

PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE

FEBRUARY 6, 2023

A meeting of the Personnel/Administrative Affairs Committee was held Monday, February 6, 2023, at 7:00 p.m. in the Aldermanic Chamber.

The roll call was taken with 4 members of the Personnel/Administrative Affairs Committee present:

Vice-Chairman Ben Clemons presided.

Members of the Committee present:           Alderman-at-Large Ben Clemons, Vice Chair  
  Alderman Tyler Gouveia  
  Alderman Thomas Lopez  
  Alderman Derek Thibeault

Members not in Attendance:                 Alderwoman-at-Large Shoshanna Kelly, Chairwoman

Also in Attendance:                           Alderman John Sullivan  
  Mayor Jim Donchess

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ROLL CALL

PUBLIC COMMENT - None

COMMUNICATIONS - None

INTERVIEWS

Chairman Clemons

Mr. Mayor would you like to bring your candidates forward?

Mayor Donchess

Yes.

Chairman Clemons

So just on the docket we have the Board of Assessors and the Ethics Review but it looks like you just have the Ethics Review members here this evening.

Mayor Donchess

That's correct Mr. Chairman.

Chairman Clemons

So we will skip out of order and go right to that. I will hand the floor over to you Mr. Mayor.

Ethics Review Committee

Michael J. Tabacsko (new appointment)  
5 Federal Hill Road  
Nashua, NH 03062

Term to Expire: January 24, 2026

Mayor Donchess

Thank you, Mr. Chair. So I would like to nominate, I am nominating and introduce you, many of you know him already, but that's Mike Tabacsko. Mike served eight years on the Board of Aldermen from Ward 5, been very active in the community for a long, long time. He is one of the principal supporters and active people within the McCarthy Foundation which raises money for scholarships and other very worthy causes. He's also been involved

in a number of other community organizations - PAL and other things. He is retired but he worked in industry for a long time. He's lived in Nashua for a long time in the south end.

Mike Tabacsko has previously served on the Ethics Committee. In fact were the ordinances which govern this Committee similar to others which say you continue to serve until someone is appointed to replace you which is normally the case, he would still be on it because he was one of the last people on it. So really this is a reappointment to the Ethics Committee. Of course during his tenure on the Board of Aldermen, he proved himself to be very objective, fair-minded, very analytical, and he fits this position very well. With that, I will introduce Mr. Tabacsko and he can tell you anything else about himself that he wishes and then he's of course available for questions.

Michael Tabacsko

Good evening. Thank you for having me and thank you Mayor for the kind words. As the Mayor indicated, the last time the Ethics Committee was in service I was a Member of that group and didn't realize that the term had expired until I found out I was getting reappointed. Who reads all the fine details? But anyway. I did see when I looked that up that the terms do expire in three years. So it's a pretty specific part of the ordinances. It's one of those Committees that not a lot of activity and I think that's good but when something comes up, it needs to be dealt with in a consistent, and fair, and as even-handed manner as possible. One of the things that struck me the last time when I was serving was that the Committee really was dedicated to making sure that the T's were crossed and the I's were dotted. That's something that I appreciated. Beyond that I guess I'll turn it back to you guys for any questions of me and go from there.

Chairman Clemons

Okay, thank you very much. I will open it up for questions. Alderman Thibeault?

Alderman Thibeault

Thank you Mr. Chairman. So Mr. Tabacsko do we know each other?

Michael Tabacsko

No.

Alderman Thibeault

Okay, thank you. I just wanted to establish that.

Michael Tabacsko

Until tonight.

Alderman Thibeault

Until we met tonight. I just wanted to establish that before I asked my questions. So we got an email the other day that said "do not appoint Mr. Tabacsko". There was some belief from that email that they don't think that you should be on this Committee and that you may have some leanings one way or the other. There is going to be things coming up, I believe, based on what I see in print that will go to the Ethics Committee. How do you respond to that for someone who thinks you shouldn't be on this Committee?

Michael Tabacsko

I guess I would say without some further detail, I have no response. I mean pure objectivity is kind of impossible dream but I think that balancing and weighing the evidence is in its own right the way you deal with that. I would assume that if somebody doesn't want me to be on the Committee, they're entitled to that opinion.

Alderman Thibeault

Follow up. Thank you. I appreciate that answer. So I want to thank you for coming up to step up again to be reappointed because like I said, there is stuff that's probably going to come up. Even though it's not often that the

Ethics Committee meets, I'm afraid that there is probably something coming to the Ethics Board. So I thank you because I know it won't be an easy task at hand. Thank you.

Chairman Clemons

Alderman Gouveia?

Alderman Gouveia

Thank you, Mr. Chairman. Great to meet you earlier before the meeting. Same kind of question as Alderman Thibeault brought up before. Is in your words are you able to put aside any personal biased to look at straight facts and come to a conclusion on matters like you would be seeing on the Ethics Committee?

