding the Regional Fire Dispatch Agreement between the City of Fredericton and the Village. He explained that the City provides the dispatch service for New Maryland's Fire Department and the previous contract was for a 3 (three)-year period which ended December 31<sup>st</sup>, 2021. The City is the owner of the Emergency Communications Centre and Dispatch System and provides call taking and dispatch services. Both parties wish to continue the conditions of the current agreement, with a longer specified term and possibility of renewals. The Agreement had been reviewed and recommended for approval by senior staff.

**MOVED BY** Councillor Alex Scholten and **seconded by** Deputy Mayor Tim Scammell the following Resolution of Council: ***Be It Resolved That*** the Council for the Village of New Maryland, as per the recommendation of senior staff, approves the Regional Fire Dispatch Agreement between the City of Fredericton and the Village of New Maryland for a term of 5 (five) years, with the option for renewals of up to 5 (five) successive 3 (three)-year terms at a rate based on the formula contained within the Agreement; and be it further resolved that the Mayor and Clerk are authorized to execute said Agreement.

**MOTION CARRIED.**

## **12. (iv) Finance Department**

Councillor Mariet van Groenewoud introduced a motion to approve changes to the Procurement Procedure. She explained that Council adopted the *New Maryland Procedural By-law No. 50-2021, a By-law Respecting the Proceedings of Council and Administration* including Appendix "B" Procedure for Procurement on 18 August 2021. It has since been identified that Appendix "B" requires a definition of the *Canoe Procurement Group Purchasing Program*. Additionally, when referencing purchasing thresholds this program needs to be identified as being an exemption. On 01 January 2022 the Province of New Brunswick modified thresholds under the *Procurement Act*, which impacted Goods and Services with an increase from \$105,700 (*one hundred five thousand, seven hundred dollars*) to \$121,200 (*one hundred twenty-one thousand, two hundred dollars*). This change also needs to be reflected in the Procedural By-law. Council reviewed and agreed to the amendments at the 12 January 2022 Council-In-Committee meeting.

**MOVED BY** Councillor Mariet van Groenewoud and **seconded by** Councillor Mike Pope the following Resolution of Council: ***Be It Resolved That*** the Council for the Village of New Maryland, as per the recommendation of the Treasurer, approve the amendments to *Procedural By-law 50-2021 Appendix "B"*, as per the attached revised appendix. **MOTION CARRIED.**

## **12. (v) Development Services Department**

Councillor Mike Pope explained that the following motion is presented to commence the necessary readings by Council to enact proposed amendments to *Noise Control By-law No. 55-2010*.

**MOVED BY** Councillor Mike Pope and **seconded by** Deputy Mayor Tim Scammell the following Resolution of Council: ***Be It Resolved That*** pursuant to section 10 of the *Local Governance Act*, S.N.B. 2017, Chapter 18, and amendments thereto, the Council for the Village of New Maryland commence the necessary readings to enact *Noise Control By-Law No. 55-2022 - A By-law to Provide for the Control and Prohibition of Noises*. **MOTION CARRIED.**

## **12. (vi) Administration / Clerk's Office**

Councillor Mariet van Groenewoud reported that staff have requested an amendment to the *Human Resources Policy Manual, Workplace Health & Safety, Section 7. Safety Footwear and Personal Protective Equipment (PPE)* regarding the amount compensated for the purchase of safety footwear.

The current wording of the policy states: "With the understanding that safety footwear is required at some job sites, the Village will support the purchase of CSA approved safety footwear once every year for the full amount, before taxes, up to a maximum of \$200 for all permanent employees." Staff requested the amount be increased to \$300 (*three hundred dollars*) as it has become increasingly difficult to find the CSA approved safety footwear for \$200 (*two hundred dollars*). The safety footwear is a mandated requirement for many of our staff and is necessary for them to complete their duties in a safe manner. This amount has not been changed since the policy was first adopted by Council in 2007 and does not reflect the reality of today's costs. In particular, the duties of the public works staff when working at the Wastewater Treatment Plant, with sewer backups, etc. require sturdy, good quality and reliable footwear. Council reviewed the request at the Council-In-Committee meeting of 12 January 2022 and agreed that the amendment could be presented for official approval.

**MOVED BY** Councillor Mariet van Groenewoud and **seconded by** Councillor Alex Scholten the following Resolution of Council: ***Be It Resolved That*** the Council for the Village of New Maryland, as per the recommendation of the Chief Administrative Officer, approve the amendment to the *Human Resources Policy Manual, Workplace Health & Safety Section 7. Safety Footwear and Personal Protective Equipment* to increase the amount compensated for safety footwear from \$200 (*two hundred dollars*) to \$300 (*three hundred dollars*) as per the attached *Human Resources Policy Change Form*. **MOTION CARRIED.**

## **13. Approval of the Treasurer's Report**

**MOVED BY** Councillor Laurie Pearson and **seconded by** Deputy Mayor Tim Scammell the following Resolution of Council: ***Be It Resolved That*** the Treasurer's Report be adopted as follows: payments made in the month of December 2021 from: the General Operating account by cheques and direct payments **\$1,418,613.31** (*one million, four hundred eighteen thousand, six hundred thirteen dollars and thirty-one cents*); the Water & Sewer Operating account **\$676,668.46** (*six hundred seventy-six thousand, six hundred sixty-eight dollars and forty-six cents*); from the General Capital account **\$682,287.25** (*six hundred eighty-two thousand, two hundred eighty-seven dollars and twenty-five cents*); and from the Water & Sewer Capital account **\$463,904.13** (*four hundred sixty-three thousand, nine hundred and four dollars and thirteen cents*). **MOTION CARRIED.**

## **14. Public Input / Inquires**

No comments or inquiries were brought forward.

## **15. New Business**

Councillor Mike Pope brought forward the following motions regarding first and second readings for By-law No. 55-2022.



**MOVED BY** Councillor Mike Pope and **seconded by** Councillor Alex Scholten to read *Noise Control By-law No. 55-2022 - A By-law to Provide for the Control and Prohibition of Noises*, for the **first** time, this reading by title only. **MOTION CARRIED.**

Councillor Pope read the title: *Noise Control By-law No. 55-2022- A By-law to Provide for the Control and Prohibition of Noises*.

**MOVED BY** Councillor Mike Pope and **seconded by** Deputy Mayor Tim Scammell to read *Noise Control By-law No. 55-2022 - A By-law to Provide for the Control and Prohibition of Noises*, for the **second** time, this reading by title only. **MOTION CARRIED.**

Councillor Pope read the title: *Noise Control By-law No. 55-2022- A By-law to Provide for the Control and Prohibition of Noises*.

#### **16. Date, Time and Location of Next Meeting**

The next formal Council meeting is scheduled for Wednesday, 16 February 2022 at 7:30 p.m. with the location to be determined based on the Alert Level of the COVID-19 pandemic.

#### **17. Motion for Adjournment**

**MOVED BY** Councillor Mike Pope and **seconded by** Deputy Mayor Tim Scammell to adjourn the meeting. **MOTION CARRIED**

The meeting adjourned at 7:51 p.m.

Respectfully submitted,

Cynthia Geldart  
CAO/Clerk

---

Judy Wilson-Shee  
Mayor

---

Cynthia Geldart  
CAO/Clerk