

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

I, Joshua Vinehout, Supervisor of Public Safety Programs, 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 NAT'L PATENT ANALYTICAL SYS, DATAMASTER DMT breath test instrument, serial number 100290, performed on February 04, 2020 by Office of Public Safety employee Joseph lavarone, 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.

Digitally signed under ESRA by Joshua Vinehout on 2/6/2020 12:18 PM

Joshua Vinehout Supervisor of Public Safety Programs Office of Public Safety

An Equal Opportunity/Affirmative Action Agency

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

Name of Submitting Agency: Lake Placid Village Police Department

Manufacturer: NAT'L PATENT ANALYTICAL SYS Model: DATAMASTER DMT

Serial Number: 100290 Date: February 04, 2020

Reference Solution Lot Number: 19350

Reference Solution Standard: 0.10 % at 34.0 degrees centigrade

Test No	Test Result	Simulator Temperature
1	0.097 %	34.01 degrees centigrade
2	0.100 %	34.01 degrees centigrade
3	0.101 %	34.01 degrees centigrade
4	0.099 %	34.01 degrees centigrade

I hereby certify that I have performed any necessary maintenance procedures and calibrated NAT'L PATENT ANALYTICAL SYS breath test instrument model DATAMASTER DMT, serial number 100290, 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:

James I was

Digitally signed under ESRA by Joseph lavarone on 2/4/2020 2:20 PM

Joseph lavarone Highway Safety Equipment Technician **Breath Analysis Operator Permit # 44106**  Reviewed by:

Trank Sgarlata Digitally signed under ESRA by Frank Sgarlata on 2/6/2020 11:41 AM

Frank Sgarlata

**Breath Analysis Technical Supervisor** 

# BREATH TEST INSTRUMENT RECORD OF INSPECTION / MAINTENANCE / CALIBRATION

Name of Submitting Agency: Lake Placid Village Police Department

Manufacturer: NAT'L PATENT ANALYTICAL SYS Model: DATAMASTER DMT Serial Number: 100290 Date: February 04, 2020 1. General Appearance and condition of this device -----: N/A 2. Check controls and indicators -----:: OK 3. Check breath flow system ----: OK 4. Check printer operation ----:: N/A 5. System cycles through all modes ----: OK 6. Record any repairs made to this instrument and list services provided: CHECKED REMOTE OPERATION, RAN DIAGNOSTIC AND TECHNICIAN TESTS, VERIFIED CALIBRATION. Performed by: Reviewed by: Thank Syarlata Digitally signed under ESRA by Frank Sgarlata on 2/6/2020 11:41 AM Digitally signed under ESRA by Joseph lavarone Lewet Level on 2/4/2020 2:20 PM Joseph lavarone Frank Sgarlata Highway Safety Equipment Technician **Breath Analysis Technical Supervisor** 

**Breath Analysis Operator Permit # 44106** 

LAKE PLACID VILLAGE

POLICE DEPT.

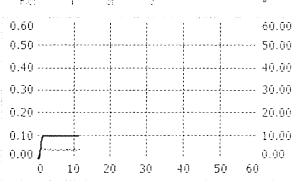
DATAMASTER dmt: 100290
Date: 02/04/2020

#### Nominal $\approx 0.100 \text{ g/}210\text{L}$

BLANK TEST	0.000	13:20
INTERNAL STANDARD	VERIFIED	13:21
REFERENCE STANDARD	TEMP 34.01c	
REFERENCE STANDARD	0.097	13:21
BLANK TEST	0.000	13:22
REFERENCE STANDARD T	TEMP 34.01c	
REFERENCE STANDARD	0.100	13:22
BLANK TEST	0.000	13:23
REFERENCE STANDARD T	TEMP 34.01c	
REFERENCE STANDARD	0.101	13:23
BLANK TEST	0.000	13:24
REFERENCE STANDARD 1	TEMP 34.01c	
REFERENCE STANDARD	0.099	13:24
BLANK TEST	0.000	13:25

Average = 0.0992 Std Dev = 0.0017

Control Test Record Saudator Information Latr 19350 Marrianath 0 100 Sena Number: 100290 02-03-2020 16,03 47 Test Date: Test Results Location: 334 Hophal 1 0 09 34.01 LAKE PLACIDI POLICE DEPT Alcehol 2: 0.10 2401 Supervisor afformation Hophel 3 111 3401 First Name Chad Solution Change. Last Name . Binn Perma 33034 Agency LAKE PLAC/D VILL PD Pic: Status



Status Code:

Date Time

Message.



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

I, Joshua Vinehout, Supervisor of Public Safety Programs, 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 NAT'L PATENT ANALYTICAL SYS, DATAMASTER DMT breath test instrument, serial number 100290, performed on August 10, 2020 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.

