



TOWN OF KITTELY

REPORT TO COUNCIL

Date: July 6, 2011

By: Jonathan Carter, Town Manager ✓

Subject: Establishment of the FY'12 Non –Union and Town Manager Compensation and establishing Position Compensation Range and FY'12 Stipend for Fire Chief

Executive Summary:

The Town Council sets the compensation for the Non Union Municipal Employees. The Town Manager is responsible in reviewing the compensation per Title 2.3.7 of the Kittery Code and make recommendations if the wage is out of proportion to the market and/or if the position has changed. The Council granted raises by contract for the union employees of .75% (50% of the CPI in December 2010) for FY'12 which is now recommended and has been budgeted for the effected non-union employees listed in Title 2 section 2.5.

Town Manager review of compensation for the fire Chief position found it well below market (see attached compensation comparison). Although the Kittery Fire Chief is a part-time position, the Chief is expected to be on call 24 / 7. The Fire Chief heads a department of 52 call firefighters. **The Town Manager recommends the compensation range for the position of Kittery Fire Chief be established as \$45,000 to \$60,000 and that the stipend for the current Chief be set at \$50,000.**

The Town Manager's contract stipulates that the Town Council annually set an increase in compensation from a minimum of 1 % to 5%. It is recommended that the Town Manager's salary be increased by .75%.

Statement of Need:

The Council is required to set the annual compensation for those listed in Title 2 section 2.5. The stipend for the Fire Chief Position is below the municipal comparison market. The Town Manager recommends an establishment of a compensation range from \$45,000 to \$60,000 and for the FY'12 stipend be increased from \$36,000 to \$50,000 plus calls (see enclosed pay study). It is also recommended that The Town Manager's compensation for FY'12 be increased by .75% and to amend the Town Manager's Contract to reflect the increase for FY'12 (see enclosed amendment).

Background:

In past years, the Council practice has been to grant the wage given to union employees to the non-union employees. The wage increase for FY'12 to the union employees is

.75%. That % amount has been budgeted as a de-facto amount for non-union employees, too. The Town Manager is bringing the issue of compensation for the Fire Chief and Town Manager before Council because compensation has not been set by Council for FY'12 per the section 2.5 for positions controlled by Town Council.

The Position of Fire Chief is a department head level position and the Fire Department has the largest number of employees (52), albeit part-time, of any municipal department. Since the 2007 salary equity study, the Fire Chief stipend has fallen below the 50% mark in the comparison with other area fire chiefs and with average compensation for Kittery Department Heads (see attached Compensation Comparison). In the 2007 study, no compensation range was established for the Position. The Town Manager recommends establishment of a Fire Chief Position Range of between \$45,000 to \$60,000 which reflects 60% to 80% of the average Fire Chief of the comparable communities and to the average Department Head position in Kittery. It is further recommended that the Fire Chief commence on the range at \$50,000 reflective of his longevity in the position.

The Town Manager's Contract specifies an annual increase for 1 to 5% . the Town manager recommends an increase of only .75% . To do so requires amending the Town Manager's employment agreement to reflect .75%, if granted, as it is as it is below the agreement minimum 1%

Facts Bearing on the Equation and Current Situation:

The Council controlled positions within the Town's Classification ordinance section 2.5 requires a vote on their compensation increase in FY'12 which has been budgeted at .75% over FY'11 wages. The Town Manager is in agreement with a .75% increase, but his Contract needs amending to reflect it. The Fire Chief Position stipend is below comparable markets in compensation range and is requested to be raised for FY'12.

Proposed Solution / Recommendation:

The Town Manager recommends the Council to

1. Set the FY'12 full-time non union employees compensation increase at .75% increase
2. Establish the FY'12 Fire Chief's Compensation range from \$45,000 to \$60,000 and for the current Chief to commence on the range at \$50,000.
3. Set the Town Manager's FY'12 compensation increase at .75% and amend his employment agreement to reflect that increase

Name	Position	DOH	FY'12 Salary
Ed Strong	Police Chief	11/01/78	\$ 87,836.68
Janice Grady	Rec Dir.	01/24/83	\$ 67,110.30
David Foster	Elem Principle	08/01/89	\$ 92,461.00
Maryann Place	Town Clerk	09/05/89	\$ 62,057.17
George Kathios	Supt. of Sewers	10/11/94	\$ 73,446.92
Bruce Kerns	Assessor	08/04/97	\$ 73,804.59
David O'Brien	Fire Chief*	04/01/99	\$ 36,000.00
Heather Ross	CEO	05/16/00	\$ 61,355.83
Jonathan Carter	Town Manager	02/28/05	\$ 97,868.84
Wanda Avery	Mid Principle	07/01/06	\$ 88,259.00
Bion Pike	Harbormaster	04/15/08	\$ 43,472.30
Gerry Myroie	Planner	08/10/09	\$ 67,960.09
Mary Ann Conroy	PWD Commissioner	01/04/10	\$ 75,562.62
Allyn Hutton	Supt of Schools	07/01/10	\$ 108,120.00
Total			\$ 1,035,315.35
*Plus Calls			Avg \$ 73,951.10

Fire Chief	ME-NH Salary Data	Range	Range
York	\$11,000.00		
Wells	\$77,061.00		
Kennebunk	\$70,354.00		
Biddeford	\$79,470.00		
Saco	\$82,578.00		
Scarborough	\$81,078.40		
Berwick	\$65,187.20		
Portsmouth NH	\$107,000.00	\$91,815.00	\$111,698.00
Exeter NH	\$73,111.00	\$73,111.00	\$97,342.00
Durham NH	\$74,029.00	\$74,029.00	\$88,633.00
Hampton NH	\$92,144.00		
Total	\$813,012.60		

