

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

October 18, 1999

6:00 PM

Chairman Pariseau called the meeting to order.

The Clerk called the roll.

Present: Aldermen Pariseau, Rivard, Thibault, Girard and O'Neil

Messrs: Sgt. Winn, M. Normand, D. Muller, M. Fournier, S. Musat, and K. DeSchuiteneer

Alderman Thibault moved to enter into non-public session under the provisions of RSA-91:A-3 Paragraph 2(c) to discuss the reinstatement of a license to operate a taxicab. Alderman O'Neil duly seconded the motion. A roll call vote was taken. Aldermen Pariseau, Thibault, Rivard, Girard and O'Neil voted yea. Therefore, the motion carried.

Mr. John Lupo was a no show for the non-public session.

On motion of Alderman Thibault, duly seconded by Alderman Girard, it was voted to return to public session.

Alderman Thibault moved that the appeal for a taxi license be denied, and that the revocation be upheld for the maximum period of time allowable under the ordinance. Alderman Girard duly seconded the motion. Chairman Pariseau called for a vote. There being none opposed, the motion carried.

TABLED ITEM

On motion of Alderman Girard, duly seconded by Alderman Thibault, it was voted to remove Item 5 from the table.

5. Communication from Deputy City Clerk Bergeron submitting proposed changes to the Taxicab Ordinance.

Chairman Pariseau noted after the last taxicab meeting on August 23, I received a phone call from Deputy Chief Robinson asking that the Committee hold up forwarding the minority and majority reports to the full Board until the Police Department had a chance to address three issues that were not approved by this Committee. Those three issues were items that were worked out between the

Police Department and the taxicab companies. The Police Department is here to make a recommendation.

Sgt. Winn stated there were three issues that the Police Department was concerned about. The first one being that no passengers were allowed to sit in the front seat with the driver of the cab unless all of the other seats were taken. The Police Department's position on that is that it is a safety issue for anybody sitting up front and we think that by not having someone up front we will prevent things from happening such as assaults or other complaints that may come forward. So that would be the position on that one issue. Does anybody have any questions on that?

Alderman Rivard asked how do we enforce that. What happens if at 2 AM I come out of a facility and I jump in the front seat of the cab and the cab driver tells me I can't sit there because the Aldermen, in their ultimate wisdom, passed a law that says nobody in the front seat. What do we do? Does he throw me out?

Sgt. Winn answered I don't expect him to throw you out, but I can tell you often times that at 2 AM, 3 AM or 4 AM the police are called to help cab drivers out. An example would be that a cab takes a fare somewhere and the person doesn't have the money to pay. The cabby radios dispatch and we respond to that and try to intercede.

Alderman Rivard stated my problem with the front seat is that I don't want the cab driver to lose his license or his ability to make a living because somebody doesn't understand the rules or wants to be obnoxious or whatever and jumps in the front seat. I don't really think that we need to place the blame on the cab driver. The cab driver could be a victim in this particular case where what does he do. If we pass this ordinance and somebody wants to enforce it and read the letter of the law, they say Bob Rivard you were driving and you let Matt in the front seat and the next thing you know we are having a hearing over here for a half an hour on a Tuesday night to decide whether or not I should lose my license. That is the problem.

Sgt. Winn replied I understand that and I think there are two issues. One, I think, is that the cabby certainly is in control of the vehicle just like a school bus driver and somebody has to be in control and if they say that somebody has to sit in a certain spot, then it is incumbent upon the passenger to do that. Second of all, if it comes to a hearing and it reaches that level and I am not saying that it will because often times these things can be handled at the street level with the police, then some common sense will have to come into play. I am not saying that all the time the cabby is going to be at fault so you are going to have to look at these on a case by case basis. I would also like to add that currently the Police Department is

investigating a complaint where somebody, a child, alleged being sexually assaulted by a cab driver. The child was sitting in the front seat of a cab. I think if you remove the person from the front seat, you are going to remove those type of complaints.

Alderman Girard asked, Sgt. Winn, the front doors of the cabs, do they have locks on them.

Sgt. Winn answered sure.

Alderman Girard asked under the regulations that we have with the cab ordinance, the locks and the windows and all of the parts of the car have to be in working condition, correct.

Sgt. Winn answered correct.

Alderman Girard stated so if we were to pass an ordinance that said you may not allow people to sit in the front seat of your car unless the back seat is full then I guess the cab operator could avoid any problems if he drove around with the passenger side door in the front of the car locked.

Sgt. Winn replied sure, that is correct.

Alderman Thibault stated it seems to me that to make a universal law like that or a rule, if you will, is wrong. Why couldn't we make it minors? Minors meaning under 18 or 20 or whatever the magic number might be, that they have to sit in the backseat. I think if an adult like Alderman Rivard or myself wanted to sit in the front, I would think that there should be no problem with that. I think when we are talking about transporting children at whatever age we decide is right, it seems to me that I have to go with Alderman Rivard here that if I call a cab and they come and pick me up and I want to sit in the front seat it should be my choice at that point.

Alderman Rivard stated I understand your position, Sgt. Winn. The Police Department, when they are taking prisoners from one place to another put them in the back seat because everybody is a suspect. They don't allow them to ride in the front seat because the guy is a suspect and somebody who has done something wrong. I hate to think that we think that everybody that is going to take a cab there is something wrong with them or they are going to do something wrong so we put them in the backseat and treat them like a criminal. I know that when I go to the Airport and they pick me up at my house I sit in the front seat and I will tell you one thing, if I can't sit in the front seat I am going to be very upset and I am going to be upset with the guy that is driving the car so give somebody some credit

here please. Let's not treat everybody like a criminal and put them in the backseat because they just got arrested for a mugging or rape or something. Give them an opportunity to go in the front seat. This is America, okay. Land of the free. This is New Hampshire so let the guy sit in the front seat if he wants to. Just because some bad guy sat in the front seat once, our whole world is wrong and it is upside down. One guy does something wrong and 10,000 people have to pay the price. Let's be modernized and let the guy sit in the front seat if he wants to and not punish the cab driver.

Sgt. Winn replied I don't think the Police Department wants to punish the cab driver and the other thing is that you are also protecting the cab driver. We think about the incident where the gentleman was shot. You can think of cases when a young female and when I say young I don't mean a child but someone in their 20's who is sitting in the front seat with the cab driver and it could be an allegation that is so unfounded. It is a two-way street here, Sir. The other thing is we talk about making these universal laws. Well you know the speed limit isn't 65 or 70. I think that those are handled on a case by case basis. You have to have the law, but sometimes you give people breaks or tickets or whatever, but if the law is not there when you need the bite then you just don't have it and I think that is what the Police Department is trying to say.

Chairman Pariseau asked could we hear from a representative of the taxicab companies.

Alderman O'Neil asked could I make an observation first. Not that I use a cab regularly, but the times I have in all honesty and this is a concern of mine that we seem to be stuck on these mid-size cars and that stuff and in all honesty the front seat is the most comfortable seat. I am a fairly big guy so I would, in all honesty, choose to sit in the front seat and I think that the last few times I have used a cab I have ridden in the front seat. Now I think that when I have traveled and been other places, you get into a full-size car and the backseat is very comfortable and has plenty of room. That is just another spin on the front seat issue.

