

**BURLINGTON TAXI LICENSING APPEALS PANEL
BURLINGTON INTERNATIONAL AIRPORT
MINUTES OF MEETING
August 31, 2015**

MEMBERS PRESENT: Jeff Munger (Chairman)
Bill Keogh
Adam Roof
Dennis Duffy (recused)

MEMBERS NOT PRESENT: Max Tracy
Tom Ayres

LICENSE REVIEW/APPEALS PANEL: Jeff Munger, Airport Commission
Bill Keogh, Airport Commission
Adam Roof, Burlington City Council

ADMINISTRATION: Isaac Trombley, Taxi Administration (Airport)
Ashley Bryce, Taxi Administration Office (City Hall)
Lori Olberg, Licensing Office, City Hall
Eric Kratovil, BPD
Jake Seller, BPD
Sheila Edwards, Airport Ambassador Foreman

STAFF ATTORNEY: Gregg Meyer, Assistant City Attorney

OTHERS PRESENT: Catherine Dingle, Attorney for Blazer Transportation
Sarah Shea, US Airways Customer Service Supervisor
Kim West, US Airways Customer Service
Donald St. Onge, taxi driver, Blazer Transportation
Nicholas Schieldrop, taxi driver

APPELLANTS: Ricky Handy
Chris Handy

1.0 CALL TO ORDER and AGENDA

Chairman Jeff Munger called the meeting to order at 9:07 AM on August 31, 2015.

1.01 Agenda

Action: The Panel voted unanimously on a motion by Bill Keogh, seconded by Adam Roof, to approve the agenda as presented and hold one hearing for all three appeals since the appeals are related.

2.0 PUBLIC COMMENTS

Nicholas Schieldrop stated in the effort to establish a universal taxi license for the State of Vermont the first state issued taxi license is now available and valid in every municipality, but needs fine tuning before going before the state legislature. The application form needs fine tuning to accommodate Uber taxi service. The application form should be ready in two months. Mr. Schieldrop also mentioned his previous request for information under the Public Records Act.

3.0 TAXI HEARINGS

3.01 Blazer Transportation
3.02 Ricky Handy

3.03 Christopher Handy

Ricky and Christopher Handy appeared for the hearings regarding themselves and Blazer. Attorney Catherine Dingle, representing the Handy's and Blazer, was also present. Gregg Meyer explained the procedure to be followed, swore in individuals to provide testimony, and introduced the Taxi Appeals Panel.

Background

Complaints of violation of the taxi ordinance have been brought against Blazer Transportation, owner Ricky Handy, and his son, Christopher Handy. A letter, dated August 7, 2015, was sent to Blazer Transportation listing the complaints.

Appellant Testimony

Ricky Handy testified:

- The complaints in the letter are allegations.
- The discovery package was just received and after review it was felt legal counsel is needed unless the Taxi Panel will issue a fine and not suspend the taxi license.
- Mr. Handy said he has a wife and two year old with another baby on the way and the cap company is his sole income. The company has nine cars and 10 drivers.
- Mr. Handy runs the company as he sees fit and in the past did not have workers compensation, issue W-2 forms, or have proper insurance, but this has been rectified.
- Mr. Handy testified he does not break the law and will defend the allegations. If the Taxi Panel has decided on a suspension then he wants a continuance but if the Taxi Panel has decided to issue a fine, then a continuance of the hearing is not requested.

Gregg Meyer explained the procedure of the hearing and that a written decision will be issued by the Panel. No evidence has been taken yet and no decision has been made. The appellant confirmed the notification was sent August 7, 2015 and that is what is before the Panel. Staff sent copies of existing documentation (records, license, previous actions) to be part of the hearing record.

Ricky Handy respectfully requested postponement due to lack of legal counsel being present and to allow review of materials just received. Mr. Handy said his attorney will request postponement as well.

Action: The Panel voted unanimously on a motion by Bill Keogh, seconded by Adam Roof, to recess the hearing and enter Executive Session to deliberate and consider the request for postponement. Executive Session was convened at 9:25 AM.

Action: The Panel voted unanimously on a motion by Bill Keogh, seconded by Adam Roof, to adjourn Executive Session and reconvene the regular meeting.

