

Kathy Burger

From: Beth Portocalis
Sent: Tuesday, July 7, 2020 9:58 AM
To: Chris Noll
Subject: FW: Potential locations for Magnify brewery

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<https://www.loopnet.com/Listing/138-Medford-Mount-Holly-Rd-Medford-NJ/9353200/>

Block 302. Lot 15

Property Location: **210 MT HOLLY ROAD**

Property Class: 4A - Commercial

Owner Name/Address: OMEGA PROS LLC, 2 PINE ACRES DRIVE, MEDFORD, NJ 08055

Land Value: 170,300

Improvement Value: \$79,700

Total Assessed Value: \$250,000

Additional Lots: None

****This is not currently for sale, but the owner has had a couple of interested parties contact us about potential uses.**

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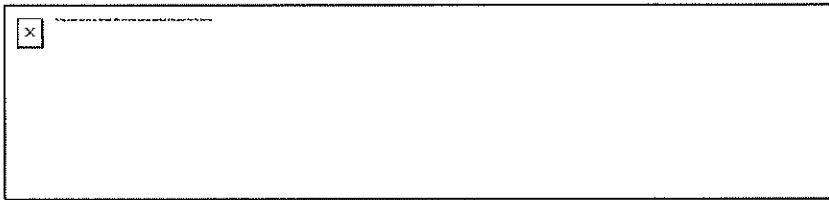
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Christopher J. Noll, PE, CME, PP
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Engineers • Planners • Scientists • Surveyors

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Mount Laurel, NJ 08054

Office 856.235.7170

Fax 856.273.9239

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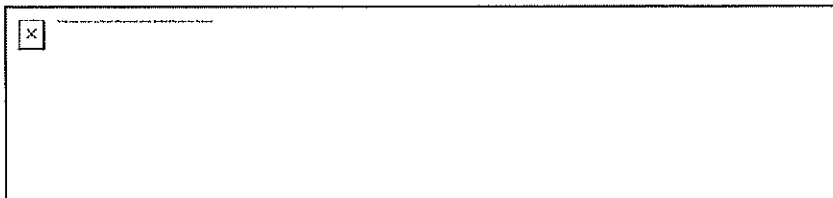
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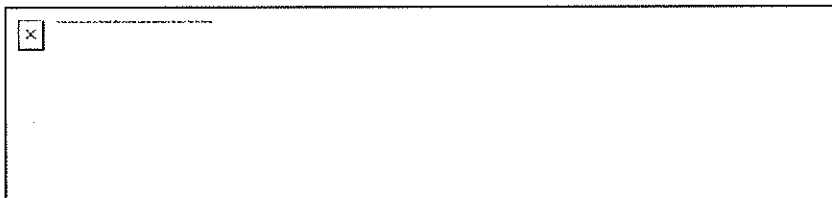
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Medford, N.J. 08055

[REDACTED]

Sharon.Wristbridge@foxroach.com

Southjerseyhorseproperties.com

Cell [REDACTED]

License # 0570749

Accredited Buyers Representative

Military Relocation Professional

Seller Representative Specialist

Circle of Excellence Sales Award 2017

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--
Sharon Denney-Wristbridge

Berkshire Hathaway Homeservices

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Medford, N.J. 08055


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--

Christopher J. Noll, PE, CME, PP

President & CEO



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--

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Kathy Burger

From: Dawn Bielec
Sent: Wednesday, September 8, 2021 9:47 AM
To: Charles Watson;Frank Czekay;Brad Denn;Lauren Kochan;Erik Rebstock;Tim Prime;tyler@primelaw.com
Cc: Kathy Burger
Subject: 17-19 North Main St Redevelopment
Attachments: 17-19 North Main St Redevelopment 21-604 Magnify Brewery.pdf; 21-604 Magnify Brewery.pdf

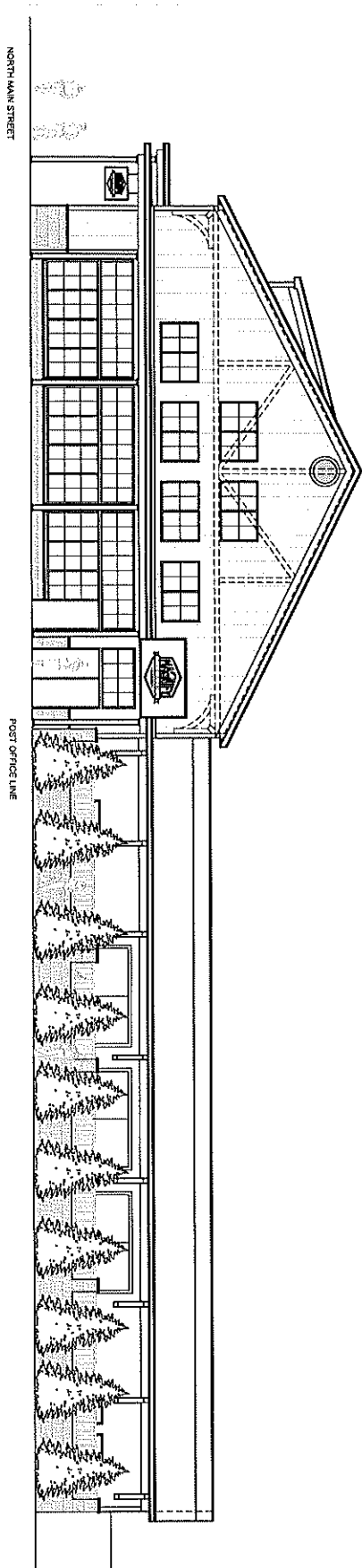
Attached please find the above documents for the RFP.