Alderman Girard stated I have a question for the Sargent on something. If we were to do something...if we were to pass an ordinance that said nobody under the age of 21 could sit in the front seat of a cab, would we expect then that the cab driver is going to have to card people who may not have licenses because they are taking a cab to determine whether or not they could sit in the front seat. I mean do you foresee that being a viable option?

Sgt. Winn replied I guess whatever you could do, if you were going to set some parameters on it, it would be appreciated as far as the goal that the Police Department is trying to achieve.

Alderman Girard asked how are we to expect that a cab operator is going to be able to judge somebody's age.

Sgt. Winn answered that is a good question and I don't have an answer for you. It is like when somebody goes into a store and wants to purchase beer. If you are under 30, they are going to check your license.

Chairman Pariseau stated I was under the impression that the taxicab operations agreed to this type of conduct. Let's hear from them.

Mr. Fournier stated the majority of people that ride in cabs do ride in the front seat and I think you didn't want us to be altercational. It is going to happen almost every time if you ask somebody to ride in the back. I think you are going to drop off business. I don't think we really have that many problems in the City with people riding in the front seat. I think we have had one occurrence, only one.

Chairman Pariseau replied those things happen, but anyway I was under the impression that the cab operators are in favor of this Committee initiating the process to get this into the Code of Ordinances for the City of Manchester. Being wishy-washy the way you are, you are not in favor of that ordinance? I thought you were looking at it to give you more teeth.

Mr. Fournier responded I believe when it came about it was a difference between shields or the front seat so we chose the back seat rather than to put shields in the car.

Alderman Girard stated if that is the case and they swapped having those shields put up in favor of having people sit in the back seat, then I don't know why we are discussing this. It seems to be that the City accommodated what they wanted and now we ought to go ahead with what was agreed to.

Chairman Pariseau replied we are discussing this at the request of the Police Department.

Alderman Girard responded I understand that, but the gentleman's answer would seem to say that you are correct.

Chairman Pariseau stated the cab drivers weren't really in favor of this.

Alderman Girard replied the gentleman's answer would seem to agree with what you are saying and what the Police Department advised you of, that they agreed to this in exchange for not having to put shields in the car. What is the mystery?

Chairman Pariseau asked Mr. Fournier are you in favor of this or not.

Mr. Fournier answered we would rather see people be able to ride in the front seat than not.

Sgt. Winn stated the other item is the horns, the annoying horns I am told. What the department is asking for is there is currently a City ordinance and State statute, which deals with this problem and it, can be enforced that way. That would be by means of a summons through the District Court. What the Police Administration is asking for is that under the ordinance we be allowed to enforce this administratively instead of taking it to the court system. The Administration feels that it would be a more appropriate way to handle this type of violation with cab drivers.

Alderman Girard asked, Sgt. Winn, in testimony before this Committee before, Deputy Robinson has indicated that it is more than just an annoyance problem but that the department believes that cab operator use of horns is also a factor in the City's drug trade. Could you elaborate on that for the Committee please?

Sgt. Winn answered I really don't have a lot of first hand knowledge on that. I have been told that by people who work for the special drug unit that we have. I have been told that by Deputy Robinson. I don't have any personal knowledge of that, but I am told by those folks that work in that area that it is a way of signaling for drug transactions.

Alderman Rivard stated in adding a little humor to this, horns on cabs are like hot dogs at Fenway Park and when we cut out having horns on cabs then we are going to lose a lot of history here in the City of Manchester. I know that when they come to my house they don't have to blow the horn. In a confined area of the City, not everybody knows you are out front and I never knew that to be an issue in the City of Manchester. The second part of my concern is that I think it is a misstatement to be generous that when a cab blows the horn there is a drug deal going down. I really don't believe that. I think we are much too sophisticated today in America. These people aren't blowing the horns to get attention to themselves when they are doing drugs. They do a better deal than that. They are a lot smarter than that today. If they were doing drugs, they wouldn't be driving a cab.

Alderman Thibault stated maybe I have been riding cabs longer than most people in this area because I am a little older than most of them here. I remember riding cabs when we didn't have cars or occasionally we had buses. I think it was customary for a cab to get in front of your house and blow the horn once. Now I

am not saying that if a guy gets there and blows the horn 15 or 20 times that there is not a harassing problem or some other problem, but when a cab driver comes to the house, especially for an elderly person or for a handicapped person, that handicapped person is not going to stand on the curb waiting for that cab. He could be 15, 20 or 30 minutes in getting there. So, what is a handicapped or elderly person supposed to do at that point? They wait for the horn and then they get out and go. I think that is my problem with that. Not that I have 100% problem with the horn thing, but how do you handle a handicapped person or even children to be on the corner outside on the sidewalk waiting 15 or 20 minutes for a cab that may be 30 minutes before he gets there.

Sgt. Winn replied we are kind of getting off track because there are already State statutes and a City ordinance that allows enforcement. What the Police Department is asking for is not what people's positions are on horns blowing or how they feel about it, they just want to shift responsibility. They want to have the responsibility through Administration instead of through the court system, which would address your issue. You folks would have more leeway on how you want to enforce it, instead of it going to the court system.

Alderman Thibault responded I have a problem with that. I really do.

Alderman Girard stated the Sargent brings up a good point. We are not looking to create something here that doesn't already exist in law. It could be dealt with under current legal provisions. The problem is, the department is trying to point out, that it is very unwieldy for them to do that and very inefficient and it unnecessarily takes up time when it could be dealt with administratively. I think we have to look at that. Second of all, I don't think that anybody, myself the Deputy or anybody else has made the point or the statement that any time some cabby blows the horn there is a drug deal. No one has made that statement, but was has been said and what I unfortunately have had the personal occasion to witness on many occasions in my own neighborhood is that the cabs signal the dealers using the horn. Sometimes they just drive up the street and honk and never stop. Sometimes they drive around the block and honk once in the alleyway and once in the street. Sometimes if there is a cop in the neighborhood we have a whole different pattern of stuff happening. So it is not necessarily that we are cabs, we are here, we are dealing drugs let's honk the horn. There is an entire way that they communicate with the horn and I would be like my colleague from Ward 8 and would never have believed it if I didn't, for about six months, have to live next to it. It is a factor in the City's drug trade. Secondly, as my colleague from Ward 11 has pointed out, somebody pulls up and knocks the horn once or twice to let the fare know they are there, that is not really a big deal. The problem is when it is going on for 5, 10 or 15 minutes at 3 AM and I can tell you again because I live in one of those triple decker neighborhoods that has an awful lot of cab traffic

