

Shannon Phillips, City Solicitor
City Hall, 2nd Floor
562 Main Street
Melrose, MA 02176

Re: Public Records Request

Dear Ms. Phillips:

Pursuant to the Massachusetts Public Records Law (M.G.L. c. 66, § 10), I am requesting access to public records as described below. In the interest of clarity and efficiency, I have organized this request into specific categories.

Comparable Municipal Responses

I have submitted substantially similar public records requests to numerous other Massachusetts municipalities. All have provided complete responses for fees not exceeding \$1,000:

Municipality	Fee Charged
Belchertown	\$0
Conway	\$0
Hopkinton	\$0
Yarmouth	\$0
Mansfield	\$125
Bellingham	\$175
Dover	\$500
Manchester-by-the-Sea	\$612
South Hadley	\$625

These municipalities were able to identify, review, and produce responsive records within normal operational parameters using the same request language. Should the City of Melrose anticipate fees substantially exceeding those charged by peer municipalities, I reserve the right to petition the Supervisor of Records pursuant to 950 CMR 32.08(1).

1. Date Range

I request records from January 1, 2023 to present.

2. Record Types

I request all records, including but not limited to emails, text messages, letters, memos, contracts, invoices, grant applications, meeting minutes, public notices, and draft documents.

3. Custodians

I request records from the following custodians:

- Board of Health members and staff
- Director of Health and Human Services (Anthony Chui)
- City Council members
- City Solicitor

4. Search Terms

For any keyword-based searching, please limit the search to the following terms:

- “Nicotine-Free Generation”
- “NFG”
- “Tobacco-Free Generation”
- “Generational ban”
- “Birthdate ban”
- “Model ordinance”
- “Technical assistance”
- “Grant funding”
- “Bloomberg”
- “MTCP”

5. External Correspondents

I request correspondence between the custodians listed above and any of the following external parties:

- Tobacco-Free Community Partnership
- Maureen Buzby
- Massachusetts Health Officers Association (MHOA)
- Massachusetts Association of Health Boards (MAHB)
- Massachusetts Municipal Association (MMA)
- Tobacco Free Massachusetts
- Public Health Advocacy Institute (PHAI)
- Mark Gottlieb (PHAI)
- Kate Silbaugh (BU Law)
- Bloomberg Philanthropies representatives
- Mystic Valley Public Health Coalition
- Belchertown Board of Health
- Ken Elstein

- Ginny Chadwick
- Any other tobacco control contractors

6. Documents Related to NFG Policy Development

I request all documents related to the development, drafting, consideration, or adoption of Nicotine-Free Generation policies, including model ordinances, presentations, technical assistance materials, and legal analysis.

7. Contracts and Payment Records

I request all contracts, agreements, MOUs, and payment records with tobacco control contractors, specifically including Tobacco-Free Community Partnership, Maureen Buzby, Mystic Valley Public Health Coalition, Belchertown Board of Health, Ken Elstein, Massachusetts Health Officers Association, Massachusetts Association of Health Boards, or Massachusetts Municipal Association.

8. Grant Applications

I request all grant applications and awards related to tobacco control from the Massachusetts Department of Public Health, Centers for Disease Control and Prevention, or private foundations.

Format

Please provide responsive records in native electronic format with metadata intact.

Request for Fee Estimate

Given that comparable municipalities have fulfilled similar requests for fees ranging from \$0 to \$625, I would expect a fee estimate in that range. Should the fee estimate substantially exceed the fees charged by peer municipalities, I reserve the right to petition the Supervisor of Records pursuant to 950 CMR 32.08(1).

Please provide your response within 10 business days as required by M.G.L. c. 66, § 10(a).

Thank you for your cooperation.

Sincerely,

Ryan DiCenzo

On behalf of New England Convenience Store & Energy Marketers Association (NECSEMA)
100 Franklin Street
Boston, MA 02110
ryan@tenaxstrategies.com

CC: Anthony Chui, Director of Health and Human Services

Frank Brinchiero, Board of Health Chair
Christy Bolduc, Administrative Assistant