Kunkel attorney sends Utica official cease-and-desist order

By DAN MINER
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UTICA — An attorney representing Kunkel Ambulance Service sent city Fire Chief Russell Brooks a “cease and desist” order Feb. 24 in regards to comments Brooks made on a local radio program.

“During the course of that radio interview you made several false and defamatory statements regarding Kunkel Ambulance to the level of per se business libel, as they allege either directly or by inference that Kunkel Ambulance is violating rules, regulations, standards and protocols,” wrote Karen Taddeo, who works for Syracuse-based Taddeo & Shahan.

Brooks was interviewed on the Talk of the Town show on 95.5 hosted by Mike Walsh, according to the letter. The statements included that Kunkel “refuses to transport uninsured patients in emergency situations” and does not have equipment and technology,” while the fire department does.

Brooks, however, said his comments were limited to the capabilities of the city’s ambulance service.

“If I am making comments in a public debate that’s basically promoting the Utica fire department ambulance and the technology that we have it is by no means meant to disparage another fine ambulance service,” he said.

Catherine Kunkel, vice president of Kunkel Ambulance Service, called the Brooks’ sentiments “horrendous and non-statements or intimations.”

The city has entered a protracted legal battle with regard to whether it deserves a Certificate of Need, which it needs to run its service. In October, the state Emergency Medical Services Council upheld an earlier decision by a regional council to deny the certificate of need to run the service. The city has appealed the case to the state Supreme Court.

At a Dec. 3 hearing, Judge Patrick McGrath granted Kunkel’s motion to make arguments in the case and also ruled to run its service while the process unfolds.

The two sides have a return date scheduled in front of Judge McGrath for April 8.

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If the account of Brooks' quote is true as it is shown here, that is not public debate, that is libel. It also creates some public fear that Kunkel may not know who is in need. They should sue the City and Brooks.

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In light of the recent ruling by Federal Judge David Hurd in the Longo case the city of Utica may be on the verge of insolvency. Another fine example of 'public service.'

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My big question is why does the city of Utica feel compelled to compete with a locally run business? Especially considering the current economic
crisis. Haven't Kunkel and Edwards been doing the job for years?

Proxeutica4
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Utica officials have lost TWO key decisions in operating the ambulance service they stole from its longtime owners -- the Kunkel family. Yet the City Hall and within the Utica Fire Department ignore -- at their legal peril -- both these decisions. Why? Either it's ignorance or arrogance. Or both."

Roefaro, et al, daily conduct the city's business matters.

For example, the city lost its SECOND try at obtaining the Certificate of Need required to operate the ambulance service. The state's Emergency Council reinforced a regional council's initial denial of the Certificate of Need. Two strikes. But zero gain for the great Kunkel family to re-gain the business that has for 50 years served the public superbly and professionally with their integrity intact. So where are the Utica area's State elective officials advocating for Kunkel?

Utica's Mayor Roefaro along with his minions at the Fire Department use their heavy-handed tactics and steal a respected family-run private bus in revenues that are lacking because the elected public servants sitting on the Common Council are inept at finding creative, innovative ways to run the city afloat.

All of this sordid situation eerily reminds us citizens who witnessed the dark days of Rufus Elefante's reign of corruption and stranglehold on we
tastic the Attorney General? After all, a State agency ruled against the city in this latest debacle, and still city officials operate the ambulance service! The elective public servants. You're derelict in your duties to protect and serve the public from thugs posing as politicians.

New York's Attorney General must be contacted about the high crimes and misdemeanors occurring in Utica's City Hall. Give justice back to the Kunkel family can get on with their lives by responsibly operating their ambulance business.

Overtaxed
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The City is using the ambulance service to pump up the pay and pensions for the Fire Department personnel. Current articles have shown that the what Kunkel charges for an equal service. The City feels justified bilking insurance companies because the insurance companies are paying their to remember that when an insurance company over pays for a service our insurance premiums are raised. Roefaro and his department heads make decisions that COST the taxpayers money, not them. The settlement with Ms. Pruitt was caused by ques the Roefaro administraion but the taxpayer has to pay the penalty. The longo case is coming up and because of bad decisions by the Roefaro adm the taxpayers big money.

This ambulance service is a Roefaro/Brooks idea that is costing the taxpayer money to defend. In summary Roefaro is never penalized by his bad taxpayer is the one hurt.

Garbageman

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Sure Brooks go after a private company that pays taxes, makes sense to me. Put them out of business, do everything that you can to discredit them we need to pay more taxes to cover your happy band of public employees.

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Well said, Garbageman.

Just to correct you, Overtaxed. The ambulance service actually got started toward the end of Julian’s term. But you would be correct that Roefaro perpetuate it. A losing battle. I believe it was a Brooks brainchild to justify not cutting the UFD staffing. It was pitched to the City as a revenue ge does generate revenues. However, do those revenues cover the costs of the service? Probably not. So essentially it becomes a loss not a gain.

JEJ43

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Tying up the courts...spending Utica's money - not their own. Utica pays for the lawyers to represent 'them'. Do the citizens of Utica WANT that? the city ambulance service..and the medical equipment including the vehicles...the employees and the OT....the lawsuits....it just doesn't end. The
ambulance problem before the administration started their ambulance service. They've been told - IT IS NOT NEEDED. Udahl: 'We're already. We don't need or WANT a city service.' ...ESPECIALLY at the cost THEY charge. Come on, 'servants' (yeah, right) of the pockets. The people you 'represent' have no money left. Get rid of the ambulance and put in more police or fix things that REALLY, ACTUALLY is one thing NOT needed and you've told that....TWICE for crying out loud.

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