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Community Board 12–Manhattan

Member Attendance Policy

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1. Purpose and Scope

This Member Attendance Policy (this “**Policy**”) of Community Board 12-Manhattan (“**CB12M**” or the “**Board**”) summarizes the details for member attendance as established by the Board’s By-laws (the “**By-laws**”) and the Open Meetings Law (“**OML**”), with additional clarifications and expectations set forth by the Board’s Executive Committee. The purpose of this Policy is to provide a summary of the requirements established by the By-laws, the procedural steps for obtaining an excuse, and other relevant details regarding the responsibility.

The scope of this Policy applies to all the members of the Board (the “**Members**”).

2. Roles and Responsibilities

Role	Responsibility
Members	The Members are responsible for attending all meetings related to their assigned responsibilities in accordance with this Policy.
The Board	The Board is responsible for considering recommendations made by the Secretary and the Executive Committee and removing Members in violation of the By-laws (as detailed in this Policy).
Executive Committee	The Executive Committee is responsible for considering recommendations for removal made by the Secretary. Further, the Executive Committee is responsible for reviewing and approving this Policy at least annually.
Secretary	The Secretary is responsible for monitoring attendance in accordance with the By-laws and the Secretary Procedure, as well as making recommendations for removal to the Executive Committee and the Board.
Chair (or Chairperson)	The Chair owns this Policy. The Chair is responsible for presenting updates to this Policy to the Executive Committee for review and approval, to occur at least annually.
Parliamentarian	The Parliamentarian is responsible for ensuring that the standards detailed in this Policy align with the By-laws, Robert’s Rules of Order, and the OML.
Office Staff	The Office Staff, including the District Manager, is responsible for maintaining accurate attendance data related to this Policy.

3. Policy

The Members shall meet their individual attendance requirements as follows, or

else face the possibility of being “removed for sufficient cause” as provided in Article 5 of the By-laws.

3.1 Minimum Attendance Requirements

Article 4 of the By-laws establish the duties of the Members. These duties include:

- To attend each regular monthly meeting and each special meeting of the Board, including meetings called for final action of the Board under the Uniform Land Use Review Procedure. See Section 4.2 of the By-laws.
- To serve on at least two standing committees of the Board, and to attend each of the meetings of those committees. See Section 4.3 of the By-laws.

To carry out these duties, Members must appear at these meetings. Article 5 of the By-laws provides for the removal of Members who do not satisfy their duties as required. This Article states that Members are limited to the following (see Sections 5.1.1 through 5.1.4 of the By-laws):

- Three (3) unexcused absences during any six (6) consecutive months from duly called *regular* general meetings of the Board.
- Three (3) unexcused absences from duly called meetings of any *standing committee* of that Member’s *standing committee* appointments during any six (6) consecutive months.
- If the Member has been on the Board for at least twelve (12) months, any combination of five (5) unexcused absences in twelve (12) months from either or both of the above.
- If the Member violates federal, state, or local laws, the City Charter specific to Community Board members, or the Borough President’s code of conduct.

3.2 Present Defined; Reflection in Attendance Record

To count as having attended a meeting, a Member must be present and able to observe, participate, and vote, as applicable. See Section 10.10 of the By-laws. A Member is present if they attend “a substantial portion of [the] meeting, unless excused by the Chairperson and so recorded in the minutes.” For enforcing the By-laws and this Policy, “substantial portion” means **[insert rule established by the Executive Committee]**.

The Office Staff shall provide an attendance sheet at each meeting, which reflects the list of names of required attendees. Using criteria outlined in this Policy, the Member who presides over any meeting is responsible for ensuring an accurate reflection of such meeting's attendance on such attendance sheet. The Office Staff is responsible for inputting the data available on each meeting's attendance sheet into the Board's attendance record, as follows.

A Member who is deemed not present and not excused shall be deemed "Absent" for the purposes of the relevant meeting's minutes and the Board's attendance record. A member who is deemed not present and excused shall be deemed "Excused" for the purposes of the relevant meeting's minutes and the Board's attendance record.

A Member who fails to attend a substantial portion of a required meeting shall be deemed "Absent" for the purposes of the Board's attendance record; however, the Member's name shall appear as "Present" but marked with a "L" for "late" next to their name in the relevant meeting's minutes. This is to avoid confusion with corresponding voting records, as the Member may still be permitted to vote although they did not attend a substantial portion of the meeting.

3.3 Excuses Defined

Article 5 of the By-laws enumerates the excuses available for Member not to count an absence as unexcused, as follows (see Section 5.2 of the By-laws):

- Personal illness, pregnancy, parental leave, not to exceed six (6) months during any twelve (12) consecutive months.
- Severe illness in a member's family, not to exceed six (6) months during any twelve (12) consecutive months.
- Death in a member's family.
- Jury duty, when jury is sequestered.
- Attending another meeting or event upon specific request of the Chairperson, the Board, Borough President, or the Mayor of the City.
- Military service.
- Business or humanitarian duties not to exceed one-third (1/3) of the meetings (*regular, special, and committee*) that the Member is obligated to attend.
- Meetings whose dates were changed from the regularly scheduled monthly time (e.g., second Monday of the month).
- Meetings scheduled on religious holidays typically observed by the Member.

