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**STATE OF RHODE ISLAND
BEFORE THE RHODE ISLAND ETHICS COMMISSION**

**In re: Michelle Vacca,
Respondent**

Complaint No. 2024-3

INFORMAL RESOLUTION AND SETTLEMENT

The Respondent, Michelle Vacca, and the Ethics Commission Prosecutor, representing the People of the State of Rhode Island, hereby agree to a resolution of the above-referenced matter as follows, subject to the approval of the Rhode Island Ethics Commission:

I. FINDINGS OF FACT AND ADMISSIONS

1. The Respondent has been serving as Moderator of the Misquamicut Fire District Board of Officers (Board) since she was first elected to this position in November 2012.

2. The Rhode Island Association of Coastal Taxpayers (RIACT) is a non-profit corporation that was organized in May 2023 by a group of persons who own beachfront property and hold private property rights along Rhode Island's Atlantic coastline.

3. The Respondent served as one of three Directors of RIACT from May 2023 until April 2, 2024.

4. In July 2023, RIACT filed a federal lawsuit, through its attorneys, in an effort to enjoin state officials from enforcing a newly enacted shoreline access law.¹

5. At the Board's July 19, 2023 public meeting, the Respondent informed those present that RIACT had filed a lawsuit and was seeking donations to help cover the cost of legal fees associated with the lawsuit.

¹ See Rhode Island Ass'n of Coastal Taxpayers v. Neronha, No. CV 23-278 WES, 2023 WL 6121974, at *1 (D.R.I. Sept. 19, 2023).

6. The Respondent participated in the Board's unanimous vote to appropriate \$2,000 as a donation to RIACT.

7. On August 7, 2023, the Fire District issued a check in the amount of \$2,000 to RIACT.

8. At the Board's September 15, 2023 public meeting, the Respondent informed that RIACT had received the Fire District's donation of \$2,000 to help cover its legal costs.

9. The instant Complaint was filed with the Ethics Commission on March 4, 2024.

10. On April 2, 2024, the Respondent submitted a resignation letter addressed to the President and Board of RIACT.

11. On April 8, 2024, the Respondent withdrew \$2,000 from her personal bank account and arranged for her bank to issue a cashier's check to the Fire District as reimbursement for its appropriation to RIACT. The Fire District deposited the cashier's check on April 10, 2024.

II. CONCLUSIONS OF LAW

1. As Moderator for the Misquamicut Fire District Board of Officers, the Respondent was, at all relevant times, subject to the Rhode Island Code of Ethics in Government, pursuant to Rhode Island General Laws § 36-14-4(1).

2. By participating in the Board's vote on July 19, 2023, to appropriate a donation in the amount of \$2,000 to RIACT, the Respondent's business associate, the Respondent violated Rhode Island General Laws § 36-14-5(a).


III. SETTLEMENT

Pursuant to the above Findings of Fact and Conclusions of Law, the parties hereby agree, subject to the approval of the Commission, to the following, pursuant to R.I. Gen. Laws § 36-14-13(d) and 520-RICR-00-00-3.16 Informal Disposition (1011):

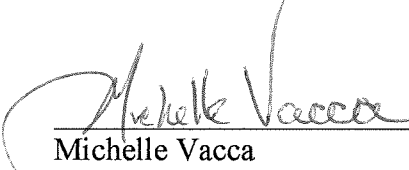
1. The Commission shall enter an Order and Judgment adopting the Findings of Fact, Conclusions of Law, and terms of the Settlement herein.

2. The Respondent agrees that the Prosecution will recommend the imposition of a civil penalty in the amount of One Thousand Dollars (\$1,000). The Respondent agrees to the payment of said civil penalty.

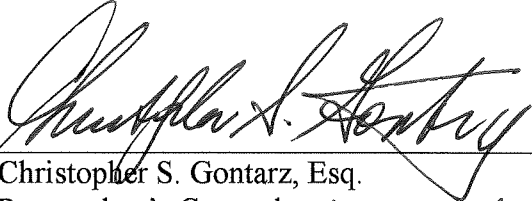
3. The above terms represent the full and complete Informal Resolution and Settlement for Complaint No. 2024-3.



Teresa Giusti, Esq. (Bar No. 8006)
Commission Prosecutor
Dated: *May 29, 2024*



Michelle Vacca
Respondent
Dated: *5/24/24*



Christopher S. Gontarz, Esq.
Respondent's Counsel #3124
Dated: *May 21, 2024*