

Manchester-by-the-Sea — Investigative Briefing Memorandum

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

Manchester-by-the-Sea

March 2026 (Revised)

EXECUTIVE SUMMARY

The Town of Manchester-by-the-Sea FOIA return represents a moderate-value document set, comprising correspondence, Board of Health records, meeting minutes, and supporting documents spanning August 2024 through May 2025. This return provides documentary evidence of the NFG advocacy network's reach into a small North Shore community (population approximately 5,600), revealing how regional tobacco control program infrastructure and known network players facilitated NFG adoption—even in a municipality with minimal local demand for the policy. The documents reveal that a single Board of Health member, Leah Peavey, introduced the NFG concept after reading a New England Journal of Medicine article about Brookline's policy in May 2024. The BOH was already updating its tobacco regulations at the direction of the North Shore/Cape Ann Tobacco Policy Program (NS/CATPP)—a program funded through the Massachusetts Tobacco Cessation and Prevention Program (MTCP)—which provided template regulations. When NECSEMA opposition emerged, Health Director Wendy Hansbury contacted Joyce Redford (Director, NS/CATPP), who connected the BOH with Anthony Ishak, an MGH pharmacist and Brookline resident who had championed the policy there. Mark Gottlieb (Executive Director, PHAI at Northeastern Law) submitted unsolicited written testimony and offered pro bono legal assistance. Most significantly, these documents demonstrate that the regulatory template used at the Manchester hearing was provided directly by the state-funded NS/CATPP, establishing a direct pipeline from MTCP-funded programs to local NFG adoption. The hearing itself was attended primarily by out-of-town advocates and industry opponents, with only one local resident participating—yet the Board voted 3-1 to adopt. A subsequent citizens' petition and non-binding Town Meeting vote (81-76 to overturn) revealed significant community opposition that was absent from the original public hearing process.

KEY DOCUMENT EXCERPTS

Redford Connects Manchester BOH with NFG Network Advocate

From: Joyce Redford <jredford@Salem.com>

To: Wendy Hansbury <hansburyw@manchester.ma.us>

Date: Wednesday, October 23, 2024 at 9:37 AM

Subject: RE: Letter from NECSEMA to the Manchester-By-The-Sea Select Board and Manchester-By-The-Sea Board of Health

"I will not be at the Manchester hearing. This is the industry's standard letter sent to municipalities think of adding NFG to their regulation. I will be attending the public hearing in Peabody specifically on NFG because they have updated their current regulation in the pasted so NFG would be the only addition to their regulation. We are expecting quite a bit of push back from the industry. However, I have included Anthony Ishak on this e-mail he has offer to attend your meeting he is a pharmacologist at MGH and a Brookline resident who with Kate Silbaugh pushed TFG in Brookline."

SIGNIFICANCE: This email reveals the NS/CATPP Director's role as a connector within the NFG network. When the Manchester BOH received industry opposition, Redford's immediate response was to deploy a known NFG advocate (Anthony Ishak) from MGH—a Brookline resident who helped originate the policy. Redford also dismisses the NECSEMA letter as a "standard letter," revealing familiarity with industry opposition patterns across multiple municipalities and coordinating attendance at simultaneous hearings in Manchester and Peabody.

Hansbury Solicits External Support Against Industry Opposition

From: Wendy Hansbury <hansburyw@manchester.ma.us>

To: Joyce Redford <jredford@Salem.com>

Date: Tuesday, October 22, 2024 at 1:31 PM

Subject: FW: Letter from NECSEMA to the Manchester-By-The-Sea Select Board and Manchester-By-The-Sea Board of Health

"Hi Joyce, We received this email yesterday and it was forwarded to my Board today. The individuals listed include all the Select Board members for Manchester. I was told that Kevin Johnson of Seabreeze/Richdales in Manchester will be at the public hearing. Do you have any response you would like the Board to hear? Will you be in attendance on Thursday at 6:30 (via zoom or in person)?"

SIGNIFICANCE: Rather than treating the upcoming hearing as a neutral fact-finding exercise, the Health Director's immediate reaction to industry opposition was to contact the regional tobacco control program coordinator for a counter-response. The phrasing "Do you have any response you would like the Board to hear?" demonstrates that Hansbury viewed Redford as an ally in an adversarial proceeding rather than approaching the hearing as a neutral administrator.

