

From:  
Axel Ebermann  
(Redacted)

To:  
New York State Board of Regents  
New York State Education Department  
89 Washington Avenue  
Board of Regents, Room 110 EB  
Albany, New York 12234

April 1, 2026

**Re:** Hope Marable, Former Trustee Removed by Board of Regents, Seeks Third Consecutive Term on Mount Vernon Public Library Board

Dear Members of the Board of Regents:

I am a resident and taxpayer of the City of Mount Vernon, Westchester County. I write to bring to your attention a matter involving Hope Marable, whom the Board of Regents removed from the Mount Vernon Public Library Board of Trustees for neglect of duty pursuant to Education Law Section 226(4). Ms. Marable now seeks to exploit the circumstances of that removal to claim eligibility for what would be a third consecutive term on the Library Board.

**Background**

In February 2022, the Board of Regents commenced removal proceedings against five trustees of the Mount Vernon Public Library. The charges included failure to submit a compliant library registration application, failure to file the 2020 annual report (resulting in loss of state funding), and oversight of more than 1,400 undocumented transactions totaling over \$4.9 million. Four trustees resigned. Ms. Marable was the sole remaining respondent. The Board of Regents granted summary judgment, found un rebutted evidence of neglect of duty, and removed Ms. Marable from office.

Following her removal, Ms. Marable ran for and won election to a second term. She currently serves as President of the Library Board. She now intends to run for a third consecutive term.

## **The Term-Limit Issue**

The Library's bylaws (Article IV, Section 4(b)) provide: "No Trustee shall serve more than two (2) consecutive full terms." Ms. Marable argues that because her first term was cut short by the Regents' removal, it was only a "partial" term, and she has served only one full term. Under this reading, the Regents' own removal order has the perverse effect of granting Ms. Marable additional eligibility to serve.

I believe this interpretation is wrong. Ms. Marable was elected to a full five-year term. Her inability to complete it was the direct result of her own misconduct. Treating her removal as a term-limit benefit would violate the principle, established in *Riggs v. Palmer*, 115 N.Y. 506 (1889), that no person shall profit from her own wrong. It would also contradict the policy reflected in the New York City Charter, which deems any official who resigns or is removed from office to have served a full term for term-limit purposes (see NYC Charter Sections 4, 24, 25, 81, and 91, each referencing Section 1138).

## **Why This Matters to the Board of Regents**

If Ms. Marable's interpretation is accepted, the consequence extends beyond this one library. Any trustee of any Regents-chartered education corporation could be removed by the Board of Regents and then claim that the removal "didn't count" as a full term for purposes of local term limits. The Regents' removal power, meant to be a serious enforcement tool, would carry a built-in loophole: it would effectively grant the removed trustee an extra term.

The Board of Regents has a direct institutional interest in ensuring that its removal orders carry meaningful consequences and are not converted into eligibility advantages by the very officials who were removed.

## **Request**

I respectfully request that the Board of Regents consider the following:

1. Issue guidance or an advisory opinion on whether a term interrupted by Regents removal under Education Law Section 226(4) should be counted as a "full term" for purposes of bylaw term-limit provisions in Regents-chartered education corporations.
2. Consider whether the Board's authority under Education Law Section 226(4), or the court's authority under Not-for-Profit Corporation Law Section 706(d) (as applied through Education Law Section 216-a), can be exercised to address Ms. Marable's continued service or her eligibility to run again.
3. Refer this matter to the Office of Counsel for review and, if appropriate, contact the Mount Vernon City School District (which administers the Library trustee election) to provide guidance on the eligibility question before the upcoming May 2026 election.

I have simultaneously written to the Mount Vernon City School District to alert them that Ms. Marable is ineligible under the Library's bylaws. However, I must note a significant complication: the current President of the Mount Vernon City School District Board of Education is Dr. Donna Marable, Hope Marable's sister. The school board administers the library trustee election, including accepting nominating petitions and determining ballot eligibility. This familial conflict of interest means the body responsible for deciding whether Hope Marable may appear on the ballot is led by the candidate's own sibling. This further underscores the need for the Board of Regents to provide guidance or intervene directly.

The annual election is expected on or around May 19, 2026, with a petition filing deadline approximately 20 days earlier. Time is short.

I am available to provide any additional information or documentation the Board may require. I can be reached at the address and contact information listed above.

Respectfully,

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Axel Ebermann  
Resident, City of Mount Vernon  
Westchester County, New York

**Enclosures:**

1. Mount Vernon Public Library Bylaws (amended December 10, 2025), Article IV


Ethics Policies of the Library. Apart from the advice of legal counsel, and only to the extent permissible by law, Trustees shall not disclose confidential Board information; including but not limited to personnel matters, union negotiations, litigation, procurement, safety, individual patron issues, official Board correspondence with NYSED, and Library related discussions made in executive session. Trustees shall participate in the required annual training requirements set forth in New York State Education Law § 260 (d).

2. Composition The Board shall consist of a range of five (5) to fifteen (15) Trustees, with the current number being five (5) elected or appointed in accordance with law, its charter, and these Bylaws.

3. Election and Qualification A candidate for election or appointment as Trustee must be a legal resident of The City School District of Mount Vernon, New York, and must have been eligible to vote in the general election last preceding in which election as a Trustee is sought, and must otherwise meet the requirements for election as a Trustee set forth in applicable provisions of New York State Education Law. Trustees shall be elected by the eligible voters of the School District in accordance with those provisions.

4. Terms

a. Except as otherwise provided by these Bylaws, a Trustee's term of office shall be five (5) years. The terms of office of the Trustees have staggered end dates so that as nearly as possible the term of one (1) Trustee will expire annually.

 b. No Trustee shall serve more than two (2) consecutive full terms.

c. Trustees elected to fill a vacancy caused by the resignation, death, or removal of a Trustee shall serve the balance of the term of the Trustee whom he or she was elected to replace.

d. Elected Trustees shall assume their duties on July 1 next following his or her election and qualification, or as soon