

My questions are these:

- 1) Should the MVPL pay the separate legal bills of a MVPL board trustee seeking to resist an NYSED petition to have that trustee removed from the MVPL board of trustees?
- 2) Should the MVPL pay Trustee Marable's Brill Group Legal bills from October 2022, January 2023, and March 2023 (totaling \$2,650), given that an engagement with Brill Legal Group was not approved by the MVPL until October 5, 2023?
- 3) Should the MVPL pay Trustee Coleman's June 2023 legal bills from Brill (totaling \$800), given that the MVPL board of trustees did not approve an engagement with Brill until October 5, 2023?
- 4) Shouldn't trustees Marable and Coleman have recused themselves from the vote to engage Brill Legal Group, since they stand to gain from the engagement financially by passing legal charges they generated prior to the Brill engagement onto the MVPL (i.e., taxpayers)?

This is what I've pieced together regarding the MVPL and the Brill Legal Group. The Brill Legal Group invoices and MVPL Resolutions are included after my outline of the events that seem relevant to me.

Background: in February 2022, the NYS Education Dept petitioned the NYS Board of Regents to remove all 5 library trustees due to a variety of failings, including poor fiscal oversight, and failure to file NYS reports needed to maintain registration as a NYSED regulated public library. See this LOHUD article for more details:

<https://www.lohud.com/story/news/local/westchester/mount-vernon/2022/02/15/mount-vernon-library-board-members-face-removal-over-fiscal-woes/6800506001/>

The 5 trustees NYSED petitioned to have removed: Vivian Salmon, Oscar Davis Jr., Cathlin Gleason-Boncardo, Judy Williams-Davis, and Hope Marable. All but Marable resigned in 2022. It appears that sometime in 2022, Trustee Marable – *not the library*- retained Brill Legal Group. Marable brought a motion before the board in October 2022 to retain Brill. **That motion did not pass.** By February 2023, Marable was no longer on the library board, but it appears that Marable continued to use Brill to represent her in her (failed) effort to resist the NYS effort to have her removed the MVPL board of trustees.

Marable was re-elected to the MVPL board of trustees for the term starting July 1, 2023. In October 2023, Marable again brought up retaining Brill. This time the motion passed with 3 votes, two of the "yes" votes being cast by trustees Marable and Coleman.

Here is the sequence of events:

October 4, 2022 (Resolution #105-22)- to hire Brill Legal Group to "represent the united interests of Trustee Judy Williams-Davis, and Hope Marable" regarding "*Proposed Commencement of a Proceeding by the Board of Regents*", with a retainer fee of \$5,000.

Trustee Marable brought the motion, **but it was not seconded.**

- **NOTE: the Brill invoice "Marable, Hope (v. Mt. Vernon Public Library)".** The first charge from Brill is on October 4, 2022, for "meeting at Mount Vernon Public Library" for \$500 (1 hour).

October 11, 2022 – Resolution #105-22 appears on the agenda again, but no vote is taken. Instead, it is noted that "The Board will move to vote at the next regular meeting".

October 19, 2022- Resolution #105-22 appears on the agenda again. The entry at the bottom of the resolution says that "this item has been tabled and will be presented at the special meeting of October 24, 2022".

- **NOTE: the Brill invoice "Marable, Hope (v. Mt. Vernon Public Library)".** The second charge from Brill is on October 19, 2022, for "meeting at Mount Vernon Public Library" for \$500 (1 hour).

October 24, 2022- the board meeting was cancelled.

November 16, 2022- Judy Williams-Davis resigns and 2 NYS appointed trustees join the board, James Carlos and Ronald Hood.

- **NOTE: the Brill invoice “Marable, Hope (v. Mt. Vernon Public Library)”**. The third charge from Brill is on January 3, 2023, for a “Virtual Pre-Hearing Conference” for \$400.

By February 2023 Marable was no longer a trustee.

- **NOTE: the Brill invoice “Marable, Hope (v. Mt. Vernon Public Library)”**. The fourth charge from Brill is on March 23, 2023, for “Drafting of Response to Summary”.

The fifth and sixth entries on the Brill invoice “**Marable, Hope (v. Mt. Vernon Public Library)**” are for “phone meetings with President Coleman” on 6/1/23 and 6/7/23 totaling \$800.

Marable is re-elected to the BOT in May 2023 (for the term starting in July 2023).

October 5, 2023 (Resolution #091-23)- Trustee Marable made a motion to retain Brill as general counsel for the MVPL with a retainer of \$4,500. Voting yes: Coleman, Mack, Marable, Voting no: J Davis. Absent: Thomas.

The invoice from Brill is attached to the resolution. It is to Chanese Coleman. The invoice date is October 10, 2023, the “flat fee” date is 6/28/23. Presumably, this \$4,500 fee is separate from the \$3,450 charges on the invoice to Hope Marable.

