

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Danelle Feeley
East Haven

File No. 2015-116

FINDINGS & CONCLUSIONS

Complainant Danelle Feeley of East Haven filed this complaint pursuant to Connecticut General Statutes § 9-7b alleging that the *Speer for Mayor* candidate committee had received an impermissible business-entity contribution when it held an event at a restaurant and paid a bill for the event that Complainant alleged did not reflect the fair market value of the service rendered. After investigating the allegations raised in the complaint the Commission makes the following findings and conclusions:

1. In her complaint dated September 4, 2015, Complainant Feeley alleged that the candidate committee of East Haven mayoral candidate Michael Speer hosted an event at the Beachhead Restaurant in East Haven. Complainant alleged that based on the total cost of the event, which was reported by the candidate committee as \$595, the candidate committee may have “received an illegal business donation in the form of an excessive discount (or significantly less-than market rate) on his June 25th fundraiser.”¹
2. The candidate committee reported in its July 10, 2015 filing that it had paid \$595 to Beachhead Restaurant for a fundraising event.²
3. The Commission’s investigation showed that the restaurant had agreed to provide food to attendees at the June 25th event at the rate of \$9.50 per individual plus tax and gratuity.³ In reckoning the bill, the parties agreed to round the number of attendees up to 50, which brought the cost for food to \$475. The actual number of people attending the event was in the high forties, according to the candidate committee. Taxes on the bill were \$30.16, and the committee paid a tip of \$89.84, bringing the total bill to \$595.⁴

¹ Affidavit of Complaint, Danelle Feeley, East Haven (SEEC File No. 2015-116) (State Elections Enforcement Comm’n., Rec’d Sept. 4, 2015) (alleging that *Speer for Mayor* candidate committee had received business-entity contribution related to campaign event).

² See SEEC Form 20 – Itemized Campaign Finance Disclosure Statement: July 10 Filing, *Speer for Mayor* (East Haven Town Clerk’s Office, Rec’d. July 10, 2015) (reflecting payment to Beachhead Restaurant for fundraising event).

³ See “Agreement for Thursday June 25th, Beachhead Restaurant & The Speer For Mayor Committee,” (Executed on June 15, 2015) (memorializing agreement between candidate committee and restaurant regarding terms, conditions and cost for use of facility on June 25, 2015).

⁴ See Email from Walter Spader to Scott Branfuhr (Oct. 28, 2015) (itemizing restaurant bill).

4. Michael Romei, the owner of the restaurant, confirmed that the total cost of the event was \$595 and that the committee paid that amount to the restaurant to settle the bill.⁵
5. Romei stated that the rate he charged the *Speer for Mayor* candidate committee for the June 25th event was similar to the rates he charged other groups. He typically charged around \$10 per person to all non-profit and political organizations, depending on the menu selections that the individual group made. He noted that this cost was simply for use of part of the facility and for food, but it did not include alcohol. The restaurant normally charged \$15 per person for other events – such as baby showers or wedding parties – but the final price depended on the client’s menu and alcohol choices.
6. General Statutes § 9-613 prohibits a business entity from making a contribution to a candidate committee.⁶
7. General Statutes § 9-601a (b)(6) does allow a vendor to sell food to a candidate committee at a discount so long as that discount does not exceed \$400 for a single election.⁷
8. In this instance, the Commission’s investigation shows that the candidate committee paid the ordinary expense charged to non-profit and political entities by the Beachhead Restaurant for similar events. The committee did not appear to benefit from a discount for the food, even though that would have been allowed under General Statutes § 9-601a (b)(6).
9. Because there is no violation of Connecticut’s campaign finance statutes as was alleged by complainant, the Commission will dismiss this complaint.

⁵ In fact, Romei recalled that the candidate committee attempted to pay \$9.50 per person *including tax and gratuity*, but that he was adamant that the negotiated price of \$9.50 per person included neither tax nor gratuity.

⁶ See General Statutes § 9-613 (a) (prohibiting contributions from business entities to candidate’s campaigns).

⁷ See General Statutes § 9-601a (b) (6) (allowing restaurants to give discounts to candidate committees for food).

ORDER

The following Order is recommended on the basis of the aforementioned findings:

This case will be dismissed.

Adopted this 11th day of May, 2016 at Hartford, Connecticut.



Anthony J. Castagno, Chairperson
By Order of the Commission