- Those items presented in Section 13.2 of the By-laws, as described in Section 3.4(b) of this Policy below, until such time that the relevant provisions of the OML have expired.

3.4 Hybrid Meeting Structure

The OML requires governmental entities to hold certain meetings in a manner that allows for public observation and participation. CB12M is subject to the requirements set forth under the OML.

Section 103-a of the OML permits such entities to hold meetings in a hybrid fashion. CB12M adopted the requirements found in Section 103-a as Article 13 of the By-laws.

This Section 3.4 summarizes the requirements and procedural steps necessary to comply with the OML and the By-laws. Like Section 103-a of the OML, this Section 3.4 expires on July 1, 2026, unless New York enacts legislation that extends such timeline. Upon expiration, meetings of the Board will return to an entirely in-person model in order to comply with the OML.

(a) Exemption from In-Person Requirements

Members who have a disability – as that term is defined in Section 292(21) of the New York Executive Law¹ – are permitted to obtain an exemption from attending their required meetings in-person if such disability “renders such [M]ember unable to participate in-person at any such meeting location where the public can attend.” See Section 103-a(c) of the OML.

The Office Staff shall intake and maintain the record of all exemptions and notate such exemptions next to the name of relevant Members on the attendance sheets. Once an exemption is completed and filed, the Member may attend any required meeting virtually and count as present, subject to other attendance expectations set forth by this Policy. The minutes of any relevant meeting must reflect that the Member attended virtually by way of an exemption, marked with an “E” next to their name.

¹ Under the New York Executive Law, the term "disability" means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

(b) Instance-Specific Excusals from In-Person Requirements

Members with an excuse may attend meetings virtually on an instance-specific basis and count as present, as well as be permitted to participate and vote. For this purpose, an excuse includes any provided in Section 3.3 of this Policy, or if otherwise or relatedly experiencing an extraordinary circumstance “including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the [M]ember’s physical attendance at such meeting.” See Section 103-a(c) of the OML.

An excuse also includes “a serious concern on behalf of a [Member] of either contracting or spreading a communicable disease like COVID-19 by attending a meeting in person.” See the Board’s “Resolution regarding Hybrid Meetings (e.g., In-Person Attendance with a Virtual Participation Option) Adding Qualified Disabilities,” dated October 3, 2023.

To obtain an excuse for a specific instance, their name and specific reason for their virtual attendance “must be recorded in the minutes.” See Section 13.3 of the By-laws. To ensure adequate recordkeeping, the Member shall state their excuse publicly. A failure by the Member to state their name and specific reason at a meeting will result in an unexcused absence counted against the Member’s record. In this instance, the Member will be treated as a public attendee, meaning they may participate in discussions per the rules applied to the specific meeting but will not be permitted to vote during such meeting.

(c) Virtual Participation Requirements

For any Member attending virtually – whether by exemption or excuse – must be able to be “heard, seen, and identified, which means there must be a video and audio link and ideally written identification on the screen. This means [M]embers must be continuously visible, as well as audible when within reason, while they attend the meetings.” See Section 13.5 of the By-laws. By remaining off camera for substantial portions of a meeting, the Member will be considered absent. However, because tracking these requirements in a live setting may pose a challenge, the Member will not be prohibited from participating or voting.

(d) Quorum Considerations

Section 103-a(c) of the OML permits only those Members with an exemption that participate virtually as counting towards quorum. Any Member attending virtually as excused do not count towards quorum.

3.5 Correction of Attendance

A Member who is presented with a notice relating to their attendance record has a

right to appeal such record with the Secretary. All Members that identify any error(s) with their attendance record are encouraged to take steps to correct such error(s) promptly.

4. Accountability and Monitoring

This Policy shall be reviewed and approved by the Executive Committee at least annually. Interim reviews may be triggered by a material change to the By-laws or New York State law. Any non-substantive revisions must be communicated to the Executive Committee upon annual review of this Policy.

5. Communication

The Chair will communicate any changes to this Policy to the Board and any other impacted parties by email before its effective date. This Policy should be accessible to all impacted parties at all reasonable times.

6. Exceptions

This Policy will be enforced with parity; meaning, Members are expected to satisfy their duties as provided in the By-laws consistently and without special dispensation. However, the Board recognizes that there are unforeseen circumstances that may arise. As follows, Members may request an exception to this Policy for consideration by the Executive Committee.

Members are strongly encouraged to weigh their options before seeking an exception to this Policy. If a Member determines that violations of this Policy are likely to be prolonged, the Member should consider resignation to enable the Board to swiftly identify new membership needs and act accordingly with the Manhattan Borough President's Office.

7. Record Retention

Pursuant to rules published by the City of New York (“City”) and in accordance with the Secretary Procedure, the Office Staff shall retain all records for a period of six (6) years following the date of each record's creation.² The Office Staff shall retain all such records in their native format and in a manner consistent with City practice.

8. Related Governance Documents

- The By-laws

² See NYC Supplemental Records Retention and Disposition Schedule [here](#).

- The Charter of the City of New York
- The MBPO Code of Conduct
- The Secretary Procedure

9. Revision and Approval History

Version	Approval Date	Revision Description	Authority	Owner
1.0	01/31/2026	Initial draft	Executive Committee	Chair