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TIMES

PUTNAM COUNTY'S LOCAL NEWSPAPER

This paper publishes official notices for Putnam County, Kent, Southeast, Brewster

VOL. 157 NO. 33

P.O. BOX 608, MAHOPAC, NEW YORK 10541

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WEDNESDAY, AUGUST 19, 2015

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Lack of Evidence Ruled in Castaldo Case Dismissal

In a high-profile case in a politically-charged season, a Supreme Court judge has thrown out Putnam County District Attorney Adam Levy's indictment against retired Putnam County Investigator Patrick Castaldo, who was facing felony charges of first-degree offering a false instrument and official misconduct in connection with the alleged July 3, 2014 beating of a prisoner in custody.

The incident was captured on video by a courtroom camera and reportedly shows the prisoner, Kenneth DeFreitas, attempting to take a gun out of the holster of then-Chief Criminal Investigator Gerald Schramek, who briefly wrestles with the prisoner before Castaldo steps in and eventually subdues him.

It is alleged that after DeFreitas was subdued, Castaldo punched and kicked him. Earlier this year, the County Legislature settled with DeFreitas, paying him \$35,000. A separate misdemeanor assault charge remains against him. DeFreitas, 29, of North Caro-

neary cited a number of problems with the Grand Jury presentation, writing "...The prosecutor (Levy) failed to define for the Grand Jury the terms 'legally sufficient evidence' and 'reasonable cause to believe that a person has committed an offense.'" He went on to rule that "the absence of a complete definition of the standard of proof impaired the grand jurors' ability to render an informed and proper decision."

Neary continued: "Notwithstanding the inadequate legal instructions provided to the grand jurors, the court finds that the evidence presented in support of counts One and Two were legally insufficient."

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Common Core Scores Released Across NYS How Did Putnam Schools Fare?

By Holly Toal

The State Education Department last week released the results of the hotly-debated English language arts and Math tests for grades three through eight for 2014 and 2015. In Putnam, students generally did better this year than last, on the assessments that are aligned to the more rigorous Common Core learning standards.

New York State has completed five years of a 12-year phase-in of these higher standards, which culminates in the requirement that students in the Class of 2022 and later pass Regents exams aligned to more rigorous standards at the proficient/college- and career-ready level (levels 3 and 4).

The Class of 2022 begins grade six this fall.

For students graduating prior to 2022, those scoring at level 2 and above on the ELA and math tests are on track for current graduation requirements, and students scoring at level 3 and above are on track to graduate at the college- and career-ready level, according to state education officials.

Here's how Putnam schools performed:

According to the data, the number of Mahopac students tested in 2015 was almost half the number of students tested in 2014, as the number dropped from 1,797 to 987 for ELA and 1,603 and 888 for math during those years.

In Carmel, 31 percent of third- through eighth-graders were deemed "proficient" by the ELA assessment in 2014, rising to 38 percent in 2015; the state

Regarding the ELA assess-



Sun Shines Down on Kent Pow Wow

The annual Daniel Nimham Pow Wow brought visitors from near and far to Veterans Memorial Park in Carmel to enjoy lively music and dance, traditional Native American food and vendors, and more on Aug. 15 and 16. The local Nimham Mountain Singers – including Gil "Cryin'hawk," Penny "Painted Pony," Wendy "Walks Soft" and Brooke "Wolf that Runs with Pony" – again represented Putnam well at the event. Additional photos are on page 11. Photos by Holly Toal.



Three Lake Carmel Beaches Re-Open

After being closed for more than two weeks, a few Lake Carmel beaches have re-opened to swimmers.

According to the Lake Carmel Park District, as of Aug. 16, Beaches 2, 3 and 4 are clear of blue-green algae and have been cleared to open by the Putnam County Health Department.

The beaches were closed to swimmers after "toxic" blue-green algae appeared in the waters.

"Although blue-green algae is naturally occurring in all lakes and is usually not harmful

to humans or animals, when it blooms it releases cyano-toxins which can cause skin irritations and gastro-intestinal problems in people and pets," Kent Town Supervisor Maureen Fleming noted in an email blast that went out to residents last month.

These microscopic organisms are naturally present in lakes and streams, but sometimes undergo rapid growth with lots of sunlight and increased levels of nitrogen and phosphorus, which can result from leaking septic systems, fertilizer and storm water runoff.

The Health Department

works with local town officials to monitor blue-green algae. Town officials must close a beach when there is visible presence of cyanobacteria, which can include water discoloration, floating film or scum, or an unpleasant odor.

Beaches can only re-open after clearance from the health department, based on a lab test indicating a return to an acceptable level of bacteria.

Limnology Information and Freshwater Ecology, Inc., was hired by the Town of Kent to perform a split treatment of copper sulfate on Lake Carmel waters.

Mahopac