because of the people who live in the neighborhood, that it is more than just a momentary disruption in your day because it is constant and they don't care what time it is. I would finally say that the idea that somebody who calls a cab doesn't know to expect the cab or when to me is a little silly. If you call a cab, you are expecting a cab. You may not have to be waiting out there on the corner for 15 or 20 minutes but if you are in the window facing the street you are going to see the cab pull up. It is not rocket science. I have had the fortune of living in other cities in this country and this City is the only one where if you weren't waiting for the cab when it got to the curb it left. It was Washington, Boston and other places that I have had the opportunity to live in. I have never seen cabs operate anywhere the way they operate in this City. It is not asking the people who call the cab an awful lot to be looking out the window and waiting. Maybe they don't now because they know the cab is going to sit there and honk until they come out, but I don't care if it is tradition. I dare say that if it were happening in your neighborhood or Alderman Rivard's neighborhood, the tradition might be a little more irritating than you care to deal with and I don't think it is fair that people who live in neighborhoods like mine have to suffer that imposition 24-hours a day because the cab is too impatient to wait or the fare is too negligent to be looking out the window and waiting. I have seen it where they have been in the neighborhood and honk 15 or 20 minutes and finally leave because the fare doesn't even come out. I could go on and on and on. I never said that it was necessarily or exclusively for a drug deal, but the two together are awfully difficult for triple-decker neighborhoods that have a lot of issues.

Alderman O'Neil asked do you (Sgt. Winn or Matt Normand) have any idea the number of times that this ordinance or statute has been enforced this year.

Sgt. Winn answered I can't tell you. I don't have a number, but I would venture to guess that it is very low.

Alderman O'Neil asked so in all honesty by making this an administrative function as opposed to a court function, is that going to change. Are police officers not writing tickets? Is that what it is going to be now, a ticket?

Sgt. Winn answered it would be a summons.

Alderman O'Neil asked now because of higher priorities it is really not high on the priority list for the Police Department. The cruisers are pretty busy going from call to call so I really don't see how changing this to an administrative function changes that unless all of the sudden we are going to go and put this high on the priority list.

Sgt. Winn replied I think the difference would be that if it were handled administratively, we are probably looking at a different burden for the police. It would probably be a lot easier for us to enforce administratively than it would be for us to take it to court. I think you would have more success.

Alderman Rivard stated I understand that is probably the reason why this is before us today. Maybe I could tell you how I think it would work or maybe you could explain to me how it is going to work. Administratively, what would happen if this ordinance passed and you folks could handle this administratively? Could you tell me what would happen? How would this be enforced?

Sgt. Winn replied I think that what would happen is like in other issues that we have with tow truck companies, we would have an administrative hearing. I don't know how that would all pan out, the logistics of it and whether it would be at the Police Department. An example is we just had an administrative hearing on a towing issue with the Deputy Chief presiding over the hearing and somebody from the department presented the case. The gentleman on the tow issue came in and presented his case and then the Deputy ruled on it. It could be something in that fashion.

Alderman Rivard asked could he appeal that to this Board here.

Sgt. Winn answered there was an appeal after this hearing. This was a traffic issue and there was an appeal to the Traffic/Public Safety Committee. It would probably work the same way here.

Alderman Rivard asked would it be fair for me to assume that if at 3 AM someone was accused of blowing his horn by somebody and hopefully the person would identify himself who is calling, I would imagine he would call the Police Department and say there is a cabby out here blowing his horn. Then hopefully we could identify whoever the individual was because we should know who he is and then they would probably take his license away and then what they would do is appeal to this Aldermanic Board and we would come in here on a Tuesday night for an hour or two we would sit here and listen to the argument of the police officer who wasn't there to provide information saying this guy blew the horn based on somebody's information who lived next door, that may or may not be right, because he is upset because his neighbor threw snow at him or whatever. All I am saying is that we are going to end up here being a jury now. The five of us are going to come in here on a Tuesday night and we are going to sit here as a jury like we did tonight for the gentleman who didn't get his license and we are going to listen to the stories and decide whether or not the guy blew his horn. I don't think that is the job that I was hired to do and I certainly don't want to do

that job if it was. I think the process we have in place that you spoke about and that Alderman O'Neil says doesn't get used very often based on the conversation between you two guys, if that doesn't get used very often then obviously it shouldn't be an issue. I am going to be opposed to it obviously. You probably figured that out.

Alderman O'Neil asked, Sgt. Winn, in order for a summons to be written currently by a police officer, the police officer would have to be present and hear the horn.

Sgt. Winn answered right. The infraction would have to be committed in his presence.

Alderman O'Neil asked would that be the same...did you say it was a citation, would that be the same with a citation.

Sgt. Winn asked for an administrative hearing.

Alderman O'Neil answered yes.

Sgt. Winn replied no.

Alderman O'Neil asked that could be just on a complaint.

Sgt. Winn answered right, you are going to have a lesser burden and the other thing is, just to get back to Alderman Rivard, the hearing at the Police Station that I talked about took about 10 minutes and the review from the Traffic Committee probably took about 3 minutes. When you have those Committees, you have much more flexibility and you are able to deal with things on a case by case basis and if you feel that should be something that is handled more in the spirit of the law instead of the letter of the law, you have those opportunities. There is good and bad for both.

Alderman Thibault asked could I have a cab company answer this question. How many of you in the cab business could tell someone who called for a cab, we will be there in 5 minutes or 10 minutes? How many of you could do that?

Mr. Musat answered that is very hard to estimate because as you know the population of Manchester almost doubled lately. The traffic is awful. First of all, Alderman Girard was right. The ordinance for taxicabs in Manchester is very original. He is right. I can sit for him outside for 15 minutes and when he gets outside after half an hour, it doesn't cost him anything so basically that is why the driver sometimes gets irritated. Even if he comes out and sees the 50 cents in the meter, which we are not allowed to charge, he gets irritated as well. Basically, we

like the customers who come outside as soon as possible because the wheel is not turning and the meter is not running. We addressed the time issue so many times, but we could take the horns out of the car but I don't think the DOT would be very happy.

Alderman Thibault asked could you just answer the question that I asked. How many of you could tell how long it would take to get a cab to a certain address? You might say 10 minutes; another cab company might say 15 minutes. Most of them would say we will be there in 10 minutes, but sometimes it is 20 minutes.

Mr. Musat answered usually we give a time frame between 10 and 15 minutes.

Alderman Thibault stated again I would have to go back to the question I asked before. Whether it is an old person, a young person or a handicapped person to sit there for 10 minutes in a snowstorm because they called a cab and are waiting on the curb I think is not right. This is why cabs used to blow their horn before.

Mr. Musat replied they still do, as a matter of fact. Nobody sits in front of the window and watches.

Alderman Thibault stated even if a handicapped person was standing in the window on the second or third floor and you blow your horn because you are there, it may take them 5, 6 or 10 minutes to get down there. This is what I am looking at. If a cab comes in front of your door and blows the horn once or twice and it takes 5 minutes for you to get down there...

Mr. Musat interjected this is usually a request. I know this because I am dispatching. They say please give me a cab and toot the horn when you get there. I am going to say no, I can't do that?

Alderman Thibault stated I think it relates to what Alderman Rivard was just saying before and I think I would have to agree with that. There is a problem here and how we resolve it, I don't really know but I don't think that is the answer.

