necsema
New England Convenience Store & Energy Marketers Association

Ashland — Document Notes

10 DOCUMENTS · PUBLIC RECORDS PRODUCTION · REAL TRUTH MA · RETRIEVED OCTOBER 1, 2026

The substantive documents in Ashland's production, in the order the events occurred: what each one is, what it says, and a link to the file. The complete production is in the document library on the main Ashland page.

Ashland is the one town here where the Board of Health declined to act. Seven of the eighteen files are image-only scans with no text layer, including the three largest; passages quoted from those are read from the page image and are marked as such.

Nothing is characterized or interpreted. Where a document is ambiguous, it is quoted and left ambiguous.

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1 Regional tobacco program presentation to member towns

Slide presentation · FY2023–24 · Parivallal Thillaigovindan, Tobacco Control Program Manager, Framingham Collaborative Tobacco Control Program

> "NICOTINE FREE GENERATION (NFG) D. No Tobacco Sales to Persons Born on or after January 1, 2004: 1. No person shall sell or provide a tobacco product to a person born on or after January 1, 2004."

The program's annual deck for its fifteen member municipalities, Ashland first among them. One slide, "BOH Regulations Update (Suggestions)," lists the birth-date policy as item 4; another, "VOTING — BOH shall agree for Nicotine Free Generation Policy," carries a blank Yes/No/Maybe column beside each town. Funding is given as "MTCP Grant 2023-2028."

2 Public Health Advocacy Institute letter to the Board

Letter on Public Health Advocacy Institute stationery · September 5, 2025 · Mark A. Gottlieb, Executive Director, to the Ashland Board of Health · within the 98-page email compilation; read from the page image

An unsolicited offer of the Institute's assistance, stamped received by the Town on September 8, 2025. The same compilation carries a November 24, 2025 message from Maureen Buzby of Melrose telling the Health Director the policy "has already been adopted by nineteen Massachusetts cities and towns," and his same-day reply: "My board and the select board is currently discussing this for adopting the policy."

3 Hopkinton reports its vote to neighboring health directors

Email · May 15, 2025 · Shaun McAuliffe, Health Director, Town of Hopkinton, to five recipients including Ashland's Director of Public Health · within the 122-page response packet; read from the page image

> "Last night our Board voted to adopt the NFG regulation and restrict the sale of oral products to adult only establishments. We had over 30 physicians, public health officials and substance abuse counselors speak on behalf of the regulation and provide us support through the process. We have an attorney offering pro-bono legal support (they defended Brookline)."

Hopkinton's health director circulating his result to neighboring health directors the morning after his Board's vote. The same message appears in Hopkinton's own production.

4 The state bills

House Bill 2562 · filed January 16, 2025 · presented by Representative Tommy Vitolo of Brookline

> "a petition (accompanied by bill, House, No. 2562) of Tommy Vitolo relative to the prohibition of the sale of certain tobacco products to persons born on or after January 1, 2006."

The statewide version, with its Senate counterpart S.1568 filed by Senator Jason Lewis. Both would take effect January 1, 2027 on a birth date of January 1, 2006. The Health Director sent them to the Select Board and Board of Health on December 22, 2025; that month the Public Health Advocacy Institute told him both had been sent to study and "will not advance in this legislative session and will likely be refiled in January of 2027."

5 Board of Health minutes, August 19 and November 18, 2025

Meeting minutes and agendas · August 2025 to January 2026 · read from the page image

> "Mr. Burman asked that Mr. Gupta report back to the Town Manager/Select Board, that we, as a Board, feel this is not our decision to make. Mr. Burman suggested having a joint meeting with the Select Board if they wish to discuss further."

The August 19 minutes record Dr. Zachary Rich, described as a Boston Medical Center physician in the Nicotine-Free Generation group, asking to present; the Chair put him on the next agenda. The quoted passage is from November 18. No vote on the policy is recorded anywhere in this file. Minutes for the December 2 and December 16, 2025 meetings are missing, though a later consent agenda lists the December 16 minutes for approval.

6 Joint Select Board and Board of Health meeting, January 7, 2026

Minutes · January 7, 2026 · read from the page image

> "Mr. Magnani said this will be taken under advisement; he does not disagree with it being brought to Town Meeting and having the people vote on it."

Speakers recorded include Professor Katharine Silbaugh of Brookline; Rick Lopez of the Reading Board of Health; Ken Elstein of the Belchertown Board of Health; a Sherborn convenience store owner; and two Cambridge residents. The documents reviewed are listed as one item, a slide deck by Dr. Zachary Rich, not in the production.

7 Letter from a physician opposing the pouch restriction

Letter or written testimony · undated · Paul F. Racicot, MD, Director Recovery Clinic, Concord Hospital · read from the page image

> “I am extremely concerned about municipal governments enacting restrictions on nicotine pouches, particularly efforts to limit their sale to adult only establishments. I understand that these are well-intentioned efforts designed to limit youth access to nicotine products, but as a practical matter, their biggest impact will be to hurt people already struggling with addiction.”

No date, no addressee, no municipality. It opens “Thank you for allowing my testimony” without naming the body it addressed, concerns nicotine pouches only, and does not mention the birth-date policy. The same letter appears in Yarmouth’s production.

8 NECSEMA letter to the Select Board and Board of Health

Email · January 7, 2026, quoting a message of November 18, 2025 · Peter A. Brennan, Executive Director, NECSEMA

> “I would like to reiterate NECSEMA’s opposition to the NFG proposal currently before the board of health. It is important to note that these restrictions are not state issued but are being pushed by advocacy groups such as the Mass. Association of Health Boards and other advocates.”

The trade association’s opposition, sent the day of the joint meeting and quoting its own letter from the day of the November hearing. The 5.8-megabyte attachment it names is not produced separately. NECSEMA funded the records requests behind this site.

9 The Health Director on the absence of data

Email · December 22, 2025 · Rajit Gupta, Director of Public Health, to the Select Board and Board of Health

> “Please find the bills that are filed in the State and House regarding Nicotine Free Generation. I was not able to find any real data on the impacts of this policy in the communities that have adopted it so far, that’s why it took me so long to get back to you.”

Sent one minute before his reply to the Public Health Advocacy Institute on the same subject, and making no recommendation. A November 12, 2025 message from Maureen Buzby in the same production answers a similar question: “Too early for any data in our communities. It may be years before we have actual data. NFG is a slow rollout.”

10 The supplemental records request

Public records request · February 3, 2026 · NECSEMA

> “The prior production included no correspondence with any external tobacco control advocate or organization, despite the original request specifically seeking such records.”

The request names three messages from Hopkinton’s production that do not appear in Ashland’s: two of September 3, 2025, and one of December 3, 2025. It also asks for records of the November 18 hearing and the January 7 joint meeting, including vote tallies and recordings. The February 13, 2026 supplemental response added the email compilation and the minutes, but not the three Hopkinton-sourced messages.