

## Peter Jamieson

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**From:** Mary Alice Cullen  
**Sent:** Thursday, July 14, 2022 9:53 AM  
**To:** Peter Jamieson  
**Subject:** FW: Payroll/ESSER/Budget

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**From:** Mary Alice Cullen  
**Sent:** Thursday, June 30, 2022 8:26 AM  
**To:** Peter Jamieson <[manager@millinocket.org](mailto:manager@millinocket.org)>; McNaughton, Dr. Joshua <[jmcnaughton@millinocketschools.org](mailto:jmcnaughton@millinocketschools.org)>; Josh Deakin <[jdeakin@millinocketschools.org](mailto:jdeakin@millinocketschools.org)>; Warren Steward <[wsteward@millinocketschools.org](mailto:wsteward@millinocketschools.org)>  
**Cc:** Steve Golieb <[s.golieb@millinocket.org](mailto:s.golieb@millinocket.org)>  
**Subject:** RE: Payroll/ESSER/Budget

Good morning,

There are ramifications to not having an unapproved school budget as FY23 begins. Therefore, I feel it is necessary to draw attention to the 1<sup>st</sup> sentence of the Manager's email below.

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Mary Alice Cullen  
Treasurer, Town of Millinocket  
197 Penobscot Avenue  
Millinocket, ME 04462  
(207)723-7000 Ext. 4

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**From:** Peter Jamieson <[manager@millinocket.org](mailto:manager@millinocket.org)>  
**Sent:** Tuesday, June 28, 2022 2:24 PM  
**To:** McNaughton, Dr. Joshua <[jmcnaughton@millinocketschools.org](mailto:jmcnaughton@millinocketschools.org)>; Josh Deakin <[jdeakin@millinocketschools.org](mailto:jdeakin@millinocketschools.org)>; Warren Steward <[wsteward@millinocketschools.org](mailto:wsteward@millinocketschools.org)>  
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Good afternoon,

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The Town Council is holding a special meeting tomorrow, Wednesday 6/29 to address a payable warrant needed for this weekend's 4<sup>th</sup> of July celebration. If you can send over an order and whatever information you can regarding what is needed for payroll expenses out of the ESSER 3 funding, I am happy to add that to our agenda and seek approval. Understanding that next week's payroll could be impacted by this, I want to recognize that this would be the last opportunity to address it until the July 14<sup>th</sup> Town Council Meeting.

Peter Jamieson | *Town Manager*



**Millinocket**

Maine's Biggest Small Town

[manager@millinocket.org](mailto:manager@millinocket.org) | (207) 723-7000 x5  
197 Penobscot Avenue. Millinocket, ME. 04462

## Peter Jamieson

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**From:** McNaughton, Dr. Joshua <jmcnaughton@millinocketschools.org>  
**Sent:** Tuesday, July 5, 2022 2:29 PM  
**To:** Jane Danforth; Matthew Bragdon; Louie Pelletier; Charles Pray; Cody McEwen; Michael Madore; Steve Golieb; Warren Steward; Donald Raymond; Kevin Gregory; staff; Peter Jamieson; Mary Alice Cullen  
**Subject:** Refusal to Approve Payroll

Hello Town Council,

Many of you have asked that I reach out directly to the group with concerns. I am doing so again now regarding payroll.

Mary Alice has once again informed the School Department that she *"will not be approving this payroll until the Council has provided direction,"* based on the fact that payroll wage rates were changed. The rates that have changed are per bargaining agreements, which occur every year at this time. Please see the legal reference below regarding failure to pay employees pursuant to terms of bargaining agreements.

*Failure to pay employees pursuant to the terms of that collective bargaining agreement would also subject the District to potential prohibited practice complaints and grievances.*

Last week I inquired via email to the Town Council asking who directed or approved the denial of this payroll. I was not provided an answer. It is important to note that.

I want to ensure the Town Council understands the importance of having payroll processed. Our employees have been three weeks since their last paycheck. Our employees rely on consistent paychecks to support their families and pay their personal bills.

I encourage you to please review the additional legal information below regarding denying compensation to employees.

*Under Maine law, an employer may not "require or permit" an employee to work without compensation. 26 M.R.S.A. §629. Failure to pay an employee for work performed is prohibited by law. An employer who fails to pay an employee for work performed "is subject to a forfeiture of not less than \$100 nor more than \$500 for each violation." 26 M.R.S.A. §626-A.*

*The potential damages for failure to properly pay an employee are severe. An employee who brings a successful claim for unpaid wages is entitled to treble damages plus attorneys' fees. Under Maine law, "[a]ny employer is liable to the employee or employees for the amount of unpaid wages and health benefits. Upon a judgment being rendered in favor of any employee or employees, in any action brought to recover unpaid wages or health benefits under this subchapter, such judgment includes, in addition to the unpaid wages or health benefits adjudged to be due, a reasonable rate of interest, costs of suit including a reasonable attorney's fee, and an additional amount equal to twice the amount of unpaid wages as liquidated damages." Id.*

I look forward to hearing back from the Town Council will a resolution.

--

Josh McNaughton Ed.D  
Superintendent & Special Education Director  
Millinocket School Department

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Peter Jamieson | *Town Manager*



[manager@millinocket.org](mailto:manager@millinocket.org) | (207) 723-7000 x5  
197 Penobscot Avenue. Millinocket, ME. 04462

## Peter Jamieson

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**From:** Peter Jamieson  
**Sent:** Thursday, July 14, 2022 10:17 AM  
**To:** Peter Jamieson  
**Subject:** FW: Payroll 07-07-22

Peter Jamieson | *Town Manager*



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**From:** Peter Jamieson <[manager@millinocket.org](mailto:manager@millinocket.org)>  
**Sent:** Tuesday, July 5, 2022 2:08 PM  
**To:** Mary Alice Cullen <[treasurer@millinocket.org](mailto:treasurer@millinocket.org)>; McNaughton, Dr. Joshua <[jmcnaughton@millinocketschools.org](mailto:jmcnaughton@millinocketschools.org)>; Steve Golieb <[s.golieb@millinocket.org](mailto:s.golieb@millinocket.org)>  
**Cc:** Deakin, Josh <[jdeakin@millinocketschools.org](mailto:jdeakin@millinocketschools.org)>; Kamma Michaud <[kammamichaud@millinocketschools.org](mailto:kammamichaud@millinocketschools.org)>  
**Subject:** Re: Payroll 07-07-22

Josh M,

MaryAlice will not be approving this not will the council will be taking action to approve these changes. You were informed that you will need to operate within the prior year's budget until your FY23 budget is fixed and approved. Please fix the payroll records and resend.

Nobody wants to stand in the way of the school staff being paid. If the contracted agreements need to be paid retroactively once the fy23 budget is approved, we can address that when the time comes.

Peter Jamieson | *Town Manager*



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**From:** Mary Alice Cullen <[treasurer@millinocket.org](mailto:treasurer@millinocket.org)>  
**Sent:** Tuesday, July 5, 2022 1:11 PM

**To:** McNaughton, Dr. Joshua <[jmcnaughton@millinocketschools.org](mailto:jmcnaughton@millinocketschools.org)>; Steve Golieb <[s.golieb@millinocket.org](mailto:s.golieb@millinocket.org)>; Peter Jamieson <[manager@millinocket.org](mailto:manager@millinocket.org)>  
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**Subject:** RE: Payroll 07-07-22

I will not be approving this payroll until the Council has provided direction.

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**From:** McNaughton, Dr. Joshua <[jmcnaughton@millinocketschools.org](mailto:jmcnaughton@millinocketschools.org)>  
**Sent:** Tuesday, July 05, 2022 1:11 PM  
**To:** Mary Alice Cullen <[treasurer@millinocket.org](mailto:treasurer@millinocket.org)>  
**Cc:** Deakin, Josh <[jdeakin@millinocketschools.org](mailto:jdeakin@millinocketschools.org)>; Kamma Michaud <[kammamichaud@millinocketschools.org](mailto:kammamichaud@millinocketschools.org)>  
**Subject:** Re: Payroll 07-07-22

Hi Mary Alice,

Yes, the rates have been changed per our employee contracts.

On Tue, Jul 5, 2022 at 1:08 PM Mary Alice Cullen <[treasurer@millinocket.org](mailto:treasurer@millinocket.org)> wrote:

Were the payroll wage rates changed?

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**From:** Deakin, Josh <[jdeakin@millinocketschools.org](mailto:jdeakin@millinocketschools.org)>  
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**To:** Mary Alice Cullen <[treasurer@millinocket.org](mailto:treasurer@millinocket.org)>  
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**Subject:** Re: Payroll 07-07-22

This is the first payroll for FY23. It covers 06/11/2022 to 07/01/2022. Three Weeks Total.

The payroll register is will the checks, we are working on getting the warrants signed. I'll have to look for the tax reports.

Thank you,

Josh

On Tue, Jul 5, 2022 at 1:02 PM Mary Alice Cullen <[treasurer@millinocket.org](mailto:treasurer@millinocket.org)> wrote:

What is the time period this report covers?

Also, I still need:

Pre approved warrants

Payroll register or report like the payroll edit list report normally delivered with the checks

Maine and federal quarterly deposit reports

Budget report



Thank you

Mary Alice Cullen  
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**From:** Deakin, Josh <[jdeakin@millinocketschools.org](mailto:jdeakin@millinocketschools.org)>  
**Sent:** Tuesday, July 05, 2022 11:58 AM  
**To:** Mary Alice Cullen <[treasurer@millinocket.org](mailto:treasurer@millinocket.org)>  
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**Subject:** Payroll 07-07-22

Good Morning,

I have uploaded the ACH file to Bangor Savings Bank and I've attached all payroll reports below. As I stated previously, the reports do look different but I'm fairly certain all of the information previously provided is among them. If you find that you're missing something, I'll work on getting it to you.

Thank you,

Josh

--

Josh Deakin  
Business Manager  
Millinocket School Department  
199 State Street  
Millinocket, ME 04462  
Phone [\(207\)723-6400](tel:(207)723-6400)  
Fax [\(207\)447-6599](tel:(207)447-6599)

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