Avg	\$73,910.24	Recommended Range	
Kittery *	\$36,000.00	\$ 45,000.00	\$ 60,000.00
*Plus Calls			

Recommended Stipend of \$50,000 in FY'12

\$36,000.00	49% of avg Fire Chief & Dept Head
\$50,000.00	68% of avg Fire Chief & Dept Head

Chapter 2.5**COMPENSATION****Position****Established By**

2.4.1.1	Town Manager	Council
2.4.1.2	Town Clerk	Council
2.4.1.3	Deputy Town Clerk / General Assistance Administrator	Union Contract
2.4.1.4	Assistant Town Clerk	Union Contract
2.4.1.5	Deputy Treasurer	Union Contract
2.4.1.6	Accountant	Union Contract
2.4.1.7	Administrative Clerk	Union Contract
2.4.2.1	Planner	Council
2.4.2.2	Development Staff Assistant / Assistant Code Enforcement Officer / Plumbing Inspector	Union Contract
2.4.2.3	Development Staff Clerk	Union Contract
2.4.2.4	Assistant Town Planner	Union Contract
2.4.2.5	Code Enforcement Officer	Union Contract
2.4.3.1	Assessor	Union Contract
2.4.4.1	Recreation Director	Council
2.4.4.2	Secretary / Bookkeeper	Union Contract
2.4.4.3	Assistant Recreation Director	Union Contract
2.4.4.4	Safe Alternatives for Enrichment (S.A.F.E.) Coordinator	Union Contract
2.4.4.5	Program Coordinator	Union Contract
2.4.5.1	Police Chief	Council
2.4.5.2	Lieutenant	Union Contract
2.4.5.3	Administrative Assistant to Chief of Police	Council
2.4.5.4	Sergeant	Union Contract
2.4.5.5	Technical Sergeant	Union Contract
2.4.5.6	Detective Sergeant	Union Contract
2.4.5.7	Detective	Union Contract
2.4.5.8	Juvenile Officer	Union Contract
2.4.5.9	Animal Control Officer	Union Contract
2.4.5.10	Police Officer	Union Contract
2.4.5.11	Dispatcher	Union Contract
2.4.5.12	Dispatcher / Secretary	Union Contract
2.4.6.1	Superintendent of Sewer Services	Council
2.4.6.2	Utility Billing Bookkeeper / Assistant Tax Collector	Union Contract
2.4.6.3	Operator-Class I	Union Contract
2.4.6.4	Operator-Class II	Union Contract
2.4.6.5	Chief Plant Operator	Union Contract
2.4.6.6	Laboratory Technician Level I or II	Union Contract
2.4.6.7	Maintenance Worker	Union Contract
2.4.7.1	Commissioner	Council
2.4.7.2	Administrative Assistant	Council
2.4.7.3	Foreman	Union Contract
2.4.7.4	Driver / Laborer II	Union Contract
2.4.7.5	Mechanic	Union Contract
2.4.7.6	Mechanic Assistant / Operator	Union Contract
2.4.7.7	Light Equipment Operator	Union Contract
2.4.8.1	Fire Chief	Council
2.4.8.2	Assistant Chief	Council
2.4.8.3	Deputy Chief	Council
2.4.8.4	Captain	Council
2.4.8.5	Lieutenant	Council

**AMENDMENT OF
RENEWAL EMPLOYMENT AGREEMENT**

THIS Amendment to the existing Renewal Employment AGREEMENT is made and entered into this 11th day of July, 2011, by and between the Town of Kittery, Maine (hereinafter called TOWN) and Jonathan L. Carter, the Kittery Town Manager (hereinafter called CARTER) and provides as follows:

A. WHEREAS, CARTER is currently employed as the Kittery Town Manager under a **RENEWAL EMPLOYMENT AGREEMENT** dated June 30, 2008 which, by its terms, commenced on July 1, 2008, and extends for a period of five years expiring on June 30, 2013; and

B. WHEREAS, Section 2(b) entitled COMPENSATION of the existing **RENEWAL EMPLOYMENT AGREEMENT** provides that CARTER is entitled to receive a salary increase over the previous fiscal year's annual salary as determined there in; and

C. WHEREAS, the TOWN and CARTER have met and agreed that in lieu of CARTER's entitlement to a salary increase for fiscal year 2012 per paragraph 2(b) of the existing **RENEWAL EMPLOYMENT AGREEMENT**, CARTER and the TOWN have agreed to a salary increase of .75%.

NOW, THEREFORE, both the TOWN and CARTER agree to amend the existing **RENEWAL EMPLOYMENT AGREEMENT** by providing for a salary increase for Fiscal Yr 12 for CARTER in the amount of .75% over his Fiscal Yr. 11 gross salary.

In all other respects, the terms and conditions of the **RENEWAL EMPLOYMENT AGREEMENT** dated June 30, 2008 remains in full force and effect.

IN WITNESS WHEREOF, and intending to be legally bound, the TOWN, acting by and through its Town Council, and CARTER, in good faith, executes this Amendment to the **RENEWAL EMPLOYMENT AGREEMENT** the day and year first written above.

TOWN OF KITTERY, MAINE

Jonathan L. Carter, MANAGER

By _____
Judith Spiller, Chairperson
Kittery Town Councilor

Gary E. Beers
Kittery Town Councilor

Leo Guy
Kittery Town Councilor

ATTEST: Town Clerk

Frank L. Dennett
Kittery Town Councilor

George V. Dow
Kittery Town Councilor

Jeffrey Pelletier
Kittery Town Councilor

Jeffrey D. Thomson
Kittery Town Councilor