

TAXI COMMISSION MEETING
Minutes of the April 16, 2012 meeting

I. CALL TO ORDER

Commissioner Bresciano called the meeting to order at 9:00 a.m.

II. ATTENDANCE

Present: Members: Commissioners Peter Bresciano, James Feehley, and Paul Ford, Police Lieutenant Mark Newport, City Attorney Robert Sullivan and Deputy City Clerk Dianne M. Kirby

Absent Councilor Brad Lown - Excused

III. ACCEPTANCE OF MINUTES FROM MARCH 19, 2012

Commissioner Ford moved to approve and accept the minutes of the March 19, 2012, Taxi Commission meeting. Seconded by Commissioner Feehley and voted.

IV. NEW BUSINESS

1. Taxi Medallions

Chair Bresciano turned the meeting over to Commissioner Ford. Commissioner Ford stated he feels there are too many medallions on the road. He suggested the Commission reduce the number of medallions. He said at one time there were only 13 medallions allowed within the City and companies were able to make a good living. He said he would like to reduce the maximum number of medallions, but would not want to take any away from someone that already has one. He would like to see what the other owners think about this. Steve Gerrato, Rockingham Taxi stated the Commission should put a cap on where it is and as medallions are turned in reduce the number. Ed Heath, Anchor Taxi stated he feels 25 medallions are fine. He stated if companies are not making money they may need to check to see if their drivers are really working or just going out to get a paycheck. Alan Ladd, Sunshine Taxi stated business was good when there were only 13 medallions on the street. He stated he feels we have too many.

Lieutenant Newport stated the problem the Police Department has is from now until October there are not enough cabs in the downtown area in the evenings. He stated the Police Department is always being stopped and asked to call them a cab. Chair Bresciano stated there is a lot of business in the surrounding areas of Portsmouth which ties a cab up. Commissioner Ford stated Thursday through Saturday from 10:45 pm to 1:30 a.m. is the money hours. He said the daily routine is very low profit. He said he is not comfortable with moving this through without all the owners present. He suggested a poll of the owners present be taken and then put this issue back on the agenda for next month. Chair Bresciano requested someone propose a motion to increase or decrease the maximum number of medallions that will be allowed within the City of Portsmouth.

Commissioner Ford moved to take a poll of the owners to see if the maximum number of medallions that are allowed within the City of Portsmouth should be reduced. Seconded by Commissioner Feehley.

Chair Bresciano stated we have heard from the present owners as to their opinion with Sunshine Taxi, Rockingham Livery and Blue Star Taxi requesting a decrease in the number of medallions and Anchor Taxi stating the present number should stand.

Steven Gerrato, Rockingham Livery stated one problem is that they will get a call for a pick up and by the time they get there, some other taxi has picked them up and they are gone. Chair Bresciano stated if he had called a taxi and was waiting and another taxi came by, he would have that cab. He said he would not ask if they were the taxi he had called, he would just get in.

Lieutenant Newport stated at night when his patrols are out, people are jumping in front of cabs to get a ride. He said on Friday and Saturday nights, downtown is where the money is and if you are in one of the surrounding areas and want a ride you are going to have a long wait. He said the City is expanding and if we reduce the number of medallions, it is only going to get worse.

Commissioner Ford asked the present owners what they feel the maximum number should be. Steve Gerrato, Rockingham Livery stated he feels it should be reduced to 15. Alan Ladd, Sunshine Taxi stated 18.

Chair Bresciano stated he would like to get a feel as to the opinion of the two companies not present before voting on this issue.

Commissioner Ford moved to amend his motion to decrease the maximum number of medallions that are allowed within the City of Portsmouth to 17. Seconded by Commissioner Feehley and voted.

Lieutenant Newport moved to table this motion to the May 21, 2012 Taxi Commission meeting. Seconded by Chair Bresciano and voted.

Chair Bresciano requested Deputy City Clerk Kirby send a letter to all taxi owners requesting they attend the meeting on May 21, 2012 as this issue will be voted on.

V. OLD BUSINESS

1. Address for Annie's Taxi

Commissioner Bresciano requested if Deputy City Clerk Kirby received a new address from Melissa McGuire, Annie's Taxi. Deputy City Clerk Kirby stated she talked with Ms. McGuire and she stated she is presently living with her Uncle at 413 Stripped Bass in Portsmouth, but there are times, when he has his grandchildren, it gets to noisy for her to sleep during the day so she sleeps at a friends house at 1025 State Street in Eliot, Maine. Lieutenant Newport stated all the paperwork he reviewed, (criminal record, driver's record and her driver's license)

states she lives at 46 Columbia in Portsmouth. He said the application she submitted states she lives on 413 Stripped Bass. Chair Bresciano stated the address on her driver's license and her taxi license need to match. Chair Bresciano asked Deputy City Clerk Kirby to get with City Attorney Sullivan and see what he suggests we do.