Dawn Bielec, RMC/CMR
Deputy Clerk/HR Coordinator
Registrar/Claims Coordinator
Township of Medford
609-654-2608 ext. 341

PLEASE NOTE: EFFECTIVE 5/12/21 OUR NEW ADDRESS WILL BE 49 UNION STREET, MEDFORD, NJ 08055



WEST ELEVATION (FRONT)
SCALE: 3/16" = 1'-0"



SOUTH ELEVATION (RIGHT)
SCALE: 3/16" = 1'-0"

NOTE: THESE DRAWINGS ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT WILLIAM C. BROWN, (WILLIAM C. BROWN ARCHITECTS).

NOT VALID UNLESS SIGNED AND SEALED

WILLIAM C. BROWN, ARCHITECTS
ARCHITECTS

241 Madison Avenue
New York, NY

PH: 201-481-2365
FAX: 201-481-2865

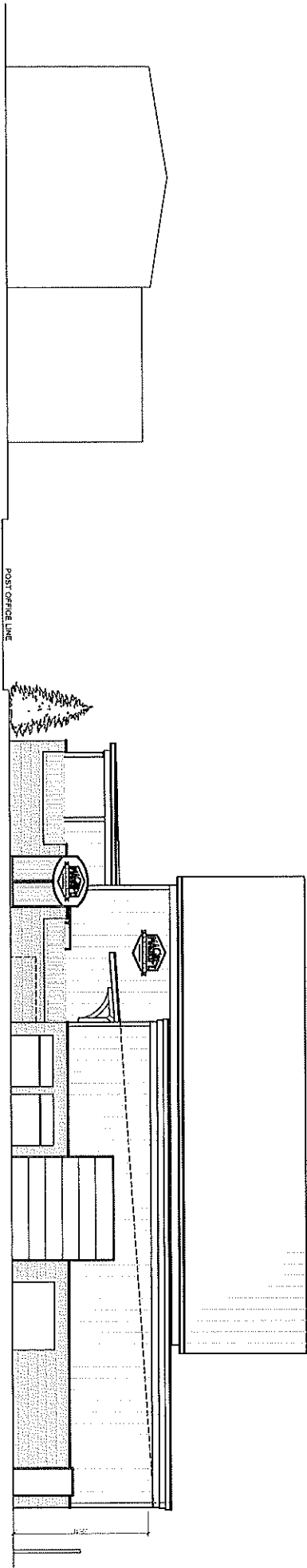
WEBSITE: williamcbrown.com
EMAIL: bill@williamcbrown.com

William C. Brown, Jr.
CT ARCH 01445
NY ARCH 01837
PA ARCH 00264
VA ARCH 04-0723
FL ARCH 0589022

PROJECT LOCATION:
77 NORTH MAIN ST
NEW JERSEY

ELEVATIONS
DATE: 03/22/2021
BY: ADR
SCALE: 3/16" = 1'-0"
MARCH 22, 2021, MARCH 24, 2021
MARCH 25, 2021, MAY 7, 2021, JUNE 1, 2021
JULY 29, 2021, AUGUST 31, 2021

A1.0



EAST ELEVATION (REAR SIDE)

SCALE: 1/4" = 1'-0"

THIS IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. ANY CHANGES TO THE DESIGN MUST BE APPROVED BY THE ARCHITECT. WILLIAM G. BROWN ARCHITECTS, P.L.L.C. (PHILIP & BROWN ARCHITECTS, P.L.L.C.)

NOT VALID UNLESS SIGNED AND SEALED

William G. Brown

William G. Brown Architects
ARCHITECTURE
P L A N N I N G

241 Madison Avenue
New York, NY 10017

PH: 201-461-3285
FAX: 201-461-3285

WILLIAM G. BROWN ARCHITECTS, P.L.L.C.
E-MAIL: WBA@williamgbrown.com

William G. Brown Jr.
CT ARCH 8445

NY ARCH 010837

PA ARCH 156068

VA ARCH 154-0725

FL ARCH 1608622

17 NORTH MAIN ST
NEW JERSEY

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Kathy Burger

From: Dawn Bielec
Sent: Wednesday, September 8, 2021 10:08 AM
To: Tim Prime
Cc: Charles Watson; Frank Czekay; Brad Denn; Lauren Kochan; Erik Rebstock; tyler@primelaw.com; Kathy Burger
Subject: RE: 17-19 North Main St Redevelopment
Attachments: 17-19 North Main St Redevelopment Medford RFP FINAL PDF.pdf

Sorry, thought I both on there.