Below are the Resolutions noted above, followed by the Brill Legal Group invoices.

Meeting Oct 04, 2022 - Special Meeting
Category 3. New Business
Subject 3.1 Legal Counsel Resolution
#105-22

**Mount Vernon Public Library
Board of Trustee
Resolution #105-22**

A RESOLUTION TO APROVE AND ACCEPT THE LEGAL COUNSEL OF BRILL LEGAL GROUP, P.C.

WHEREAS, the Director for the Mount Vernon Public Library recommends that the Board approve and accept attorney representation of Brill Legal Group, P.C. for the united interest of Trustee Judy Williams-Davis, and Trustee Hope Marable

WHEREAS, Board of Trustees for the Mount Vernon Public Library must accept and approve this recommendation, **NOW, THEREFORE, be it RESOLVED**, that the Board of Trustees for the Mount Vernon Public Library has approved, adopted, and authorized by the Board of Trustees to approve and accept Legal Counsel of Brill Legal Group, P.C. to represent the united interest of Trustee Judy Williams-Davis, and Trustee Hope Marable based on information from, and communications with Board’s General Counsel, Attorney Ayanna Thomas, and NYSED Appeals Coordinator, and in compliance with Bylaws Article IV, Article VI, and Article X, the Board of Trustees resolves the retainer of Brill Legal Group, P.C., Attorneys at law, for the purpose of representation of Trustee Judy Williams-Davis, and Trustee Hope Marable’s united interest regarding “Proposed Commencement of a Proceeding by The Board of Regents” dated on or about February 14, 2022. The retainer fee in the amount of \$5,000 will be expensed from the Professional fees account #6150.01.

Trustee Marable a motion to approve this resolution, the motion was not seconded. Discussion points in regards to this item were:

- Trustee Marable and Trustee Williams-Davis are entitled to separate legal counsel because they are not united in interest

Trustee Coleman stated she could not vote on this item tonight, she would like to review before the Board votes.

Meeting Oct 11, 2022 - Working Meeting
Category 3. Old Business
Subject 3.2 Legal Counsel Resolution
#105-22

**Mount Vernon Public Library
Board of Trustee
Resolution #105-22**

A RESOLUTION TO APROVE AND ACCEPT THE LEGAL COUNSEL OF BRILL LEGAL GROUP, P.C.

WHEREAS, the Director for the Mount Vernon Public Library recommends that the Board approve and accept attorney representation of Brill Legal Group, P.C. for the united interest of Trustee Judy Williams-Davis, and Trustee Hope Marable

WHEREAS, Board of Trustees for the Mount Vernon Public Library must accept and approve this recommendation, **NOW, THEREFORE, be it RESOLVED**, that the Board of Trustees for the Mount Vernon Public Library has approved, adopted, and authorized by the Board of Trustees to approve and accept Legal Counsel of Brill Legal Group, P.C. to represent the united interest of Trustee Judy Williams-Davis, and Trustee Hope Marable based on information from, and communications with Board's General Counsel, Attorney Ayanna Thomas, and NYSED Appeals Coordinator, and in compliance with Bylaws Article IV, Article VI, and Article X, the Board of Trustees resolves the retainer of Brill Legal Group, P.C., Attorneys at law, for the purpose of representation of Trustee Judy Williams-Davis, and Trustee Hope Marable's united interest regarding "Proposed Commencement of a Proceeding by The Board of Regents" dated on or about February 14, 2022. The retainer fee in the amount of \$5,000 will be expensed from the Professional fees account #6150.01.

The Board will move to vote at the next regular meeting.

Meeting	Oct 19, 2022 - Regular Meeting
Category	6. Old Business
Subject	6.3 Legal Counsel Resolution
#105-22	

**Mount Vernon Public Library
Board of Trustee
Resolution #105-22**

A RESOLUTION TO APROVE AND ACCEPT THE LEGAL COUNSEL OF BRILL LEGAL GROUP, P.C.

WHEREAS, the Director for the Mount Vernon Public Library recommends that the Board approve and accept attorney representation of Brill Legal Group, P.C. for the united interest of Trustee Judy Williams-Davis, and Trustee Hope Marable

WHEREAS, Board of Trustees for the Mount Vernon Public Library must accept and approve this recommendation, **NOW, THEREFORE, be it RESOLVED**, that the Board of Trustees for the Mount Vernon Public Library has approved, adopted, and authorized by the Board of Trustees to approve and accept Legal Counsel of Brill Legal Group, P.C. to represent the united interest of Trustee Judy Williams-Davis, and Trustee Hope Marable based on information from, and communications with Board's General Counsel, Attorney Ayanna Thomas, and NYSED Appeals Coordinator, and in compliance with Bylaws Article IV, Article VI, and Article X, the Board of Trustees resolves the retainer of Brill Legal Group, P.C., Attorneys at law, for the purpose of representation of Trustee Judy Williams-Davis, and Trustee Hope Marable's united interest regarding "Proposed Commencement of a Proceeding by The Board of Regents" dated on or about February 14, 2022. The retainer fee in the amount of \$5,000 will be expensed from the Professional fees account #6150.01.

