



Division of Criminal Justice Services

CERTIFICATION PURSUANT TO CPLR 4518 OF RECORDS MAINTAINED IN THE REGULAR COURSE OF BUSINESS

I, Frank Sgarlata, Highway Safety Equipment Technician 2, Office of Public Safety, New York State Division of Criminal Justice Services, 80 South Swan Street, Albany, New York 12210, having been duly designated and authorized by the Commissioner of the Division of Criminal Justice Services, do hereby certify and authenticate, as provided by subdivision c of Rule 4518 of the Civil Practice Law and Rules, that the document annexed hereto is an exact copy of an electronic record of the Office of Public Safety which is in my possession, custody and control. This record, once created, is stored in an electronic format that cannot thereafter be altered or modified.

I further certify that the original electronic record of inspection/maintenance/calibration of NATL PATENT ANALYTICAL SYSTEM, DATAMASTER DMT breath test instrument, serial number 105408, performed on November 14, 2024 by Office of Public Safety employee Martin Schilling, of which the annexed is an exact copy, was made in the regular course of business of the New York State Division of Criminal Justice Services, Office of Public Safety, that such record was made at the time such inspection/ maintenance/calibration was performed or within a reasonable time thereafter, and further that it is the regular course of the Office of Public Safety's business to make such records at the time such inspection/maintenance /calibration is performed, or within a reasonable time thereafter, and to provide such instrument's records to the agency that requested them.

A handwritten signature in black ink that reads "Frank Sgarlata".

Digitally signed under ESRA
by Frank Sgarlata
on 11/14/2024 03:52 PM

Frank Sgarlata
Highway Safety Equipment Technician 2
Office of Public Safety

**BREATH TEST INSTRUMENT
RECORD OF INSPECTION / MAINTENANCE / CALIBRATION**

Name of Submitting Agency: Olean City Police Department
Manufacturer: NATL PATENT ANALYTICAL SYSTEM
Model: DATAMASTER DMT
Serial Number: 105408
Date: November 14, 2024

Reference Solution Lot Number : 23451
Reference Solution Standard : 0.10% at 34.0 degrees centigrade

Test No	Test Result	Simulator Temperature
1	0.101 %	34.00 degrees centigrade
2	0.101 %	33.99 degrees centigrade
3	0.100 %	33.99 degrees centigrade
4	0.101 %	33.99 degrees centigrade

Reference Solution Lot Number : 24011
Reference Solution Standard : 0.08% at 34.0 degrees centigrade

Test No	Test Result	Simulator Temperature
1	0.082 %	33.99 degrees centigrade
2	0.082 %	34.00 degrees centigrade
3	0.082 %	33.99 degrees centigrade
4	0.081 %	34.00 degrees centigrade

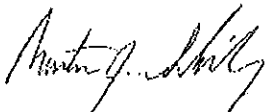
Reference Solution Lot Number : 24290
Reference Solution Standard : 0.18% at 34.0 degrees centigrade

Test No	Test Result	Simulator Temperature
1	0.181 %	33.99 degrees centigrade
2	0.181 %	34.00 degrees centigrade
3	0.181 %	34.00 degrees centigrade
4	0.182 %	34.00 degrees centigrade

I hereby certify that I have performed any necessary maintenance procedures and calibrated NATL PATENT ANALYTICAL SYSTEM breath test instrument model DATAMASTER DMT, serial number 105408, and have determined that it is accurate and reliable for the determination of ethyl alcohol in the blood by analysis of the breath. The instrument's test results are recorded above and this instrument satisfies all limits and standards established by the New York State Commissioner of Health as enumerated in Part 59, Subchapter D of Chapter II, TITLE 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York, (10 NYCRR Part 59) as amended.

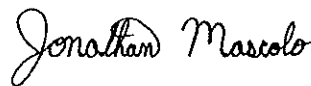
I further certify that I made the entries in these records of inspection/maintenance/calibration at the time that such inspection/maintenance/calibration of the above identified breath test instrument was performed, or within a reasonable time thereafter.

