

TAXI COMMISSION MEETING
Minutes of the June 15, 2009 meeting

I. CALL TO ORDER

Chair Frank Daggett called the meeting to order at 9:05 a.m.

II. ATTENDANCE

Present: Members: Chair Frank Daggett; Councilor Eric Spear, Commissioners, James Feehley, Peter Bresciano, and Joel Look, Lieutenant Michael Schwartz and Deputy City Clerk Dianne M. Kirby

Absent Commissioner Kent Kirkpatrick

III. ACCEPTANCE OF MINUTES FROM MARCH 16, 2009

Commissioner Feehley moved approve and accept the minutes of the March 16, 2009, Taxi Commission meeting. Seconded by Councilor Spear and voted.

IV. NEW BUSINESS

1. Request for Permission to Operate New Taxi Business in Portsmouth (Seacoast Airport Service – John Eisenberg, President)

Chair Daggett stated that the Commission had received a letter requesting permission to open a new taxi business based out of Portsmouth with a planned start date of August 1, 2009. He stated that Mr. John Eisenberg was present at the meeting and would answer any questions the Commission had. Commissioner Bresciano asked Mr. Eisenberg how many licensed operators he was planning to have. Mr. Eisenberg stated he would be starting with one vehicle with approximately 2-3 drivers including himself. Commissioner Feehley stated this is a bad time to be issuing a new medallion. He stated the economy is such that the present medallion owners have had to send people home due to business being so slow. He said competition is good, but we have to look out for our present taxi owners' welfare. Commissioner Bresciano stated that former City Councilor Alex Hanson fought long and hard to get us 30 medallions and he feels the City Council would not look favorably on turning down a perspective medallion. He further stated he fears the City Council could drop the number of medallions we are allowed if we refuse to issue any new medallions. Councilor Spear agreed with Commissioner Bresciano. Chair Daggett asked the Commission what their thoughts were. Commissioner Look stated he felt he was too new to the Commission and would abstain from voicing an opinion at this time. Lieutenant Schwartz stated due to his involvement with the approval of licensing he felt a conflict of interest and he also abstained from voicing his preference. Councilor Spear and Commissioner Bresciano stated the Commission should allow this new business enterprise. Commissioner Feehley stated he felt the request should be denied at this time.

Councilor Spear moved to approve the request for permission to operate a new taxi business in Portsmouth. Seconded by Commissioner Bresciano.

Chair Daggett asked for all in favor of approving Mr. Eisenberg's request to operate a new taxi business in Portsmouth. Councilor Spear, Commissioner Bresciano and Chair Daggett voted in favor. Chair Daggett asked for hands of all opposed to Mr. Eisenberg's request. Commissioner Feehley voted opposed. Commissioner Look and Lieutenant Schwartz abstained from voting. Chair Daggett stated the motion failed to pass with a two thirds vote.

Mr. Eisenberg asked to say something in his behalf. Chair Daggett granted his request. Mr. Eisenberg stated he presently operates a limousine service in Portsmouth and he receives calls requesting taxi service. He further stated that with the City's heightened crack down on drunk driving in the downtown area, he feels another taxi company would help. Commissioner Feehley stated there is a need on Friday, Saturday and Sunday nights, but the rest of the week, they are sending people home for lack of calls. Taxi Owner Paul Ford stated he has not turned in his paperwork for his medallion renewals yet because he is undecided as to whether he is going to renew all six vehicles or only four. Chair Daggett stated he understands times are tough for everyone.

Councilor Spear stated his understanding of when a person abstains from voting it was for a conflict of interest reason and should not be just because the individual does not have an opinion. Chair Daggett agreed and asked Commissioner Look what his vote was. Commissioner Look asked if he could ask Mr. Eisenberg a question first. Chair Daggett stated he could. Commissioner Look asked Mr. Eisenberg where his business would be based out of. Mr. Eisenberg stated it would be based at 15 Beechstone, Suite 1 in Portsmouth. Lieutenant Schwartz stated the Police Department would be in favor of the addition of a new taxi business in town. He further stated that he can see why the present taxi companies would not like to see more competition with the tough times everyone is going through. He said he still feels with this reviewing of the licenses and his part in inspecting the taxis that he has a conflict of interest and again abstained from voting.

Commissioner Bresciano asked if Mr. Eisenberg could come back next meeting for a revote. Chair Daggett stated he could.

Mr. Eisenberg stated he has already incurred considerable expense in advertising and the purchase of a vehicle. He further stated he will be at the next meeting.

NOTE: City Attorney Sullivan was contacted for clarification and it was determined that a two-thirds vote was not required and therefore, Mr. Eisenberg's request to open a new taxi business in Portsmouth was approved.

2. Annual Taxi License/Medallion Renewals

Chair Daggett asked Lieutenant Schwartz what the status of the Annual Taxi License renewals were. Lieutenant Schwartz stated he is done with the exception of one.

3. Annual Taxi Inspection

Chair Daggett asked Lieutenant Schwartz who would set up the annual taxi inspection. Lieutenant Schwartz stated it would be set up by Lieutenant McQuate. He suggested it be set up after the summer. Chair Daggett said we didn't do an inspection last winter and he is concerned with the safety of our vehicles and does not want our taxi fleet to go back to what it was years ago. Chair Daggett asked what the Ordinance stated in the way of inspection dates. The ordinance was reviewed and it does not state a yearly inspection is required. Chair Daggett stated we need to update to include at least a yearly vehicle inspection. Commissioner Bresciano asked if Lieutenant Schwartz could report back at the next meeting when Lieutenant McQuate would be able to schedule inspections. Lieutenant Schwartz stated he would. Taxi Owner Alan Ladd, Sunshine Taxi stated all taxi cabs have an annual inspection and a safety inspection. Chair Daggett asked if the taxis are inspected by the state on the owner's birthday. Taxi Owner Ladd stated they were.

V. OLD BUSINESS

1. Taxi Ordinance amendment Chapter 7, Article II, Section 7.213 – Fees and Terms for Permits/Licenses (Taxicabs)

Chair Daggett stated Chapter 7, Article II, Section 7.213 – Fees and Terms for Permits/Licenses (Taxicabs) was amended after three reading at the May 4, 2009 City Council meeting. Deputy City Clerk Kirby handed out copies of the amendment to the Commission and taxi owners. Chair Daggett asked Taxi Owner Paul Ford how he feels about this amendment since he was the one that voiced the issue. Taxi Owner Ford stated the amendment was great.

VI. MISCELLANEOUS/UNFINISHED BUSINESS

VII. ADJOURNMENT

At 9:25 a.m., Commissioner Bresciano moved to adjourn. Seconded by Commissioner Feehley and voted.

Respectfully submitted by:

Dianne M. Kirby, Deputy City Clerk