

Jay Gardiner
Health Director
Town of Yarmouth
1146 Route 28
South Yarmouth, MA 02664

February 3, 2026

Re: Supplemental Public Records Request – NFG/Tobacco Control Records

Pursuant to the Massachusetts Public Records Law (M.G.L. c. 66, § 10), this letter constitutes a supplemental request to our previous public records request dated [original request date]. Having reviewed the records produced in response to that request, we have identified apparent gaps in the production and seek additional clarification and records.

Identified Gaps in Prior Production

1. **Date Range:** Our original request sought records from January 1, 2023 to present. The earliest record produced was dated November 12, 2025. Please confirm whether any responsive records exist from January 1, 2023 through November 11, 2025, and if so, produce those records. If no such records exist, please provide written confirmation.
2. **Board of Health Member Communications:** Our original request sought correspondence with Board of Health members. The production contained no communications to or from BOH members Hilliard Boskey M.D., Mary Craig, Charles T. Holway, Laurance Venezia DVM, or Eric Weston. Please search the official and personal email accounts of all BOH members for responsive records and produce any such records.
3. **Specifically Named Parties:** Our original request specifically named the following parties, but no correspondence with them appeared in the production: Massachusetts Association of Health Boards (MAHB); Massachusetts Municipal Association (MMA); Public Health Advocacy Institute (PHAI); Mark Gottlieb; Kate Silbaugh (BU Law); Bloomberg Philanthropies; Tobacco Free Massachusetts; Belchertown Board of Health; Ken Elstein. Please confirm whether any correspondence with these parties exists and produce any responsive records.
4. **Contracts and Financial Records:** Our original request sought all contracts, agreements, MOUs, and payment records with tobacco control contractors, as well as grant applications and awards. No such financial documents appeared in the production. Please produce any responsive contracts, agreements, MOUs, invoices, payment records, grant applications, or grant awards related to tobacco control.
5. **Select Board and Municipal Attorney Communications:** Our original request sought correspondence with the Select Board and municipal attorneys. No such correspondence appeared in the production. Please produce any responsive records.

Additional Records Requested

In addition to the gaps identified above, we request the following records not specifically covered in our original request:

6. Calendar entries, meeting invitations, and scheduling communications for any meetings related to NFG, Nicotine-Free Generation, tobacco control regulations, or the December 1, 2025 Board of Health presentation.
7. Text messages, instant messages, or other electronic communications (including but not limited to Microsoft Teams, Slack, or similar platforms) between Town officials and any party named in our original request.
8. Any correspondence with Jason Belmonte (Dover Health Department), Anthony Chui, or any other municipal health official from another Massachusetts municipality regarding NFG or tobacco control regulations.
9. Board of Health meeting minutes, agendas, and packets for any meeting from January 1, 2023 to present where NFG, tobacco regulations, or nicotine sales restrictions were discussed.
10. Any documents referencing the Massachusetts Health Officers Association (MHOA) presentation on November 12, 2025, including but not limited to registration records, presentation materials received, or notes taken at the presentation.

Please provide responsive records in native electronic format with metadata intact. If any records are withheld, please provide a detailed log identifying each withheld record, the claimed exemption, and a description sufficient to assess the validity of the claimed exemption.

Sincerely,

Ryan DiCenzo

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

CC: Hillard Boskey, Board of Health Chair
Sara Provos, Administrative Assistant