Alderman Girard stated the gentleman admits that as a matter of practice they violate City and State law to alert their fare. I dare say that if they were to tell their fare to be watching in the window, the fare would be watching in the window because if they stay there longer than 5 minutes they are gone. I have a feeling that the answer the dispatcher gives the person on the phone is going to dictate whether that person is watching and ready when the cab shows up and then they won't have to worry about the meters running and the drivers being impatient. It is absurd to say that we have to break the law in order to run our business.

Alderman Rivard replied I want to just say for the record that he didn't say he broke the law. It is not against the law to blow your horn.

Alderman Girard responded yes, it is.

Alderman Rivard replied it is only against the law to disturb the peace. It is not against the law to play your radio. It is only against the law to play it loud. He didn't break the law. He came out and blew the horn. Blowing your horn is not against the law.

Alderman Girard responded yes, it is. Could the Sargent clear that up please? I have read the statutes, Alderman.

Sgt. Winn stated I don't have the statute in front of me, but there are only certain purposes that you are supposed to blow your horn for. One is for an emergency situation and it is pretty specific.

Chairman Pariseau asked could I have a vote.

Alderman O'Neil asked what is the third item.

Sgt. Winn stated there is one more item that we are concerned about. This was about the medallions themselves, the licenses.

Alderman Girard asked wasn't there an issue about whether or not an individual police officer could deem a cab unfit for the road and yank the medallion.

Sgt. Winn stated currently if we come across a cab that we find to be unsafe, and an example would be when we do our taxicab inspections, we currently pull the plates, not the cab license but the medallion, the actual license plates from the vehicle, suspend the motor vehicle plates at Concord, the cab is then towed from wherever the inspection was conducted and it causes the cab company to have to bring the car back into compliance for safety standards. They have to reapply for their plates and it is a costly venture for the cab company. What the Police Department is asking for is we don't do that for anybody else. If we come across your car and find it to be unsafe, we don't suspend your plates. We just tow your car. What we are asking to do is have the authority to pull the medallion from the cab until that vehicle is brought up to compliance and safety standards so that the vehicle is not used in that capacity and ultimately the passengers, the driver and everybody will be safe.

Alderman Thibault stated I have a problem with that also. Would you also do that with the Airport taxicabs? Would you do that to an Airport limo, a Mercury or Ford Grenada or whatever? Would you do that to them also? I think this is where the discrepancy comes in here. I believe that some of these...well I know that limos don't have the City permit that he is talking about but they do handle people throughout this City also. If, in fact, they are going to pull a City taxi's medallion off, the Airport limos don't have a medallion so what are they going to do there? This is why I think this is something that, and I have been over to see Mr. Dillon a couple of weeks ago on this same subject saying that I believe there is a major double standard that is being played here that is certainly unfair to the taxicab drivers of this City and maybe unfair to the limo services to some extent. I think that the Board should sit down with Mr. Dillon and the taxicab companies and try to come up with some kind of a compromise here that would be a fair playing field for both groups. I don't believe that what has been done by the former Airport Director brings a fair playing field to this issue. I believe that the limo services, if you will, whatever kind of car they use is immaterial, and some are no better than the ones we have here in town. The point is that it is not a level playing field and they do not have to pay the City medallion fee where these cabs do. Plus the fact that these City cabs, even if you call them and I have gotten caught at the Airport before at 1:30 AM and not able to get a limo to get back home, not being able to call a City cab because they are told they can't go there and I stood there for two hours before I could get a ride home. Now there is something wrong with our system here and I would like this Committee to look into this project and see if we can't come up with some compromise here that when a person gets off an airplane at 1 AM or 2 AM he has a right to call a cab to come and pick him up if there is no limo there.

Chairman Pariseau stated the Airport is handling their own cab licenses and I suspect that they have to follow the City ordinance.

Alderman Thibault replied but they don't have a taxicab medallion. That is the difference and they don't pay the fee that the City taxicabs pay.

Alderman Girard asked, Sgt. Winn, I understand what you are saying. Right now if you deem a cab unsafe, you don't pull the medallion you pull the plate. You send the plate to Concord, you tow the car away and it takes the taxicab company or operator, whomever, a lot of time and a lot of money to restore the car and get the plate back. If you were to pass this regulation, instead of pulling the plate, sending it to Concord and having to go through all of that hassle, you would simply pull the medallion, tow the car and keep the car in storage until such time as the taxicab company brings it up to speed. Is that correct?

Sgt. Winn answered just about. The only thing we might not do and this is much less evasive to the cab company...

Alderman Girard interjected I guess what I am trying to point out to my colleague here from Ward 11 is that you are actually making it easier and less expensive for the taxicab company to get their cab into condition and into shape and back up on the road then what currently exists under law. Is that correct?

Sgt. Winn replied that is correct.

Alderman O'Neil stated I don't know if I want to make it easier because I am actually ashamed of the condition of many of our cabs in this City. With regards to the Airport, I haven't used them often, but they are always very clean and they are all full size cars. I don't know if that is part of the requirements down there. This is just an observation and it might go that we need a little more work on this, but the city that sticks out in my mind that I traveled to was Pittsburgh and I remember talking to the cab drivers there and they are required to have full-size cars, no mid-size and they can't be any older than five years old. I am really ashamed of the cabs in this City. They are pieces of junk. I don't necessarily want to make it easier. I want to make it harder and get the cab companies to be more responsible to have quality vehicles. I think we have fine cab drivers, but I think the cabs themselves are a disgrace to the City.

Alderman Thibault stated all I am saying, and please hear me again, all I am saying here is that I believe that it should be fair for the taxicab company and for the Airport, whatever you want to call them, limos. They don't have a medallion and their fare costs less than the City and this is where they gain. I think it is something that should be brought together so that we can come up with something that is more universal.

Alderman Girard replied if that is what Alderman Thibault wants, I would be happy to do it and have the Airport administer it because I agree with my colleague at-large that the cabs in this City are sorely lacking. The other thing I wanted to point out is not only is it easier for the cab company, to address my colleague's point here, if their car is pulled but it also, if I am not misunderstanding what you are saying, it makes it easier for the Police Department to take the action it needs to make sure that the concerns that Alderman O'Neil and myself and every member of this Committee has regarding safety of the cabs. It is a lot easier for you to enforce compliance with regulations if it is easier for you to take action. Is that not correct?

Sgt. Winn responded it is going to be better for the cabs. It is going to be much better for us as far as enforcement. It is a win-win situation. It really is.

Alderman Girard asked so we are facilitating safer vehicles with this particular requirement.

Sgt. Winn answered that is correct.

Alderman O'Neil asked, Sgt. Winn or Matt, are you talking about this 118.99.

Sgt. Winn answered that is correct.

