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New England Convenience Store & Energy Marketers Association

Easthampton — Document Notes

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

The substantive documents in Easthampton'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 Easthampton page.

Easthampton adopted the policy on June 10, 2026 with a two-member Board of Health. It is the most recent adoption on this site, and the sequence begins with a survey rather than a letter.

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

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1 A survey of local interest, sent to hundreds of health departments

Email · May 28, 2025 · Matthew Reynolds, Medical Student, Harvard Medical School, and Jonathan P. Winickoff, MD, MPH, Professor of Pediatrics, Harvard Medical School, for the Nicotine Free Generation Coalition

> "The Nicotine Free Generation Coalition is assessing local community interest in the policy… The results will help us effectively reach communities seeking further information regarding the policy and will help prevent unwanted communications to communities not currently interested in considering such a policy."

Sent to several hundred Massachusetts board-of-health and health-department addresses, listed in the To field rather than blind-copied. It names fifteen adopting jurisdictions and links to a survey on a research platform. It states no funding source for the coalition and does not say how the answers will be shared.

2 A Board of Health member from another town follows up on the answer

Email · June 24, 2025 · Ken Elstein, Member, Belchertown Board of Health, to Ryan Griffin, Director of Public Health, Easthampton

> "You responded to our recent survey as "Highly Interested" to the question, "How interested would your board be in more information about an initiative to limit the sale of nicotine products to those born after a certain date (nicotine free generation, NFG)?" We would be happy to meet with your board at their convenience."

Four weeks after the survey, an official of another municipality quotes Griffin's individual answer back to him and proposes a timetable: "One possible time frame would be to include NFG on your agenda over the summer, with a possible vote in the fall." The document does not state how he obtained the survey results.

3 Northampton offers to draft the language and attend

Email thread · November 14–18, 2025 · Merridith A. O'Leary, R.S., Health Commissioner, City of Northampton, and Ryan Griffin

> "I'm happy to collaborate with you and lead this effort with support from our TA team and help draft language for you and your Board. If you move forward, I can also attend your Board meeting to answer any questions. Tobacco policy is my jam and has such a significant impact on our youth."

The tobacco offer is a secondary matter in a thread whose main subject is O'Leary's resignation as chair of a regional preparedness coalition. Griffin replies with his aim — "to retire tobacco permits, ban nicotine pouches, and implement the NFG ban" — and invites her to the December 10 meeting. The phrase "TA team" is nowhere defined.

4 A second survey, at a conference

Email thread · November 20 to December 8, 2025 · Ken Elstein and Ryan Griffin

> "I am a volunteer, actively promoting Nicotine Free Generation (NFG) in Hampshire County. It is my understanding that you both expressed interest in NFG in a survey at the recent MHOA Conference."

A second survey, at the Massachusetts Health Officers Association conference, distinct from the May 2025 one. Elstein writes on December 6 that "[w]ith the unanimous enactment votes this week in both Amherst and Leverett, this would be a good time," and Griffin schedules him into the December 10 meeting. Griffin's goal is for Easthampton "to follow the path of Balchertown, South Hadley, & Amherst" — the spelling is his.

5 A Board member's objection to the process

Email thread · November 24, 2025 to February 9, 2026 · Ryan Griffin to the Board of Health members, blind-copied

> "I think there needs to be considerable discussion and public input prior to the board considering a generational ban on tobacco (NFG ban). I believe the public needs to be very aware & involved from the get go so that they have ample time to weigh in."

Written by Samantha Maider on December 8, 2025, in a thread about a float-spa variance. She adds that something like NFG might also be appropriate for "the City Council (elected officials) in addition to volunteer board members," and that tomorrow is her last meeting. Another member asked whether "anyone [is] currently lobbying the Health Department on this matter"; Griffin replied that "our regional tobacco coalition and MHOA are both actively promoting it." His reply to Maider is saved as an empty draft.

6 An offer to defend the city against legal challenge

Letter · December 14, 2025 · Mark A. Gottlieb, Executive Director, Public Health Advocacy Institute, to the Easthampton Board of Health

> “the Public Health Advocacy Institute, has offered to defend any Massachusetts municipality, including Easthampton, from any legal challenge resulting from the adoption of the Nicotine Free Generation policy as it appears in the Massachusetts Association of Health Boards’ Model Tobacco Regulations. This is absolutely true. We have made this offer for over a decade”

The letter opens on Ken Elstein’s presentation to the Board. It describes the Institute as “my non-profit law firm based at Northeastern University School of Law,” says the executive director of the Massachusetts Association of Health Boards can confirm the offer, and states that the Institute represented Brookline without charge. No cost, conditions or funding source are stated.

