

**GORHAM TOWN COUNCIL
REPORT OF SPECIAL MEETING
JUNE 17, 2014**

The Gorham Town Council held a special meeting on June 17, 2014 at 6:00 pm in the Burleigh H. Loveitt Council Chambers.

Roll Call; Present; Chairman Phinney, Councilors: Roullard, Moulton, Phillips, Hartwell, Benner (6:05pm)
Town Manager David Cole and Town Clerk Jennifer Elliott.

Chairman Phinney started the meeting with a moment of silence for Michael Kucsma, A longtime firefighter, Deputy Chief for Gorham and the city of Portland that passed away unexpectedly June 16, 2014.

The Public Hearing on a proposed Ordinance to exempt eligible active duty Military Personnel from excise tax was opened by Chairman Phinney. There was no comment from the public and the hearing was closed.

Item #8475 Moved by Councilor Hartwell, Seconded by Councilor Roullard and VOTED to waive the reading of the order. 6 yeas

The proposed order was Moved by Councilor Robinson, Seconded by Councilor Hartwell. Moved by Councilor Moulton, Seconded by Councilor Roullard to AMEND the order to replace 13001 in the last sentence in Section 2, with 1481 (5). 7 yeas. Moved by Councilor Roullard, Seconded by Councilor Moulton to AMEND Section 3. Effective date and Duration to read; This ordinance shall be effective January 1, 2014 if the Town's Attorney deems that the Ordinance may be made retroactive, otherwise it shall take effect June 17, 2014 and shall remain in effect unless and until it or 36 M.R.S.A § 1483-A is repealed. 7 yeas

The Order as Amended to read as follows:

Whereas, 36 M.R.S.A, Section 1483-A expressly authorizes municipalities to enact Ordinances that exempt active duty Military Personnel from vehicle excise tax, and

Whereas, the Town Council believes that Military Personnel on active duty and stationed outside the State of Maine or deployed for more than 180 days and wish to register the residents vehicle in Maine, should be exempt from the Vehicle Excise Tax,

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Gorham, Maine in Town Council assembled that the following Town of Gorham *Exempting Eligible Active Duty Military Personnel From Excise Tax Ordinance* be and hereby adopted:

**EXEMPTING ELIGIBLE ACTIVE DUTY MILITARY
PERSONNEL FROM EXCISE TAX ORDINANCE**

Section 1. Authority

This ordinance is enacted pursuant to 36 M.R.S.A §1483-A, which expressly

authorizes such ordinances.

Section 2. Excise tax exemption: qualifications

Vehicles owned by a resident of the Town of Gorham who is on active duty serving in the United States Armed Forces and who is either permanently stationed at a military or naval post, station or base outside this State or deployed for military service for a period of more than 180 days and who desires to register that resident's vehicle(s) in this State are hereby exempted from the annual excise tax imposed pursuant to 36 M.R.S.A § 1482.

To apply for this exemption, the resident must present to the municipal excise tax collector certification from the commander of the resident's post, station or base, or from the commander's designated agent, that the resident is permanently stationed at that post, station or base or is deployed for military service for a period of more than 180 days.

For purposes of this section, "deployed for military service" has the same meaning as in 26 M.R.S.A. § 814(1)(A).

For purposes of this section, "vehicle" has the same meaning as in 36 M.R.S.A. § 1481 (5).

Section 3. Effective date: duration

This ordinance shall be effective January 1, 2014 if the Town's Attorney deems that the Ordinance may be made retroactive, otherwise it shall take effect June 17, 2014 and shall remain in effect unless and until it or 36 M.R.S.A § 1483-A is repealed.

7 yeas

Item #8476 Moved by Councilor Moulton, Seconded by Councilor Robinson and Ordered, that the Town Council go into Executive Session pursuant to Title 1 M.R.S.A Section 405 (6) (E) to discuss litigation with the Town Attorney. 7 Yeas

Moved by Councilor Moulton, Seconded by Councilor Benner and VOTED to come out of Executive Session. 7 yeas

Moved by Councilor Moulton, Seconded by Councilor Benner and VOTED to adjourn. 7 yeas
Time of adjournment 8:00 pm.

A True Record of Meeting

ATTEST:

Jennifer Elliott, Town Clerk