

TAXI COMMISSION MEETING
Minutes of the January 17, 2012 meeting

I. CALL TO ORDER

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

II. ATTENDANCE

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

Absent: Assistant Mayor Lister (excused) and Commissioner Feehley (excused)

III. ACCEPTANCE OF MINUTES FROM DECEMBER 19, 2011

The minutes of December 19, 2011 were unavailable for this meeting

Commissioner Bresciano requested the minutes of the December 19, 2011 meeting be sent or E-mailed to the Commission when completed. Deputy City Clerk stated she would.

IV. NEW BUSINESS

1. Election of Officers

Commissioner Bresciano stated the next item on the agenda was the Election of Officers.

Commissioner Ford moved to nominate Commissioner Peter Bresciano for Taxi Commission Chair. Seconded by Lieutenant Newport.

Commissioner Bresciano accepted the nomination.

Motion Passed.

Commissioner Ford asked if a new Council Representative had been appointed or if Assistant Mayor Lister would be reappointed. Deputy City Clerk Kirby stated the decision should be made at tonight's City Council meeting.

Chair Bresciano stated he felt there should be a Vice Chair nominated to handle any meeting he is unable to attend. He recommended Commissioner Ford. Commissioner Ford stated he did not feel comfortable being the representative to the Taxi Owners and also serve as Commission Vice Chair and therefore declined the nomination.

Commissioner Ford moved to nominate Commissioner James Feehley for Taxi Commission Vice Chair. Seconded by Chair Bresciano.

Chair Bresciano moved to table the vote to nominate Commissioner Feehley for Taxi Commission Vice Chair until the next meeting when Commissioner Feehley will be available to accept or decline the nomination. Seconded by Commissioner Ford and voted.

V. OLD BUSINESS

1. Compliance with State and Federal Laws

Chair Bresciano stated he talked to City Attorney Sullivan about compliance of State and Federal Laws. He asked Commissioner Ford if he still had any questions with regard to the proposed Item E in the ordinance. Commissioner Ford said he just thought it would be in the best interest of the cab owners to have this explained by City Attorney Sullivan. He stated if we can't discuss it today, he recommended it be put on the agenda for next month when the new Council Representative and the new Chair is seated and we have a full body. He said he feels this is important business. Chair Bresciano agreed.

Chair Bresciano stated this item will remain on the table until next month.

Commissioner Ford asked Deputy City Clerk Kirby to officially invite City Attorney Sullivan to the next meeting. Deputy City Clerk Kirby stated she would.

VI. MISCELLANEOUS/UNFINISHED BUSINESS

1. Police Liaison Report

Lieutenant Newport stated he had one call that a Sunshine Taxi driven by a bearded driver was speeding down Woodbury Avenue. He stated this might have been reported last month. He stated he had a call that Checker Cab was out on Pease without a medallion. Chair Bresciano stated we will have to watch for this. Deputy City Clerk Kirby stated Jose Nunez, Checker Cab turned in their medallions. Lieutenant Newport stated they were not there when the patrol car arrived.

Stephen Gerrato, Rockingham Livery stated he made that police call. He said Larry, who worked for Checker Cab and may now own the rights to the name, has magnetic signs on the side of his vehicle. He said he is driving around picking people up in Portsmouth. He stated he has no light and no meter. He said he sits at C&J waiting for the bus to come in and then picks up passengers. He said he has witnessed him dropping off passengers at the Navy Yard gate. Chair Bresciano said the Navy Yard is in Kittery Maine and not Portsmouth. He stated an individual can pick up a fare in Portsmouth and drop off in Maine. Lieutenant Newport asked if a taxi is allowed to pick up a fare in Dover and drop them off in Portsmouth. Chair Bresciano stated that is correct. Lieutenant Newport asked if that fare asks to be picked up in 15 minutes to go back to Dover, can they do that. Chair Bresciano stated they can. He said if they bring a fare into town, they can take them back out. Lieutenant Newport stated that makes it very difficult to catch them doing something wrong. Chair Bresciano asked

Lieutenant Newport to keep the word out there that if they do stop a Checker Cab and he is operating within the City limits, they need to be sited.