Alderman Rivard stated if we are talking about that, Sgt. Winn, it is really not clear. I think I understand. You said that the police officers conduct an inspection of the cabs and I see in the paper that they fail. I have no problem with that. I think that is great. You are telling me that you take the licenses away and the plates away and it becomes more difficult to get the cab on the street, but that is not what this says. This says that if, in the opinion of a police officer, a taxicab is determined to be unsafe for public transportation and when we had the meeting last time it was my understanding that when a guy is driving down the street at 10 PM and they see a cab with their light out and they think it is unsafe they take the cab, stop it, get the guy out of the cab, they take his license and they impound the cab. That is not the intent, is that what you are telling me? That is not what you are telling me.

Sgt. Winn replied that is not the intent at all.

Alderman Rivard stated it has to be written differently than this then because if, in fact, you guys do an inspection and you think the car is unsafe and you take the plates, I think that is very commendable. I think that at 10 PM if a guy's light goes out and a police officer has an opportunity to say that is an unsafe car and it may or may not be depending on...you know some people might think it is unsafe and it may not be unsafe and that is what I am concerned about. The ability to make those on the spot decisions, ground the cab at 10 PM, and take the passenger who is on the way to the Airport and now what does he do. That is not what this says. This doesn't say in those inspections that you guys do...you must have an ordinance to do those inspections, right Matt?

Mr. Normand replied to answer your question, I think what the Police Department and State Police follow are, I think, State regulations. However, I think what this was...it helps the Police Department in that they are not sending these people up

to Concord and it also helps the cab companies because they are not forced to go up to Concord to go to an administration hearing.

Alderman Rivard responded that is not what it says here. It says "then the officer is authorized to order the vehicle to be taken off the road, confiscate the vehicle's license, effectively suspend the license until the circumstances which led to the suspension are corrected.

Mr. Normand replied if it is determined to be unsafe.

Sgt. Winn stated that is what we do right now, Sir.

Alderman Rivard replied is that what we are being asked to consider or do you want to change this.

Sgt. Winn responded we do the same thing right now, but what we are saying is when we take the vehicle off the road it makes the cab company have to go back and reapply for the license plates but they can't do that until they bring the vehicle back up to safety compliance so we would be able to do the same thing, we just wouldn't be putting the cab company through all of these extra hurdles. It doesn't make any sense.

Alderman Rivard asked where does it say that.

Alderman O'Neil asked, Sgt. Winn, should the word be maybe medallion and not license in that paragraph.

Sgt. Winn answered the cab license, medallions, I see those as the same thing - synonymous.

Alderman O'Neil asked we are not talking about...it could be interpreted as license plates the way it is written here. You are talking about the medallion?

Sgt. Winn answered right, the cab license not the Department of Motor Vehicles license plate.

Alderman Rivard stated as long as it is not going to disrupt the passenger(s).

Sgt. Winn replied we wouldn't take somebody out of a cab and leave them standing at Pearl and Union believe me. We would give them a ride to the Airport or do something.

Alderman Thibault stated I think what I am trying to arrive at here is that suppose you were going to stop an Airport car, whether it is a Ford LTD or a Mercury Marquis that is coming out of the Airport with a fare that doesn't have a taxi medallion, would you put him through the same rigorous test that you would put a taxicab in the City of Manchester through.

Sgt. Winn replied to be honest with you this is something that we don't do very often and when we do it is a scheduled event. It is scheduled annually or biannually.

Alderman Thibault asked when have you scheduled an Airport car inspection.

Sgt. Winn answered we don't do that, Sir.

Alderman Thibault stated but they come into the City the same as cabs do. This is why I feel there is a double standard here.

Chairman Pariseau stated they are under the Airport guidelines like everything else that is out there.

Alderman Thibault replied I know and they are paying less at the Airport than they are paying in the City so why don't all of these cabs register at the Airport instead of in the City.

Alderman O'Neil asked would everyone be comfortable if the word in that penalty where it appears twice "license" is changed to medallion. Dan, do we use the word "medallion" in the City ordinance?

Mr. Muller answered I haven't seen the ordinance so I am not sure.

Mr. Normand stated there is a section that refers to the medallion. The medallion is simply a representation of the vehicle license. Rather than having to pull over a vehicle to determine if it is licensed, you can see right by the plate that it is licensed.

Alderman O'Neil asked so if we change that to medallion, it accomplishes the same thing right.

Mr. Normand answered if the wording bothers you, certainly.

Alderman Rivard stated Sgt. Winn said that they don't do these things routinely. It is a scheduled event and I like that. Scheduled event means that everybody knows what is going on so I think we need to put in scheduled event because I don't think we need a roadblock.

Sgt. Winn replied they are scheduled events and I would be very cautious about writing that in there because right now tonight if I see a cab out there that is unsafe and we start going through that cab, it is very unscheduled and we are going to pull the plates and put that cabby through all that stuff and he has got to go back to Concord, etc. What I am saying is that generally in the course of conduct, how we do business, it is scheduled but...

Alderman Rivard interjected you do that now.

Sgt. Winn replied we do that now but it is generally...

Alderman Rivard asked why are we arguing about this.

Sgt. Winn answered we are asking for a change of not how we do business because this doesn't change how we do business in terms of the inspection, it is a change of what happens to the cabby. We don't really think we should be in the business of taking his Department of Motor Vehicle license away from him so what we are asking you folks to do is to take the medallion away until the vehicle is brought up to compliance.

Alderman O'Neil stated I don't know if we are going to resolve this tonight. I am comfortable with this if we change the word "license" to "medallion" as long as we have properly defined in the ordinance what a medallion is. Matt, do you think we are there?

Mr. Normand replied yes, it is in the ordinance. There is a section that identifies medallion as the small plate that has to be posted in the rear of the cab.

Alderman O'Neil responded if that is the case, I am fine with that.

Alderman O'Neil moved to amend Section 118.99 Penalty of the ordinance to change the wording to "vehicle license and medallion". Alderman Rivard duly seconded the motion. Chairman Pariseau called for a vote. The motion carried with Alderman Thibault being duly recorded in opposition.

Alderman Thibault stated wouldn't it be the responsibility of this Committee to get the Airport together with the City's cab ordinance to find a better playing field than what is out there presently, strictly because I believe there are some unfair practices here and why can't that be done. I am asking a question.

Chairman Pariseau stated that is not saying you can't do that.

Alderman Thibault replied that is why I am voting against it.

Chairman Pariseau stated we are not taking that issue up tonight.

Alderman Thibault replied I would like to table this until we can review that.

Mr. Normand stated it is my impression that on your August 23 meeting you had ordered that we get something together with the Airport Administration. We have done that and we have some proposals tonight. That is why they are here tonight. It is a separate issue, certainly.

Alderman O'Neil stated with regards to the horn issue, if there is a problem I believe the statutes and the ordinance are already in place. They need to have a police officer there in order for a summons to be written so if there is a problem it can be enforced. Correct, Sgt. Winn?

Sgt. Winn replied it would be hard to enforce.

