BURLINGTON TAXI LICENSING APPEALS PANEL
BURLENTON INTERNATIONAL AIRPORT
MINUTES OF MEETING
April 30, 2014

APPROVED – 6/25/14

MEMBERS PRESENT: Jeff Munger (Chairman)
Bill Keogh (Vice Chairman)
Dennis Duffy

MEMBERS NOT PRESENT: Norm Blais
Max Tracy
Tom Ayres

LICENSE REVIEW/APPEALS PANEL:
Jeff Munger, Airport Commission
Bill Keogh, Airport Commission
Lt. Dennis Duffy, Burlington Police Dept.

ADMINISTRATION: Isaac Trombley, Taxi Administration Office
STAFF ATTORNEY: Gregg Meyer, Assistant City Attorney

OTHERS PRESENT: Appellant(s):
- Amanda Morrill
- Doris Hargrove
- Gerald Jarvis
- Donald Corbett
Sheila Edwards, Airport Ambassador
Marianne Riordan, Recording Secretary

1.0 CALL TO ORDER and AGENDA
The meeting was opened at 1:11 PM on April 30, 2014.
1.01 Agenda
Action: The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to approve the agenda as presented.

2.0 TAXI DRIVER DENIAL HEARING(S)
2.01 Amanda Morrill
Action: The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to recess the meeting to prepare for the hearing. The meeting was recessed at 1:12 PM.
Action: The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to reconvene the meeting. The meeting was reconvened at 1:16 PM.

Amanda Morrill appeared on behalf of the hearing. Gregg Meyer explained the procedure to be followed and swore in individuals to give testimony. Introductions were made.

Background
The record for Amanda Morrill shows a taxi license was denied due to violations of the taxi ordinance.
Testimony
Amanda Morrill testified to a past drug addiction (oxycodone opiates) and “being clean” for the past seven years. Ms. Morrill said she participates in a Subutex maintenance program and has a urine analysis done every two weeks as part of the program. There are no symptoms or side effects secondary to the therapy. A letter from Dr. Michael J. Corrigan, MD, dated April 7, 2014, was read and submitted into the record. The letter confirmed the appellant’s stable participation for seven years in the Subutex program for opiate addiction and that the appellant should be able to work as a taxicab driver while on the medications. Ms. Morrill stated she has had no driving infractions except for a speeding ticket in 2009. The appellant said she hopes to drive for her father with Quik Cab. Ms. Morrill said she presently lives with her mother, but hopes to get an apartment. Ms. Morrill said she has a car and carries her own insurance.

Lt. Duffy asked the appellant the number of tickets received as a taxi driver in the past. Ms. Morrill testified she received her last ticket while on her way to a doctor’s appointment. Another ticket was issued on UVM campus for driving 38 mph in a 30 mph zone. Bill Keogh asked if any warnings have been issued. Ms. Morrill said no.

Gregg Meyer observed there is no record of the appellant being a taxi driver in 2009. Amanda Morrill testified she worked for taxi companies and leased a taxi. Some fares were to the airport. Ms. Morrill said she feels people feel safe with her. Girls feel safe having a female driver. Ms. Morrill said she is now 34 years old and has tried to grow up and stay out of trouble.

There was no further testimony. The Panel will issue a decision in writing.

Deliberation
Action: The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to go into deliberative session.
Action: The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to end deliberative session and reconvene the regular meeting.
Action: The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to grant a license without conditions to Amanda Morrill.

2.02 Doris Hargrove
Action: The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to recess the meeting to prepare for the hearing. The meeting was recessed at 1:26 PM.
Action: The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to reconvene the meeting. The meeting was reconvened at 1:30 PM.

Doris Hargrove appeared on behalf of the hearing. Gregg Meyer explained the procedure to be followed and swore in individuals to give testimony. Introductions were made.
Background
The record for Doris Hargrove shows a taxi license was denied due to violations of the taxi ordinance.

Testimony
Doris Hargrove stated she had trouble in her life 18 years ago and made some bad decisions that involved aggravated assault and illegal drug activities, but since her arrest and incarceration for the offenses (1993-1996 in Vermont) there have been no issues with the law. Ms. Hargrove testified:

- Past jobs included social services, driving a school bus, delivering mail, holding a CDL license and driving a dump truck.
- In Connecticut she was a recovery support specialist and would like to do the same type of work in Vermont.
- Taxi driving is a good job, but not the work she plans to do for the rest of her life.
- There is a parking ticket on her record from when she was 15 years old and an incident on her license for passing a stopped school bus though the bus driver was waving people past.
- The moving violations and licenses suspensions in 2006, 2007, and 2008 are from her sister who took Ms. Hargrove’s license and got the violations.
- The violations were found when Ms. Hargrove tried to register her car. Ms. Hargrove said she paid the fines.
- Ms. Hargrove’s driver’s license was reinstated 1/28/08 and again on 10/1/09, but Ms. Hargrove only paid once to reinstate the license and did not know who paid the second time, possibly her sister.