Executive Session was adjourned and the regular meeting reconvened at 9:35 AM.

Bill Keogh announced the Panel decided to proceed with the hearing, notice of which was received by Ricky Handy on August 10, 2015, because the appellant had sufficient time to prepare and hire an attorney. Catherine Dingle, attorney for the appellant, reserved the right to appeal because there was not time to prepare for the hearing properly.

Witness Testimony

Isaac Trombley, Airport Taxi Administration, testified:

- The complaints against Ricky Handy and Blazer Transportation date back to last year (2014).
- Observation was made of the company operating outside the city taxi ordinance and complaints were submitted. A hearing could not be scheduled until now. The complaints include:
 - Allowing a driver with a criminally suspended license (Norman Houle) to drive (March 29, 2015). Mr. Houle was removed from the airport.
 - Several incidents of Blazer drivers including Chris Handy taking double voucher rides from US Airways in one vehicle after being told by Sheila Edwards, Airport Ambassador, that this is not allowed. US Airways thought the passengers with vouchers would have separate cabs.
 - Allowing an unlicensed taxi driver to transport passengers (Lisa Sessler).
 - Using an unlicensed taxi vehicle to transport passengers (Ricky Handy).
 - Charging a higher rate than allowed per the taxi ordinance.

Gregg Meyer asked how it was known Lisa Sessler did not have a taxi license and if Norman Houle was observed driving. Isaac Trombley said he issues the taxi licenses at the airport and Lisa Sessler was not an applicant. Other Airport Ambassadors have witnessed Norman Houle driving a Blazer taxicab. Gregg Meyer asked about the unlicensed taxi vehicle. Isaac Trombley said he witnessed Ricky Handy driving his personal vehicle (Chevy Suburban) and gave him a warning (Burlington PD was present), but then Ricky Handy was seen driving his personal vehicle as an unlicensed taxi a week later.

Bill Keogh asked who monitors the voucher system. Isaac Trombley said vouchers are between the airlines and the taxi company. Sheila Edwards made a complaint about Blazer taking double vouchers. Bill Keogh asked Mr. Trombley if other companies have been seen acting in the fashion on Blazer Transportation since being the airport taxi administrator. Isaac Trombley testified since he has been taxi administrator (past four years) he has not witnessed other companies behaving like Blazer.

Ricky Handy questioned why there is a complaint by the airport taxi administration if it is not the business of the airport to monitor vouchers. Gregg Meyer stated the appellant will have opportunity to make a closing statement. The Panel is not here to answer questions from witnesses. Mr. Handy corrected the date Mr. Houle lost his license as of April 1st, and said the ticket that was issued by Burlington PD was dismissed in court because the officer did not show up for the court hearing. The same resulted with the ticket issued for having an unlicensed taxi driver, Lisa Sessler (the ticket was dismissed because the officer did not show up to court) so both items should not be under consideration at the hearing.

Sheila Edwards, Airport Ambassador Foreman, testified:

- Christopher Handy was witnessed with double vouchers and loading passengers into one vehicle. Mr. Handy indicated US Airways was aware of the situation, but US Airways representatives said they thought each passenger was getting their own cab. US Airways does not allow double fares.
- In another incident of double vouchers, a customer with a voucher got in a Blazer cab and 15 minutes later another customer with a voucher came out of the terminal and Don St. Onge was told to take the fare, but Ricky Handy asked to take the fare because he was going to the same area. The order of fare assignment for fairness (first in line gets the fare) was explained to Mr. Handy. According to Don St. Onge Ricky Handy met him at a gas station and the customers went into one cab.
- Lisa Sessler was witnessed in the contract lane and asked if she had a taxi license. Ms. Sessler said she has a license in Stowe. Isaac Trombley said Ms. Sessler does not have a contract license for the airport.

