

West Orange Township Council Tackles Cigarette and E-Cigarette Issues and Sewer Fees in Meeting

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WEST ORANGE, NJ – In addition to passing the resolution bringing a water slide to the June 4 West Orange Street Fair, the West Orange Township Council tackled some ordinances dealing with minimum age for cigarette sales and licensing shops with e-cigarettes and raising sewer fees in Tuesday's council meeting.

Both smoking ordinances passed on the first reading by a council vote of 4-1, with council members Jerry Guarino, Michelle Casalino, Susan McCartney, and Council President Victor Cirilo voting yes and Councilman Joe Krakoviak voting no.

The first ordinance will make it more difficult for kids to purchase cigarettes by raising the legal smoking age from 19 to 21.

Councilman Jerry Guarino said he was happy about the progress made on the ordinance that he sites as a “quality of life issue.”

“We’re trying to make it more difficult for the youth to get cigarettes,” he said. “Studies show they’re smoking younger and longer.”

A similar ordinance was considered in February, but did not pass on to second reading as three council members, Michelle Casalino, Joe Krakoviak and Council President Victor Cirilo, had reservations about it (for details, click [here](#)). Among those reservations was how the new smoking laws would be enforced.

In this session, Guarino pointed out that alcohol also doesn't have strict enforcement in terms of insuring it is sold to people of the correct age, but it manages to still work out.

The second ordinance passed on first reading would lead to e-cigarette licensing for vendors. The funds that come from the licensing will help to create and maintain programs that focus on tobacco control and prevention, and specifically the raising of the legal smoking age from 19 to 21.

Guarino said, "The licensing fee will now come back to the Public Health Department and that's how we will fund our enforcement."

He added that over 15 towns have either passed the ordinance to raise the legal smoking age, made vendors require licensing for e-cigarettes, or done both. These towns include Belleville, Bergenfield, Bogota, East Rutherford, Englewood, Garfield, Highland Park, Paterson, Princeton, Rutherford, Sayreville, Teaneck, Tenafly, Westwood, and Wyckoff.

Krakoviak made it clear that, despite being against the ordinances, he is by no means endorsing the idea of smoking to anyone.

"As a former smoker, I do not want anyone to smoke," he said. "I recognize, just as everyone else who is paying attention, that it can be harmful to your body, in addition to a number of other negative impacts."

But Krakoviak said he does not see the age restriction or licensing having much of an effect, and sees the legislation doing more harm than good, particularly when it comes to hurting the sales of many small businesses.

"The Office of Legislative Services estimated the state would have lost as much as \$16.2 million in sales tax by restricting sales to people 21 and over," he said. "You can multiply that by about 20 to get the estimated decline in sales because of this. At a time when our

economy and many of the retailers in our town continue to struggle, I believe we should not put this additional financial burden on them.”

Guarino said he believes the ordinances will lead to a reduction in costs. “In the long run, the more that we do to reduce smoking, the less we will spend on health costs,” he said.

McCartney agreed that the licensing fees changed minds from the February ordinance which did not pass.

“By adding licensing, that makes enforcement sustainable to fund,” she said.

McCartney suggested an education outreach from the Public Health Department or West Orange Police Department so the public is informed.

She also presented information from two organizations, the Institute of Medicine, and GASP – Global Advisors Smoke-Free Policy, which touched on both ordinances in consideration.

She shared statistics from the Institute of Medicine which show that increasing the smoking age for those born between 2000 and 2019 would prevent 223,000 premature deaths, 50,000 less from lung cancer, and over 4 million fewer years of life lost.

Information McCartney presented from GASP said that “communities want to determine which merchants in town are selling electronic smoking devices and their related products so the town can ensure that regulations are being adhered to.”

Organizations in favor of licensing e-cigarettes will be in attendance at the next council meeting to show support on the night in which the ordinances will possibly be passed on second and final reading.

In other news, an ordinance passed on second and final reading that will raise the sewer assessment in a 4-1 vote, with Krakoviak voting

no.

“I did not have sufficient confidence in the chief financial officer's estimates of the costs for sewer service to vote in favor of raising the sewer assessment 21%, to \$303 from \$250,” he said. “When I vote to raise the financial burden on residents, I want to be confident that the increase is necessary and delivers equal value,” he said.

The next Town Council is scheduled for April 5 at 6:30 p.m. Residents are encouraged to attend.

<https://www.tapinto.net/towns/west-orange/articles/west-orange-township-council-tackles-cigarette-an>