Performed by:



Digitally signed under ESRA
by Martin Schilling
on 11/14/2024 01:08 PM

Reviewed by:



Digitally signed under ESRA
by Jonathan Mascolo
on 11/14/2024 01:57 PM

Martin Schilling
Highway Safety Equipment Technician
Breath Analysis Operator Permit #45926

Jonathan Mascolo
Breath Analysis Technical Supervisor

**BREATH TEST INSTRUMENT
RECORD OF INSPECTION / MAINTENANCE / CALIBRATION**

Name of Submitting Agency: Olean City Police Department
Manufacturer: NATL PATENT ANALYTICAL SYSTEM
Model: DATAMASTER DMT
Serial Number: 105408
Date: November 14, 2024

- 1. General appearance and condition of this device -----: OK

- 2. Check controls and indicators -----: OK

- 3. Check breath flow system -----: OK

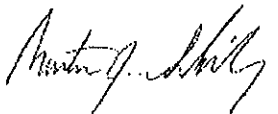
- 4. Check printer operation -----: OK

- 5. System cycles through all modes -----: OK

6. Record any repairs made to this instrument and list services provided : **INSPECTED INSTRUMENT, CHECKED SETUP VOLTAGES PRINT AND REMOTE OPERATION. PERFORMED CALIBRATION/ADJUSTMENT PROCEDURE, RAN SUBJECT, TECHNICIAN AND DIAGNOSTIC TESTS, VERIFIED CALIBRATION.**

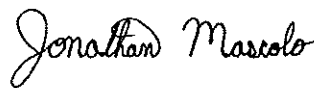
THIS CERTIFICATE EXPIRES 365 DAYS FROM THE DATE AT THE TOP OF THIS PAGE.

Performed by:



Digitally signed under ESRA
by Martin Schilling
on 11/14/2024 01:08 PM

Reviewed by:



Digitally signed under ESRA
by Jonathan Mascolo
on 11/14/2024 01:57 PM

**Martin Schilling
Highway Safety Equipment Technician
Breath Analysis Operator Permit #45926**

**Jonathan Mascolo
Breath Analysis Technical Supervisor**

TECHNICIAN TEST

OLEAN CITY
POLICE DEPT
DATAMASTER dmt: 105408

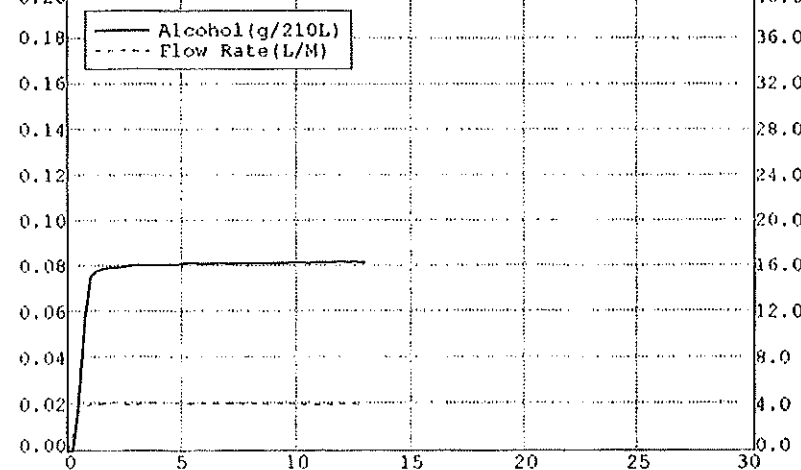
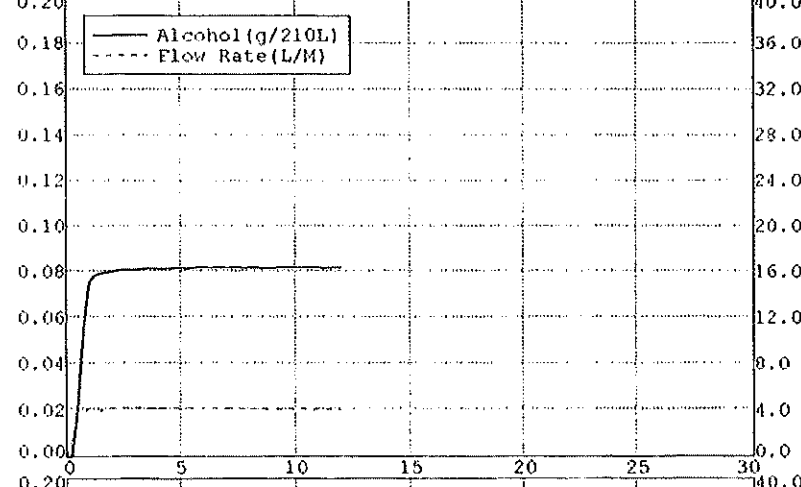
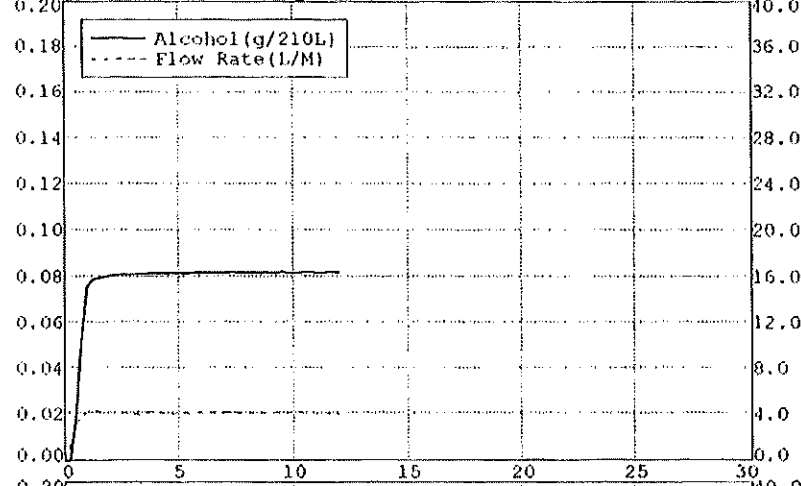
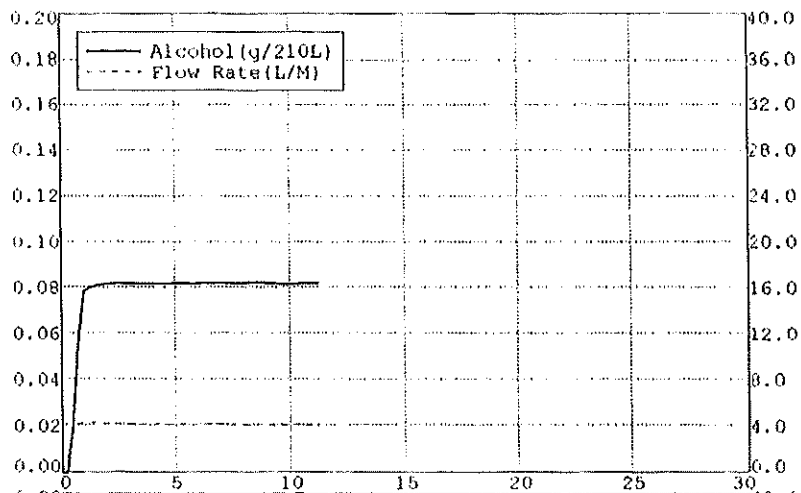
Date: 11/14/2024

OPERATOR NAME:
MARTIN J SCHILLING
Permit #: 45926
Operator Agency/Dept: OLEAN CITY PD
Reference Standard #: 24011

Nominal = 0.080 g/210L

BLANK TEST	0.000	12:46
INTERNAL STANDARD	VERIFIED	12:46
REFERENCE STANDARD TEMP	33.99c	
REFERENCE STANDARD	0.082	12:46
BLANK TEST	0.000	12:47
REFERENCE STANDARD TEMP	34.00c	
REFERENCE STANDARD	0.082	12:48
BLANK TEST	0.000	12:49
REFERENCE STANDARD TEMP	33.99c	
REFERENCE STANDARD	0.082	12:49
BLANK TEST	0.000	12:50
REFERENCE STANDARD TEMP	34.00c	
REFERENCE STANDARD	0.081	12:50
BLANK TEST	0.000	12:51

