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\$50,000 owed to the borough of Fayette City and Belle Vernon Area School District.

Jan. 27, 2013

A county tax collector in Pennsylvania was arrested on Friday, Jan. 27, 2013, for allegedly stealing more than \$50,000 owed to the borough of Fayette City and Belle Vernon Area School District.

Joanne Marie Kushnar, 53, of 403 Cook St., Fayette City, was charged by county detectives with two counts of theft and one count of receiving stolen property. She admitted to investigators in November that she stole the missing funds, police said.

Steven G. Kontaxes, detective supervisor with the district attorney's office, said in an affidavit that Kushnar used flaws she discovered in the control system for tax collections. Kushnar served as the elected tax collector in Fayette City for a dozen years, according to the affidavit filed before Belle Vernon District Judge Jesse J. Cramer.

County Controller Sean Lally's office noted discrepancies in a 2011 audit of Kushnar's accounts, which led to the investigation. Kushnar failed to remit \$33,900 of real estate taxes collected for Fayette City from 2008 to 2012, Kontaxes alleges.

An analysis by Belle Vernon Area's auditor showed a shortage of \$18,600 for the July 2011-12 fiscal year, according to the affidavit. A tax collector is responsible for depositing all tax receipts into a designated "trust fund" bank account and remitting all collections "in a timely manner," the affidavit noted.

A 2011 audit determined that deposits into the trust fund account were \$3,945 less than the total tax receipts Kushnar received, while disbursements were short by \$7,252, police said. Another person was added to the tax collector's account as an authorized signer in October 2011.

Seven cash withdrawals, totaling \$3,835, were made from November 2011 through

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wants to steal, they will. We are going to be researching some methods to prevent this from happening in the future.”

“Ms. Kushner ... learned how her tax settlements were being checked by officials at Fayette County, the Belle Vernon Area School District and Fayette City Borough. Simply stated, (Kushnar) learned where weaknesses existed at (the borough and school district) and assumed that she could short her required tax payments and not get caught by their verification systems,” Kontaxes wrote in the affidavit.

During a Nov. 28 interview at the Perryopolis police station, Kushner acknowledged unlawfully taking cash from taxpayers “at various times” and failing to deposit it into the bank. She said she provided bank withdrawal slips for the other person to obtain cash for Kushner, and she used that money for personal expenses. She said the other person was not aware that the withdrawals were unlawful.

“Kushnar stated that she did not understand why officials from Fayette County did not question her when she shorted the borough on their tax remittances,” the affidavit said.

In a statement, Kushner wrote in November: “It was up to me to deposit the money in the tax account and to pay the taxes to the county and borough. Some of the cash money did not get deposited in the account. I personally stole the money and used it for me personally to pay bills. ... I know that what I did was stealing the taxpayer money, which is wrong.”

Kushnar, who was released on a recognizance bond, faces a preliminary hearing before Cramer on Feb. 1.

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