Gregg Meyer reviewed the appellant’s record for convictions: reckless endangerment and simple assault in 1994, heroin in 1996, and disorderly conduct in 2001. Ms. Hargrove said while on probation in 1996 she got the heroin conviction. The disorderly conduct citation occurred when a former boss called the police during an argument about end pay after quitting the job. In 1997 there was an insurance related violation. Since 2001 there have been no infractions.

Bill Keogh asked if the CDL is current. Doris Hargrove said the three year license is expired because she could not pay the fee. Also, her diabetes was not under control when she held the license so she could not drive for Vermont Transit and that is why she started driving a dump truck. Ms. Hargrove said her diabetes is under control now.

Lt. Duffy asked Ms. Hargrove to explain how the safety of the public and be ensured if she is a granted a taxi license. Ms. Hargrove said she is shocked about what is on her record and blames the actions of her sister for many of the incidents. Ms. Hargrove said she is always having to take care of problems caused by her sister and is trying hard now to do what she can to keep herself in check. Ms. Hargrove said her work history is excellent, she has never been fired (has quit
jobs though), drove for Yellow Cab in the past, was a school bus driver in Alburgh for three years, worked for Vermont Transit, and is a good person. Morf Taxi likes her credentials and is willing to give her a job. Morf paid for the taxi license application. Ms. Hargrove said she can get a list of people to vouch for her.

There was no further testimony. The Panel will issue a decision in writing.

**Deliberation**

**Action:** The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to go into deliberative session.

**Action:** The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to end deliberative session and reconvene the regular meeting.

**Action:** The Panel voted unanimously on a motion by Bill Keogh, seconded by Dennis Duffy, to grant a license to Doris Hargrove.

2.03 Gerald Jarvis

**Action:** The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to recess the meeting to prepare for the hearing. The meeting was recessed at 2:03 PM.

**Action:** The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to reconvene the meeting. The meeting was reconvened at 2:07 PM.

Gerald Jarvis appeared on behalf of the hearing. Gregg Meyer explained the procedure to be followed and swore in individuals to give testimony. Introductions were made.

**Background**

The record for Gerald Jarvis shows a taxi license was denied due to violations of the taxi ordinance.

**Testimony**

Gerald Jarvis testified he wants to drive limousines on weekends to earn extra money to support his family. Mr. Jarvis said he has held his full time job at Husky in research and development for the past 10 years, and has informed the owner of the limousine company of his past when he was young and hanging out with the wrong people. Mr. Jarvis stressed he is completely different now as a husband, father, homeowner, community member, scout leader, and tries to do the right thing and be a good role model for his three children. Mr. Jarvis asked to be seen as the person he is now and volunteered to provide a list of references to vouch for him.

**Deliberation**

**Action:** The Panel voted unanimously on a motion by Bill Keogh, seconded by Dennis Duffy, to grant a license to Gerald Jarvis.
3.0 TAXI DRIVER VIOLATION HEARING(S)

3.01 Donald Corbett

Donald Corbett appeared on behalf of the hearing and requested permission to audio record the proceedings. Airport Ambassador, Sheila Edwards was also in attendance to provide testimony at the hearing. Gregg Meyer explained the procedure to be followed and swore in individuals to give testimony. Introductions were made.

Submittals:

- Complaint from Sheila Edwards
- Letter to Donald Corbett from Kristin Jones, dated 3/12/14, re: opportunity to use the informal process
- Memo to Taxi Board, dated 3/12/14, re: utilizing the informal process
- Response from Donald Corbett
- Suggestion by Kristin Jones that a hearing be set based on the response from Donald Corbett

Testimony

Donald Corbett thanked the Panel for the opportunity to prepare for the hearing. Mr. Corbett stated the following:

- The complaint is about the ‘jumpstart’ (car battery) procedure at the airport.
- Rules for jumpstarting vehicles are not displayed, but are “hidden” in a book.
- Nowhere does it say anyone is allowed to manipulate the rules.
- Nowhere does it say when the rules were implemented and by whom.
- Bella Taxi was witnessed going into the garage to jumpstart a car and jumper cables were used which is not allowed.
- The treatment by Sheila Edwards toward Donald Corbett is unfair and discriminatory and the suspension is unjustified.

Mr. Corbett read his chronology of events relative to the jumpstart incident and interactions with Sheila Edwards. Mr. Corbett also read statements from Sheila Edwards about the incident.

Bill Keogh asked Mr. Corbett why he feels Sheila Edwards treats him as he perceives. Mr. Corbett said there have been other instances where Sheila Edwards has chosen to treat him differently than others. Complaints have been sent to the Taxi Panel without response (last year regarding the age of vehicles).

Lt. Duffy asked Mr. Corbett to explain his understanding of the jumpstart process and his actions to that end. Donald Corbett said he knows to go to the contract lane, get the box, and jump the car, but he did not know there were written rules. Mr. Corbett said he felt he was being provoked by Sheila Edwards.

Bill Keogh asked Mr. Corbett if he has read the taxi ordinance. Mr. Corbett said he read the document a while ago. Mr. Keogh asked Mr. Corbett about the source
of information for taxi operations at the airport. Mr. Corbett replied verbal hearsay. Information from an airport ambassador is believed to be correct.