Digitally signed under ESRA by Joshua Vinehout on 8/17/2020 9:32 AM

Joshua Vinehout Supervisor of Public Safety Programs Office of Public Safety

An Equal Opportunity/Affirmative Action Agency

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

Name of Submitting Agency: Lake Placid Village Police Department

Manufacturer: NAT'L PATENT ANALYTICAL SYS Model: DATAMASTER DMT

Date: August 10, 2020 Serial Number: 100290

Reference Solution Lot Number: 19281

Reference Solution Standard: 0.10 % at 34.0 degrees centigrade

Test No	Test Result	Simulator Temperature		
1	0.100 %	34.01 degrees centigrade		
2	0.102 %	34.01 degrees centigrade		
3	0.101 %	34.01 degrees centigrade		
4	0.101 %	34.01 degrees centigrade		

Reference Solution Lot Number: 20020

Reference Solution Standard: 0.08 % at 34.0 degrees centigrade

Test No	Test Result	Simulator Temperature		
1	0.080 %	34.01 degrees centigrade		
2	0.082 %	34.01 degrees centigrade		
3	0.080 %	34.01 degrees centigrade		
4	0.080 %	34.01 degrees centigrade		

Reference Solution Lot Number: 20290

Reference Solution Standard: 0.180 % at 34.0 degrees centigrade

	~	9
Test No	Test Result	Simulator Temperature
1	0.182 %	34.01 degrees centigrade
2	0.181 %	34.01 degrees centigrade
3	0.182 %	34.01 degrees centigrade
4	0.182 %	34.01 degrees centigrade

I hereby certify that I have performed any necessary maintenance procedures and calibrated NAT'L PATENT ANALYTICAL SYS breath test instrument model DATAMASTER DMT, serial number 100290, 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 8/10/2020 12:19 PM

Frank Sgarlata

Reviewed by:

**Breath Analysis Technical Supervisor** 

Trank Sqarlata on 8/14/2020 9:30 AM

Digitally signed under

Martin Schilling

Austray Lolly

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

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

Name of Submitting Agency: Lake Placid Village Police Department

Manufacturer: NAT'L PATENT ANALYTICAL SYS

Highway Safety Equipment Technician

**Breath Analysis Operator Permit # 45926** 

Model: DATAMASTER DMT Serial Number: 100290 **Date: August 10, 2020** 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 Performed by: Reviewed by: Digitally signed under ESRA by Martin Schilling Trank Sgarlata Digitally signed under ESRA by Frank Sgarlata on 8/14/2020 9:30 AM on 8/10/2020 12:19 PM Martin Schilling Frank Sgarlata

**Breath Analysis Technical Supervisor** 

## TECHNICIAN TEST and the side that the side to see the side to the side LAKE PLACID VILLAGE POLICE DEPT. DATAMASTER dmt: 100290

Date: 08/10/2020

OPERATOR NAME: MARTIN J SCHILLING Permit #: 45926

Operator Agency/Dept: LAKE PLACID VILL. PD Reference Standard #: 19281

#### Nominal = 0.100 g/210L

BLANK TEST	0.000	10:56
INTERNAL STANDARD	VERIFIED	10:56
REFERENCE STANDARD TEN	MP 34.01c	
REFERENCE STANDARD	0.100	10:56
BLANK TEST	0.000	10:57
REFERENCE STANDARD TEN	4P 34.01c	
REFERENCE STANDARD	0.102	10:57
BLANK TEST	0.000	10:58
REFERENCE STANDARD TEN	MP 34.01c	
REFERENCE STANDARD	0.101	10:58
BLANK TEST	0.000	10:59
REFERENCE STANDARD TEN	MP 34.01c	
REFERENCE STANDARD	0.101	11:00
BLANK TEST	0.000	11:00

Average = 0.1010Std Dev = 0.0008

	- Albeiele - Flow Rate	g/.10L) e(L/M)				
<u> </u>	NAME OF COMMAND OF SANDARAM MARGINES IN THE ACCOUNTS OF THE	NA SEL OF THE PROPERTY OF THE				
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	Elow Rate	e(L/M)				
			1.5	200		
	S Albentaire	130 p. 100 l	16	100	2.5	3
	5  Albenolug Flow Rate	(Z.T.OL)	15	200	25	3
	S Albenbing	17.10L) (1/14)	16	200	2.5	
	6 Alcending - Flow Rate	(L/M)	15			3
	5  Albertal of Flow Rate	(L/M)	15		45	
	S Albenblug	(Z. 1 (L.) (Z. 14)	15			
	S Alconolis	17.10L) (1/14)	10		25	
	5  Alconolist Flow Rate	(/ L/M)	15			
	S Alcencius	(Z.T.OL)	15		15	

#### TECHNICIAN TEST \_\_\_\_\_ LAKE PLACID VILLAGE POLICE DEPT. DATAMASTER dmt: 100290 Date: 08/10/2020 OPERATOR NAME: MARTIN J SCHILLING Permit #: 45926 Operator Agency/Dept: LAKE PLACID VILL. PD Reference Standard #: 20020 Nominal = 0.080 g/210L0.000 11:04 BLANK TEST VERIFIED 11:04 INTERNAL STANDARD REFERENCE STANDARD TEMP 34.01c REFERENCE STANDARD 0.080 11:05 0.000 11:06 BLANK TEST REFERENCE STANDARD TEMP 34.01c