7 The draft regulation and its checklist

Draft regulation with policy checklist · headed March 2026 · no author, drafter or transmitting organization named

> “D. No Tobacco Sales to Persons [under Twenty-One (21) Years Old] OR [Born on or after January 1, 2006.]”

An eight-item checklist of policy decisions followed by a template regulation with both options left in brackets, birth date and pouch provision alike. It explains its color coding in the same terms as templates in other towns’ productions. Boilerplate survives unedited in the recitals: “Now, therefore it is the intention of the [city/town] Board of Health to regulate the sale of tobacco products.”

8 Procedural questions to the Association of Health Boards

Email thread · April 8–9, 2026 · Ryan Griffin and Cheryl Sbarra, Esq., Executive Director and Senior Staff Attorney, Massachusetts Association of Health Boards

> “I don’t see a problem with either of your questions. You do not have to provide a virtual option for a public meeting.. And you can have 2 members of a 3-member board vote. Of course, if one votes yes and one votes no, then the regulation does not pass.”

Griffin asked whether an in-person-only forum raised legal concerns and whether a two-member board could amend regulations. He also asked for the hearing script used in Amherst: “I was at the Amherst hearing back in October, and am looking for the script that Kiko had.” No reply supplying it appears in the thread. Sbarra’s signature carries the disclaimer that the email is “provided for educational purposes only, and is not to be construed as legal advice.”

9 Minutes of the May 13, 2026 hearing

Draft minutes · May 13, 2026 · fifteen people recorded present

> “BR asked if anyone was present for Public Speak. RG confirmed that nobody was present.”

The hearing was held without a vote; the item carried to June 10. Recorded speaking in support: Northampton’s Public Health Commissioner, the Hampshire Franklin Tobacco-Free Community Partnership, a prevention coordinator, and Maureen Buzby of the Regional Tobacco Prevention Program. The Reading Board of Health chair also attended. No speaker in opposition is recorded, and no Easthampton resident other than board members and staff. One member wanted to hear from the affected age group and suggested approaching the high school; the Director undertook to have a student at the next meeting.

10 A letter of support, and the vote date

Email transmitting draft minutes and quoting a letter · June 8, 2026 · letter from Maureen Buzby, Regional Tobacco Prevention Program, City of Melrose

> “I am writing in support of Nicotine Free Generation which I understand is a June 10, 2026 Board of Health meeting agenda topic… There are currently twenty-four municipalities that have adopted NFG and ten per cent of the state’s population is covered by this life-saving policy.”

The document that fixes the vote date. Buzby identifies her program area as seven communities — Malden, Medford, Melrose, Reading, Stoneham, Wakefield and Winchester — none of them Easthampton, and asks that the letter be shared with Board members. Another correspondent’s May 12 letter had said the vote would be the next day; the May 13 hearing was held without one.

11 Arranging student testimony before the vote

Email thread · June 2–8, 2026 · Ken Elstein and Ryan Griffin

> “I thought that you were going to try to find students. Is The 84 group of anti-tobacco kids active in Easthampton? I also may have some very articulate kids from outside Easthampton on the Zoom meeting.”

Griffin replies that there will be “a presentation from an Easthampton student on NFG, and the board members will be able to ask them questions. After that, the board will vote. I am very confident.” Asked whether opponents could speak, he answers that “[w]e have already completed the public speaking for the hearing.” Elstein writes: “We will be watching to see if the nicotine industry chooses to speak during the Public Speech Time.”

12 The adopted regulation

Adopted regulation · thirteen pages · effective September 10, 2026 · signed by Beth Rist, Chair, and Steven Coughlin, Member

> “No person shall sell or provide a tobacco product to a person born on or after January 1, 2006.”

Both bracketed choices left open in the March draft are resolved: the birth-date restriction rather than the age-21 alternative, the adult-only-store rule for pouches rather than the six-milligram cap. A review clause absent from the draft requires review within five years. The signature block carries two names; the draft had three blank lines. No minutes, agenda or tally for the June 10 meeting appear in the production, and no document states a vote count.