Dawn Bielec, RMC/CMR
Deputy Clerk/HR Coordinator
Registrar/Claims Coordinator
Township of Medford
609-654-2608 ext. 341

PLEASE NOTE: EFFECTIVE 5/12/21 OUR NEW ADDRESS WILL BE 49 UNION STREET, MEDFORD, NJ 08055

From: Tim Prime [mailto:tim@primelaw.com]
Sent: Wednesday, September 8, 2021 10:05 AM
To: Dawn Bielec <dbielec@medfordtownship.com>
Cc: Charles Watson <cwatson@medfordtownship.com>; Frank Czekay <fczekay@medfordtownship.com>; Brad Denn <bdenn@medfordtownship.com>; Lauren Kochan <lkochan@medfordtownship.com>; Erik Rebstock <erebstock@medfordtownship.com>; tyler@primelaw.com; Kathy Burger <kburger@medfordtownship.com>
Subject: Re: 17-19 North Main St Redevelopment

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Dawn, there should be a written response to the RFP with all of the information requested, not just elevations.

Timothy M. Prime, Esquire



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Phone: (856) 273-8300
Fax: (856) 273-8383

North Jersey Offices

2 University Plaza, Suite 109

Hackensack, New Jersey 07601

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50 Harrison Street PH #511

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E-Mail: tim@primelaw.com

Web: www.primelaw.com

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On Wed, Sep 8, 2021 at 9:46 AM Dawn Bielec <dbielec@medfordtownship.com> wrote:

Attached please find the above documents for the RFP.

Dawn Bielec, RMC/CMR
Deputy Clerk/HR Coordinator
Registrar/Claims Coordinator
Township of Medford
609-654-2608 ext. 341

**PLEASE NOTE: EFFECTIVE 5/12/21 OUR NEW ADDRESS WILL BE 49 UNION STREET,
MEDFORD, NJ 08055**

**Magnify Brewing Company
Township of Medford
Redevelopment Opportunity - Proposal**

A. Development Team

Eric Ruta: Founder and Managing Member of Magnify Brewing Company

Cell: [REDACTED] Email: eric@magnifybrewing.com

Sheryl Monheit: Chief Operating Officer

Cell: [REDACTED] Email: sheryl@magnifybrewing.com

Salvatore Ruta: Chief Financial Officer

Cell: [REDACTED] Email: sal@magnifybrewing.com

Address:

Magnify Brewing Company
1275 Bloomfield Avenue
Building 7, Unit 40 C
Fairfield, NJ 07004

Roles on the Medford Project:

- Eric Ruta will be the key contact and will work closely with the town, the architect (WGB Architects, Bill Brown) and the general contractor
- The build-out of the Medford property is the top priority, so our 3-person team enables us to be flexible with enough man-power to oversee the build-out and to work as closely and as hands-on as needed
- This Development Team has led the successful build-out of the Magnify Brewing Co. in Fairfield, therefore, the Team has the knowledge, experience, and expertise to create and build a second brewery in a timely and efficient manner

All Team Members have the authority to make any and all decisions and to act on behalf of the Respondent

B. Qualifications and Experience

Eric Ruta: Founder and Managing Member of Magnify Brewing Company

- Founded Magnify Brewing Company in 2014
- Led the formation and build-out of Magnify Brewing Co which included but was not limited to the following activities:
 - Oversaw all architectural plans
 - Ensured proper zoning, municipality regulations, and permits
 - Purchased and oversaw the installation of brewery equipment
 - Spearheaded all Federal and State licensing processes
- Responsible for all start-up activities which included but was not limited to the following activities:
 - Hiring and training of all staff
 - Community engagement and partnerships
 - Marketing vision and branding
- Launched Magnify Brewing Company in May, 2015
- In the past 6 and a half years, Magnify has grown to a top New Jersey brewery, one that is recognized across the United States as well as in Europe
- Has a state-wide following across liquor stores, bars, and individual customers
- Self-distributes all beer within New Jersey
 - Distributes to 10 states besides New Jersey
- Operates a successful tasting room that accounts for ~50% of revenue
- Employs 16-20 staff

- Has made a significant contribution to the community: supports public services by promoting fundraisers and special events as well as supporting individual customer "causes"
 - In 2019 Eric was recognized by the Passaic County Sheriff's Officers PBA with honorary membership for his contribution to the local and county Police - this is the highest award the PBA can give to a private citizen
- Under Eric's leadership, Magnify Brewing's presence in Fairfield has positively impacted many businesses in the community; i.e., local business activity has increased due to large number of customers visiting Magnify each week, not only restaurants, but also other breweries, and retail businesses
- Led by Eric, Magnify doubled capacity each year until maximum production limits were reached. All growth has been self-funded, the company is not leveraged, and has a very strong cash position
 - Eric has managed a financially successful business from Cash Flow, P&L and Balance Sheet perspectives