Jeff Munger asked Mr. Corbett how long he has driven a cab at the airport. Mr. Corbett said seven years. Bill Keogh asked the percentage of business that is from the airport. Mr. Corbett said 90% of his business is fares going to or from the airport.

Airport Ambassador, Sheila Edwards, provided her recollection of the jumpstart incident and conversation with Donald Corbett. Ms. Edwards said she was trying to do the job the way Airport Operations wants and avoid the customer hearing argument about $25 payment and accusations about allowing taxicabs in the parking garage. Ms. Edwards acknowledged another Airport Ambassador did allow Bella Taxi into the garage to jumpstart a car because the outside temperature was very cold (below zero).

Bill Keogh asked how taxi drivers get information about rules and policies at the airport. Sheila Edwards said when first implemented everything is posted on the windows of the booth. The jumpstart rules were posted for about a month when first implemented which was a long time ago. Donald Corbett has been seen reading the postings. Bill Keogh mentioned the claims by Donald Corbett that Sheila Edwards lied to him and has a ‘chip on her shoulder’. Sheila Edwards said she has no reason to lie and absolutely does not have a chip on her shoulder or isolate Mr. Corbett for any reason. Ms. Edwards testified she implements the rules and regulations fairly and does not have ‘favorite’ drivers. Ms. Edwards said she allows drivers to take the book of rules to read while in line. Mr. Corbett was shown the jumpstart rule.

Isaac Trombley noted updates to rules are not mailed to taxi companies, but when a taxi driver is issued a license a copy of the current regulations is provided.

Jeff Munger asked Ms. Edwards how long she has worked at the airport. Ms. Edwards replied 13 years.

Gregg Meyer asked if the rules provide for exceptions. Ms. Edwards said per the ordinance discretion can be used. Donald Corbett interjected per the dictionary definition ‘discretion’ is a form of discrimination allowing people of authority to choose what they want. Mr. Corbett said when he asked Ms. Edwards about Bella Taxi going into the garage Ms. Edwards said she called Airport Operations.

Gregg Meyer asked Mr. Corbett what he meant by “…pray God cause pain or suffering…” in his response statement, dated 3/17/14, which could be perceived as a threat. Mr. Corbett said the statement was not a threat, but that Sheila Edwards threatened him when he went to get a contract fare and made a comment about loitering and Ms. Edwards said “don’t make me give you more trouble than you already have”. Mr. Corbett said he wrote the statement because Ms. Edwards
claims to be a biblical reborn Christian, but her actions do not prove this. Mr. Corbett said he also wrote the response because he is willing to take a lie detector test to prove he is not lying.

There was no further testimony and the hearing was concluded. The Panel will issue a decision in writing.

**Deliberation**

**Action:** The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to go into deliberative session.

**Action:** The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to end deliberative session and reconvene the regular meeting.

The Panel agreed a letter of reprimand needs to be sent to Donald Corbett saying he must respect airport staff and the rules of the Taxi Administration, be familiar with the rules, bring more professionalism to the job, and have no altercations in front of customers.

Isaac Trombley will draft a recommendation for a better approach to handling vehicle jumpstarts for airport patrons.

**Action:** The Panel voted unanimously on a motion by Bill Keogh, seconded by Dennis Duffy, that the city attorney draft a letter for consideration by the Panel indicating the facts show there was a clear misunderstanding and different interpretation of what transpired with regard to an altercation between Donald Corbett and Sheila Edwards in front of a passenger which is improper and unacceptable, and further, pending review of the draft letter the Panel will make a decision on the violation by Donald Corbett.

Gregg Meyer will draft the letter for consideration by the Panel.

### 4.0 COMPLAINT

#### 4.01 Customer Complaint, Nicole Roy

Complaint was received against Yellow Cab/Benways for not using the meter and taking a round-about route to Burlington resulting in an overcharge to the passenger.

**Action:** The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to table action on the complaint and request that the owner of the taxicab company attend the next meeting of the Taxi Appeals Panel to address the matter.

### 5.0 MINUTES

#### 5.01 April 4, 2014

**Action:** The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to approve the minutes of 4/4/14 as presented.
6.0 ADJOURNMENT

Action: The Panel voted unanimously on a motion by Bill Keogh, seconded by Jeff Munger, to adjourn the meeting.

The Taxi Appeals Panel meeting was adjourned at 3:22 PM.

RScty: MERiordan
“To Do” from 4/30/14 Taxi Panel meeting:

1. The Panel agreed a letter of reprimand needs to be sent to Donald Corbett saying he must respect airport staff and the rules of the Taxi Administration, be familiar with the rules, bring more professionalism to the job, and have no altercations in front of customers.

2. Gregg Meyer will draft a letter for consideration by the Panel indicating the facts show there was a clear misunderstanding and different interpretation of what transpired with regard to an altercation between Donald Corbett and Sheila Edwards in front of a passenger which is improper and unacceptable, and further, pending review of the draft letter the Panel will make a decision of the violation by Donald Corbett.

3. Isaac Trombley will draft a recommendation for a better approach to handling vehicle jumpstarts for airport patrons.