Alderman O'Neil stated my concern is that for the eight years I have been on this Board I don't believe we have enough police officers on the streets answering enough calls. I would say that is pretty near the bottom of the list for a priority for a police officer to be answering so if there is a problem than Alderman Girard needs to be working with the Police Department and they need to target that particular area and that is how I feel about the horn issue. With regards to the front seat, I agree with Alderman Rivard. I don't use a taxi often but I am more comfortable riding in the front seat. May be we could require that they put something on the side that says passengers are encouraged to ride in the back seat. I wouldn't be uncomfortable with that, but I wouldn't want to force somebody, especially with the conditions and the size of the cabs we have now to force somebody to have to get in the back seat.

Alderman Girard stated I would like to make one more comment. One of the reasons why you have this horn language in front of you is because almost two years ago I started working with the police and the City Clerk's Office to address the problem. One of the reasons why this language is here is because the Police

Department at the time, and I believe still does, and the City Clerk's Office at the time, and I believe still does, recognized that it is an issue that with the current enforcement provisions on the books was not one that they could get a handle on. I would be one of the first to agree with you that perhaps police officers have better things to do than to be handling nuisance calls. Unfortunately, not all of these incidences are mere nuisance horn incidences. As to whether or not the Police Department should be in the business of enforcing this administrative regulation, I would remind the Committee that it is the City Clerk's Office that is technically responsible for administrating the cab ordinance so these complaints, when they come forward, would be sent to the City Clerk's Office and we would need to work with the City Clerk's Office to address those. It is not a situation as has been brought up here where someone gets nailed blowing their horn at 4 AM an waking up 30 people in a neighborhood that they are going to lose their license, but it gives us the opportunity to set-up a system to track complaints in order to know whether or not there are cab drivers out there using their horns inappropriately, improperly and unnecessarily and I don't see this as being an imposition on either the Clerk's Office or the Police Department. There are real problems, there are real issues and had I not worked with the Police Department and the City Clerk's Office to draft this language, we wouldn't even be talking about it. I am trying to address the issues that both departments have told me are problems in enforcement.

Alderman Rivard moved to amend the majority report to include the amended Section 118:99 Penalty. Alderman O'Neil duly seconded the motion. Chairman Pariseau called for a vote. There being none opposed, the motion carried.

On motion of Alderman Rivard, duly seconded by Alderman O'Neil, it was voted to accept the majority report as amended.

Alderman Girard noted that he would be filing his minority report to the Board of Mayor and Aldermen.

Mr. Muller stated with respect to the majority report and the disqualifying motor vehicle convictions, the first word in that definition should be amended to "certification" as opposed to "conviction". It is just a technical change that needs to be made.

On motion of Alderman Rivard, duly seconded by Alderman Girard it was voted to amend the first word in Section 118.01 Definitions, Disqualifying Motor Vehicle Convictions to "certification".

Alderman O'Neil stated I have spoken to Matt a number of times about taking a look at some things we could do to improve taxi service in the City like full-size cabs, like no more than five years old. Can we at least encourage him or maybe ask him to do some work and dig up some information? I think he already has some on places that have similar ordinances.

Mr. Normand stated it is my understanding that at your August 23 meeting there was some concern about drug testing of the taxicabs that work the Airport or the taxicab drivers that are part of the Airport and not currently licensed by the City because they work exclusively at the Airport. The other item was the fact that they are allegedly operating in the City stealing fares. I think that was brought up at your last meeting. We got together with the Solicitor's Office and the Airport and I think we have a proposal or at least we got some thoughts out that could possibly address some of that. The Airport is here tonight, but what we specifically came up with was a simple regulation change at the Airport that requires all taxicab drivers there to obtain a City permit. That would effectively require them to follow City regulations when they are operating in the City and the mere fact of holding that license subjects them to drug testing. When they are at the Airport, naturally they fall under the jurisdiction of the Airport Authority, the Sheriffs there, and they have to abide by those regulations. I think that addresses obviously the drug and alcohol testing issue and also if they are operating in the City then they are going to have to follow our rules. If they operate as a local cab does here, and that is picking up and dropping off within the City, then clearly they have violated the ordinance. What this would do, however, is I think the main thing is just the fact that they are required by the Airport to hold a City permit, that subjects them to drug testing.

Alderman O'Neil asked, Matt, I think the name of the outfit is Amoskeag Airport and I have called them ahead of time and set-up a time to be picked up now would they still be considered a City cab doing that.

Mr. Normand answered our ordinance designates what a taxicab is. I understand, in talking to David Bush, that there are numerous limousines there and our ordinance addresses that by excluding them from our ordinance because they have a capacity rating of over seven passengers so they would not be subject.

Chairman Pariseau stated I don't go along with that.

Mr. Normand replied if their vehicle is rated for a capacity of more than seven passengers, that is a State definition of a limousine. That is in our ordinance now.

Chairman Pariseau asked so a cab company couldn't put Queen City Limousine Service.

Mr. Normand answered if they have vehicles, which are rated for the capacity of over seven passengers.

Alderman Thibault asked they are exempt.

Mr. Normand answered they are exempt from our ordinance currently.

Alderman Thibault asked what about vehicles below that.

Mr. Normand answered they would be subject to drug testing. They are defined as a taxicab.

Alderman O'Neil stated so you are talking about them getting licensed and then they would fall under the City guidelines for drug testing. Are we also talking about requiring them to have a medallion or do they have an Airport medallion already?

Mr. Normand replied that currently hasn't been discussed. They do not license at a driver level. They only license the cabs or the limousines.

Alderman O'Neil asked do they pay a fee similar to what somebody purchasing a Manchester medallion would.

Mr. Normand answered I believe they pay \$300.

Alderman O'Neil asked and what about somebody for a City cab.

Mr. Normand answered \$400.

Alderman O'Neil asked so what is suggested by the Clerk's Office and the Airport is that the driver would go through the licensing process of the City, follow all of the City guidelines and we wouldn't do anything. The "medallion" process would stay the same and they would register with the Airport.

Mr. Normand answered that is correct.

Alderman O'Neil stated but it would allow them to pick up a fare in the City of Manchester.

Mr. Normand replied all it would do is require the drivers...

Alderman O'Neil interjected okay so lets go back to my Amoskeag Airport example.

Mr. Normand replied the reason why I brought that up is because I am not sure what kind of vehicles they have. If they are a limousine or if they are essentially a cab...

Alderman O'Neil interjected it was a full-size, four-door car.

Mr. Normand stated if they are licensed as a cab by the Airport, then the drivers would be subject to the drug testing.

Alderman O'Neil asked the people from the Airport to talk.

Chairman Pariseau asked, Matt, could you clear up the issue with the limousine for me. Say, and we will just use Grace for the sake of using Grace, but say they have six vehicles that carry more than seven or more passengers...

Mr. Normand interjected if you look at the majority report in front of you, you will see that the first page has the definition of taxicab. That is essentially what we consider a taxicab.

Chairman Pariseau stated I am talking about the company. Grace Limousine Service has, say 12 vehicles. Six have seven or more passengers and six have six or less. Do they have to have a license for those six vehicles?

Mr. Normand replied any licensed taxicab by the Airport would be subject to drug testing, the drivers would be subject to drug testing. If Grace has six cab type vehicles and they are licensed as such, then they would be subject to the drug testing; their drivers.

