

**{Insert municipality name}**  
**RESOLUTION #####**

**RESOLUTION OPPOSING LEGISLATION AMENDING  
THE TIME OF DECISION RULE**

**WHEREAS**, S-82 and A-437 are intended to modify the “time of decision” rule, which currently allows municipalities to change the zoning regulations during the pendency of an application for development; and

**WHEREAS**, the bills would deem as complete the ordinances in effect at the time of an application and shall govern the review of that application, and any decision made following upon that review;

**WHEREAS**, “the time of decision rule” is a judicially recognized principal that decisions are to be made on the basis of laws, ordinances and regulations in effect at the time the decision is rendered not upon application; and

**WHEREAS**, courts have applied the “time of decision rule” to correct errors in zoning ordinances, thus giving local legislators the opportunity to correct legislative policy that had been found to be imperfectly expressed; and

**WHEREAS**, the “time of decision rule” has permitted a municipality to give additional legislative consideration to serious and substantial land use planning concerns that, for whatever reason, had not been previously addressed in the ordinance; and

**WHEREAS**, application and zoning changes require public discussion and hearings, and S-82/A-437 would permit developers to “beat the clock” by filing applications and freezing the ability of local officials to act;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of {fill in municipality} in the county of (insert county) in the State of New Jersey hereby urges our State Legislators to oppose A-4 and S-82, and any legislation which would eliminate the “time of decision” rule at the local level; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to (fill in State Senator, Assembly representatives), the New Jersey State League of Municipalities and the Office of the Governor.

## **DISTRIBUTION LIST FOR RESOLUTIONS OPPOSING S-82 and A-437**

### **1. Senate Community and Urban Affairs Committee**

Hon. Jeff Van Drew – Chair  
Senator, District 1  
21 North Main St.  
Cape May Court House, NJ 08210  
**Tel:** (609) 465-0700 **Fax:** (609) 465-4578  
[SenVanDrew@njleg.org](mailto:SenVanDrew@njleg.org)

Hon. Christopher J. Connors  
Senator, District 9  
620 West Lacey Road  
Forked River, NJ 08731  
**Tel:** 609-693-6700 **Fax:** 609-693-2469  
[SenConnors@njleg.org](mailto:SenConnors@njleg.org)

Hon. Ron Rice, Vice-Chairperson  
Senator, District 28  
1044 South Orange Avenue  
Newark, NJ 07106  
**Tel:** 973-371-5665 **Fax:** 973-371-6738  
[SenRice@njleg.org](mailto:SenRice@njleg.org)

Hon. Philip E. Haines  
Senator, District 8  
32A North Main St.  
Medford, NJ 08055  
**Tel:** (609) 654-1498  
[SenHaines@njleg.org](mailto:SenHaines@njleg.org)

Hon. Teresa Ruiz  
Senator, District 29

166 Bloomfield Ave.  
07104

Newark, NJ

**Tel:** (973) 484-1000

[SenRuiz@njleg.org](mailto:SenRuiz@njleg.org)

### **2. Assembly Housing and Local Government Committee**

Hon. Jerry Green – Chair  
Assemblyman, District 22  
17 Watchung Ave.  
Plainfield, NJ 07060  
**Tel:** (908) 561-5757 **Fax:** (908) 561-5547  
[AsmGreen@njleg.org](mailto:AsmGreen@njleg.org)

**Hon. Michael Patrick Carroll**  
Assemblyman, District 25  
20 South Street, Suite 2B  
Morristown, NJ 07960  
**Tel:** (973) 539-8113 **Fax:** (973) 539-8752  
[AsmCarroll@njleg.org](mailto:AsmCarroll@njleg.org)

Hon. Linda Greenstein  
Assemblywoman, District 14  
7 Centre Drive, Suite 2  
Monroe, NJ 08831  
**Tel:** 609-395-9911 **Fax:** 609-395-9032  
[AswGreenstein@njleg.org](mailto:AswGreenstein@njleg.org)

Hon. Frederick Scalera  
Assemblyman, District 36  
800 Bloomfield Ave,  
Nutley, NJ 07110

**Tel:** (973) 484-1000 **Fax:** (973) 667-9478  
[AsmScalera@njleg.org](mailto:AsmScalera@njleg.org)

Hon. Mila Jasey, Vice-Chair  
Assemblywoman, District 27  
15 Village Plaza, Suite 1B  
South Orange, NJ 07079  
**Tel:** 973-762-1886 **Fax:** 973-762-6118  
[AswJasey@njleg.org](mailto:AswJasey@njleg.org)

**Hon. Charlotte Vandervalk**  
Assemblywoman, District 39  
220 Kinderkamack Road, Suite E  
Westwood, NJ 07675  
**Tel:** (201) 666-0881 **Fax:** (201) 666-5255  
[AswVandervalk@njleg.org](mailto:AswVandervalk@njleg.org)

Hon. Celeste M. Riley  
Assemblywoman, District 3  
935 Kings Highway, Suite 400  
West Deptford, NJ 08086  
**Tel:** 856-251-9801 **Fax:** 856-251-9752  
[AswRiley@njleg.org](mailto:AswRiley@njleg.org)

### **3. STATE SENATOR/ASSEMBLY REPRESENTATIVES**

### **4. THE NEW JERSEY STATE LEAGUE OF MUNICIPALITIES**

**222 WEST STATE STREET  
TRENTON, NJ 08648**

- 5. THE HON. CHRISTOPHER CHRISTIE, GOVERNOR  
THE STATE OF NEW JERSEY  
STATEHOUSE  
PO BOX 001  
TRENTON, NJ 08625**