Bill Keogh asked if taking two vouchers is against airport regulations. Sheila Edwards said no, but the airline was told the passengers would have two cabs when they were all loaded into one vehicle. US Airways sent a copy of the complaint to their corporate office because the airline does not pay two vouchers for one car. Mr. Keogh asked Ms. Edwards how long she has been employed by the airport and if she has witnessed other companies causing problems like Blazer. Ms. Edwards said she has worked at the airport for 16 years and has not witnessed problems with vouchers except with Blazer. Bill Keogh asked if there are procedures for dealing with the queue and administering the queue that are not documented, but in place for years and understood by drivers. Sheila Edwards confirmed there is a procedure that is understood by most of the drivers and that rule is customers go to the first cab in line, but it is customer preference. Mr. Keogh asked if a customer with a voucher can go to any cab. Sheila Edwards explained with a voucher the customer would know which car to take, but it is customer preference. Bill Keogh asked how taxi drivers know accepted practices. Sheila Edwards said most taxi drivers know the rules and regulations of the taxi ordinance and know the procedure on the queue line.

Gregg Meyer asked Sheila Edwards if she observed Norman Houle driving. Ms. Edwards said she did not.

Adam Roof commented the voucher system seems not to have rules and a clever cabbie could take advantage. Mr. Roof asked Ms. Edwards if she has witnessed others doubling vouchers. Ms. Edwards said she has not.

Catherine Dingle ask if airport regulation or the Airport Ambassadors decide who gets fares. Sheila Edwards said the rule is first in line gets the fare. Ms. Edwards briefly explained how the queue line works. Attorney Dingle pointed out two fares were given to Blazer drivers so no one else would have had those fares anyway. Ms. Dingle asked what violation of airport regulations occurred. Sheila Edwards said taking a fare from the next driver in line is not allowed. Ms. Dingle asked how vouchers are offered. Ms. Edwards said vouchers are given to customers from the airlines. Ms. Dingle noted the voucher system is not part of what the airport administers so continuing the complaint as part of the hearing is questioned.

Ricky Handy asked how many vouchers were sent with Christopher Handy. Sheila Edwards said she did not see vouchers, but witnessed passengers being put in a cab even though they were saying they thought they would have separate cabs. Ricky Handy said three vouchers were given to Christopher Handy from US Airways even though Mr. Handy told them he had only one car. Ricky Handy said he contacted Sheila Edwards about both parties sharing cab if they agreed. Blazer drivers were next in line or at end of line so Sheila Edwards went down line and offered the fare until one accepted and it was a Blazer driver. Sheila Edwards disagreed, stating that the Blazer vehicles were first and second in line (Bob Benure and Don St. Onge) followed by five other vehicles in the queue.

Copies of the voucher documents from the Blazer office were submitted for the record.

Sarah Shea, US Airways Customer Service Supervisor, testified:

- Due to a cancellation on April 17, 2015 passengers were issued vouchers for transport to Albany Airport if requested. A family of five requested a cab and received a voucher. Another passenger was also issued a voucher, and another US Airways agent issued a voucher to a passenger as well. US Airways requested two cabs for two vouchers because the two female passengers agreed to ride in one cab together, but the cabbie put all the passengers in one cab and took the three vouchers (\$350/voucher).
- The family of five submitted a complaint to US Airways about being displaced.
- The airline works with the Airport Ambassadors with vouchers and cabs.

Bill Keogh asked if Sheila Edwards was the contact on the issue. Sarah Shea said Sheila Edwards informed her of the passenger being upset about the cab arrangement. A voucher was issued for one cab for \$350 for the family who said they were very crowded in the vehicle with so many passengers (family of five plus two female passengers). Bill Keogh thanked US Airways for serving passengers at Burlington Airport.

Catherine Dingle asked if the airline arranged the cab. Sarah Shea explained the airline writes the voucher. Ms. Shea said she spoke to Sheila Edwards about the cab. Sheila Edwards was out by the taxi line. Ms. Shea said she also spoke to Mr. Handy about a cab and he said there would be two vehicles. The two female passengers were willing to share a taxicab. Ms. Dingle asked if there is a policy of not combining vouchers or that the cab company should not have cashed in the vouchers. Ms. Shea said there is not.