Alderman Thibault asked, Matt, are you still saying now that if these vehicles are above seven passengers they don't have to abide by that rule, but the drug testing stays on.

Mr. Normand answered no. We haven't addressed the limousines or the limousine drivers. Our ordinance doesn't address that currently and I was under the assumption that your focus was on the taxicabs.

Alderman Thibault stated again, I would like to say that a limousine that is going to pick up at the Airport and comes through the City of Manchester, to me, should be handled the same as any other five passenger car that is coming out of the Airport. It doesn't have to be a seven passenger. A Ford LTD, for instance, will handle five people. They wouldn't have to put up with that? I think that is wrong. I think there is a discrepancy there. I think that the limousines that are coming through the City of Manchester should have to go through the same type of ordinance as any cab driver.

Alderman Girard stated I think I can say something that would clear up the confusion that is here. In order to be considered a taxicab, Alderman Thibault, the car has to be incapable of handling more than six people. So if a Lincoln Town Car is rated by the government as a five or six passenger car, it is not considered a limousine. For the purposes of our ordinance, it is considered a taxicab and would be subject to those regulations. If the vehicle, whether it is a van or a stretch limo or anything else, can handle seven or more passengers, it is classified by State law as a limousine and would not be subject, nor would the drivers of those vehicles, be subject to the City's taxicab ordinance. I really don't think, Alderman, that you are going to have stretch limousines and 12-passenger vans coming through the streets of Manchester looking to pick up fares at \$1.50 a mile or whatever it is. That is just too stupid for words.

Alderman O'Neil stated maybe we should let Mr. Dillon speak.

Alderman Thibault stated in response to what Alderman Girard just said, I would like to add one thing. Many of those LTD's or Mercury Monarchs, it is marked right on the window limo service. Now what does that tell me? It is a limo. It is a six-passenger car and all of the sudden it is a limo or is it a stretch limo?

Alderman Girard replied as a six-passenger car, it would be considered a taxicab under the City ordinance.

Alderman Thibault stated but it is marked limo on the car.

Alderman Girard responded it doesn't matter what the title on the car says. It matters how many passengers it carries.

Alderman Thibault replied that is where I am confused. I am sorry.

Mr. Bush stated our distinction between taxi and limo is based on function versus type of car. At the Airport, if you are classified as taxi, you are allowed to queue up at the curb and passengers are handled on demand coming out of the terminal.

If you are a limousine, you can only make a pick-up if you are registered with the Airport and there was a prior reservation made. That is where the distinction is.

Alderman Girard asked, Mr. Dillon, since Alderman O'Neil has on several occasions tonight brought up the conditions of the City licensed cabs and it has been discussed tonight and at other points in this Committee that the Airport cabs seem to be in much better shape, would you kindly share with this Committee the regulations that the Airport imposes on its taxicabs so perhaps we might have Mr. Normand, who is about to do some research for us, might get a clue as to why your vehicles are so much better looking and everything else.

Mr. Dillon answered I guess I can attribute it to the number of vehicles we are dealing with is limited and each vehicle is inspected by the Airport.

Alderman Girard asked what are the inspection requirements that enable them to be licensed by the Airport.

Mr. Dillon answered virtually our inspection at the Airport is a visual, aesthetic inspection. The car has to be in good condition with no body damage.

Alderman Girard asked could you tell us what the requirements are, please. I am asking a very simple question. What are the vehicle requirements of your cars? The cars that you license.

Mr. Dillon answered the vehicle has to have no body damage and has to be in good working condition and good appearance.

Alderman Girard asked that is it.

Mr. Dillon answered yes.

Alderman Girard asked so you don't have anything regarding size of the vehicle and you don't have anything regarding whether or not the vehicle has to be clear or anything else. So the drivers of these cars just happen to take care of them. Is that what we are hearing?

Mr. Bush answered I think the drivers are motivated to take care of the cars because of the business that they garner. They are looking for a little bit different business than the City cabs are.

Alderman Girard asked so if a vehicle at the Airport were duty, the interior or exterior just looked bad, would you folks have any recourse to say get it cleaned up or is it just body damage.

Mr. Bush answered yes we do. There is some language in our rules and regulations in terms of the cleanliness of the vehicle. If we go down to the curb and we find something like you described or the deputies do, the taxicab drivers cooperate. That has not been a problem.

Alderman Girard stated could you see that the regulations you have governing the condition and appearance of your cabs, could you see to it that it gets to the Clerk and this Committee so that we understand what you have done because frankly I think you have done a good job making sure that the cabs that serve the Airport are worthy of the Airport. We have done a lousy job.

Alderman Thibault asked would it be possible to have one of these cab companies answer the question that if they put a Ford LTD at the Airport would they go through the same kind of scrutiny as they cabs or limos do. Would they go through the only type of inspection that you are talking about as compared to the type of inspection that they may be put through in Sgt. Winn's operation, if I may use that expression? Just for drug testing if I hear right.

Mr. Normand answered essentially we are focused on drivers, however, if and again this has all been more conversation than anything and there has been no formal proposal but what we have bandied about was that they would be subject to City regulations. Now if they drive a vehicle, I suppose you could take that a step further and if they drive a vehicle into the City that is contrary to our ordinance than that would fall into play.

Alderman Thibault asked could I ask one of the taxicab operators to talk about this.

Mr. DeSchuiteneer stated if I hear your question correctly, you are asking if...say my company was to take a car and have it inspected by the Airport I would not have a medallion but I would be subject to the same rules and regulations. That is what you have to answer. If I put a cab at the Airport, I am actually not licensed to pick up in the City of Manchester, but these guys do it so I guess I can. Is that what you are asking?

Alderman Thibault asked no, would you be subject to the same kind of inspection on that vehicle at the Airport as to what you do now or would he be subject to the City's ordinance as far as inspection of the vehicle. Do you understand what I am saying?

Mr. Normand answered the driver is who we are after. The driver would be subject...if he is holding a City permit he is subject to the drug and alcohol testing.

Alderman Thibault stated but if he didn't have a City permit, such as Mr. DeSchuiteneer is alluding to, in other words this car is licensed to be at the Airport. They are not going to get a City medallion. They are going to go strictly to the Airport with this car if they can get their blessing. Would they then only go through the inspections that the Airport is going to give them?

Mr. Bush replied I think that is the proposal because the only thing that we have talked about so far is the driver's license, the taxi license. The permitting itself is a business license in the City of Manchester. There is an operating permit that we use at the Airport. There are different rules and different environments. Another thing that I would like to add is one of the questions was about the difference in how the cabs are maintained in one area versus the other. One of the things that happens at the Airport is you have an awful lot of entrepreneurs that own their own vehicles so there is a lot of motivation, self-serving, to take care of it and make sure that it is marketable to the clientele. In the City, as I understand, they are not necessarily owner operators. They are much more people using somebody else's car.