Average = 0.0818
Std Dev = 0.0005



TECHNICIAN TEST

OLEAN CITY
POLICE DEPT
DATAMASTER dmt: 105408

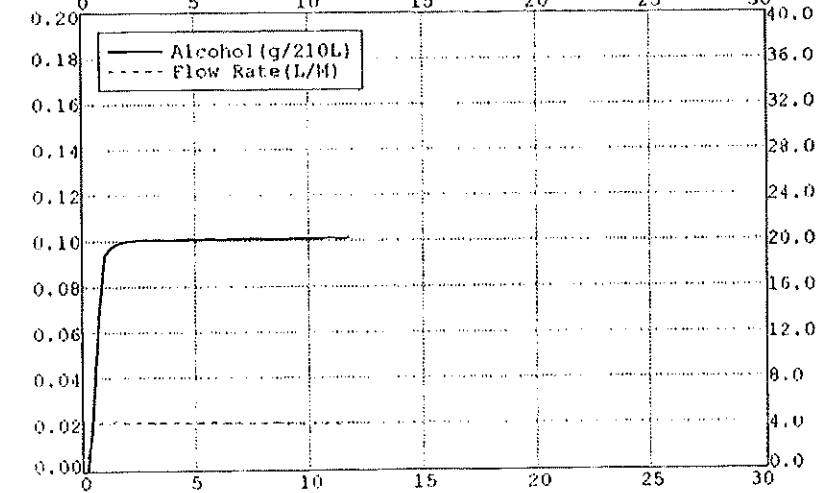
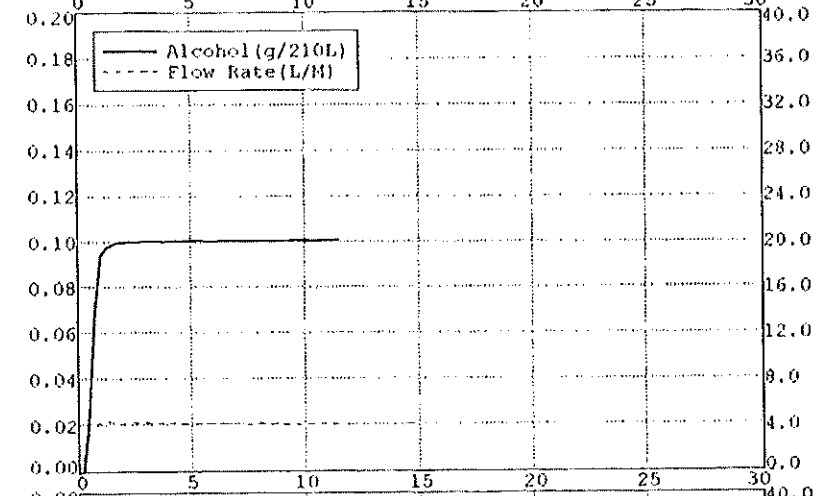
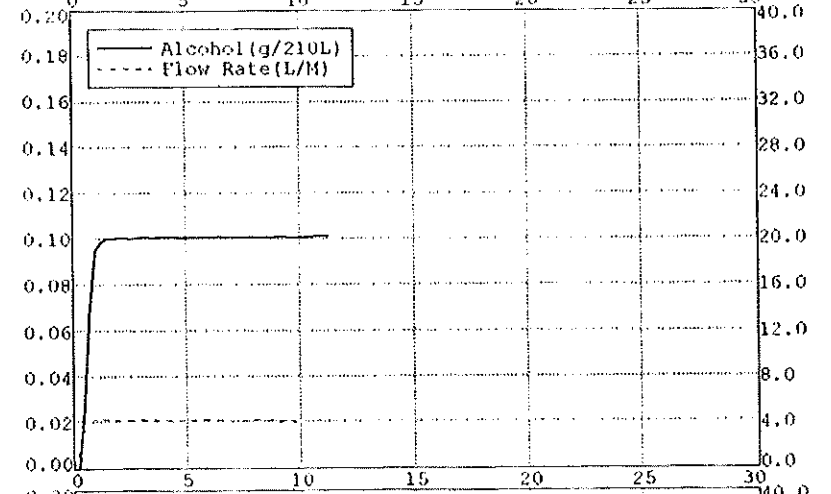
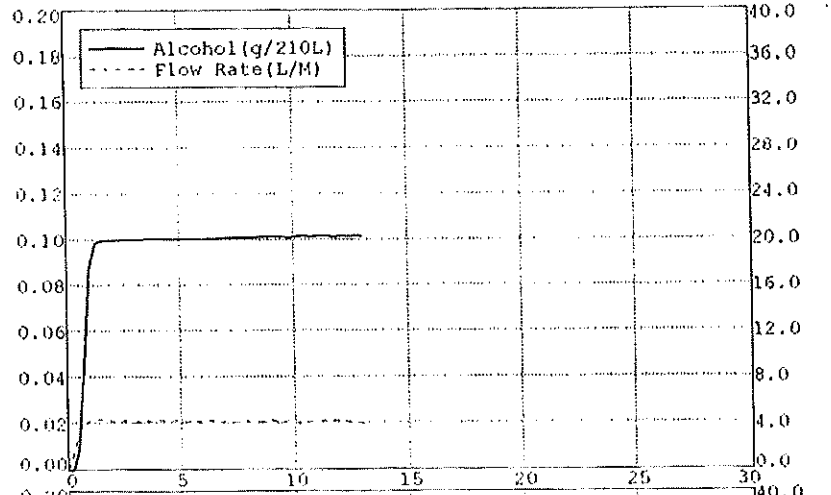
Date: 11/14/2024

