

Conway — Investigative Briefing Memorandum

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

Conway

March 2026 (Revised)

EXECUTIVE SUMMARY

This FOIA return from the Town of Conway comprises 129 pages of scanned documents, primarily consisting of Board of Health meeting agendas, minutes, and email correspondence between October 2024 and July 2025. The production documents Conway's adoption of "Nicotine-Free Generation" (NFG) tobacco regulations on May 12, 2025, following a public hearing on May 7, 2025. The documents reveal coordination between Conway Board of Health members and the Franklin Regional Council of Governments (FRCOG) staff, particularly Ilana Gerjuoy (Prevention Strategies Coordinator) and Randy Crochier. While the documents provide useful insight into the adoption timeline and FRCOG's role in facilitating the regulations, the production contains significant gaps. Notably absent are: (1) any records from January 2023 through September 2024, despite the FOIA request covering this period; (2) correspondence with any of the specifically named organizations and individuals in the request (Hampshire-Franklin Tobacco-Free Community Partnership, MAHB, MHOA, MMA, Bloomberg Philanthropies, MTCP, PHAI, Mark Gottlieb, Kate Silbaugh, Maureen Buzby, Belchertown BOH, Ken Elstein); (3) contracts, MOUs, or payment records; and (4) grant applications or awards. The most significant finding: FRCOG staff initiated contact with Conway in October 2024, provided template regulations, guided the Board through the adoption process, attended the public hearing to provide "supportive testimony," and coordinated the press release announcing adoption. This represents a textbook example of the orchestrated campaign pattern observed in other municipalities.

KEY DOCUMENT EXCERPTS

FRCOG Initiates Contact and Provides Template Regulations

From: Phoebe Walker <Walker@frcog.org>

To: daniel.conway.boh@gmail.com; Ilana Gerjuoy

Date: Friday, October 25, 2024 at 1:54 PM

Subject: Virtual Introduction prior to Monday BOH meeting

"I wanted to introduce you to our colleague, Ilana Gerjuoy, Prevention Strategies Coordinator here at the FRCOG's Partnership For Youth. Ilana will be joining the BOH meeting on Monday to review the template tobacco regulations with the Board to hear your desires and answer any questions about what the regs say, what choices you need to make as a Board, and how passing them works."

SIGNIFICANCE: FRCOG proactively reached out to Conway BOH with template regulations and offered to guide them through the adoption process. This demonstrates the pattern of external advocates initiating contact rather than responding to organic municipal interest.

Template Delivery with Explicit Guidance on Policy Choices

From: Ilana Gerjuoy <ilana@frcog.org>

To: Phoebe Walker, daniel.conway.boh@gmail.com

Date: Friday, October 25, 2024 at 4:35 PM

Subject: Re: Virtual Introduction prior to Monday BOH meeting

"Attached is a copy of the draft regulations with Conway added as the town... YELLOW highlighted sections are language from the latest state law and DPH regulation. GREEN highlighted sections are uniquely local policy decisions to be made by the Board of Health. NO COLOR indicates that language has been previously adopted by most local Boards of Health in the region prior to this year."

SIGNIFICANCE: Demonstrates use of standardized template regulations with color-coded guidance to direct Board decision-making. The template has already been "adopted by most local Boards of Health in the region," revealing a coordinated regional rollout.

Advocate Commits to Providing "Supportive Testimony" at Hearing

From: Ilana Gerjuoy <ilana@frcog.org>

To: Daniel Sheff

Date: Thursday, April 10, 2025 at 1:41 PM

Subject: RE: Timing and other thoughts re: passing regulations

"Great, I have it in my calendar as a date to come and provide 2-3 minutes of testimony about youth health and tobacco regs."

SIGNIFICANCE: The same person who provided the template regulations and guided the Board through the process commits to appearing at the public hearing to provide "supportive testimony." This undermines the appearance of independent public input.

Conway Confirms Adoption of NFG "Tobacco-Free Generation"

From: Hanna Sherman <hanna.conway.boh@gmail.com>

To: Daniel Sheff

Date: Monday, March 10, 2025 at 4:18 PM

Subject: Re: Checking in about tobacco regs

"We also adopted the tobacco-free generation."

SIGNIFICANCE: Confirms Conway's adoption of the core NFG policy provision (birthdate-based sales prohibition), making Conway another municipality in the regional NFG rollout.

FRCOG Offers to Handle Press Release Announcing NFG Adoption

From: Randy Crochier <RCrochier@frcog.org>

To: Daniel Sheff

Date: Tuesday, May 27, 2025 at 8:47 AM

Subject: RE: Timing and other thoughts re: passing regulations

"We or you could send a press release to the Recorder regarding the nicotine free generation being adopted by Conway. Let us know if you would like us to."

SIGNIFICANCE: FRCOG offers to handle media relations announcing Conway's NFG adoption, demonstrating full-service support from policy development through public communications.