Sheryl Monheit: Chief Operating Officer

- Prior to working at Magnify Brewing Company, was Executive Director at Avon Products, in the area of Financial Planning for over 30 years
 - Expertise in New Business Development, and Strategic Planning - focus in Finance, Sales and Marketing
- Began at Magnify Brewing Company in 2014 and worked on build-out and launch
- Currently, oversees Human Resources, Sales, and Logistics as well as assesses new business opportunities

Salvatore Ruta: Chief Financial Officer

- Prior to working at Magnify Brewing Company, worked as a CPA for several different firms; an internal auditor for major accounting firms, as well as in the private sector and self-employed
- Began at Magnify Brewing Company in 2014 and worked on build-out and launch
- Currently, is Magnify's CFO, and ensures all financials follow GAAP
- Set up financial controls and processes

C. Development Approach

Concept Plan:

- Magnify Brewing is looking for a second location to build their flagship destination brewery
- The vision is to build ~9,000 sq. ft. building, containing a 3,000 sq. ft. indoor tasting room that can hold over 125 people. Also, there will be an adjacent outside space that can accommodate over 100 additional customers
- As a destination brewery, people will come to not only enjoy Magnify's beers, but also as a weekend day trip to experience the town including, Medford's other breweries, restaurants, and stores, which will result in a positive impact for local businesses and the town
- The building itself will be bright and welcoming. With its many windows, porch and landscaping, it will attract new and steady customers, and help foster the Medford-Magnify community
- The rear of the building will be the brewery. The operational space will be able to produce the same capacity as our Fairfield location
- Architectural renderings are attached
 - NOTE: the renderings were done without any survey, or metes and bounds. Our tank supplier can not set up the brewery without having the accurate brewery size. Therefore, once we have a survey and the metes and bounds, the renderings may need to be "re-sized"

Project Narrative:

- As stated, Magnify Brewing in Medford will be our flagship destination brewery
- Medford is the perfect place to implement our vision with its Main Street charm, established craft beer culture, easy access, and proximity to Philadelphia
- Customers, new and repeat, are one of the most important drivers of our business, and we believe Medford's location and reputation will provide a pool of customers to meet our business objectives

- Magnify Brewing currently has a significant stronghold in South Jersey and the New Jersey shore areas. We are in many bars and liquor stores and have a dedicated customer base - this is a great foundation from which to expand our community
- Additionally, this flagship brewery will have a regional presence drawing people from all parts of New Jersey as well as the nearby states, Pennsylvania, Maryland, Delaware, and NY. We have experienced this type of consumer pull in our Fairfield brewery. Every week we see people drive several hours from other states and various New Jersey counties to purchase and consume our beer
- High customer traffic can only benefit other Medford businesses, and we have seen this hold true with our Fairfield brewery
- We will be open for consumption and takeout 5-7 days a week, with the expectation that the highest volume days will be on weekends, release days, and special event days
- Fostering community with the patrons, as well as the other retailers, breweries, bars and restaurants in town, is a primary objective
 - Promoting events and supporting residents and businesses is an important goal
 - Growing the established craft beer community is a must
- We project that a significant portion of revenue will come from sales received at the brewery through on-site consumption as well as purchases of items to-go, resulting in a significant influx of people into town
- The beer distribution from this brewery will be mainly to out-of-state distributors, as Medford is not as centrally located as Fairfield, and our current brewery will continue to supply the majority of our distribution within NJ
- Currently, we expect to hire approximately 15 staff; it is our intention to recruit locally

Project Phasing Plan:

- We are planning to complete the building in totality during the initial build-out
- The only phasing is additional tanks to increase production capacity
- At the initial build, we will install all necessary piping and connections along with a chiller and boiler to be able to produce to our maximum desired capacity; we will not buy all the tanks at the outset

D. Financial Feasibility

- This team has a very solid track record for delivering strong financial performance
- For the Fairfield brewery, all start-up debt was paid down within 2 years
- All expansions including additional tanks, canning line, larger chiller and cold box, were funded from operating cash flow
- Currently Magnify Brewing has no debt and a very strong cash position
- The key to our financial success, besides a high quality product that has a local and regional demand, is our many revenue streams, and our ability to pivot our business very quickly
- Nothing highlights this ability to change our business model, as our performance during Covid
 - Unfortunately and without notice, Magnify lost about 1/3 of our sales potential when the bars closed down due to Covid
 - Within one month, we were given permission to home deliver. Three days after the approval we were ready to go to fulfill this new area of demand; we had a system in place for receiving home delivery orders and payments, a delivery plan, and redeployed and trained staff
- We believe in contingency planning
- We have many revenue streams: On and Off Premise Tasting Room sales, Home Deliveries, In-State Bars, In-State Liquor Stores, and Out-of-State Distribution (currently we have approval to distribute in 10 states, but we only distribute regularly to 3 states)
 - We are able to sell all of our beer through these channels and have been able to maximize profitability as we adapt to changing external conditions. We are constantly changing our revenue mix to adapt to external factors, cost variations, and consumer demand
 - With very little lead times, we can adapt and change quickly

