



**New York City Campaign Finance Board**

100 Church Street, 12<sup>th</sup> Floor, New York, NY 10007  
212.409.1800 | www.nycffb.info

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May 14, 2015

**By First Class Mail and C-ACCESS**

James Vacca



Jonathan D. Conte



Friends of James Vacca



**FINAL BOARD DETERMINATION – EC2013 CAMPAIGN**

The New York City Campaign Finance Board (“Board”), at a meeting held on May 14, 2015, made the following final determination concerning the James Vacca 2013 Campaign (“Campaign”):

The Board determined that the Candidate, the Treasurer, and the Committee named above violated the New York City Campaign Finance Act (“Act”) and Board Rules and are jointly and severally liable for paying \$600 in penalties as follows:

1. A violation, no penalty for failing to provide bank account statements. *See* Admin. Code §§ 3-703(1)(d), (g), (11), 3-719(1); Board Rule 4-01(f). The Campaign failed to provide certain requested pages of its Hudson Valley Bank account statements. No penalty was assessed because the missing pages did not appear to have information that affects the Campaign account’s debit and credit balances.

**Candidate ID Number: 821-P**

2. A penalty of \$125 for accepting over-the-limit contributions. *See* Admin. Code §§ 3-702(8), 3-703(1)(f), (11), 3-719(2); Board Rules 1-04(c)(1), (h), 1-07(c). The Campaign accepted \$3,000 in contributions from New York State Laborers, which exceeded the applicable contribution limit by \$250. After notification from the Board staff, the Campaign promptly returned the over-the-limit portion of the contribution to the contributor on September 18, 2014.

3. A penalty of \$225 for accepting a contribution from a limited liability partnership. *See* N.Y.C. Charter § 1052(a)(13); Admin. Code §§ 3-702(8), 3-703(1)(l), 3-719(2)(b); Board Rules 1-04(c)(1), (e), (g), 1-05. The Campaign reported receiving a \$175 contribution from Peppino Bonelli on March 20, 2010. However, contribution documentation indicated that the source of the contribution was D'Arrigo and Bonelli, DDS, LLP. Board staff notified the Campaign on November 12, 2010 that it had accepted a prohibited LLP contribution, and gave the Campaign until December 13, 2010 to return it. The Campaign did not return the contribution until January 30, 2012.

4. A penalty of \$250 for accepting contributions from unregistered political committees. *See* Admin. Code §§ 3-702(11), 3-703(1)(k), 3-707; Board Rules 1-04(c)(1), (d), (g), 1-05. On June 30, 2011, the Campaign accepted a \$2,500 contribution from Simcha NY, an unregistered political committee. After Board staff notified the Campaign, Simcha NY promptly registered as a political committee on December 14, 2011 (but more than 10 days after receipt of the contribution). On April 4, 2012 the Campaign accepted a \$1,000 contribution from Local 983 PAC, an unregistered political committee. After Board staff notified the Campaign, it promptly returned the contribution on September 18, 2014.

**The Board determined that the amount due is \$600.**

You must pay to the Board the full amount due of \$600 no later July 16, 2015. Checks should be made payable to the “New York City Election Campaign Finance Fund,” and mailed to the attention of Giovanni Mejia, Associate Counsel, New York City Campaign Finance Board, 100 Church Street, 12<sup>th</sup> Floor, New York, NY 10007 or delivered to the offices of the Board.

If the Board is not in receipt of the full \$600 by July 16, 2015, the candidate’s name and the unpaid amount will be posted on the Board’s Website and the Board may initiate a civil action against the Committee, the Candidate, and the Treasurer to compel payment. In addition, you will be ineligible for public funds in any future election until this debt is paid in full.

You may challenge this final determination, within four months, in the New York State Supreme Court pursuant to Article 78 of the Civil Practice Law and Rules.

If you need additional time to pay this amount or if you have any questions concerning this Final Board Determination, please contact Giovanni Mejia, Associate Counsel, at (212) 409-1865 or gmejia@nyccfb.info.



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Sue Ellen Dodell  
General Counsel  
**NEW YORK CITY  
CAMPAIGN FINANCE BOARD**

signature on original

SED/GM