Gottlieb Provides Unsolicited Testimony and Legal Support

From: Mark Gottlieb <mark@phaionline.org>

To: Wendy Hansbury; Ellen Lufkin

Date: Thursday, October 24, 2024 at 2:22 PM

Subject: [EXTERNAL] - Written Testimony for Tonight's Hearing regarding tobacco Regulations

"I represented the Town of Brookline (along with my colleagues) pro bono in successfully defending the policy proposed in the tobacco regulations from a legal challenge from the retail sector of the tobacco industry. The case went to the SJC and established Nicotine Free Generation as a valid exercise of local public health power in Massachusetts. My organization offered our legal help to Brookline and any other town adopting this policy in Massachusetts (including yours)."

SIGNIFICANCE: Mark Gottlieb—a known NFG network player who appears across multiple municipality FOIA returns—submitted testimony to Manchester hours before the hearing. His offer of pro bono legal defense to “any other town adopting this policy” reveals a systematic approach to encouraging municipal adoption by removing the risk of legal challenge. The channel through which Gottlieb learned of the Manchester hearing is not documented in this FOIA return, suggesting coordination outside the town’s email system.

Template Regulations Provided by MTCP-Funded Program

From: Wendy Hansbury <hansburyw@manchester.ma.us>

To: BOH Members; Ellen Lufkin

Date: March 20, 2025 at 11:08 AM

Subject: Tobacco - NFG petition response

"The drafts used during the hearing were provided by the North Shore / Cape Ann Tobacco Policy Program. The North Shore / Cape Ann Tobacco Policy Program is funded through the Massachusetts Tobacco Control Program (MTCP) of the Department of Public Health and is part of Smoke Free Solutions North, the MTCP Community Mobilization Network."

SIGNIFICANCE: This is a direct admission that the regulatory language adopted by Manchester’s BOH was provided by the state-funded tobacco control infrastructure. The NS/CATPP—funded through MTCP and operating as part of the “MTCP Community Mobilization Network”—supplied the template regulation that included NFG language. This establishes a direct pipeline from state-funded programs to local policy adoption and confirms that the “FY24 Template Model Tobacco Sales Reg” found in the Board of Health records originated from this network.

BOH Member Reveals Internal Origin of NFG Proposal

From: Leah Peavey <leah_capalbo@yahoo.com>

To: Ann Harrison <harrisona@manchester.ma.us>

Date: Tuesday, April 29, 2025 at 12:57 PM

Subject: [EXTERNAL] - More thoughts on the Nicotine Free Generation Bill

"The Manchester BOH started updating our tobacco regulations as required by the state in spring 2024. I read about Brookline's generational tobacco ban in the May 25, 2024 edition of the New England Journal of Medicine and was immediately on board. I brought it back to the BOH and proposed that we join the growing number of Mass municipalities and add it to our proposed tobacco regulations for review and they agreed."

SIGNIFICANCE: BOH member Peavey reveals that the NFG proposal was added to the required tobacco regulation update at her initiative—not in response to community demand. The NEJM article she references was authored by Katharine Silbaugh (a known NFG advocate listed in the network). This demonstrates how NFG advocacy disseminates through professional publications to reach sympathetic local officials, who then add it to routine regulatory updates.

Health Director Frames Non-Binding Vote as Justification

From: Wendy Hansbury <hansburyw@manchester.ma.us>

To: Leah Peavey <leah_capalbo@yahoo.com>

Date: Tuesday, April 29, 2025 at 2:20 PM

Subject: RE: [EXTERNAL] - Fw: More thoughts on the Nicotine Free Generation Bill

"The vote to overturn the ban was 81 Yes, 76 No, and 4 Abstain. It was so close that the BOH is justified saying that you side with the ½ that want to protect youth. I believe you are right and if there were younger parents at the meeting, the vote would have been very different."

SIGNIFICANCE: Despite a Town Meeting vote in which a majority (81-76) supported overturning the NFG regulation, the Health Director immediately reframes the result as justification for maintaining the policy. The characterization of a 5-vote loss as “so close” and the speculation about hypothetical younger parents demonstrates the BOH’s predetermined commitment to NFG regardless of community input.

KEY FINDINGS

MTCP-Funded Template Regulation Pipeline Confirmed The documents establish that the tobacco sales regulation adopted by Manchester’s BOH was provided directly by the North Shore/Cape Ann Tobacco Policy Program, which Hansbury explicitly identifies as “funded through the Massachusetts Tobacco Control Program (MTCP) of the Department of Public Health.” The FOIA return includes a document titled “FY24 Template Model Tobacco Sales Reg.docx”—a comprehensive checklist-style template with options for NFG language (“Any person born on or after January 1, 2004”) alongside other policy decisions. This confirms that the regulatory language is not locally generated but distributed through state-funded infrastructure.

