necsema
New England Convenience Store & Energy Marketers Association

Dover — Document Notes

16 DOCUMENTS · PUBLIC RECORDS PRODUCTION · REAL TRUTH MA · RETRIEVED SEPTEMBER 22, 2026

The substantive documents in Dover'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 Dover page.

Dover's is the largest production on this site — some 2,600 files. The town documented its own search method inside the production: it searched every doverma.gov address for ten fixed phrases, which is worth knowing when reading what is and is not here.

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

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1 An unsolicited approach to the Health Director and the Board chair

Email · January 12, 2025 · Anthony Ishak to Jason Belmonte, Health Director, and Kay Petersen, Board of Health Chair

> "I am reaching out to you to encourage this momentum by expanding our geographic reach and to see if Dover will join our growing list. In order for statewide implementation to occur there needs to be significant uptake by municipalities and geographic diversity."

First in the sequence. Ishak names co-petitioner Katharine Silbaugh and Mark Gottlieb of the Public Health Advocacy Institute, attaches an FAQ and a journal article, and gives figures for Dover's two retailers and its tobacco use rate. He adds: "I have bcc'd the other Board of Health members to avoid OML violations."

2 Arranging the February presentation

Email thread · January 12 to February 3, 2025 · Suzanne Hilts, administrative assistant, and Kay Petersen, MD, Chair, Dover Board of Health, with Anthony Ishak

> "Can i send this to Kate Silbaugh (BU law professor and my co-petitioner) and Maureen Buzby from Tobacco control who can speak to emforcement?"

Petersen replies: "We decided that we'd like to have someone from your group talk to us at our February meeting," and "thanks for doing the great work that you do!" Hilts allots fifteen to twenty minutes, the "only item on the agenda… aside from routine meeting procedures." Asked whether others may join: "Absolutely, anybody is welcome to join this meeting. Please share the link with whoever is interested in attending!"

3 Board of Health minutes, February 3, 2025

Board of Health minutes · February 3, 2025, by Zoom · Chair Kay Petersen, Members Stephen Kruskall and John Quackenbush; Health Director Jason Belmonte

> “Also Present: Anthony Ishak, Maureen Buzby, Kate Silbaugh, Justine Uritam, John Benson, Brian O’Connor”

Agenda item: “Endgame Tobacco Discussion.” Ishak is described as a pharmacist in primary care at an academic teaching hospital, appearing with Silbaugh and Buzby to brief the Board. Buzby is recorded saying six of the seven communities she works with have adopted it. No vote on tobacco was taken.

4 Board of Health minutes, March 3, 2025

Board of Health minutes · March 3, 2025, by Zoom

> “Also Present: Peter Brennan, Josh Pruett, Emily Weija, Alex Weatherall”

Those present are the policy’s opponents. Peter Brennan is identified as representing the New England Convenience Store and Energy Marketers Association, which funded the records requests behind this site. The minutes record the Board as having “not made any decision regarding the regulation,” and Belmonte clarifying that as Health Director he advises but does not vote. Maureen Buzby, Anthony Ishak and Kate Silbaugh are neither listed as present nor mentioned.

5 A thank-you for the March meeting

Email · March 24, 2025 · Maureen Buzby, Regional Tobacco Prevention Program, City of Melrose, to Jason Belmonte and Kay Petersen

> “I first want to thank you for allowing me to speak at your March BOH meeting at which time I was able to share a bit about rolling out NFG in the Mystic Valley Region.”

The message refers to “your March BOH meeting.” The March 3 minutes neither list Buzby among those present nor mention her; the February 3 and April 7 minutes both do. Readers can compare the three sets of minutes, linked above and below.

6 Brookline points Dover back to the same group

Email · March 27, 2025 · Sigalle Reiss, Director, Brookline Public Health & Human Services, to Gael Varsa, Public Health Nurse, Dover/Sherborn

> “There is a great group of activities and technical experts providing assistance to municipalities looking to adopt or review NFG. Anthony is on that team.”

Varsa had asked about implementation. Reiss replies that “Jason Belmonte and Kay Petersen are already in touch with Anthony Ishak, who lead the charge here in Brookline,” and advises: “If you want to learn about the regulations and strategies to present at the Board of Health meeting, I would continue with Anthony and his team.”

7 Board of Health minutes, April 7, 2025

Board of Health minutes · April 7, 2025, by Zoom · eleven non-members recorded present

> “Also Present: Andrew Parker, Emily Weija, Ginny Chadwick, Isabel Tashie, Kate Silbaugh, Maureen Buzby, Peter Brennan, Stephen Helfer, Zachary Rich, Jonathan Winickoff, Jonathan”

The longest Dover minutes in the production. Both sides attend: Helfer for Cambridge Citizens for Smokers’ Rights, Brennan for the convenience store association, Rich a pulmonary critical care doctor from Newton, Winickoff a pediatrician from Brookline. Buzby is recorded describing a State House awards ceremony. The attendance line ends with the bare first name “Jonathan.”

8 The staff research note

Staff research note · prepared for April 7, 2025 · no author stated on the document

> “BOH members requested additional information specific to towns that approved or rejected the Nicotine Free Generation Policy (NFG).”