0.082 11:06 0.000 11:07

0.080 11:07 0.000 11:08

0.080 11:08 0.000 11:09

34.01c

Average = 0.0805 Std Dev = 0.0010

BLANK TEST

BLANK TEST

BLANK TEST

REFERENCE STANDARD

REFERENCE STANDARD TEMP

REFERENCE STANDARD

REFERENCE STANDARD

REFERENCE STANDARD TEMP 34.01c

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					24.0
- 14					20.6
					16.0
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	Alochol(g/_10L)	: :			36.0
0.16	Flow Rane(L/M)	2 * *	1 1		32.0
The contraction of the contracti					28.0
					24.0
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v. 08					16.0
06			÷		12.0
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3.00 <u>L</u>	5 20	15		25	
0.24	— Alcohol (g/210L) ].	k O	** <sup>12</sup>	wi <sub>2</sub> ,3	36.0
1.18	Flow Bate(L/M)		- • •		36.0
0.16					32.0
0.14				2	28.0
0.10					24.0
10					20.0
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0.04					4.0
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18	Alcohol(q/113L)				36.0
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# TECHNICIAN TEST LAKE PLACID VILLAGE POLICE DEPT. DATAMASTER dmt: 100290 Date: 08/10/2020

OPERATOR NAME: MARTIN J SCHILLING Permit #: 45926

Operator Agency/Dept: LAKE PLACID VILL. PD

Reference Standard #: 20290

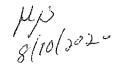
#### Nominal = 0.180 g/210L

BLANK TEST	0.000	11:11
INTERNAL STANDARD	VERIFIED	11:11
REFERENCE STANDARD TEMP	34.01c	
REFERENCE STANDARD	0.182	11:12
BLANK TEST	0.000	11:13
REFERENCE STANDARD TEMP	34.01c	
REFERENCE STANDARD	0.181	11:13
BLANK TEST	0.000	11:14
REFERENCE STANDARD TEMP	34.01c	
REFERENCE STANDARD	0.182	11:14
BLANK TEST	0.000	11:15
REFERENCE STANDARD TEMP	34.01c	
REFERENCE STANDARD	0.182	11:16
BLANK TEST	0.000	11:16

Average = 0.1818Std Dev = 0.0005

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	Alockel(g/L100) Flow Rate(L/M)					33.3
•						26.7
4.15			-		•	20.0
10						13.3
ij <b>.</b> ij5						6.7
i 10	***************************************	. *				0.0
3.30	Alcohol (g/110L)		15	(1)		0.0 30 740.0
0.25	Flow Rate(L/M)			i		33.3
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2.18						20.0
0.10						13.3
9.05						6.7
5.30 5.30		manufaculation (manufaculation)	15	71}		30.0 3040.0
	Alcohel(g/210L) Flow Rate(L/M)					33.3
AL- N MARI Milane						26.7
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	Alcohol(gz210b) Flow Rate(L/M)					33.3
a.20						26.7
15						20.0
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## New York State Division of Criminal Justice Services SERVICE AUTHORIZATION FORM



THIS FORM IS USED TO AUTHORIZE THE DIVISION OF CRIMINAL JUSTICE SERVICES TO PERFORMSERVICE ON THE INSTRUMENT IDENTIFIED. THIS AUTHORIZATION MUST ACCOMPANY EACH PIECE OF EQUIPMENT WHEN IT IS PRESENTED TO THE EQUIPMENT REPAIR CENTER FOR SERVICE.

SECTIONI-AGENCY INFORMATION		
Name of Agency		Today's Date
LAKE PLACID POLICE DEPARTA		8/10/2020
2693 MAIN ST	City, State, ZIP  LAYE PLACE	Contact Telephone
PTC BUIND  Contact Telephone		(SIB) 523-33NG
(518) 637-2572 (518) 523-9	Contact Email	akeplacidad.com
SECTION II – INSTRUMENT INFORMATION	- Diffice (	arepracia pa, com
DATAMASTER Instrument Serial Number	Model	Number
100290	Antenna Serial Number (if applicable)	
Date of Malfunction	Type of maintenance (check appro	priate)
Brief Description of Malfunction	Calibration Check	Repair
List all parts, cables and/or accessories being submitted. Tuning forks must accement the Man Unit Key Bell Simulation - 53007 - MP4814 CORDS		
l acknowledge I am signing this Service Authorization Form as an act and deed of the uses and purposes mentioned herein.	said agency, organization, or municipali	ly, and that I am duly authorized to sign same for
PHOLP PS	Date	3/10/2020
		0 1,0 1000
	USE ONLY	
I respected instant Checked, operation Performed calibrations,	setys voltage	cedere. Por
Robert, technic and diagnos	the tet Ver	ified Calibration