Ricky Handy asked if there are ever two vouchers issued for one cab. Ms. Shea said typically one voucher is issued per cab. An honest cab company would have said there were two vouchers for one ride to Albany and there was an error. Ricky Handy questioned one voucher for eight passengers. Sarah Shea explained a cab was requested for four passengers. Rick Handy asked if the family had four or five members. Ms. Shea recalled four members, but if there were five then there definitely should have been a separate cab for the family.

Jeff Munger warned the appellant, Ricky Handy, to only speak to his attorney and not badger witnesses.

Eric Kratovil, Burlington Police Department, briefed the Panel on his certifications and hiring as a full time police officer at BPD with the assignment of street crimes which allows investigation of the airport incidents. Officer Kratovil testified as follows:

- On July 1, 2015 request from Lt. Dennis Duffy to investigate incidents was received and included the following nine issues:
 - Norman Houle driving for Blazer while license criminally suspended (March 29, 2015) as witnessed by Officer Fabini and following a DMV search that indicated as of April 2, 2015 the license was suspended due to DWI. Ricky Handy was notified of violation of Section 30-52(e) of the taxi ordinance.
 - US Airways vouchers taken by Chris Handy (April 17, 2015) for multiple cabs as expected by the passengers when only one vehicle was used. According to Christopher Handy US Airways said the situation was acceptable, but US Airways representatives said they thought there were to be two cabs because the company will not issue two vouchers for one cab. There were two parties going to Albany, one group with five people and one with two people, but each party received a voucher so there should have been two cabs (two female passengers agreed to share a cab). Cheryl Johnson

with US Airways confirmed the incident. The incident is evidence of violation of Sections 30-86 and 30-67 of the taxi ordinance (failure of compliance with authority and carrying additional passengers) and evidence Blazer Transportation is being dishonest and attempting to defraud the US Airways system.

- Combining vouchers and using cellphones. According to Ricky Handy he had two drivers meet and combine vouchers, and offered \$50 off the trip to the passengers. On 12/11/14 Sheila Edwards reported a passenger with Delta Airlines had a voucher and took a Blazer taxi. Ten minutes later another passenger with a voucher took another Blazer vehicle. The driver, Don St. Onge, was told not to detour to meet the first cab and double voucher, but Mr. St. Onge returned to the airport after combining the parties. Ricky Handy had to call the driver via cell phone to arrange the intercept which is in violation of the taxi ordinance Section 30-85 (cellphone use prohibited) and Section 30-86 (compliance of authorities). The evidence shows Blazer attempting to be dishonest and defraud the airline voucher system.
- Unlicensed Blazer driver (December 2, 2014) per report filed by Sheila Edward who witnessed a female driver picking up passengers in the contract lane at the airport. Lisa Sessler was the female who said she had a taxi license in Stowe. Sheila Edwards informed Ricky Handy that all his drivers need to be licensed and Mr. Handy said he was short on drivers. Sheila Edwards said she observed three Blazer drivers at the airport. Lisa Sessler was observed again at the airport on another date. According to Ms. Sessler she was never told by Ricky Handy that she needed a license. A ticket was issued to Blazer for violation of Section 30-52(e) (obligation of licensees or permittees).
- Unlicensed vehicle on 8/24/14 used to transport passengers driven by Ricky Handy. Burlington PD told Mr. Handy he must use a vehicle that is licensed as a taxi. On December 1, 2014 Mr. Handy was observed using the same vehicle to drop off passengers at the airport. The vehicle is his personal vehicle. The passenger said he was picked up in the city. A ticket was issued to Ricky Handy for violation of Section 30-55 of the taxi ordinance (unlicensed taxi vehicle). The issuing officer did not have a signed copy of the taxi ordinance in court so the ticket was dismissed.
- Blazer charging a higher rate than allowed per Section 30-47 of the taxi ordinance. Audio/video testimonies were taken from employees or former employees of Blazer. Ricky Handy and Christopher Handy would not allow the taping of their testimony. In sum, on 4/27/15 Donald Corbett heard Blazer was using a different rate than the one posted on the rate sheet. Blazer was charging more for pick up and per mile, and removed the rate cards from vehicles. Three Blazer drivers admitted charging more and