The Board asked about towns that had adopted and towns that had rejected the policy. Two jurisdictions are reported contacted: Peabody and Brookline. No town that rejected it is named. The closing sentences restate, in the past tense, the wording of Sigalle Reiss’s March 27 email.

9 Board of Health minutes, May 12, 2025 — the 2–1 vote to proceed

Board of Health minutes · May 12, 2025 · public comment from a smokers’ rights advocate, a mental-health advocate and a Sherborn store owner

> “Member Kruskall proposes a MOTION for the Board to drop the NFG regulation entirely, due to a lack of representation from Dover residents.”

The Health Director put three paths to the Board: a feedback hearing followed by an adoption hearing, a single hearing with a vote, or dropping the matter. Kruskall moved to drop it. The motion that carried was Quackenbush’s, “to approve the proposed amendments, contingent on the approval from Town Council and the Board of Selectmen, to then be presented in an open hearing” — “The motion passed 2:1, Member Kruskall opposed the motion.” No Dover resident is recorded speaking.

10 Board of Health minutes, September 8, 2025 — no hearing held

Board of Health minutes · September 8, 2025, 10 a.m. by Zoom

> “Member Kruskall states that he prefers postponing the hearing until the state makes a decision. He adds that in discussions with residents, he has not observed interest in the Board moving forward with this regulation.”

The tobacco item is “Schedule Date for Tobacco Hearing.” No hearing was held at this meeting and none is recorded before November 3. The Chair “expresses interest in holding a hearing and taking a vote during the same session”; Kruskall says that “would be unusual”; the Director reports Town Counsel has not yet answered on the wording. “The Board concludes that the date for the hearing will be confirmed at a later meeting.”

11 A Board member’s standing objection

Email forward · October 9, 2025 · Steve Kruskall, Board of Health member, to the Town Administrator, from a personal address

> “I am strongly opposed to this “generational tobacco” local initiative and have voted against it each time it has been brought up at a Board of Health meeting in the last few months.”

Written the day the Health Director circulated the draft hearing notice for comment. The attachments named are the notice and a draft carrying Town Counsel’s edits. The Town Administrator’s reply offers three meeting times and nothing on the substance.

12 Whether to publish the Board’s vote with the hearing notice

Email thread · October 9–14, 2025 · Steve Kruskall and Jason Belmonte

> “Could you please have simultaneously published the tally of the Board’s vote on this measure?”

Belmonte replies: “I thought the Board agreed that we were not going to do that? The vote will be reflected in the minutes, but it’s highly unusual to include it on the hearing advertisement.” Kruskall answers: “I don’t recall the board having had anything to say about not publishing that vote.” The published notice carries no tally.

13 Notice to the two license holders

Email · October 17, 2025 · Jason Belmonte, Health Director, to the town’s two tobacco license holders

> “The changes could have future implications for your business operations, so I strongly encourage you to attend the hearing to hear the discussion and share any feedback or concerns with the Board.”

Sent seventeen days before the hearing, with the notice and draft attached. The Board’s annual report names the town’s only two license holders as the Dover Market and the Mobil station. One recipient appears in the attendance line of the November hearing.

14 Minutes of the public hearing and the vote, November 3, 2025

Board of Health minutes, marked DRAFT · November 3, 2025, by Zoom · nineteen non-members recorded present

> “Member Quackenbush made a MOTION to open the hearing. Chair Petersen seconded the MOTION. The motion passes 2-1.”

The motion to open the hearing carried 2–1. The motions to close it and to adopt the regulation each carried unanimously, Kruskall seconding the adoption. The nineteen names in the attendance line include Silbaugh, Gottlieb, Buzby (spelled “Busby”), Rich, Elstein, Brennan, Helfer and one of the town’s two retailers. Belmonte is recorded saying all written comments came from people who spoke at the hearing, “with one exception being a Dover resident who submitted a brief comment.” Files named FINAL carry the same text, including the DRAFT heading.

15 Dover passes its paperwork to Yarmouth

Email · November 12, 2025 · Jason Belmonte to Barry Lewis of the Yarmouth health department

> “Here are a couple things to get you started: agenda, newspaper publication, hearing notice, and draft regulation. In order to pass it you must: post in the newspaper, have a public hearing, and have a vote”

Sent nine days after Dover’s vote, with four attachments. Lewis had asked for “[a]ny info on this you would like to forward me.” Belmonte adds: “I’m not an attorney so be sure to check with your Town Counsel.” The exchange also appears in Yarmouth’s production.

16 How the town searched for the records

Email · December 23, 2025 · Michael Blanchard, Town Administrator, to the town’s records vendor

The town states the search covered “All doverma.gov email addresses” and ten fixed phrases: Nicotine-Free Generation, Tobacco-Free Generation, Generational ban, NFG, Birthdate ban, Model ordinance, Technical assistance, Grant funding, Bloomberg, MTCP. A record using none of them would not be captured. The Health Director told the Board that day that “[p]ersonal email as well as text messages on your work and personal phone are also subject to the request” and would “require some legwork from each of us.” At least one Board member’s correspondence here came from a personal address.