- We have the same revenue streams available with the new Medford brewery. We built our financials on selling 80% of all the beer produced in Medford directly out of the brewery
- Therefore, our contingencies center on distribution opportunities, within New Jersey and out-of-state, which is a large opportunity, but one that is not reflected in our financials
- We will not need to use the cash from Magnify Fairfield to operationally fund Medford; Medford will be a profitable entity
- We project to payback our Medford investment in less than 5 years

Overall, we are looking to partner with a township that is looking to grow their downtown presence with a destination brewery. We think Medford would be the perfect town and this site will be mutually beneficial to both Medford and Magnify Brewing Company.

Kathy Burger

From: Tim Prime <tim@primelaw.com>
Sent: Tuesday, March 1, 2022 9:49 AM
To: Kim Moore; Beth Portocalis; Scott Taylor; Michelle Taylor
Cc: Kathy Burger
Subject: Fwd: Magnify Brewery Title and Environmental Issues
Attachments: image001.jpg; image001.jpg

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am forwarding a copy of the email that I sent to the Township yesterday on the title and environmental issues with the Magnify Brewery project. There is nothing for you to do at this time, but I wanted you to be aware of the issues because Kathy may ask for your help.

Thanks, Tim

Timothy M. Prime, Esquire



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14000 Horizon Way, Suite 325
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50 Harrison Street PH #511

Hoboken, New Jersey 07030

E-Mail: tim@primelaw.com
Web: www.primelaw.com

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----- Forwarded message -----

From: **Tim Prime** <tim@primelaw.com>

Date: Mon, Feb 28, 2022 at 2:56 PM

Subject: Magnify Brewery Title and Environmental Issues

To: Joseph Rahman <jrahman@medfordtownship.com>, Kathy Burger <kburger@medfordtownship.com>, Chris Noll <cnoll@erinj.com>

Cc: Charles Watson <cwatson@medfordtownship.com>, Eric Rebstock <erebstock@medfordtownship.com>, Frank Czekay <fczekay@medfordtownship.com>, Donna Symons <dsymons@medfordtownship.com>, Lauren Kochan <lkochan@medfordtownship.com>, Tyler Prime <tyler@primelaw.com>

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Timothy M. Prime, Esquire

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Kathy Burger

From: Charles Watson
Sent: Wednesday, March 9, 2022 10:44 AM
To: Tim Prime
Subject: Magnify
Attachments: COR^2609.pdf

Tim,

Eric sent this to me to make sure this was OK from the towns side. We can talk later about it.

Chuck Watson, Mayor
Township of Medford
49 Union Street
Medford, NJ 08055
www.medfordtownship.com





ENVIRONMENTAL STRATEGIES & APPLICATIONS, INC.
495 Union Avenue, Suite 1D, Middlesex, NJ 08846

phone: 732.469.8888
fax: 732.469.1120
email: info@askESA.com
web: askESA.com

CHANGE ORDER FORM

CHANGE ORDER #: ^2609
PROJECT #: X4281
DATE: 03/03/2022

CLIENT:

Magnify Brewing, LLC
1275 Bloomfield Avenue, Bldg. 7 Unit 40C
Fairfield, New Jersey 07004
Attn: Mr. Eric Ruta
Sent via email to: eric@magnifybrewing.com

PROJECT:

17-19 North Main Street
Block 1804, Lot 4
Medford, Burlington County, New Jersey 08055

Dear Mr. Ruta,

Environmental Strategies & Applications, Inc. (ESA) is pleased to present this Change Order Request (COR) to Magnify Brewing, LLC ("Client") to conduct additional environmental services for the above-referenced property ("Site").

BACKGROUND

ESA conducted a Phase I Environmental Site Assessment (Phase I) of the Site, dated November 19, 2021. The Phase I identified three (3) Business Environmental Risks (BERs) as follows:

BER-1: Former Adjoining Property Operations

Medford Village Car Care, located south of the Site at 11 North Main Street, has operated as an auto repair shop since at least 1988, and previously as a gas station. This property formerly adjoined the Site until sometime between 1945 and 1962 when Post Office Lane was constructed, which currently bisects the two (2) properties. Based on a review of NJDEP DataMiner records, Medford Village Car Care has 10 underground storage tanks (USTs), all of which were formerly abandoned in place (i.e., oil removed, UST interiors cleaned and filled). Records indicating environmental testing, remediation, or evidence of a discharge (i.e., contamination) associated with the USTs, if any, are not provided on DataMiner. Given the proximity of the USTs relative to the Site, any potential discharge(s) may be impacting the Site.

BER-2: Lead-Based Paint (LBP)

ESA observed chipping/flaking paint conditions on the basement interior walls in the Site building during site reconnaissance. Due to the age of the building (constructed sometime before 1908), LBP may be present on interior and exterior painted surfaces. However, the assessment of LBP is beyond the scope ASTM E1527-13 and is considered a non-scope consideration.