removing the cards per Ricky Handy's direction. Mr. Pradrawski is driving for New England Taxi now, but was a former Blazer driver for nine years as well as driving for Quik Cab. Ricky Handy said he fired Mr. Pradrawski because he urinated in a bottle while driving. Mr. Pradrawski said he quit and was not fired. Drivers were also told by Mr. Handy what rate button to push in certain situations. According to Mr. Pradrawski Rate 1 should be used in Burlington, but Ricky Handy said to use Rate 4 which charges more. The fare log contains the amount charged for a fare, but not distance traveled. On Mondays the drivers settle with Ricky Handy for payment. According to Don Corbett with New England Taxi at an interview on June 10 2015 Mr. Corbett two years prior witnessed a Blazer taxi leave the airport with the Rate 3 button activated on the meter. Others have also witnessed the overcharging of customers by Blazer (Robert Burnor). Mr. Corbett said he found a website for New England Taxi with Ricky Handy's name so business was being directed to Handy and not New England Taxi. On June 17, 2015 Don St. Onge was interviewed. Mr. St. Onge said he has driven for Blazer for years and one year ago witnessed a Blazer driver (Adam Roberts) using Rates 3 & 4 to see how much money could be made using those rates. Ricky Handy told the drivers to use Rate 3 for Burlington and Rate 4 for other trips. Ricky Handy said he would find other drivers if anyone refused to use Rate 4. Ricky Handy also told the drivers to take down the rate card. Section 30-49 of the taxi ordinance requires display of the rate cards. On April 30 2015 a text was sent by Ricky Handy telling all drivers to go back to the original orders of Rate 1 for Burlington and the airport. Ricky Handy sent the text after the article in *Seven Days* about rates in order to distance himself from the earlier orders to use Rate 4. The fare logs were photographed by the police. On 6/22/15 Burlington PD (Officers Kratovil and Seller) met with Christopher Handy at his residence regarding the rates. Christopher Handy said he was operating the business while his father, Ricky Handy, was out of the country. Christopher Handy said the information in the newspaper article was false and explained the rating system for Burlington, contract rides, and Stowe rides. Christopher Handy said he rarely uses the meter in Burlington even though Section 30-58 of the taxi ordinance requires use of the meter. Christopher Handy said it is not important what a passenger pays, but how the passenger is treated by the driver. Mr. Handy said he wants to take over the company from his father and have drivers charge the proper fare and be polite. Mr. Handy at first said he did not use Rate 4 and then said he might have used Rate 4. Mr. Handy showed discomfort when talking about what his father may have done with company, but did not want to specify. Mr. Handy showed an app

on his Smartphone showing the location of Blazer vehicles and the rate tied to the meter rate. Fleetmatics is the company with the app. Mr. Handy offered to show the rate sheet. There were two trips to the airport that were over charged. Photos of rate sheet were taken. On June 22, 2015 Burlington PD (Officers Kratovil and Seller) met with Ricky Handy at his residence. Mr. Handy owns Blazer Transportation. The discussion was of the violations noted in *Seven Days*. Ricky Handy complained that Isaac Trombley is not credible, smokes marijuana, and has a vendetta against his company. Ricky Handy said he tells Isaac Trombley how to do his job. Ricky Handy asked how to prove they are overcharging and denied using Rate 4. Mr. Handy called his drivers liars and said each are independent contractors. Mr. Handy implied it is acceptable to take a higher fare even if not the proper fare. Ricky Handy conceded he knew he overcharged, but justified this by saying his drivers provide better service (better arrival time for passenger pick up due to a phone app). Mr. Handy admitted overcharging, but his drivers use Blazers and Suburban vehicles and can take larger parties in one fare and the passengers are safer because of the larger vehicles. Ricky Handy made statements regarding use of Rate 4 that contradicted him saying he told drivers to use Rate 1 for Burlington and the airport. Mr. Handy said he creates a contract with 90% of his passengers and only overcharges by 70 cents per mile. Every driver that was interviewed confirmed they overcharge by using Rate 4 in Burlington and Ricky Handy directed them to overcharge and share the profits with him.