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 addition to NFG, they also moved the sale of all pouches to AOF." — Report on Conway, MA, May 2025

KEY FINDINGS

Full-Service Advocacy Campaign by FRCOG The documents reveal that FRCOG provided comprehensive support for Conway's NFG adoption, including: (a) initial outreach and introduction of the policy; (b) delivery of template regulations with color-coded guidance; (c) multiple meetings to guide BOH members through the template; (d) coordination of legal notices and hearing logistics; (e) provision of "supportive testimony" at the public hearing; and (f) drafting and distributing the press release. This represents a turnkey advocacy service rather than neutral technical assistance.

Regional Template Rollout Confirmed Ilana Gerjuoy's email explicitly states that the template language "has been previously adopted by most local Boards of Health in the region prior to this year." This confirms that Conway's adoption was part of a coordinated regional rollout rather than an independent policy decision. The email also references Ashfield's recent adoption, showing active tracking of the regional campaign's progress.

BOH Chair Conflict Required Recusal Documents show that BOH Chair Kathy Llamas recused herself from the tobacco regulations proceedings due to a conflict of interest. Ilana Gerjuoy specifically asked "Does Kat need to recuse herself?" and the Board sought guidance on how to handle this. The nature of the conflict is not specified in the produced documents, but Daniel Sheff chaired the May 7, 2025 hearing in her absence.

Significant Production Gaps Suggest Incomplete Compliance Despite a comprehensive FOIA request covering January 2023 to present and specifically naming multiple organizations and individuals, the production contains: (a) no records before October 2024; (b) no correspondence with any of the specifically named parties (Hampshire-Franklin Tobacco-Free Community Partnership, MHOA, MAHB, MMA, Bloomberg, MTCP, PHAI, Mark Gottlieb, Kate Silbaugh, Mystic Valley Public Health Coalition, Maureen Buzby, Belchertown BOH, Ken Elstein); (c) no contracts, MOUs, or payment records; and (d) no grant applications or awards. These gaps warrant a supplemental request and potential appeal.

NETWORK DATA POINTS AND FUNDING CONNECTIONS

FRCOG Partnership for Youth: Ilana Gerjuoy serves as Prevention Strategies Coordinator; later identified as "Health Policy Coordinator, Communities That Care Coalition." This program appears to be the vehicle for NFG advocacy in Franklin County. CPHS (Cooperative Public Health Service): Conway participates in the CPHS Oversight Board. Minutes reference tobacco regulation discussions at CPHS meetings, including Daniel Sheff's announcement that Conway "moved to adopt the 'retiring cap.'" MAHB (Massachusetts Association of Health Boards): Email references "Clarification from MAHB on tobacco regs" and "the December 3 version of the MAHB tobacco regulations" with "comments for each section that MAHB attorney Cheryl Sbarra identified." No MAHB correspondence was produced despite specific FOIA request. Grant Funding (Referenced but Not Produced): Documents reference that "73% is grant-funded" for FRCOG services and that "FRCOG then leverages these to obtain grants." No grant applications or awards were produced.

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.

EVIDENCE SUMMARY

Evidence Category	Status	Summary
PRE-HEARING COORDINATION	CONFIRMED	FRCOG contacted Conway in October 2024; public hearing was May 7, 2025. Six months of coordination preceded public process.
TEMPLATE USAGE	CONFIRMED	Color-coded template regulations delivered with explicit instructions. Same template used across region.
NETWORK ACTIVITY	CONFIRMED	FRCOG staff coordination documented; references to MAHB, CPHS oversight, and regional rollout.
CROSS-MUNICIPALITY COORDINATION	SUGGESTED	References to Ashfield adoption and "most local Boards of Health in the region" suggest tracking. No direct recruitment emails produced.
YOUTH RECRUITMENT	NOT FOUND	No evidence of youth recruitment in Conway documents.
PREDETERMINED OUTCOME	SUGGESTED	Advocate commits to provide "supportive testimony"; no evidence of neutral fact-finding posture. BOH Chair recusal raises questions about process integrity. FUNDING CONNECTIONS: SUGGESTED. References to grants and FRCOG funding, but no contracts or grant documents produced.

What These Documents Demonstrate

External advocates (FRCOG) initiate contact with municipalities rather than responding to organic interest
Template regulations with explicit guidance direct Board decision-making Same individuals who develop policy also appear as "public" supporters at hearings
Regional coordination tracks and reports on adoption progress across municipalities
Full-service advocacy includes media relations announcing adoption

CONCLUSION

The Town of Conway FOIA return provides a clear picture of FRCOG's role in facilitating NFG adoption in Franklin County. The documents demonstrate the full advocacy lifecycle: proactive outreach, template delivery, policy guidance, hearing support, and media coordination. While Conway is a small municipality (population approximately 2,000), its adoption contributes to the regional momentum that NFG advocates use to demonstrate growing support for the policy. The most significant aspect of this FOIA return is what it reveals about FRCOG's systematic approach—a regional tobacco control program that initiates contact with municipalities, provides turnkey advocacy services, and then appears at public hearings as independent "community" supporters. The significant gaps in the production warrant a supplemental FOIA request. The absence of any records before

October 2024, any correspondence with the specifically named organizations and individuals, and any contracts or grant documentation suggests either incomplete search or incomplete production. A supplemental request should specifically cite the original request categories and demand a detailed explanation of the search methodology used.

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