BER-3: Asbestos Containing Building Materials (ACMs)

ESA observed thermal system insulation (TSI) on piping in the basement and plaster walls/ceilings in the Site building during site reconnaissance, both of which are suspected ACMs. Due to the age of the building (constructed sometime before 1908), additional ACMs may be present in building materials. However, the assessment of ACM is beyond the ASTM E1527-13 scope and is considered a non-scope consideration.

Based on recent conversations with Client's counsel, ESA has developed the following scope of work to address BER-2 and BER-3 noted above. ESA has also included the other required services to address potentially hazardous materials prior to building demolition. BER-1 is being addressed under a separate CO scope of work.

DESCRIPTION OF CHANGE(S) / PROPOSED SCOPE OF WORK:

Task 1: Pre-Demolition Hazardous Building Materials Survey

ESA will conduct a pre-demolition hazardous building materials survey in accordance with industry standards and regulations. The survey will consist of inspections and/or sampling for asbestos containing materials (ACMs), lead, mercury, polychlorinated biphenyls (PCBs), chlorofluorocarbons, and radioactive sources. Hazardous materials will be located, evaluated, and sampled, if necessary. For the purposes of this proposal, ESA estimates the collection and analysis of 20 asbestos samples, two (2) lead samples, and two (2) PCBs samples. If additional sample collection and analysis are warranted based on field observations, ESA will discuss with Client prior to submitting samples to the laboratory. Client will be invoiced on a unit-cost basis for additional samples, as detailed in the price section below. Asbestos samples that are analyzed via polarized light microscopy (PLM) with concentrations that are greater than non-detect but less than 1% will require PLM 400 point count analysis – note that those additional costs are not included in this proposal. ESA will discuss the results with Client prior to activating additional analyses.

Samples will be analyzed by a certified laboratory using a standard two (2) week laboratory turnaround time (TAT). Expedited TATs are available for an additional cost, if requested. ESA will evaluate the laboratory analytical results and prepare a summary of findings that includes appropriate conclusions and recommendations.

PRICE

ESA's estimated Time and Materials price to complete the services provided under this scope of work is \$7,000.

If additional sample collection and analysis are warranted, ESA will discuss with Client prior to submitting samples to the laboratory. Client will be invoiced on a unit-cost basis as follows:

Lead Sample	\$28
PLM Asbestos Bulk Sample	\$20
TEM Asbestos Bulk Sample	\$85
PLM 400 Point Count Asbestos Bulk Sample	\$43
PCB Sample	\$145

SCHEDULING

ESA anticipates completing Task 1 within three (3) to four (4) weeks of Client's authorization to proceed, which includes the two (2) week laboratory TAT.

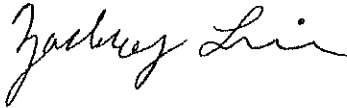
NOTES

- ESA estimates the collection and analysis of up to 20 asbestos samples, two (2) lead samples, and two (2) PCBs samples. If additional sample collection and analysis are warranted based on field observations, ESA will discuss with Client prior to submitting samples to the laboratory. Client will be invoiced on a unit-cost basis for additional samples, as detailed in the price section above.
- Asbestos samples that are analyzed via polarized light microscopy (PLM) with concentrations that are greater than non-detect but less than 1% will require PLM 400 point count analysis – note that those

additional costs are not included in this proposal. ESA will discuss the results with Client prior to activating additional analyses.

- Work is priced to be completed during normal business hours on a Time & Materials basis. ESA's rate schedule is **attached**.

WE AGREE to the change(s) specified above to be completed at the additional estimated price of **\$7,000**



03/03/2022

ESA Authorized Signature

Date

ACCEPTANCE: The above prices and specifications of this CHANGE ORDER are satisfactory and are hereby accepted. Work will be performed under the same terms and conditions as specified in the original contract unless otherwise stipulated. To authorize ESA to proceed, kindly return an executed copy of this proposal and a retainer in the amount of **\$3,500**.

CLIENT Authorized Signature

Date

://Attachments
ESA Rate Schedule

ENVIRONMENTAL STRATEGIES & APPLICATIONS, INC.
RATE SCHEDULE
EFFECTIVE JANUARY 1, 2022 – DECEMBER 31, 2022

Principal	\$245
Senior Director	\$225
Director	\$205
Senior Project Manager	\$185
Project Manager	\$165
Associate Project Manager	\$135
Environmental Scientist II	\$105
Environmental Scientist I	\$95
Environmental Technician	\$85
Project Coordinator	\$75

All rates are per hour.

Personnel are billed portal to portal.

Rates for expert preparation, depositions, and testimony are 2 times those listed. Rates subject to change upon 30 days' notification.

Kathy Burger

From: Tim Prime <tim@primelaw.com>
Sent: Wednesday, March 9, 2022 8:15 PM
To: Charles Watson
Subject: Re: Magnify
Attachments: image001.jpg

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lets talk tomorrow;. Are they looking for Township to pay for this?