OPERATOR NAME:
MARTIN J SCHILLING
Permit #: 45926
Operator Agency/Dept: OLEAN CITY PD
Reference Standard #: 23451

Nominal = 0.100 g/210L

BLANK TEST	0.000	12:05
INTERNAL STANDARD	VERIFIED	12:05
REFERENCE STANDARD TEMP	34.00c	
REFERENCE STANDARD	0.101	12:06
BLANK TEST	0.000	12:07
REFERENCE STANDARD TEMP	33.99c	
REFERENCE STANDARD	0.101	12:07
BLANK TEST	0.000	12:08
REFERENCE STANDARD TEMP	33.99c	
REFERENCE STANDARD	0.100	12:08
BLANK TEST	0.000	12:09
REFERENCE STANDARD TEMP	33.99c	
REFERENCE STANDARD	0.101	12:09
BLANK TEST	0.000	12:10

Average = 0.1008
Std Dev = 0.0005



TECHNICIAN TEST

OLEAN CITY
POLICE DEPT
DATAMASTER dmt: 105408

Date: 11/14/2024

OPERATOR NAME:
MARTIN J SCHILLING
Permit #: 45926
Operator Agency/Dept: OLEAN CITY PD
Reference Standard #: 24290

Nominal = 0.180 g/210L

BLANK TEST	0.000	12:58
INTERNAL STANDARD	VERIFIED	12:58
REFERENCE STANDARD TEMP	33.99c	
REFERENCE STANDARD	0.181	12:59
BLANK TEST	0.000	13:00
REFERENCE STANDARD TEMP	34.00c	
REFERENCE STANDARD	0.181	13:00
BLANK TEST	0.000	13:01
REFERENCE STANDARD TEMP	34.00c	
REFERENCE STANDARD	0.181	13:01
BLANK TEST	0.000	13:02
REFERENCE STANDARD TEMP	34.00c	
REFERENCE STANDARD	0.182	13:03
BLANK TEST	0.000	13:04

Average = 0.1812
Std Dev = 0.0005