Michael Tabacsko

Absolutely. I mean that's kind of a definition. If you're on that kind of a Committee, you really kind of go into it understanding that that's part of the deal.

Alderman Gouveia

Thank you.

Chairman Clemons

Alderman Lopez and then Alderman Sullivan?

Alderman Lopez

So I would observe that I do know you. I met you when I was volunteering for PAL. I think Mary Melizzi-Golja was probably the first Alderman that I met but you were the one she introduced me to. I think your background and your political leanings are as much an asset that's needed on this Committee because you understand what it's like to be an Alderman. You know what it's like to make legislation. You're familiar with the process and you're not just somebody picked for no reason other than they don't know anyone else. I appreciate the credibility that you're bringing to this, the credentials you have, the fact that you did it before, are aware of the process, and if we do have issues that come before the Ethics Committee, that you'll be able to stay focused on the role, and the system, and the needs of the people of Nashua that four terms being elected to you've been recognized as capable of doing. So I appreciate your stepping forward to do this. I know as an experienced Alderman you probably know you're potentially weighting yourself into some controversy and are still here before it nonetheless so I appreciate your stepping forward.

Michael Tabacsko

Thank you Alderman Lopez.

Chairman Clemons

Alderman Sullivan?

Alderman Sullivan

Thank you very much. Mr. Tabacsko I do want to say first of all thank you for your services to the City. I looked at your experience. You ran for office and you're affiliated with a lot of great organizations. So first off, thank you very much.

Outside of your civic duty that you've done, you've also worked in business for a long time. Outside of the Ethics Committee that you served on, did you ever do any type of ethics training affiliated with any of the businesses you were in? Did they have to put you through any ethic trainings?

Michael Tabacsko

I wouldn't say formal training but I can recall at least a few times were we had to go through in different pairs it was

called "sensitivity training" and other times it was "ethics awareness training". It was a big company that I worked for so there were - it seemed like every couple of years there was a new mandate that we had to take whatever sort of training classes were the thing of the moment and ethics was part of that. But I think the way your question was coming from, it's not like I took any classes in school or anything specific towards that.

Alderman Sullivan

Yeah, okay. Follow-up please?

Chairman Clemons

Yup.

Alderman Sullivan

In preparation for tonight, I looked at all of the candidates for all the positions on Linked In and I did notice that you were affiliated with a lot of people that were in City government currently and they had endorsed you for various skills. My question is in line with my colleagues prior in that your experience or how would you feel if there were an ethics violation brought up against some of those people that you're affiliated with on Linked In and that have endorsed you for skills that you represent?

Michael Tabacsko

Again without knowing the detail, that's the first thing I would want to know what is the situation. Clearly if it's somebody a close friend, I'd probably recuse myself. There's very specific criteria within the Ethics Committee ordinances about that. So if it's that close, you'd have to take a look at that. If it's not if it's just a Linked In connection that I may or may not actually know as we all have a few of those, you deal with it as it comes up and you know what you're there for so you do the best you can.

Alderman Sullivan

Sure. I appreciate you saying that. Thank you. All set. Thank you.

Chairman Clemons

I will say that I have known Mike for a very long time. I served with him on the Board of Aldermen starting in 2008 and can say that he has a fair and open mind. I don't have any specific questions because my history with you is that I know that you will always approach something with a fair mind. So for me, I have no problem reappointing you to this position and I appreciate the fact that you're willing to do it. So thank you very much.

Michael Tabacsko

Thank you.

Chairman Clemons

Mr. Mayor I'm going to give it back to you.

Lyndsay N. Robinson, Esq. (new appointment)  
Main Street  
Nashua, NH 03061

Term to Expire: January 10, 2026

Mayor Donchess

Thank you Mr. Chair. So I also nominated Lyndsay Robinson. Ms. Robinson is a lawyer with Shaheen and Gordon here in Nashua and we're very happy to have them in our downtown. She's a graduate of the University of NH School of Law and has held various legal positions prior to joining Shaheen and Gordon. She's on the NH Supreme Court Diversity and Inclusion Advisory Board, and a member of the Women's Bar Association, and attended College at Saint Anselm. I think in her profession, she needs to be able to take an objective viewpoint towards many different situations. She has indicated a willingness to serve on the Ethics Board. She has not been involved in City government in any way here before and I think is interested now that she's located in Nashua professionally is

interested in becoming more involved and helping to serve the community. As a lawyer in town, she's well suited to this Ethics Board and this position. So I will ask Miss Robinson say anything further she would like to about herself.

Lyndsay Robinson, Esquire

Thank you Mayor. Thank you everyone for having me today. As he stated, my name is Lyndsay Robinson. I am a Massachusetts resident but I have been committed to NH since I started my undergraduate at Saint Anselm College in 2010. I have worked professionally only here in NH. I've been in Nashua working since 2018. So coming up on 5 years and I love the community of Nashua. It's been an amazing place to work. I am very involved with some of the non-profits in the area and I'm committed to serving this community. I will be in Nashua for the foreseen future when I made the decision to join Shaheen and Gordon. They decided to open an office here in Nashua so we are here to stay.

Chairman Clemons

Okay. Thank you very much. I will open it up...

Mayor Donchess

And if you look at this improvements they made, they're not going to be leaving soon.

Alderman Lopez

Cuz if they do, Martha's is going to be really mad.

Chairman Clemons

I'm going to open it up to questions from the Committee. Alderman Gouveia?

Alderman Gouveia

Thank you Mr. Chairman. Out of fairness, I'm going to ask the same question I asked Mr. Tabacsko. Are you able to look at these sort of ethics complaints and separate any personal biased you might have to look at the facts and come to conclusions?

Lyndsay N. Robinson, Esq.

Yes. I do this on an everyday basis. Ethics is a huge part of my professional. We have rules of professional conduct. I deal with ethics on a pretty daily basis. As individuals, we usually have our own personal beliefs but as a lawyer, we have to separate it every single day and do our best to make sure we are representing people fairly in their situation or providing an unbiased opinion.

Alderman Gouveia

Thank you.

Chairman Clemons

Alderman Thibeault?

Alderman Thibeault

Thank you, Mr. Chairman. We did not get any emails about you so you're off the hook with that question. I just want to thank you for stepping forward, especially someone who hasn't done it before and hasn't been involved in Nashua as far as this scene here. I really appreciate it because like I said to Mr. Tabacsko, stuff's coming so it will great to have somebody different, someone no one knows, and just thank you. I appreciate it.

Chairman Clemons

Alderman Lopez?

Alderman Lopez

I mean I feel like if you're good enough for the NH Supreme Court Advisory Ethics Board. Like your resume is very, very impressive. I'm looking at the number of different groups you're involved in. It's almost a blizzard of just a lot of way outside of just your working grind, earning your money, whatever. I see women's advocacy. I see a lot of attention to justice. I see a lot of willingness to Chair which is fundamentally an objective role where you have to if it's done well, you have to be fair-minded and let the conversation proceed as opposed to steering it or managing it in a particular direction. I'm really impressed by your resume.

With respect to Mr. Tabacsko, former Alderman Tabacsko, I think you're bringing a lot of credibility to the Ethics Committee. I think you're a great fit. You're a great nomination on the part of the Mayor and I appreciate you being willing to add another thing to your obviously busy and successful plate. Also welcome to downtown.

Lyndsay N. Robinson, Esquire

Thank you.

Chairman Clemons

Alderman Sullivan?

Alderman Sullivan

Thank you very much. I also checked you out on Linked In and you didn't mention that you speak Russian.

Lyndsay N. Robinson, Esquire

I do, yes.

Alderman Sullivan

Okay. So...

Lyndsay N. Robinson, Esq.

Not fluently.

Alderman Sullivan

Well it said on Linked In "elementary".

Lyndsay N. Robinson, Esq.

Yes.

Alderman Sullivan.

Okay. So thank you for stepping forward.

Lyndsay N. Robinson, Esq.

Do you speak Russian?

Alderman Sullivan

No.

Mayor Donchess

He does English.

Alderman Sullivan

You had mentioned in your opening remarks that you deal with ethical standards. I would imagine there's a code of conduct for the attorney's not only the law firm that you work at presently but in the past as well. Is there a situation where perhaps there was an uncomfortable situation that you could describe for us where you had to maybe hold somebody accountable for their ethics and violation of code of conduct? What was that like for you?

Lyndsay N. Robinson, Esquire

Thankfully I have always worked with wonderful, hard-working, ethical lawyers. Lawyers typically take this very seriously and often get anxiety over the thought of potentially violating a rule. Our rules are incredibly strict. So on a professional front, I haven't had to deal with that. I've been in situations where I've had maybe clients who may wanted me to do something that I was concerned about and I obviously will not represent someone who wanted me to do things that I consider unethical. So having to make those decisions. I have served on numerous boards and organizations over the years so ethics have come up in the past or issues with ethics. I've had to make really tough decisions. I was very involved with student government when I was at Saint Anselm College. I was actually the Secretary of Internal Procedures which was the Ethics Committee of the organization. These are students that I lived next door to. I shared meals with them in the dining hall and I was faced with really tough decisions as a student but I always kind of separated my personal beliefs as well as any relationships that I may have in the future with these individuals from the decisions that had to be made.

Alderman Sullivan

Great. Thank you. Thanks for stepping up.

Lyndsay N. Robinson, Esquire

Thank you.

Chairman Clemons

Okay. Well I want to say I was very impressed with your resume. I think that you obviously have a very good background for this. I think the Mayor choose wisely with both candidates. So thank you both for coming up. We will take up your nomination in a little bit.

Mayor Donchess

Thank you Mr. Chair.

Board of Assessors

Abdallah "Jay" Minkarah (new appointment)  
13 Mount Pleasant Street  
Nashua, NH 03064

Indefinite Term at the pleasure of the Mayor

Chairman Clemons

As Mr. Minkarah was not able to make it, we'll probably table that until the next meeting.

Mayor Donchess

Yes. All right. Great. Thank you.

Chairman Clemons

Thank you.

APPLICATION TO LICENSE HAWKER'S, PEDDLER'S, ITINERANT VENDOR'S LICENSE - None

APPOINTMENTS BY THE MAYOR

**MOTION BY ALDERMAN THIBEAULT TO RECOMMEND THE FOLLOWING RE-APPOINTMENT TO THE AIRPORT AUTHORITY: FARRELL WOODS WITH A TERM TO EXPIRE JANUARY 10, 2028**

Chairman Clemons

Any comments? Alderman Gouveia?

Alderman Gouveia

Thank you Mr. Chairman. Just quickly, this is the Commission that I serve as Liaison to the Board of Aldermen. I spend a lot of time with them. Mr. Woods is a fantastic Chairman. Always willing to talk to me about issues that are important. I think he's a perfect fit for them and I think it's great that we're keeping him on it.

Chairman Clemons

Great. Any further comments?

**MOTION CARRIED**

**MOTION BY ALDERMAN THIBEAULT TO RECOMMEND THE FOLLOWING NEW APPOINTMENTS TO THE ETHICS REVIEW COMMITTEE: LYNDAY N. ROBINSON WITH A TERM TO EXPIRE JANUARY 10, 2026 AND MICHAEL J. TABACSKO WITH A TERM TO EXPIRE JANUARY 24, 2026**

**MOTION CARRIED**

**MOTION BY ALDERMAN THIBEAULT TO RECOMMEND THE FOLLOWING RE-APPOINTMENTS TO THE MINE FALLS PARK ADVISORY COMMITTEE: PAMELA ANDERSON, JEFF HANNIGAN, PAULA LOCHHEAD, AND TRISHA MULLIN ALL WITH TERMS TO EXPIRE JANUARY 10, 2026**

**MOTION CARRIED**

**MOTION BY ALDERMAN THIBEAULT TO TABLE THE FOLLOWING NEW APPOINTMENT TO THE BOARD OF ASSESSORS: ABDALLAH "JAY" MINKARAH WITH AN INDEFINITE TERM TO SERVE AT THE PLEASURE OF THE MAYOR**

**MOTION CARRIED**

UNFINISHED BUSINESS – None

NEW BUSINESS – RESOLUTIONS - None

NEW BUSINESS – ORDINANCES - None

TABLED IN COMMITTEE -

**O-22-028**

Endorsers: Alderman Derek Thibeault  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman-at-Large Melbourne Moran, Jr.  
Alderman Thomas Lopez  
Alderman-at-Large Ben Clemons  
Alderman-at-Large Gloria Timmons

**REQUIRING NONPUBLIC SESSIONS TO BE ENTIRELY IN-PERSON**

- Tabled at 12/5/22 meeting

**O-22-031**

Endorsers: Alderman Derek Thibeault  
Alderman-at-Large Melbourne Moran, Jr.  
Alderman-at-Large Ben Clemons  
Alderman Alex Comeau  
Alderman Tyler Gouveia  
Alderman June M. Caron  
Alderman-at-Large Gloria Timmons



Alderwoman-at-Large Shoshanna Kelly

**INCREASING THE VETERANS' OPTIONAL AND ALL VETERANS' TAX CREDITS**

- Tabled at 11/1/2022 meeting – review at first Personnel meeting in April 2023

PUBLIC COMMENT - None

GENERAL DISCUSSION

Chairman Clemons

Alderman Sullivan?

Alderman Sullivan

Thank you very much. I just had a question about on the Ethics Review Committee, you have one term that starts on January 10<sup>th</sup> and the other one starts on January 24<sup>th</sup>. Any reason for the - I'm just curious why they're staggered like that.

Chairman Clemons

To be honest with you, I don't know. But certainly we can get an answer for you before the Board of Aldermen meeting. If I had a guess, it might be how it was staggered originally but I'm taking wild guesses here. So we'll see if we can get an answer.

Alderman Sullivan

Okay. General curiosity.

Chairman Clemons

Absolutely. Any other general discussion?

REMARKS BY THE ALDERMEN - None

ADJOURNMENT

**MOTION BY ALDERMAN THIBEAULT TO ADJOURN  
MOTION CARRIED**

The meeting was declared closed at 7:25 p.m.

Alderman Derek Thibeault  
Committee Clerk