Timothy M. Prime, Esquire



South Jersey Office

14000 Horizon Way, Suite 325
Mount Laurel, New Jersey 08054
Phone: (856) 273-8300
Fax: (856) 273-8383

North Jersey Offices

2 University Plaza, Suite 109

Hackensack, New Jersey 07601

Phone: (201) 883-1010
Fax: (856) 273-8383

50 Harrison Street PH #511

Hoboken, New Jersey 07030

E-Mail: tim@primelaw.com
Web: www.primelaw.com

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On Wed, Mar 9, 2022 at 10:43 AM Charles Watson <cwatson@medfordtownship.com> wrote:

Tim,

Eric sent this to me to make sure this was OK from the towns side. We can talk later about it.

Chuck Watson, Mayor
Township of Medford
49 Union Street
Medford, NJ 08055
www.medfordtownship.com



Kathy Burger

From: Tim Prime <tim@primelaw.com>
Sent: Wednesday, March 9, 2022 8:19 PM
To: Chris Noll
Cc: Charles Watson
Subject: Fwd: Magnify
Attachments: image001.jpg; COR^2609.pdf

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Chris, please see the attached change order from Magnify's environmental consultant. It involves pre-demolition testing, which I think is fine, but let me know what you think. Also, please see the first paragraph that references the 10 underground tanks on the Medford Auto Service property. I know that you said you thought that there were only 5.

Tim

Timothy M. Prime, Esquire



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----- Forwarded message -----

From: **Charles Watson** <cwatson@medfordtownship.com>

Date: Wed, Mar 9, 2022 at 10:43 AM

Subject: Magnify

To: Tim Prime <tim@primelaw.com>

Tim,

Eric sent this to me to make sure this was OK from the towns side. We can talk later about it.

Chuck Watson, Mayor
Township of Medford
49 Union Street
Medford, NJ 08055
www.medfordtownship.com





ENVIRONMENTAL STRATEGIES & APPLICATIONS, INC.
495 Union Avenue, Suite 1D, Middlesex, NJ 08846

phone: 732.469.8888
fax: 732.469.1120
email: info@askESA.com
web: askESA.com

CHANGE ORDER FORM

CHANGE ORDER #: ^2609
PROJECT #: X4281
DATE: 03/03/2022

CLIENT:

Magnify Brewing, LLC
1275 Bloomfield Avenue, Bldg. 7 Unit 40C
Fairfield, New Jersey 07004
Attn: Mr. Eric Ruta
Sent via email to: eric@magnifybrewing.com

PROJECT:

17-19 North Main Street
Block 1804, Lot 4
Medford, Burlington County, New Jersey 08055

Dear Mr. Ruta,

Environmental Strategies & Applications, Inc. (ESA) is pleased to present this Change Order Request (COR) to Magnify Brewing, LLC ("Client") to conduct additional environmental services for the above-referenced property ("Site").

BACKGROUND

ESA conducted a Phase I Environmental Site Assessment (Phase I) of the Site, dated November 19, 2021. The Phase I identified three (3) Business Environmental Risks (BERs) as follows:

BER-1: Former Adjoining Property Operations

Medford Village Car Care, located south of the Site at 11 North Main Street, has operated as an auto repair shop since at least 1988, and previously as a gas station. This property formerly adjoined the Site until sometime between 1945 and 1962 when Post Office Lane was constructed, which currently bisects the two (2) properties. Based on a review of NJDEP DataMiner records, Medford Village Car Care has 10 underground storage tanks (USTs), all of which were formerly abandoned in place (i.e., oil removed, UST interiors cleaned and filled). Records indicating environmental testing, remediation, or evidence of a discharge (i.e., contamination) associated with the USTs, if any, are not provided on DataMiner. Given the proximity of the USTs relative to the Site, any potential discharge(s) may be impacting the Site.

BER-2: Lead-Based Paint (LBP)

ESA observed chipping/flaking paint conditions on the basement interior walls in the Site building during site reconnaissance. Due to the age of the building (constructed sometime before 1908), LBP may be present on interior and exterior painted surfaces. However, the assessment of LBP is beyond the scope ASTM E1527-13 and is considered a non-scope consideration.

BER-3: Asbestos Containing Building Materials (ACMs)

ESA observed thermal system insulation (TSI) on piping in the basement and plaster walls/ceilings in the Site building during site reconnaissance, both of which are suspected ACMs. Due to the age of the building (constructed sometime before 1908), additional ACMs may be present in building materials. However, the assessment of ACM is beyond the ASTM E1527-13 scope and is considered a non-scope consideration.

Based on recent conversations with Client's counsel, ESA has developed the following scope of work to address BER-2 and BER-3 noted above. ESA has also included the other required services to address potentially hazardous materials prior to building demolition. BER-1 is being addressed under a separate CO scope of work.