Regional Coordinator Network Deployment Documented Joyce Redford (Director, NS/CATPP) functioned as a regional coordinator who connected Manchester with external NFG advocates. When Hansbury forwarded the NECSEMA opposition letter, Redford immediately connected her with Anthony Ishak (MGH pharmacist,

Brookline) and dismissed the industry letter as “standard.” Redford simultaneously coordinated attendance at a Peabody hearing, demonstrating management of NFG advocacy across multiple municipalities. Her program is formally part of “Smoke Free Solutions North, the MTCP Community Mobilization Network.”

Known Network Players Active in Manchester Three known NFG network players appear in the Manchester documents: Mark Gottlieb (PHAI, Northeastern Law) submitted written testimony and offered pro bono legal defense; Joyce Redford (NS/CATPP) served as the regional connector; and Anthony Ishak (MGH) was deployed to attend the hearing. Additionally, Matthew Reynolds (MGH/Harvard) distributed the NFG Coalition municipality survey to Manchester in April 2025. Kate Silbaugh (BU Law) is referenced indirectly through the NEJM article that inspired Peavey’s proposal and through Redford’s email noting that Ishak “with Kate Silbaugh pushed TFG in Brookline.”

Minimal Local Participation; Out-of-Town Advocates Dominated Hearing BOH member Peavey’s own account confirms that the October 24, 2024 public hearing was attended primarily by non-residents: “Most of the others who joined the meeting via zoom were other people in the state. The people opposed to it were mainly from special interest groups... Speaking in support of the ban were several medical doctors including a pediatrician, multiple addiction specialists... many of whom came from towns where a similar ban was passed.” Only one local resident participated beyond the retailer. The Board voted 3-1 to adopt a regulation that a subsequent Town Meeting (81-76) voted to overturn.

BOH Officials Functioned as Advocates, Not Neutral Administrators The internal email exchanges reveal that BOH members and the Health Director functioned as NFG advocates throughout the process. Hansbury solicited external support against industry opposition; Peavey originated the NFG proposal and later lobbied the Select Board Chair directly; and BOH Chair Colarusso developed adversarial talking points framing the citizens’ petition as an attack on BOH authority. The “EMAIL exchanges on NFG petition” document shows extensive internal strategizing about messaging, including Hansbury telling Peavey after the Town Meeting loss that the BOH is “justified saying that you side with the ½ that want to protect youth.”

NETWORK DATA POINTS AND FUNDING CONNECTIONS

NS/CATPP (North Shore/Cape Ann Tobacco Policy Program): Directed by Joyce Redford out of Salem; provided the template regulation used at Manchester’s hearing. Hansbury identifies this program as “funded through the Massachusetts Tobacco Control Program (MTCP) of the Department of Public Health and is part of Smoke Free Solutions North, the MTCP Community Mobilization Network.” MTCP (Massachusetts Tobacco Cessation and Prevention Program): Funds the NS/CATPP and its Community Mobilization Network. Hansbury’s description of NS/CATPP as part of this network establishes the state’s direct financial connection to the advocacy infrastructure that facilitated Manchester’s NFG adoption. PHAI (Public Health Advocacy Institute, Northeastern Law): Mark Gottlieb’s organization provided pro bono legal defense of Brookline’s NFG policy and offered the same to Manchester. This removes financial barriers to adoption by guaranteeing municipalities free legal defense against industry challenges. MGH/Harvard Medical School: Matthew Reynolds distributed the NFG Coalition municipality survey from Dr. Jonathan Winickoff’s group (April 2025); Anthony Ishak (MGH pharmacist) was deployed to attend the hearing. Academic institutions serve dual roles as credibility sources and advocacy

coordinators. FY24 Template Model Tobacco Sales Regulation: A standardized template document with NFG as an optional policy decision was found in BOH records—confirming template distribution through state-funded channels for local adoption.

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 Public Health Advocacy Institute (PHAI), directed by Mark Gottlieb at Northeastern University School of Law, reported total revenue of \$21.2 million in FY2023—a dramatic increase from approximately \$740,000 in the prior year. Gottlieb's compensation was reported as approximately \$325,000. PHAI provides pro bono legal defense to any municipality adopting NFG.

