

NEW YORK CITY
TAXI AND LIMOUSINE COMMISSION

Minutes of Commission Meeting
March 9, 2006

Present:

Matthew W. Daus, *Commissioner/Chair*
Elias Arout, *Commissioner*
Noach Dear, *Commissioner*
Harry Giannoulis, *Commissioner*
Elliot Sander, *Commissioner*
Iris Weinshall, *Commissioner*
Howard R. Vargas, *Commissioner*
Edward Gonzales, *Commissioner*
Charles Fraser, *General Counsel*

1. The Chair called the meeting to order and reported that the City and private litigants had reached an agreement to settle the Padberg v. McGrath-McKechnie lawsuit, and that details would be made public when a settlement was finalized. (Tr. pp.3-5)
2. The Chair reported that the TLC was concerned about cell phone usage by taxicab drivers, and that the TLC would continue enforcing the rule through existing and new techniques. (Tr. pp.5-8)
3. The Chair reported that the TLC scheduled a follow-up meeting with officials from Nassau County for March 22, 2006 to continue discussions regarding reciprocity agreements. (Tr. pp.8-9)
4. The Chair thanked insurance companies that met with the TLC to improve the insurance renewal process. (Tr. pp.9-10)
5. The Chair reported that the next Commission meeting would be April 4, and that there would be four public hearings on rules at that meeting, including medallion auctions, summary suspensions, digital recording of hearings, and TC license plates. (Tr. pp.10-11)
6. The Chair reported that the next medallion auction would be in June. (Tr. pp.10-11)

7. The Chair stated that the "New York Loves Women" safety stickers approved by the Commission would be available within a few days. (Tr. pp.11-12)
8. Commissioner Arout made a motion to adopt the minutes of the February 9, 2006 Commission meeting. Chairman Daus seconded the motion, and it passed unanimously. (Tr. p.14)
9. Chairman Daus made a motion to reconsider the Commission's rejection of five base station license applications at its February meeting, and instead to grant those applications on conditions stated in stipulations that had been signed by the bases and TLC staff. The stipulations include terms providing for daily fines of \$70 per day from February 9, 2006 until ten days after the base station files a completed renewal application. The five base stations were St. Albans Hollis Car Service, Bee Bee Car & Limo Corp.; Elat Car & Limousine d/b/a Habirah, Inc., Monumental Radio Dispatch Corporation, and Java Car & Limousine Service d/b/a STM Enterprises, Inc. Commissioner Arout seconded the motion, and it passed unanimously. (Tr. pp.14-18)
10. After discussion, Chairman Daus stated that the Commission would offer similar stipulations on a one-time basis for 23 base stations that had failed to submit renewal applications. Chairman Daus stated that he would provide the Commissioners with details of the contacts that the Commission has had with these base stations. (Tr. pp.18-20)
11. William Carter, *Executive Director for Licensing*, presented the following base station license applications:

Renewal Applications (11)

Cobble Hill Car Service, Ins	B00233
Delince Car Livery Service Corp. dba White Top Car Service	B00385
Diamond Car & limousine Inc.	B01293
Erushalaim Corp.	B00715
Lincoln Limo Service Inc.	B00619
Llama Limo Car Service Corp.	B00811
N.Y. Limo Transportation Corp.	B01526
Rite-Way Private Car Service Corp.	B00305
Rose 'N' Dale Car Service, Inc.	B01391
The Excellent Car Service Inc.	B00375
Try Management Co. Inc. dba Apple Car Service	B00055

Combinations (7)

18th Avenue Private Car Service, Inc. (renewal & ownership)	B00481
A Kings Highway Car Service, Inc. (renewal & ownership)	B00449
Bakoss Trading, Inc. (ownership & relocation)	B02046
Best Deal Private Car Service, Inc. (renewal & ownership)	B01239
Mazad Car & Limo Service (ownership & relocation)	B02047
New American Car & Limousine, Inc. (renewal & ownership)	B01057
Stillwell Avenue Inc. dba Tee Jay Car Service (renewal & ownership)	B01147

(Tr. pp.21-22)

12. Chairman Daus made a motion to approve the following three base station license applications with the caveat that enforcement would monitor them for compliance with their business plans upon renewal: Cobble Hill Car Service, A King's Highway Car Service, Inc., and Best Deal Private Car Service, Inc. Commissioner Arout seconded the motion, and it passed unanimously. (Tr. pp. 22-23)

13. Commissioner Arout made a motion to approve the remaining base station applications. Commissioner Weinshall seconded the motion, and it passed unanimously. (Tr. p.22)

14. Mr. Carter recommended denial of the following base station renewal applications:

Always Able Car Service, Inc.

Azteca Express dba New Mexicana Car Service II

Fat Livery Inc.

Kew Gardens Enterprises, Inc.

Kew Garden Operating Corp.

Lib Car Service Corp dba Jilly's Car Service

Perirl Corporation dba North American Limousine Car Service

(Tr. p. 24)

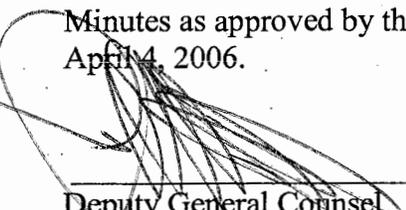
15. Carlos Delacruz from Fat Livery from Fat Livery spoke to the Commission about the status of his application. (Tr. pp. 25-28)

16. Chairman Daus made a motion to deny the seven base station renewal applications unless they complete their applications within 30 days. Commissioner Sander seconded the motion, and it passed unanimously. (Tr. p.38)

17. Chairman Daus congratulated Commissioner Sander on his reappointment to the Commission until January 31, 2012. (Tr. pp.38-39)

18. Mr. Fraser reported that at the executive session on February 9, 2006, the appeal of Evangelos Kyriazopoulos was considered and that by vote of 3-3, the Commission affirmed the decision of the Chair from which the respondent had appealed. (Tr. p.40)
19. Mr. Fraser reported that revised procedures for handling Commission appeals were issued March 7, 2006 to reflect the Commissioners' intent to have the lawyers for both sides present at every appeal. (Tr. p.40)
20. Peter Schenkman, Assistant Commissioner for Safety and Emissions, delivered a presentation on the state of the New York City taxicab vehicle. (Tr. pp.40-55)
21. Samara Epstein and Jennifer Palmer from the TLC's Office of Constituent Management delivered a presentation on leasing practices within the taxicab industry. (Tr. pp.55-76)
22. A public hearing was held on taxicab lease caps. The following individuals testified at the hearing: an anonymous speaker; David Pollack, Executive Director of the Committee for Taxi Safety; Bill Lindauer, Kevin Fitzpatrick, Louis Molina, and Bhairavi Desai, New York Taxi Workers Alliance; Joseph Gianetto, Metropolitan Taxicab Board of Trade; Steve Seltzer; Osman Chowdry, New York Taxi Workers Alliance; Yan Su Kang; and Robert Kirk. (Tr. pp.77-129)
23. The meeting was adjourned at approximately 12:47 p.m. (Tr. p.129)

Minutes as approved by the Taxi & Limousine Commission on
April 4, 2006.



Deputy General Counsel

5-4-06

Date