DESCRIPTION OF CHANGE(S) / PROPOSED SCOPE OF WORK:

Task 1: Pre-Demolition Hazardous Building Materials Survey

ESA will conduct a pre-demolition hazardous building materials survey in accordance with industry standards and regulations. The survey will consist of inspections and/or sampling for asbestos containing materials (ACMs), lead, mercury, polychlorinated biphenyls (PCBs), chlorofluorocarbons, and radioactive sources. Hazardous materials will be located, evaluated, and sampled, if necessary. For the purposes of this proposal, ESA estimates the collection and analysis of 20 asbestos samples, two (2) lead samples, and two (2) PCBs samples. If additional sample collection and analysis are warranted based on field observations, ESA will discuss with Client prior to submitting samples to the laboratory. Client will be invoiced on a unit-cost basis for additional samples, as detailed in the price section below. Asbestos samples that are analyzed via polarized light microscopy (PLM) with concentrations that are greater than non-detect but less than 1% will require PLM 400 point count analysis – note that those additional costs are not included in this proposal. ESA will discuss the results with Client prior to activating additional analyses.

Samples will be analyzed by a certified laboratory using a standard two (2) week laboratory turnaround time (TAT). Expedited TATs are available for an additional cost, if requested. ESA will evaluate the laboratory analytical results and prepare a summary of findings that includes appropriate conclusions and recommendations.

PRICE

ESA's estimated Time and Materials price to complete the services provided under this scope of work is \$7,000.

If additional sample collection and analysis are warranted, ESA will discuss with Client prior to submitting samples to the laboratory. Client will be invoiced on a unit-cost basis as follows:

Lead Sample	\$28
PLM Asbestos Bulk Sample	\$20
TEM Asbestos Bulk Sample	\$85
PLM 400 Point Count Asbestos Bulk Sample	\$43
PCB Sample	\$145

SCHEDULING

ESA anticipates completing Task 1 within three (3) to four (4) weeks of Client's authorization to proceed, which includes the two (2) week laboratory TAT.

NOTES

- ESA estimates the collection and analysis of up to 20 asbestos samples, two (2) lead samples, and two (2) PCBs samples. If additional sample collection and analysis are warranted based on field observations, ESA will discuss with Client prior to submitting samples to the laboratory. Client will be invoiced on a unit-cost basis for additional samples, as detailed in the price section above.
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additional costs are not included in this proposal. ESA will discuss the results with Client prior to activating additional analyses.

- Work is priced to be completed during normal business hours on a Time & Materials basis. ESA's rate schedule is **attached**.

WE AGREE to the change(s) specified above to be completed at the additional estimated price of **\$7,000**



03/03/2022

ESA Authorized Signature

Date

ACCEPTANCE: The above prices and specifications of this CHANGE ORDER are satisfactory and are hereby accepted. Work will be performed under the same terms and conditions as specified in the original contract unless otherwise stipulated. To authorize ESA to proceed, kindly return an executed copy of this proposal and a retainer in the amount of **\$3,500**.

CLIENT Authorized Signature

Date

://Attachments
ESA Rate Schedule

ENVIRONMENTAL STRATEGIES & APPLICATIONS, INC.
RATE SCHEDULE
EFFECTIVE JANUARY 1, 2022 – DECEMBER 31, 2022

Principal	\$245
Senior Director	\$225
Director	\$205
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Project Coordinator	\$75

All rates are per hour.

Personnel are billed portal to portal.

Rates for expert preparation, depositions, and testimony are 2 times those listed. Rates subject to change upon 30 days' notification.

Kathy Burger

From: Charles Watson
Sent: Wednesday, March 9, 2022 9:05 PM
To: Tim Prime
Subject: Re: Magnify

I don't believe they want us to pay for it. Talk to you tomorrow.

Chuck Watson
Mayor, Medford Township

From: Tim Prime <tim@primelaw.com>
Sent: Wednesday, March 9, 2022 8:15:12 PM
To: Charles Watson <cwatson@medfordtownship.com>
Subject: Re: Magnify

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Chuck Watson, Mayor
Township of Medford
49 Union Street
Medford, NJ 08055
www.medfordtownship.com



Kathy Burger

From: Charles Watson
Sent: Tuesday, March 22, 2022 8:24 AM
To: Richard Falasco
Subject: 17-19 Main Demo
Attachments: COR-2609.pdf

Rich,

Please call me when you have a chance. I would like to discuss the attached. Cell is [REDACTED]

Chuck Watson, Mayor
Township of Medford
49 Union Street
Medford, NJ 08055
www.medfordtownship.com





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phone: 732.469.8888
fax: 732.469.1120
email: info@askESA.com
web: askESA.com

CHANGE ORDER FORM

CHANGE ORDER #: ^2609
PROJECT #: X4281
DATE: 03/03/2022

CLIENT:

Magnify Brewing, LLC
1275 Bloomfield Avenue, Bldg. 7 Unit 40C
Fairfield, New Jersey 07004
Attn: Mr. Eric Ruta
Sent via email to: eric@magnifybrewing.com

PROJECT:

17-19 North Main Street
Block 1804, Lot 4
Medford, Burlington County, New Jersey 08055

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03/03/2022

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