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	Hansbury contacted Redford (NS/CATPP) on October 22, 2024—two days before the October 24 hearing—to solicit a response to industry opposition and request attendance. Redford deployed Ishak the following day.
TEMPLATE USAGE	CONFIRMED	Hansbury explicitly states “The drafts used during the hearing were provided by the North Shore / Cape Ann Tobacco Policy Program.” The FY24 Template Model Tobacco Sales Regulation document was found in BOH records with NFG as a checklist option.
NETWORK ACTIVITY	CONFIRMED	Known network players Gottlieb, Redford, Ishak, and Reynolds all appear in the documents. Redford connected Ishak to Manchester; Gottlieb submitted testimony; Reynolds distributed the NFG Coalition survey.
CROSS-MUNICIPALITY COORDINATION	CONFIRMED	Redford (Salem) coordinated advocacy in Manchester while simultaneously managing the Peabody hearing. Ishak (Brookline) was deployed to attend. Peavey’s post-vote email lists 10+ municipalities that adopted NFG as persuasive evidence. Gottlieb’s blanket offer of legal defense extends across all adopting municipalities.
YOUTH RECRUITMENT	NOT FOUND	No evidence of youth testimony coordination in this FOIA return. Peavey references her children’s reactions in post-vote correspondence but no organized recruitment.
PREDETERMINED OUTCOME	SUGGESTED	Hansbury’s solicitation of external advocacy support before the hearing, the BOH’s refusal to reconsider after the Town Meeting vote, and the internal framing of the 81-76 loss as justification for maintaining the policy all suggest the outcome was predetermined. However, no “smoking gun” statement of commitment to passage before the hearing was found.
FUNDING CONNECTION	CONFIRMED	Hansbury explicitly identifies NS/CATPP as “funded through the Massachusetts

Evidence Category	Status	Summary
		Tobacco Control Program (MTCP) of the Department of Public Health" and part of the "MTCP Community Mobilization Network." This establishes the direct state funding pipeline to local NFG advocacy.

What These Documents Demonstrate

State-funded tobacco control programs (MTCP/NS/CATPP) provide ready-made template regulations with NFG as a standard policy option, lowering the barrier to local adoption. Regional tobacco control program directors function as connectors who deploy external advocates to municipalities considering NFG, creating the appearance of expert support. NFG advocacy reaches sympathetic local officials through professional publications (NEJM) and professional networks (MHOA), who then add the policy to routine regulatory updates without community demand. Public hearings are attended primarily by out-of-town advocates and industry opponents while local resident participation is minimal—yet BOH members proceed with adoption. When community opposition materializes through democratic channels (citizens’ petition, Town Meeting vote), BOH officials dismiss the result as non-binding and reframe it as justification for their position. Academic institutions (MGH/Harvard) actively survey municipalities to identify targets for further NFG advocacy outreach.

CONCLUSION

The Town of Manchester-by-the-Sea FOIA return constitutes a moderate-value document set that provides important corroborating evidence of the NFG network’s statewide operations. While the document volume is smaller than the Mansfield return, the evidence quality is high—particularly the explicit identification of MTCP funding for the NS/CATPP and the confirmation that template regulations were provided directly by this state-funded program. The most significant finding is Wendy Hansbury’s explicit statement that “The drafts used during the hearing were provided by the North Shore / Cape Ann Tobacco Policy Program,” which she identifies as “funded through the Massachusetts Tobacco Control Program (MTCP).” This establishes a direct, documented connection between state-funded tobacco control infrastructure and the specific regulatory language adopted at the local level—a connection that is often implied but rarely stated this explicitly. The Manchester case is also noteworthy for what happened after adoption: a citizens’ petition, a non-binding Town Meeting vote to overturn (81-76), and the BOH’s decision to maintain the regulation despite democratic opposition. The internal emails reveal BOH officials framing this as a validation rather than a rebuke—demonstrating the predetermined nature of the policy commitment. Manchester should serve as a case study in how the NFG network’s advocacy model operates in small communities and how the BOH regulatory structure can insulate policy adoption from community input. The Manchester FOIA return should be cross-referenced with the Mansfield return and used to support expanded investigation into the NS/CATPP’s role as a regional coordinator, the MTCP Community Mobilization Network’s function in template distribution, and the pipeline through which state-funded programs facilitate local NFG adoption across the North Shore and statewide.

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