Christopher Handy vaguely eluded to his father directing drivers to overcharge. Ricky Handy, owner of the company, admitted he overcharged and justifies this by creating contracts. The evidence shows Mr. Handy is clearly in violation of Section 30-17 of the taxi ordinance (contract vehicle are not taxicabs and do not have dome lights) and Section 30-95 (overcharging).

- Blazer driver drinking alcohol while on the job. According to past drivers with Blazer (Pradrawski, Conroy, Don St. Onge, Burnor) Gregory Brooks who drives a green Suburban is a functioning alcoholic. Mr. Brooks has small liquor bottles in his taxi. According to Don St. Onge, Greg Brooks drinks and drives a green Suburban. Mr. Burnor said he has smelled alcohol on Mr. Brooks and in the vehicle. Mr. Conroy said Greg Brooks is drinking and driving which is upsetting because he is putting people at risk. Ricky Handy's position is if people think Greg Brooks is drinking then arrest him because he should not have to address it. Research of the police record for Gregory Brooks shows a green Blazer Transportation Suburban is driven by Greg Brooks. The same vehicle was located downtown with Mr. Brooks driving, but Mr. Brooks was not observed drinking.

- Blazer driver selling drugs from a Blazer taxicab. Isaac Trombley, airport taxi administration, received a complaint about drugs being sold from a Blazer taxicab. “Bute” is slang for a regulated drug used to treat narcotics dependency. Mr. Pradrawski was asked if he knew the driver of the vehicle and said Christopher Handy sold drugs in the past and is believed to be using drugs again because he sounds under the influence sometimes. Don St. Onge said Adam Roberts is selling butes from his taxi. Mr. Burnor said Adam Roberts offered to sell him butes. Mr. Conroy said another Blazer driver has seen Christopher Handy conducting drug sales at Handy Court. Christopher Handy said he did spot checks of Adam Roberts to see if any butes were missing and all were accounted for. From numerous accounts it is possible Adam Roberts is selling drugs, but there is no evidence.

Catherine Dingle asked for explanation of Section 30-86 (compliance to authorities). Officer Kratovil explained Airport Ambassadors give directions that the cabbies must follow. Ms. Dingle asked if passengers can agree to combine a cab. Officer Kratovil countered in the incident of the complaint one passenger did not agree and thought there would be separate cabs, but felt there was no other choice to get to Albany. There were numerous cabs available that day. Ms. Dingle said numerous allegations of fraud have been made which require proof of intent to steal. Evidence in one situation was heard that involved an administrative snafu at US Airways where three vouchers were issued when the airline was told there was only one cab and the airline consented with the situation so there was no fraud. Officer Kratovil countered there was lack of consent by one passenger. Ms. Dingle said the ordinance says double passengers are not allowed without consent and there was no evidence of lack of consent. Officer Kratovil noted that section of the ordinance is not cited in this incident. The incident is the trip to Boston which does not reference lack of consent, but rather using a cell phone and not following orders of the taxi administration against doubling the voucher in an attempt to collect money dishonestly from the airline. Ms. Dingle asked how to prove the drivers stopped. Officer Kratovil said the officers do not use radios so a call from a cellphone was received. There is an ordinance on hands-free devices. Ms. Dingle asked about the tickets that were void. Officer Kratovil said the tickets were dismissed because the officer did not have a signed copy of the ordinance. Catherine Dingle asked why Greg Brooks was not interviewed by police about drinking and driving. Officer Kratovil said he notified his supervisors about a possible drinking and driving situation and if a traffic stop was made then the matter would be dealt with. Catherine Dingle noted the report on Greg Brooks is hearsay without the police even investigating whether there was an open bottle in the car. Officer Kratovil said the police wanted to observe Mr. Brooks in the act of drinking and driving. Catherine Dingle asked who mandated the investigation into Blazer. Officer Kratovil said Lt. Duffy asked him to look into complaints against Blazer Transportation. Ms. Dingle asked if the complaints were compiled from different sources. Officer Kratovil said the complaints about drinking and

drugs were from the airport taxi administration (Isaac Trombley). Ms. Dingle said the complaints are serious allegations, but there is only hearsay evidence and no investigation. Officer Kratovil explained there was no other information to develop on Adam Roberts on the activities.