Chair Bresciano asked about Checker Cab. Deputy City Clerk Kirby stated Mr. Bagnall has turned in his application, insurance and fees and just needs to turn in his meter calibration and inspection from public works.

2. Taxi Inspection

Lieutenant Newport stated the taxi inspection scheduled for last Friday April 13, 2012 was cancelled due to the incident on Thursday that resulted in the death of the Greenland Chief of Police and four other police officers being hospitalized. He stated it will be rescheduled for this Friday, April 20, 2012 beginning at 8:30 a.m.

3. Taxi Licenses and Medallions

Deputy City Clerk Kirby stated all taxi licenses submitted and all medallions submitted were issued prior to April 1, 2012.

VI. MISCELLANEOUS/UNFINISHED BUSINESS

1. Police Liaison Report

Lieutenant Newport stated on April 7, 2012, Anchor Taxi reported that Portsmouth Taxi was running a white sedan without a medallion and they were picking up and dropping off passengers. He stated Captain Schwartz was out that night. He stated Portsmouth Taxi has that vehicle running because one of the vehicles had been totaled and they were putting that car online. He stated Captain Schwartz gave them permission to use that car in the interim until the inspection on Friday.

He stated we continuously get call from the taxi companies about people parking in the taxi stand by Fat Belly's. He said the signage for the taxi stand in front of Fat Belly's needs to be relocated. He said the present sign is posted on the telephone pole and is very difficult to see. He suggested the Commission talk to Steve Parkinson, Public Works to have the sign moved to a more prominent place.

Chair Bresciano requested Deputy City Clerk Kirby prepare a memorandum stating Lieutenant Newport observed that people are using the taxi stand due to the position of the sign and we would like him to look into repositioning the sign.

2. Compliance with State and Federal Laws (not on the agenda)

Chair Bresciano stated the first reading of our ordinance change regarding Compliance with State and Federal Laws is on the City Council agenda for tonight. He said if this passes first reading it will go to a public hearing at the May 7, 2012 City Council meeting and third and final

reading will be heard at the May 21, 2012 meeting. He stated the present references to State and Federal laws within our ordinance strictly pertain to rules of the road.

Steven Gerrato, Rockingham Livery stated Portsmouth Taxi should not have been able to put a medallion on a new vehicle just because they totaled the other vehicle.

Steve Gerrato, Rockingham Livery said Portsmouth Taxi hired an employee away from him who signed a non-compete with him. Chair Bresciano stated employee matters are not be handled by the Commission and he would need to take this matter up with the State Attorney General's office.

Steve Gerrato, Rockingham Livery stated Friday is not a good day for the inspections. He said if a vehicle doesn't pass for one reason or another and they do not get back before 3:30 p.m. they will have to pay in order to get their medallion back. Lieutenant Newport stated Friday is the only day his people have available in conjunction with the Public Works area. He stated we have been discussing this inspection for at least the last couple of months so taxi owners should have ensured their cabs are in top working order. Chair Bresciano stated we use to have no notice inspections and we changed this in order for the owners to have the time to prepare their cabs for the inspection and therefore, not have any major repairs needed. If you have a medallion pulled and the repairs are such that you can not get the repairs done and re-inspected by 3:30 p.m. on Friday, you will be required to pay to get the medallion back. This is the reason we have given you so much time to prepare for this inspection. He said if a company is doing their job, there should not be any major repairs needed and all companies should be able to repair a minor finding and be back for re-inspection by 3:30 p.m. He stated the Police Department has 5 officers doing this inspection that are either coming off a shift to do this or coming in on their off hours so we need to set it when it is best for them.

Mr. Robert Brown stated he checked and Melissa McGuire does not live on Stripped Bass. He said she lives with roommates at 1025 State Road in Eliot, Maine. He said Ms. McGuire and he have been mandated to appear in Court on Thursday and she will have to report where she lives. He said he will let the Commission know what the outcome is. He further stated that he will be reporting Ms. McGuire to the IRS as he has still not received a W-2 from her and he has to file his taxes this week. Chair Bresciano stated he would like to be apprised of the address she states she resides at.

VII. ADJOURNMENT

At 9:55 a.m. Commissioner Feehley moved to adjourn the meeting. Seconded by Lieutenant Newport and voted.

Respectfully submitted by:

Dianne M. Kirby

Dianne M. Kirby, Deputy City Clerk