10/19/22 this item has been tabled and will be presented at the special meeting of October 24, 2022

Meeting	Oct 05, 2023 - Special Meeting
Category	2. New Category
Subject	2.1 Brill
Legal P.C.	

Trustee Marable made a Motion to retain Brill Legal Group, P.C. as General Counsel, Mount Vernon Public Library Trustee Mack seconded the Motion.

The Motion came to the floor and the Vote/Resolution carried as follows:

Trustee Coleman-Yes
Trustee J.M. Davis-No
Trustee Mack-Yes
Trustee Marable-Yes
Trustee Thomas-ABSENT

Hence, Brill Legal Group, P.C., is now retained as General Counsel, Mount Vernon Public Library, effective Thursday, October 5, 2023, at an initial fee of \$4,500.00 (RESOLUTION)

Resolution#091-23 created as follows:

**Mount Vernon Public Library Board of
Trustee
Resolution # 091-23**

A RESOLUTION TO OBTAIN LEGAL COUNSEL- BRILL LEGAL GROUP P.C.

WHEREAS, the Board of Trustees for the Mount Vernon Public Library recommends that the Board to retain Brill Legal Group, P.C.

WHEREAS, Board of Trustees for the Mount Vernon Public Library must approve these recommendations,

NOW, THEREFORE,

BE IT RESOLVED, that the Board of Trustees for the Mount Vernon Public Library has approved, adopted, and authorized by the Board of Trustees to retain Brill Legal Group, P.C. as General Counsel for the Mount Vernon Public Library. Hence, Brill Legal Group, P.C., is now retained as General Counsel, Mount Vernon Public Library, effective Thursday, October 5, 2023, at an initial fee of

\$4,500.00.

Brill Legal Group, P.C.
64 Hilton Avenue
Hempstead, NY 11550
United States
(888) 315-9841



Chanese V. Coleman

Balance \$4,500.00
Invoice # 02068
Invoice Date October 10, 2023
Payment Terms Due Date
Due Date November 10, 2023

Coleman, Chanese (Mount Vernon Public Library)

Securely pay online with your credit card

<https://brillgroup.mycase.com/xyy3dah2>



Flat Fees

Date	EE	Item	Description	Amount
06/28/2023	PEB	Flat Fee	Legal Fee	\$4,500.00
Flat Fee Total:				\$4,500.00

Terms & Conditions:

Please call with any questions or concerns. Thank you for your confidence in our firm.

Flat Fee Sub-Total:	\$4,500.00
Sub-Total:	\$4,500.00
Total:	\$4,500.00
Amount Paid:	\$0.00
Balance Due:	\$4,500.00

Brill Legal Group, P.C.
64 Hilton Avenue
Hempstead, NY 11550
United States
(888) 315-9841



Hope Marable

Balance \$3,450.00
Invoice # 02117
Invoice Date August 23, 2023
Payment Terms Due on Receipt
Due Date August 23, 2023

Marable, Hope (v. Mt. Vernon Public Library)

Securely pay online with your credit card

<https://brillgroup.mycase.com/x9nc9bh>



Time Entries

Date	EE	Activity	Description	Rate	Hours	Line Total
10/04/2022	PEB	Meeting	Meeting at Mount Vernon Public Library	\$500.00	1.0	\$500.00
10/19/2022	PEB	Meeting	Meeting at Mount Vernon Public Library	\$500.00	1.0	\$500.00
01/03/2023	PEB	Conference	Virtual Pre-Hearing Conference	\$500.00	0.8	\$400.00
03/23/2023	PEB	Writing and Drafting	Drafting of Response to Summary	\$500.00	2.5	\$1,250.00
06/01/2023	PEB	Meeting	Phone meeting with President Coleman	\$500.00	0.8	\$400.00
06/07/2023	PEB	Meeting	Phone meeting with President Coleman	\$500.00	0.8	\$400.00
Totals:					6.9	\$3,450.00

Terms & Conditions:

Please call with any questions or concerns. Thank you for your confidence in our firm.

Time Entry Sub-Total:	\$3,450.00
Sub-Total:	\$3,450.00
Total:	\$3,450.00
Amount Paid:	\$0.00
Balance Due:	\$3,450.00