

**Division of Quality Improvement**

May 8, 2012

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[www.opwdd.ny.gov](http://www.opwdd.ny.gov)

Ms. Suzanne Shumway, Executive Director  
Battenkill Community Services, Inc.  
101 Langley Hill Rd.  
Greenwich, NY 12843

Laurie Andrick, Board Chairperson  


Dear Executive Director and Board Chairperson:

In order to ensure that New York State (NYS) citizens with developmental disabilities receive appropriate services and protections, the Office For People With Developmental Disabilities (OPWDD) has established an internal Early Alert Committee. The committee is made up of OPWDD senior leadership and senior managers. The purpose of the Early Alert process is to monitor the performance of a provider that has been unable to sustain compliance with New York State laws and regulations and/or has been unable to demonstrate sound governance practices, including management of fiscal resources, so that OPWDD can take appropriate action as necessary.

The purpose of this letter is to notify you that **Battenkill Community Services, Inc.** has been placed on Early Alert status for inadequate governance procedures. Examples include but are not limited to: Request for copies of Board Meeting minutes only produced evidence of two (2) meetings in 2011; the bylaws require four (4) meetings annually. A review of minutes provided for 2010 and 2011 provided no evidence that the organization, or the Board, endeavored to identify conflicts of interest and ensure any such conflicts were resolved by the Board. While minutes include discussions of items on which money would be spent: ducks, chickens & chicken coops (10/11), purchase of two donkeys for the clowning group, installation of heat & electricity for the shed on the executive director's property (10/27/10), payment of \$2000.00 for cost and transportation to a clown camp (1/2011), there is no evidence of a prior cost break down or subsequent accounting of the use of the funds to the Board. A review of Board minutes for 2010 and 2011 found no evidence of current budget reports being presented to the Board of Directors, i.e., income and expenditures to date.

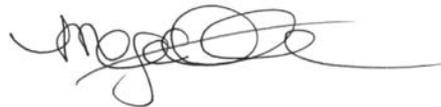
While Battenkill Community Services, Inc. is on Early Alert status, appropriate staff of OPWDD will work with you to address the issues so that you may arrive at a solution that will be in the best interests of the individuals you serve and their families. During this time, OPWDD will make a determination regarding whether your Agency has the ability to remedy the deficient practices and sustain compliance. If your agency can demonstrate the ability to sustain compliance, we will remove it from the Early Alert status and you will be notified accordingly.

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While an agency is on Early Alert status, OPWDD will not consider any requests for expansion of services and may suspend any expansion that is in process.

We will be contacting the agency shortly to come to a mutually agreed upon date where representatives from OPWDD and a quorum of your Board can meet in the next few weeks. At that time we will also identify what, if any, additional information we will need from the agency. We look forward to meeting with you and please contact Michael Savery, Regional Director, at (518) 377-5204 if you have any questions.

Sincerely,



Megan O'Connor-Hebert  
Deputy Director  
Division of Quality Improvement

cc: Board of Directors  
Courtney Burke, Commissioner  
Jim Moran, Acting Deputy Commissioner of Fiscal and Administrative Solutions  
John Gleason, Regional Associate Commissioner  
Mark Pattison, Deputy Commissioner of Fiscal and Administrative Solutions  
Cheryl Greiner, Acting Director - Capitol District DDSO  
Lourdes Reyes, Deputy Director - Capital District DDSO  
Michael Savery, DQI Regional Director  
Cheryl Mugno, Counsel's Office