

**From:** [Codey, Ray](#)  
**To:** [Bruno Genova](#); [Marilyn D. Davis](#)  
**Cc:** [Robert Hoch](#); [Ronald Kavanagh](#); [William F. Harrison](#); [Burnet, Jim](#); [Vogel, Robert](#); [Mattina, James](#); [Conley, Robert](#)  
**Subject:** External E-mail - Re: Following-up  
**Date:** Thursday, February 10, 2022 4:55:10 PM

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[External Email]

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Bruno - I'm sorry that we're not able to reach a meeting of the minds regarding access to the Borough of Madison electric utility infrastructure. The proposed reduced attachment fee did not even reflect the historic unilateral use of our infrastructure by Altice with no compensation being paid to the Borough, nor did your response address the Cook Avenue Parking Lot agreement or universal pole attachment agreement requirements.. Good luck with your roll out in other communities.  
Ray Codey, Borough Administrator

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**From:** Bruno Genova <BGenova@genovaburns.com>  
**Sent:** Thursday, February 10, 2022 3:46 PM  
**To:** Codey, Ray; Marilyn D. Davis  
**Cc:** Robert Hoch; Ronald Kavanagh; William F. Harrison; Burnet, Jim; Vogel, Robert; Mattina, James  
**Subject:** RE: Following-up

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Ray –

Thank you for your email.

Altice rejects the Borough's proposal of \$20/pole for this and subsequent years. This is still considerably in excess of the per pole charge that Altice is paying elsewhere. Provided the Borough agrees to \$12/pole, Altice is willing to make a one-time donation of \$35k to the Borough to support any local project. The donation terms would be set forth in a separate side letter agreement between Altice and the Borough.

Altice's offer is valid until 10 a.m. tomorrow, February 11, 2022. Altice hereby reserves all of its rights under applicable state and federal law and regulation, and in equity, with regard to any and all potential claims arising from any and all matters contained herein.

We look forward to your response.

Thank you.

**Bruno Genova**  
Of Counsel  
Genova Burns LLC  
494 Broad St. Newark, NJ 07102  
Tel: 973.646.3261 | Fax: 973.533.1112  
[www.genovaburns.com](http://www.genovaburns.com)

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**From:** Codey, Ray <codeyr@rosenet.org>  
**Sent:** Thursday, February 10, 2022 12:54 PM  
**To:** Marilyn D. Davis <Marilyn.Davis16@AlticeUSA.com>  
**Cc:** Bruno Genova <BGenova@genovaburns.com>; Robert Hoch <Robert.Hoch@AlticeUSA.com>; Ronald Kavanagh <rkavanagh@cgajlaw.com>; William F. Harrison <WHarrison@genovaburns.com>; Burnet, Jim <BurnetJ@rosenet.org>; Vogel, Robert <vogelr@lus.rosenet.org>; Mattina, James <mmattinaj@elc.rosenet.org>  
**Subject:** Re: Following-up

**Security Warning. This is an EXTERNAL email.**

Marilyn - Sorry for the delay in our response. We would propose the following: ( 1 ). Altice pay Twenty dollars ( \$ 20.00 ) per pole annually ( 2680 poles X \$20 = \$53,600 ). ( 2 ). Full payment due upon full execution of the agreement for the first year with succeeding year's payment due no later than January 15th of each year thereafter. ( 3 ). Simultaneous execution of the previously forwarded Cook Avenue Parking Lot Agreement with payment and Universal Pole Attachment Agreement. ( 4 ). All fees paid are in addition to the annual franchise fee payment. ( 5 ). This proposal is subject to formal approval by the Madison governing body. Ray

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**From:** Marilyn D. Davis <Marilyn.Davis16@AlticeUSA.com>  
**Sent:** Thursday, February 10, 2022 9:37 AM  
**To:** Codey, Ray  
**Cc:** Bruno Genova; Robert Hoch; Ronald Kavanagh; William F. Harrison  
**Subject:** Following-up

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Hi Ray,

I'm reaching out to see if the Town has an update yet. We are eager to resolve this matter and resume working in Madison. Any update you can provide is greatly appreciated, preferably before 10 am, if possible.

Thanks,  
Marilyn

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