Alderman Thibault stated just to follow-up, I would have to go up here and say again that I have been at the Airport where I have seen regular cars marked Limo Service on them. This is what confuses me. Are they, in turn, at that point used as a limo that might handle seven, eight or ten passengers or are they performing as a car.

Mr. Bush responded there is a functional difference between the limousines and the taxicabs. The limousines are really on a reservation basis for pick-up at the Airport. Taxicabs have the right to queue up along the commercial curb. We literally permit, just so you have an idea, 220 companies today with over 1,200 vehicles. 80% of those are limousines today and they are from Massachusetts, Vermont, Maine and all over the place. We do not scrutinize that operation the same way we do the taxicabs and the reason for that is that taxicabs are set-up in such a way that people come out and enter a taxicab. We are putting the taxicab in front of the customer. The limousines are really on a reservation basis so it is at the customer's discretion.

Alderman Thibault asked, Mr. DeSchuiteneer, did that answer your question.

Mr. DeSchuiteneer stated the only thing I wanted to ask and I am just bringing it to your attention because maybe it should be discussed but last Thursday night I don't know if there was a problem at the Airport or not, but I was dispatching and I got 35 calls from the Airport and that is not an exaggeration. There were no cabs there. I had to tell the people that I could not pick up there. I don't know if you want to address that. I told them that if they talk to the Sheriff maybe I could send a cab down there. There was no coverage at the Airport last Thursday night and I don't know why.

Chairman Pariseau stated that is not a matter for discussion here.

Alderman O'Neil stated based on the letter of 9/30/99 from Paul Bergeron, there appears to have been a pretty good meeting between the Airport, City Clerk and City Solicitor's Office. Might we encourage them to continue their discussions? Are you looking for action tonight on the drug-testing portion?

Mr. Normand replied we are just here to address what we thought were your concerns and that was the drug testing.

Alderman O'Neil stated I read here talking about two different... a Level 1 license and Level 2 license. Maybe we should just encourage them to continue their discussions, work out some of these issues. I certainly understand that it is tough to sit at the Airport at 10 PM waiting for a plane that could be delayed for two or three hours. Maybe there is a way to work around this during those cases.

Mr. Bush replied maybe I could just add that one of the things that happens at the Airport is that sometimes it is feast or famine because you experience diversions or flight cancellations and you can literally wipe out the entire taxicab queue as a result of one flight being cancelled so we find ourselves in a position where we don't have enough permitted cabs to accommodate the Airport customers. In those instances, what we have done is authorized the Rockingham County Sheriff's dispatcher to call any cab because at that point we want to satisfy the customer in getting to his home so we have made that exception.

Alderman Rivard responded but in many cases when there is a shortage of cabs and you are attempting to get the City cab companies to respond, they balk. They say you didn't need us before and we are not going to go now so have a nice day and you really can't blame them. You really can't blame them because you only take them when everybody else is gone. So you have a difficult time and that is what happens, people get stranded and then what do you do? Tell us about what happened last Thursday. I am interested in knowing what happened.

Mr. DeSchuiteneer stated I got about 35 calls from people who wanted a cab and I couldn't send anybody down because I am not authorized to pick-up at the Airport.

Alderman Rivard asked so the Sheriff didn't call you.

Mr. DeSchuiteneer answered no, the Sheriff did not call me. As a matter of fact, I told people to talk to the Sheriff and see if he would call but I didn't get any calls back. I don't know if the other company did or not.

Alderman Thibault stated in the drug testing, I think that is a very important issue and I think it is something that should be addressed by this Committee tonight in my opinion.

Alderman Thibault moved to adopt the proposal to have all Airport taxicab drivers obtain a City permit. Alderman Rivard duly seconded the motion. Chairman Pariseau called for a vote. There being none opposed, the motion carried.

Alderman O'Neil asked that would require any of the drivers at the Airport to get a City license. Is that correct?

Mr. Bush answered what we would be doing is looking for a City taxi license on every operator at the Airport, but what we are really saying is that would modify our own rules and regulations to make that license a prerequisite. So we wouldn't necessarily have to integrate the two systems. For various reasons, they are always going to be a little bit different, but this would address the problem.

Alderman O'Neil stated I would encourage the City Clerk and City Solicitor to meet with the Airport staff to continue to discuss ways to improve meeting the needs of the users of the Manchester Airport.

Alderman Girard asked so we are going to take the drivers of the cabs that are licensed at the Airport and we are going to require them to be licensed taxicab drivers by the City. Mr. Normand, are we going to assess the same fees that we assess to these drivers?

Mr. Normand replied absolutely.

Alderman Girard asked so now instead of paying \$300 to work an Airport cab, we are going to charge \$300 for the cab and \$400 for the driver so somebody who drives at the Airport is going to be paying \$700.

Mr. Normand answered no. It is going to cost \$300 for their Airport vehicle and \$80 for their City license. That \$80 is comprised of a \$65 drug-testing fee that we have to pay.

Alderman Girard asked would the City Clerk's Office be responsible for administering the tests.

Mr. Normand answered yes, we coordinate the tests.

Alderman Girard asked how many drivers are we talking about adding to your testing here and are you physically capable of doing it or will the Airport be reimbursing you for Airport related activities.

Mr. Normand answered it is my understanding that Mr. Dillon and Mr. Bernier had a conversation today about reimbursement of additional costs if they were necessary. I am assuming that has been addressed.

Alderman Girard asked, Mr. Dillon, is the Airport able to lend whatever administrative support it needs to the City Clerk's Office.

Mr. Dillon answered yes. I spoke to the City Clerk today and told him that any cost that exceeds that \$80 per driver the Airport would be responsible for as long as it could be documented.

Alderman Girard asked but administratively, Mr. Normand, you could handle the additional driver load.

Mr. Normand answered in talking to Mr. Bush I think he mentioned there was a potential of 150 drivers and that is essentially doubling our force, but it is a review process and at this point we feel that we can handle it.

Alderman Girard asked other than the drug-testing then, the status quo is in force. City taxicabs can't do Airport business unless the Sheriff calls them during those exceptions and the Airport cabs are restricted to Airport business as it is today?

Mr. Dillon answered that is correct.

Alderman Thibault stated I would like to again tell Alderman O'Neil that I agree 100% with his correlation between the taxicab companies and the Airport to try to resolve the issue of when you do have no cabs as to who will function and how they will function. I think that is the important thing. When you get caught at the Airport and I am using myself, but there were several other people caught there

that night with no transportation and we couldn't get transportation. That is what I am concerned about. I am concerned about you people arriving at some discussion that is going to help the people of this City when they get to this Airport and they have no way of getting out of there. I am leaving it to you people in your wisdom to find a way around that, but I am sure that these companies being competitors to some extent, I am sure they will work with you to come up with something that is feasible for all parties that when you do have a problem you can call somebody and yes, they might even be alerted that there might be a problem tonight and would you be there. That may be the answer, I don't know. I will leave that to you people to decide, but there has got to be a way to bring this together. That is all I am asking for and I hope you guys will look at this very carefully.

There being no further business to come before the Committee, on motion of Alderman O'Neil, duly seconded by Alderman Rivard, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee