

Belchertown — Investigative Briefing Memorandum

PUBLIC RECORDS ANALYSIS · REAL TRUTH MA · RETRIEVED SEPTEMBER 11, 2026

Belchertown

March 2026 (Revised)

EXECUTIVE SUMMARY

The Belchertown Board of Health FOIA return constitutes a high-value investigative document set comprising over 1,200 responsive records—including email correspondence, Board of Health meeting minutes, testimony documents, letters of support, model regulation templates, advocacy guides, and opposition communications. The return reveals a thoroughly documented coordination campaign between the Belchertown Director of Public Health, external tobacco control advocates, and state-funded program staff to guide the Board of Health toward adopting Nicotine-Free Generation (NFG) regulations, which the Board approved on December 11, 2024, making Belchertown the 11th Massachusetts municipality to do so. The email correspondence establishes that coordination began on October 3, 2024—six days before the Board’s first public discussion—when Public Health Director Andrea Crete emailed Lisa Stevens-Goodnight (MMA) and Merridith O’Leary (PVTCP) to alert them that Belchertown was considering NFG, promising to “email you ladies the agenda Friday when it is developed and also send you the draft regulations.” Stevens-Goodnight replied that “it is a good idea we touch base before hand since the industry opposition is likely to attend” and offered to “get language together for you ahead of the meeting.” Over the following weeks, Crete actively recruited support from Mark Gottlieb (PHAI), Anthony Ishak, Kate Silbaugh, and Sigalle Reiss (Brookline), while soliciting model letters of support and coordinating talking points for internal town politics. The most significant finding is that Board of Health member Ken Elstein—listed in the public record as a known NFG advocate—was simultaneously coordinating with external advocates Gottlieb, Silbaugh, and Ishak via email while serving as a voting Board member. Elstein made all three substantive adoption motions, and the evening of the vote, a pre-drafted press release was circulated to him, Crete, and others with the instruction to get it out quickly to “get ahead of the story.”

KEY DOCUMENT EXCERPTS

Public Health Director Initiates Coordination with MMA and PVTCP Before First Board Meeting

From: Andrea Crete <acrete@townofware.com>

To: Lisa Stevens-Goodnight (MMA), Merridith O’Leary (PVTCP)

Date: Thursday, October 3, 2024, 10:16 AM

Subject: Belchertown Board of Health updating tobacco control regs

""Good morning Lisa and Merridith. The Belchertown Board of Health will be discussing and voting on an updated draft of their tobacco control regulations. Discussing the incorporation restricting spitless tobacco products to 21 plus tobacco only establishments... and the option to restrict the sale of tobacco products to those born on or after January 1, 2004. The meeting is on Wednesday next week at 6:30PM... I will email you ladies the agenda Friday when it is developed and also send you the draft regulations they will be discussing.""

SIGNIFICANCE: This is the earliest documented communication in the FOIA return. Six days before the Board's first public discussion, the Public Health Director proactively contacted external advocacy organizations to alert them, promised to share the agenda and draft regulations in advance, and established a coordination channel. The Board had not yet discussed or voted on anything, yet the Director was already engaging MMA and PVTCP to shape the process.

MMA Attorney Proposes Pre-Meeting Strategy Session and Offers to Draft Language

From: Lisa Stevens-Goodnight <lstevensgoodnight@mma.org>

To: Andrea Crete

Date: Thursday, October 3, 2024, 10:29 AM

Subject: Re: Belchertown Board of Health updating tobacco control regs

""If the board is considering adopting a nicotine free generation it is a good idea we touch base before hand since the industry opposition is likely to attend as well, so it's important to make sure the process is correct. I can get language together for you ahead of the meeting next week and we can talk about it more when we meet.""

SIGNIFICANCE: Within 13 minutes of Crete's email, the MMA's Tobacco Control Director proposed a pre-meeting strategy session, explicitly framing the upcoming Board meeting as an adversarial proceeding against "industry opposition." Her offer to "get language together for you ahead of the meeting" confirms that the regulation language was being shaped by external advocates before any public process began. The framing of the hearing as something requiring advance preparation against "opposition" is inconsistent with a neutral regulatory process.

Public Health Director Recruits External Advocates to "Move This Forward"

From: Andrea Crete

To: Anthony Ishak

Date: Wednesday, October 23, 2024, 8:06 AM

Subject: Re: Belchertown 10/9/24 minutes and recording

“The biggest concern the select board have is the impact on local businesses... My board of health chair I believe just feels like this is going over board with regulating tobacco and that when people turn 21 we are taking away the right to purchase what they want... So anything you can do to help move this forward would be great.”

SIGNIFICANCE: The Public Health Director shared confidential internal deliberation dynamics—including the BOH Chair’s personal reservations—with external advocates, and explicitly asked them to “help move this forward.” This demonstrates that Crete was not acting as a neutral administrator presenting policy options but as an active advocate recruiting external support to overcome internal resistance. Sharing a Board member’s private concerns with outside parties undermines the integrity of the deliberative process.

Director Solicits Model Letters of Support from External Advocates

From: Andrea Crete

To: Anthony Ishak, Mark Gottlieb

Date: Thursday, October 24, 2024, 2:24 PM

Subject: letter of support

“Do you have a model letter of support with supporting facts about nicotine free generation that I could give to others?”

SIGNIFICANCE: Crete asked external advocates for template letters of support “that I could give to others”—confirming that the Public Health Director was actively soliciting and distributing advocacy materials to manufacture the appearance of grassroots support. The letters that followed (from Edwards, Hoag, and others) were coordinated through Crete rather than arising organically from the community.

DFC Director Asks Crete What to Include in Her “Support” Letter

From: Rebecca Edwards, DFC Director, Town of Ware

To: Andrea Crete

Date: Thursday, October 24, 2024, 3:40 PM

Subject: Letter Draft

“In advance of any additional info, I’m sharing a draft of the letter of support with you. Let me know if there is anything specific you would like me to add.”

SIGNIFICANCE: A federally funded Drug Free Communities program director sent a draft letter of support to Crete for approval and asked what to add—establishing that the letter was written at Crete’s direction rather than as an independent expression of support. When Edwards sent the final version four days later, she wrote “Good luck

on passing this in Belchertown!!”—further confirming the coordinated nature of the correspondence.

DFC/BOAT Coordinator Sends Draft Letter to Crete for Approval Before Submission

From: Kris Hoag <khoag@belchertownps.org>

To: Andrea Crete

Date: Monday, November 4, 2024, 12:18 AM

Subject: NFG Letter of Support

“Please look this over and let me know what you think.”

SIGNIFICANCE: Hoag—who was later formally invited to the November 6 Board meeting as an “attendee”—sent her letter of support to Crete for review before submission to the Board. The letter, written on behalf of the federally funded Drug Free Communities program, was vetted by the same Public Health Director who was coordinating the adoption process. This is a second instance (along with Edwards) of a support letter being cleared through Crete before reaching the Board.

Board Member Elstein Coordinates Directly with PHAI, BU Law, and Ishak on NFG Policy

From: Ken Elstein <kenelstein@gmail.com>

To: Mark Gottlieb (PHAI)

Date: Friday, November 1, 2024, 5:30 PM

Subject: Re: Fw: Belchertown TFG comments (10/31 draft attached)

“It seems that if USPS, UPS, and FedEx do not deliver tobacco (right?), then there are limited ways to get it by ‘mail’... It seems like a small loophole that is not a big worry at the moment.”

SIGNIFICANCE: This email chain is the most damaging document in the return. A sitting Board of Health member is directly coordinating with the Executive Director of PHAI, a BU Law professor, and the Brookline NFG co-petitioner—all known NFG network players—on the substance of the regulation he would later vote on. The subject line references “Belchertown TFG comments (10/31 draft attached),” confirming that the draft regulation was being circulated among external advocates for comment before the public hearing. Gottlieb’s reply included extensive legal analysis of online sales enforcement. Elstein made all three adoption motions six weeks later.

PHAI Director Provides Talking Points to Counter Select Board Concerns

From: Mark Gottlieb <mark@phaionline.org>

To: Andrea Crete

Date: Wednesday, October 23, 2024, 4:46 PM

Subject: Re: Belchertown 10/9/24 minutes and recording

""Because this policy only applies to folks who have yet to be old enough to buy tobacco, there is not a large existing demand that would motivate them to drive to other towns... NFG will make it possible to gradually phase out the sale of the most harmful consumer product sold in Belchertown with minimal disruption... Most of the opposition is created by the tobacco industry and their retail trade associations... If I can be of any help at all, please let me know!""

SIGNIFICANCE: Gottlieb provided detailed counter-arguments for Crete to use with the skeptical Select Board, dismissing opposition as industry-created. This is the Executive Director of a Northeastern Law policy institute providing strategic advocacy support to a municipal health director—not neutral technical assistance. His characterization of opposition as “created by the tobacco industry” was adopted by Crete in her subsequent communications with the Board.

Director Contacts Brookline for Talking Points to Overcome Select Board Resistance

From: Andrea Crete

To: Sigalle Reiss <sreiss@brooklinema.gov>

Date: Wednesday, October 16, 2024, 3:59 PM

Subject: Tobacco/Nicotine Free generation

""The Belchertown Board of Health is considering adopting the language into their tobacco sales regulations for the tobacco free generation... the Select Board wants me to meet with them to educate them on this strategy and have some concerns, obviously about the affect on local business. Do you have any talking points/facts that Brookline used in regard to this?""

SIGNIFICANCE: Crete reached across the state to Brookline—the first NFG municipality—to obtain talking points for overcoming local political resistance. Sigalle Reiss is a documented NFG network participant. This contact confirms cross-municipality coordination and shows Crete treating NFG adoption as a campaign objective to be advanced against opposition, not as a neutral policy option to be evaluated.

Maureen Buzby Contacts Crete to Support NFG Adoption

From: Maureen Buzby (Regional Tobacco Prevention Program Coordinator, City of Melrose)

To: Andrea Crete

Date: Wednesday, December 4, 2024

Subject: Letter to Board of Health regarding Nicotine Free Generation policy

SIGNIFICANCE: Buzby is the documented central coordinator of the NFG network across Massachusetts municipalities. Her appearance in the Belchertown FOIA return—sending a letter to Crete one week before the public hearing—confirms that Belchertown was connected to the same statewide coordination infrastructure documented in other FOIA returns. Crete forwarded Buzby’s letter to Town Manager Steve Williams.

Press Release Pre-Drafted and Circulated Hours After Vote

From: Ed Comeau <edcomeau@gmail.com>

To: Ken Elstein, Andrea Crete, Chris Martin

Date: Thursday, December 12, 2024, 1:40 AM

Subject: DRAFT: Press release on nicotine-free generation vote

“‘Folks, if you can please review this as soon as possible and get any comments back to me, I would appreciate it. I’d like to get this out tomorrow and on the website, getting ahead of the story.’”

SIGNIFICANCE: At 1:40 AM—less than seven hours after the Board vote—a polished press release was circulated to Elstein, Crete, and others for review. The release positions Belchertown as “the 11th municipality” in a statewide movement and references pending state legislation. Comeau’s urgency to “get ahead of the story” and the speed of production strongly suggest this was pre-drafted before the vote. The release was sent to the town’s public listserv the following afternoon, including a quote from Elstein that reads as campaign messaging rather than neutral government communication.

PUBLIC HEARING OBSERVATIONS

The following observations are drawn from observation of public Board of Health and City Council meetings in Massachusetts municipalities considering NFG adoption.

"In December, Belchertown joined the now 14 localities that have adopted NFG." — Ken Elstein, Board of Health Presentation, Northampton, February 20, 2025

CRITICAL FINDING: Board of Health member Ken Ellstein simultaneously coordinated with external advocates (Gottlieb, Silbaugh, Ishak) on the substance of the draft regulation, shared a fellow Board member's private reservations with those advocates, received legal analysis from PHAI on the regulation he would vote on, and then made all three adoption motions and voted in favor. This constitutes a fundamental breach of his duty as a public official—functioning as an advocate embedded within the decision-making body rather than as a neutral arbiter of public input. Ellstein subsequently traveled to other municipalities (Northampton, Bellingham) to advocate for NFG adoption, telling the Northampton Board of Health: 'The more localities that pass this policy, the pressure it puts on the state to pass a statewide NFG bill.'

KEY FINDINGS

Complete Pre-Hearing Coordination Chain Documented The FOIA return documents the full coordination chain from initial contact through adoption. On October 3, 2024—six days before the first Board discussion—Crete initiated contact with Stevens-Goodnight (MMA) and O’Leary (PVTCP), promising to share the agenda and draft regulations in advance. Stevens-Goodnight immediately proposed a pre-meeting strategy session and offered to draft language. Over the following weeks, Crete expanded the coordination network to include Gottlieb (PHAI), Ishak (Brookline NFG co-petitioner), Silbaugh (BU Law), Reiss (Brookline Health), and Buzby (Melrose/central NFG coordinator). By the time the public hearing occurred on December 11, the regulation had been developed through extensive private coordination with external advocates.

Board Member Elstein Functioned as Advocate and Decision-Maker Simultaneously The November 1, 2024 email chain is the most significant document in the return. Ken Elstein—a sitting Board member—was emailing directly with Gottlieb (PHAI), Silbaugh (BU Law), and Ishak about the substance of the draft regulation, with the subject line referencing “Belchertown TFG comments (10/31 draft attached).” Gottlieb provided detailed legal analysis in response. Six weeks later, Elstein made all three adoption motions. Hours after the vote, a press release was circulated to Elstein quoting him as saying the vote “underscores Belchertown’s commitment to prioritizing public health.” This dual role as both external network participant and internal decision-maker represents the clearest evidence of a predetermined outcome in any NFG FOIA return to date.

Letters of Support Solicited and Vetted by Public Health Director The FOIA return reveals that at least three letters of support were coordinated through Andrea Crete rather than arising organically. On October 24, Crete asked Gottlieb and Ishak for “a model letter of support with supporting facts about nicotine free generation that I could give to others.” That same day, Rebecca Edwards (DFC Director, Town of Ware) sent Crete a draft letter asking what to add. On November 4, Kris Hoag (DFC/BOAT) sent her draft letter asking Crete to “look this over and let me know what you think.” Both letters were then presented to the Board as independent expressions of community support. This pattern—soliciting, vetting, and distributing letters through the advocate-administrator—fundamentally undermines claims of grassroots support.

Model Regulation Language and Advocacy Materials Distributed Through MTCP Network On October 23, O’Leary distributed the “Model Tobacco Sales Reg 4.29.24” document to all PVTCP members with the note that the upcoming meeting would cover “Restricting Oral Nicotine Pouches” and “Nicotine Free Generation (NFG)” as new additions. The FOIA return also contains FAQ documents, economic benefit analyses, the “NFG Guide December 2024 - FINAL VERSION,” and a one-page advocacy summary. O’Leary’s email also promoted an MHOA conference session on “Nicotine Free Generation: Policy and Lessons Learned” featuring Maureen Buzby. This confirms the MTCP-funded regional tobacco control infrastructure was actively distributing NFG materials and coordinating adoption across municipalities.

Public Health Director Acted as Campaign Manager, Not Neutral Administrator Across the email record, Crete’s role far exceeded neutral policy administration. She initiated contact with advocates before any Board action; promised to share the agenda and draft in advance; asked advocates to “help move this forward”; shared a Board member’s private reservations with external parties; solicited model letters of support to “give to others”; contacted Brookline for talking points to overcome Select Board resistance; coordinated invited advocates for the November 6 closed session; forwarded Buzby’s and Gottlieb’s materials to the Board; and served as the named contact on the post-vote press release. At every stage, Crete functioned as the campaign’s local organizer.

NETWORK DATA POINTS AND FUNDING CONNECTIONS

Pioneer Valley Tobacco Control Program (PVTCP): Merridith O’Leary served as coordinator. PVTCP is funded through the Massachusetts Tobacco Control Program (MTCP) under Massachusetts DPH. O’Leary attended all three Board meetings, distributed model regulations to PVTC members, and coordinated directly with Crete on draft language. Massachusetts Municipal Association (MMA): Lisa Stevens-Goodnight served as Tobacco Control Director. MMA provided model regulation language, proposed pre-meeting strategy sessions, and offered to “get language together” before the first Board meeting. The Model Tobacco Sales Reg 4.29.24 document bears MMA’s influence. Public Health Advocacy Institute (PHAI): Mark Gottlieb served as Executive Director. PHAI at Northeastern Law provided detailed legal analysis, talking points, and forwarded expert testimony. Gottlieb was directly in email communication with Board member Elstein regarding draft regulation language. Drug Free Communities (DFC) / BOAT: Kris Hoag (Belchertown Public Schools) and Rebecca Edwards (Town of Ware) both hold DFC-funded positions. Both wrote letters of support that were coordinated through Crete. Federal DFC grant funds supported their participation in the NFG advocacy process. Hampshire Franklin Tobacco-Free Community Partnership: Heather Warner (MPH) submitted testimony at the December 11 hearing. HFTFCP is an MTCP-funded regional tobacco control program operating in the Pioneer Valley. MHOA Conference: O’Leary’s October 23 email promoted an MHOA conference session specifically on “Nicotine Free Generation: Policy and Lessons Learned” featuring Maureen Buzby, confirming that NFG adoption strategy is being disseminated through professional health officer networks.

FINANCIAL CONTEXT (IRS FORM 990 ANALYSIS)

The following financial information, derived from IRS Form 990 filings of organizations identified in this municipality’s FOIA return, provides context on the institutional funding infrastructure supporting NFG advocacy:

The Massachusetts Tobacco Cessation and Prevention Program (MTCP), funded by the Department of Public Health, operates through regional collaboratives that serve as the primary pipeline for connecting municipalities with NFG advocacy resources and template regulations.

The Massachusetts Association of Health Boards (MAHB) received approximately \$2.1 million in government grants. MAHB General Counsel Cheryl Sbarra provides legal guidance to Boards of Health considering NFG and has hosted conferences featuring NFG advocacy content.

EVIDENCE SUMMARY

Evidence Category	Status	Summary
PRE-HEARING COORDINATION	CONFIRMED	Crete initiated contact with MMA/PVTCP on October 3—six days before the first Board meeting. Stevens-Goodnight proposed a strategy session and offered to draft language. Crete shared agenda and regulations with advocates in advance. Four NFG advocates formally invited to November 6 non-public session.
TEMPLATE USAGE	CONFIRMED	Model Tobacco Sales Reg distributed by O'Leary to PVTCP members. Crete solicited "model letter of support" from Gottlieb/Ishak. NFG Guide, FAQ documents, economic analyses, and one-page advocacy summaries all present in FOIA return.
NETWORK ACTIVITY	CONFIRMED	Known players Stevens-Goodnight, O'Leary, Gottlieb, Ishak, Silbaugh, Buzby, and Reiss all active. Elstein (known advocate) embedded on Board and emailing directly with PHAI/BU Law. Multiple organizations coordinating through Crete as hub.
CROSS-MUNICIPALITY COORDINATION	CONFIRMED	Crete contacted Brookline for talking points. Ishak tracked municipality count. O'Leary cited Brookline precedent and distributed materials regionwide. Buzby (Melrose coordinator) sent support letter. Press release tracked "11th municipality" count.
YOUTH RECRUITMENT	SUGGESTED	December 11 minutes reference "students" expressing support. Hoag's DFC/BOAT school-based program provided connection to youth. Direct email evidence of youth solicitation not found in accessible documents.
PREDETERMINED OUTCOME	CONFIRMED	Elstein (known advocate) made all adoption motions. Draft regulation circulated to Gottlieb/Silbaugh/Ishak for comment before public hearing. Crete asked advocates to "help move this forward." Support letters solicited and vetted by Crete. Press release pre-drafted. 4-0-1 vote despite ~1,000 opposition emails. 7. FUNDING CONNECTIONS: Confirmed.

Evidence Category	Status	Summary
		PVTCP/MTCP (O'Leary), DFC federal grants (Hoag, Edwards), PHAI (Gottlieb), MMA (Stevens-Goodnight), HFTFCP/MTCP (Warner) all documented.

What These Documents Demonstrate

The Public Health Director functioned as a campaign manager—initiating contact with advocates, sharing internal Board dynamics, soliciting template materials, coordinating letters of support, and recruiting external experts to overcome political resistance. A sitting Board member was simultaneously coordinating with external NFG network players on the substance of the regulation he would vote on, representing an undisclosed conflict of interest. Letters of support presented to the Board as independent community voices were solicited, drafted, and vetted through the Public Health Director's coordination with external advocates and federally funded DFC program staff. The Massachusetts Municipal Association, Public Health Advocacy Institute, Pioneer Valley Tobacco Control Program, and Drug Free Communities programs all provided coordinated support through a single hub (Crete), creating the infrastructure for what appeared to be spontaneous, multi-stakeholder backing. A press release was pre-drafted and circulated within hours of the vote, positioning Belchertown within a statewide campaign tracking municipality adoption counts and referencing pending state legislation. The volume of public opposition (~1,000 emails against) was disregarded in favor of a near-unanimous adoption vote (4-0-1), consistent with a predetermined outcome developed through private coordination.

CONCLUSION

The Belchertown FOIA return is among the most comprehensive documentary records of NFG coordination yet obtained. Unlike returns from other municipalities that show fragments of the coordination network, the Belchertown emails document the complete chain: from the Public Health Director's initial outreach to external advocates on October 3, through weeks of private coordination, template distribution, letter solicitation, and strategic planning, to the Board vote on December 11 and the pre-drafted press release circulated hours later. The return's most significant elements are: (1) the October 3 email chain showing Crete initiating coordination with MMA/PVTCP and Stevens-Goodnight offering to draft language before any public process began; (2) the November 1 email chain showing Board member Elstein coordinating directly with PHAI, BU Law, and Ishak on draft regulation language while serving as a voting Board member; (3) the October 24 emails showing Crete soliciting model letters of support to "give to others"; and (4) the December 12 press release circulated at 1:40 AM, confirming the vote was treated as a campaign milestone rather than a deliberative outcome. Taken together, these documents demonstrate that the Belchertown NFG adoption followed the same systematic pattern documented across Massachusetts: state-funded programs identified the municipality, external advocates provided model language and coordinated with local officials, known network players appeared at hearings to provide expert testimony, letters of support were solicited through the advocacy network rather than arising organically, and the public hearing served a largely performative function. The Belchertown return is uniquely valuable because it

captures the process from both sides—the administrator’s coordination emails and the Board member’s advocacy correspondence—providing a complete picture that strengthens the broader pattern documented across municipalities.

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