

Florham Park's proposed tobacco ban goes up in smoke -- for now

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FLORHAM PARK – Thanks to Mayor Scott Eveland’s absence on the dais, the adoption of a controversial ordinance banning tobacco use throughout the borough was on Tuesday dashed when Borough Council members cast a 3-3 vote on the matter.

The measure, as proposed by Councilman Fred Boy, prohibits the use of tobacco on borough-owned property and outdoors on commercial properties.

After months of debate that drew much public reaction both for and against, it was expected to be adopted following Tuesday’s public hearing.

However, when it came time for council members to cast their votes, it became clear some were still uncomfortable with it.

Prior to the vote, Councilman Mark Taylor tried to advance an amendment that would have removed all references to commercial businesses.

“I don’t want this ordinance to cause turmoil around town,” he said.

Council members, however, had to vote on the original measure, as legal protocol demanded.

In the end, Boy, Councilman David Wikstrom – whose attempt to have the matter postponed until Eveland was available was rejected -- and Council President William Huyler voted for the measure, while Council members Carmen Cefolo-Pane, Charles Germershausen and Taylor rejected it.

Because Eveland wasn’t there to break the tie, the matter died on the dais.

At least for now. Afterwards, Boy said he was “disappointed” by the outcome but planned to re-introduce the proposal next month.

The two residents who spoke out during Tuesday’s public hearing weren’t keen on the proposal either.

“I believe the council is acting like Big Brother,” said North Avenue resident Frank Sweetin. “You’ve overstepped your bounds.”

Village Road resident David Gordon opined the law wasn’t enforceable.

Gordon said should someone fishing in a boat on Spring Garden Lake light up, “he would be breaking the law.”

He also criticized Boy, saying the councilman was “on a crusade” to get everyone to stop smoking.

As drafted, the “Outdoor Smoke-Free Air” ordinance bans tobacco use on municipal property and outdoor areas “where people tend to congregate, except within designated smoking areas.” Those

areas, according to the law, “may not include any outdoor dining area, public entrance way, public retail walkway or service area on the subject property.”

Otherwise, use is outlawed, including public playgrounds and at any “scheduled public events.” Smoking will also be banned within 25 feet of the no-smoking areas.