Gregg Meyer asked if the complaints were investigated and information gathered from people, but no direct evidence of drinking and driving or drugs. Officer Kratovil said the investigation was limited to observations/interviews of former and current employees of Blazer Transportation.

Bill Keogh asked if Officer Kratovil felt the testimony from former employees of Blazer was disgruntled and in retaliation. Officer Kratovil said one driver was owed a voucher, but he said that has been squared away. The other drivers are still driving for Blazer. Bill Keogh asked the duration of the interviews with drivers. Officer Kratovil said between 20 minutes and an hour.

Kim West, US Airway Customer Service, testified to losing her I-Phone VI in the terminal lobby and reporting the lost phone to police. The phone was picked up by someone, but not reported. Video was reviewed with Airport Operations. The video showed a Blazer employee picking up the phone. An Airport Ambassador recognized the person and confronted him about the phone which was then returned.

Catherine Dingle asked if a complaint was filed against Blazer and if anyone else besides the police were told about the missing phone. Ms. West said she did not file a complaint against Blazer and she did notify everyone in the airport about the missing phone.

Bill Keogh asked if Ms. West had her name on the phone. Ms. West said no, but she gave a clear description of the phone. The video showed the pattern on the phone. The phone was password protected, but the individual who found the phone shut it off and put it in his pocket. Bill Keogh thanked US Airways for serving people in the Burlington area.

Adam Roof asked how long the phone was missing. Kim West said a couple of days. Officer Kratovil reported on 4/10/15 Kim West reported the missing I-Phone IV to Burlington PD. The locator app was useless because the phone was shut off. The video showed Christopher Handy picking up the phone. On 4/13/15 Burlington PD confronted Mr. Handy about the phone and he removed it from his backpack, turned it over saying something like “finders keepers losers weepers”. The evidence shows Blazer and its employee acted in a manner Burlington would not find consistent with the license issued under the taxi ordinance.

Don St. Onge, Blazer driver for 22 years, testified that the statement of Ricky Handy telling employees they will be replaced if they do not use Rate 4 is not accurate because it was Christopher Handy who made the statement.

Gregg Meyer asked Mr. St. Onge if he is confirming Mr. Handy was having him charge a higher rate than allowed. Mr. St. Onge confirmed this. Mr. Meyer asked if the higher rate is still happening today. Mr. St. Onge said no.

Closing Statement

Catherine Dingle said her client is willing to stipulate to certain facts and provide explanation for others. The hearing is on complaints, but no specific charges have been made nor the stakes defined for the Handy's (i.e. loss of license to operate).

Gregg Meyer briefly explained the jurisdiction of the Taxi Panel relative to taxi licenses/licensees.

The complaints were addressed as follows:

- Attorney Dingle stated Norman Houle was driving without an airport license. Ricky Handy knew this, but was told by Mr. Houle that the license would be suspended after April 1st and he would not drive. Mr. Handy thought Mr. Houle had a license until the date of the license suspension. Mr. Handy realized he should not have the driver driving with a suspended license. Gregg Meyer asked if the appellant is acknowledging that he knew the license was suspended when the driver was driving on airport property. Catherine Dingle said the appellant will stipulate to this, but Mr. Handy thought the license suspension would not happen until April 1st.
- Attorney Dingle stated Christopher Handy admits to finding the I-Phone and telling the Airport Ambassador he found a phone. The Airport Ambassador told him to give the phone to the people at the information booth, but Mr. Handy was leery about doing that and decided to keep the phone until someone asked for it. Mr. Handy said one of the Airport Ambassadors said “finders keepers losers weepers”.
- Attorney Dingle said her client admits to doubling and even tripling vouchers on one trip. Christopher Handy said he took a call from US Airways and met with the airline reps and the passengers and told them there is a van for nine people and all are welcome. The family of five asked for a separate van and were told a van can be there is an hour. All the passengers agreed to go in one vehicle and three vouchers were handed over. The Handy's now realize tripling and doubling vouchers is frowned upon, but this happened with discussion with both US Airways and the passengers. The Handy's agree not to double vouchers going forward, but do not agree they made anyone ride with another fare without consent.
- Attorney Dingle said the double voucher at the gas station incident happened when a cabbie needed gas and was called on a cellphone. Ricky Handy sent a driver with another fare to the gas station to get gas and that is when the drivers decided to combine fares.
- Attorney Dingle stated the female driver without a taxi license (Lisa Sessler) was sent to take a client to the Megabus at UVM, but then realized the bus was at the airport so she drove to the airport without a taxi