Commissioner Ford stated Checker Cab no longer has medallions in Portsmouth. Chair Bresciano said that is correct. Lieutenant Newport stated they turned all their medallions in. Commissioner Ford suggested the Police Department keep their eyes open as always and everyone else as well.

2. Taxi Medallions (not on the agenda)

Commissioner Ford asked how many medallions Checker Cab had. Deputy City Clerk Kirby stated they had two medallions. Commissioner Ford asked how many registered cabs are in the City of Portsmouth. Deputy City Clerk Kirby stated 19. Commissioner Ford stated he would like to propose a motion to reduce the amount of medallions in the City. He said it has been his experience that there have been so many cabs in town that no one is making a living. He stated that if the owners vote to do this there may come a time when one of them may be restricted from increasing their business. He said he would like to start the discussion between the Commission and the owners that perhaps it is time to decrease that number. Commissioner Ford requested this item be placed on the agenda for discussion at the next meeting.

Richard Ford, Blue Star Taxi stated it is obvious that due to the fee associated with a medallion, it is in the Cities best interest to have as many medallions out there as they feel they can sell. He further stated that as an owner/operator there is enormous pressure to try to squeeze two nickels together to make a dime. He said lowering the number of medallions may help, but there are shenanigans going on with some of the cab companies that make it hard to operate because they don't believe there is a level playing field for everyone. Dee Dee Ford, Blue Star Taxi said regulations without enforcement are useless. She said the question about insurance comes up as to whether or not everyone is insured properly. She asked what the requirement for an operator is and how does the City know whether or not a company has proper insurance. Lieutenant Newport stated the company has to show proof of insurance. Deputy City Clerk Kirby stated they have to produce a copy of their insurance to get a medallion. Ms. Ford asked if the City is listed as the Certificate Holder. Deputy City Clerk Kirby stated they are. Ms. Ford asked what happens if the day after they show this proof, they cancel their insurance, does the City get notified. Deputy City Clerk Kirby stated the Insurance Company sends her a Notice of Cancellation. Ms. Ford asked if there are any spot inspections for insurance, such as quarterly or no notice. Commissioner Ford stated this discussion is valid. He stated with it on the agenda next month we will have the City Attorney available and there will be time for open discussion of these concerns.

Stephen Gerrato, Rockingham Livery asked if we could have a meeting tomorrow or when the City Attorney is available. He said we have been going over this problem for over a year. Chair Bresciano stated he is not going to call a Special Meeting. Commissioner Ford stated he doesn't feel it would be a good idea to have a meeting until the Chair is seated or our Council Representative is appointed as they are important components of the board. Lieutenant Newport agreed that we should have a full board.

Commissioner Ford stated we should have a full board and more taxi owners here also. Chair Bresciano requested Deputy City Clerk Kirby send a letter to all the cab companies telling them the City Attorney will be available to discuss the new subparagraph E. Compliance with State and Federal Laws change to the ordinance at the February 21st meeting.

Chair Bresciano stated if anyone has any problems or concerns they can contact the Police Department or write a letter to the Commission or Deputy City Clerk Kirby and we can either contact the Police Department or add it to the agenda for discussion. Commissioner Ford stated most of the complaints we get are anonymous. He said if anyone has, what they think is a legitimate concern, put it on paper with your signature and forward it to Deputy City Clerk Kirby, Chair Bresciano or Lieutenant Newport and it will then be on record. Dee Dee Ford, Blue Star Taxi said their driver's see things all the time, should they phone in immediately. Chair Bresciano stated if they phone it in to the Police dispatch, the dispatch can make a record of it. Lieutenant Newport stated if there is an officer in the area, they can check it out. He said it is a lot easier for your drivers to see and problems. Richard Ford, Blue Star Taxi asked what the emergency number would be. Lieutenant Newport stated they should call – 436-2145.

Commissioner Ford asked what the date is for the next meeting. Deputy City Clerk Kirby stated it is Tuesday February 21, 2012.

VII. ADJOURNMENT

At 9:25 a.m., Chair Bresciano moved to adjourn the meeting. Seconded by Commissioner Ford and voted.

Respectfully submitted by:

Dianne M. Kirby, Deputy City Clerk