



Office of the District Attorney
County of Westchester

MEMORANDUM

15084

November 4, 2010

TO: HONORABLE MEMBERS
BOARD OF ACQUISITION AND CONTRACT

FROM: JANET DiFIORE
DISTRICT ATTORNEY

RE: **RESOLUTION AUTHORIZING THE COUNTY OF WESTCHESTER TO ENTER INTO AN AGREEMENT WITH A CONSULTANT NAMED MINDY EISENBERG-STARK IN AN AMOUNT NOT TO EXCEED \$74,000 AT A RATE OF \$100 PER HOUR, INCLUSIVE OF EXPENSES, TO CONDUCT TAX FRAUD INVESTIGATIONS AS PART OF THE CRIMES AGAINST REVENUE PROSECUTION PROGRAM FOR THE PERIOD OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2011, PURSUANT TO AN APPROVED BUDGET**

On November 23, 2010, this Honorable Board approved an agreement with the New York State Division of Criminal Justice Services for the District Attorney's Office to operate the Crimes Against Revenue Prosecution Program in the amount of \$338,000 in State Funds for the period October 1, 2010 through September 30, 2011, payable pursuant to an approved budget. As part of that agreement, the Division of Criminal Justice Services provided \$74,000 in consulting services to contract with a tax fraud investigator.

Authority is now sought for the County of Westchester to enter into an agreement with Mindy Eisenberg-Stark in an amount not to exceed \$74,000 at a rate of \$100 per hour, inclusive of expenses, to conduct tax fraud investigations as part of the Crimes Against Revenue Prosecution Program for the period October 1, 2010 through September 30, 2011.

The general welfare of the citizens of the County is served by the goals of this program which are to enhance the Crimes Against Revenue Prosecution program by investigating and prosecuting those who violate tax laws, reclaim lost revenue, and increase voluntary compliance with applicable laws. The work of Ms. Eisenberg-Stark will be monitored by personnel in the District Attorney's Office to ensure that she is meeting the goals and objectives established by the grant.

By resolution of even date herewith, your Honorable Board has determined that this agreement is exempt from the Westchester County Procurement Policy pursuant to Section 3 (a) xxi.

Wherefore, authority is respectfully sought for the County to enter into this agreement.

RESOLUTION

Upon a communication from Janet DiFiore, District Attorney, be it hereby,

RESOLVED, that authority is granted to the County of Westchester to enter into an agreement with Mindy Eisenberg-Stark in an amount not to exceed \$74,000 at a rate of \$100 per hour, inclusive of expenses, funds to be provided by the New York State Division of Criminal Justice Services to conduct tax fraud investigations as part of the Crimes Against Revenue Prosecution program for the period October 1, 2010 through September 30, 2011, payable pursuant to an approved budget and it is further,

RESOLVED, that the District Attorney or her duly authorized designee be and hereby is authorized and empowered to execute this agreement for the County of Westchester.

Account to be charged/credited

| Fund | Dept | Major Program & Program & Phase or Unit | Object/Sub Object | Trust Account | Dollars | |
|------|------|---|-------------------|---------------|----------|------|
| 263 | 37 | 740K | 4420 | T740 | \$22,200 | 2010 |
| 263 | 37 | 740K | 4420 | T740 | \$51,800 | 2011 |

Budget Funding Year(s) 2010/11 Start Date 10/01/10 End Date 09/30/11
 (must match resolution)

Funding Source Tax Dollars \$0

State Aid \$74,000

\$ 74,000 Federal Aid _____

(must match resolution) Other _____