license. Mr. Handy was aware the driver did not have a license for the airport, but did not know the driver went to the airport until after the fact. In the second incident, Ms. Sessler was on her way back to Stowe and a passenger at the airport wanted to go to Stowe so Ricky Handy told Ms. Sessler to ask the Airport Ambassador (Sheila Edwards) for permission to take the passenger and permission was granted.

- Attorney Dingle stated Mr. Handy admits to driving his personal car as a taxi and will not do it again.
- Attorney Dingle stated the Handy's admit they were charging higher fares and intend to no longer do so and will follow the ordinance on the issue going forward.
- Attorney Dingle stated the Handy's were not aware of anyone drinking and driving for them and would not condone or allow such behavior. Ricky Handy said the individual, Greg Brooks, does not drink and is not sure this is a real allegation. Gregg Meyer pointed out the police report indicates there was conversation between the police officer investigating the matter and Ricky Handy where Ricky Handy said if the person is drinking and driving then the police should take action. After being sworn in, Ricky Handy testified there were allegations being made about Greg Brooks and Mr. Brooks was questioned several times. Mr. Handy said Greg Brooks does not drink off or on duty. The car has been checked, his breath has been smelled, and there have never been bottles seen. Mr. Handy asked how he is to proceed based on not finding any evidence. Mr. Handy said he told the police to catch Mr. Brooks if he is drinking and driving. Gregg Meyer noted Don St. Onge who is an employee of Blazer said Greg Brooks drinks and drives. Mr. Meyer asked Mr. Handy if he has any reason to think Mr. St. Onge is lying to the police officer about Mr. Brooks. Mr. Handy said he questioned Mr. Brooks and Mr. Brooks said he does not drink. Catherine Dingle stated Blazer Transportation has no knowledge that Greg Brooks was drinking and driving and the matter was investigated.
- Attorney Dingle stated the position of Blazer Transportation on the allegation of selling drugs is that Blazer was not aware of this happening. The driver was questioned and is no longer driving for Blazer. Ricky Handy said he heard the allegations and questioned the driver, but has no proof. Mr. Handy said he monitors the car. The driver goes to the airport and home. Adam Roberts is no longer driving because he had three violations from the airport and was denied a taxi license.

Gregg Meyer summarized the nine allegations cited in the notice and investigated by Burlington PD are the basis for action on the license.

Catherine Dingle stated her client realizes these are serious allegations and understands the rules must be followed to continue the privilege of operating at the airport. The Handy's admit fares were charged improperly and are no longer doing this. The Handy's admit to the voucher incidents, but this is not a violation

of the taxi ordinance. The other allegations are not violations of the taxi ordinance. Blazer Transportation would like the privilege of continuing to work at the airport and hopes the stipulations are considered as a good faith effort toward a better way of operating.

Ricky Handy stated we all strive to do better in life and he strives to make his cab company more efficient. Mr. Handy thanked the Taxi Panel for bringing him in because it will help him be even better in the future. Mr. Handy assured he will to the best of his ability not have unlicensed drivers or cars and will not allow anyone to drink and drive or sell drugs under his employment. Mr. Handy said he will use Rate 1 on the meter exclusively for all airport and city passenger pick ups. As done in the past Mr. Handy said he will negotiate the price with contract calls, but will not over charge one person ever again. Mr. Handy thanked the Panel for the opportunity that will make him better, noting a second chance makes people try harder and he will try harder.

There was no further testimony.

Deliberation/Decision

Action: The Panel voted unanimously on a motion by Adam Roof, seconded by Bill Keogh, to close the record, adjourn the hearing, and go into Executive Session for deliberation.

The Panel will discuss the appeal in deliberative session and issue a decision in writing.

The Panel entered deliberative session at 1:30 PM.

RScty: MERiordan