



# The Retail Review

THE OFFICIAL NEWSLETTER OF THE  
RETAILERS ASSOCIATION OF MASSACHUSETTS

November/ December 2019 Edition

## MARK YOUR CALENDAR:

**Wednesday, March 18**

New England Loss Prevention Expo

DCU Center, Worcester

8:00 am - 4:30 pm

*2020 Holiday Calendar  
now available to  
download. Visit our website  
at [www.retailersma.org](http://www.retailersma.org)*



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## Legislative Update



### MA Legislature Passes Flavored Tobacco & Vape Ban / Hands Free Driving Bill/ Senate Bans Plastic Bags

On Wednesday, November 20th, the last day of Formal Session before the Massachusetts Legislature's winter recess, legislators passed legislation banning the sale of flavored tobacco and vape products in the Commonwealth, including mint and menthol, and adopted a long-debated bill to require drivers use only hands-free technology while driving. The MA Senate also advanced its own version of a plastic bag ban, which imposes a minimum \$0.10 charge for all recycled paper and reusable carryout bags. The tobacco and hands-free bills were sent to the Governor for his final review, while the plastic bag ban now goes to the House of Representatives for its consideration.

The tobacco bill increases penalties for sales to minors, imposes a new tax on vaping products, and restricts the sale of high content nicotine vaping products to adult only stores and smoking bars. If approved by Governor Charlie Baker, the vape ban takes immediate effect while the ban on menthol cigarettes would take effect June 1, 2020.

The proposed bag ban prohibits all plastic film-type bags from being provided by retail establishments, while allowing for certain exemptions, such as those used for prescriptions, produce, meat, fish, clothing on a hanger, etc. The bill requires a minimum \$0.10 fee be charged for all paper bags or reusable bags provided at checkout, with the retailer retaining \$0.05 of the fee, and remitting the other \$0.05 to the Department of Revenue (DOR) in the same manner as remitting the sales tax. The legislation also puts in place a process by which a small volume bag user (under 15,000 bags used per year) can exempt themselves from having to charge any fees, allowed to provide paper or reusable bags free of charge until January 1, 2024. The bill also would preempt all existing local bag ban ordinances and establish a statewide standard.

Legislators also sent a distracted driving/hands-free bill to the Governor and agreed on a \$1.5 billion education funding reform bill, but failed to reach agreement on how to spend a \$700 million surplus leftover from FY19. The much-discussed transportation reform financing debate was pushed off into 2020.



## A Letter from the President

### The New 21st Century Main Street Entrepreneurs

## The Retail Review

November/December 2019

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The retail sector has been around since the late 1600's in the Commonwealth, and certainly has evolved with the times and the customers. Perhaps lost in the dramatic changes we have seen in the last decade in the wake of the power of the smartphone and the further empowerment of the consumer, is an accurate snapshot of who is leading the efforts on our Main Streets and with our newer small businesses.

Indeed in a time of unlimited competition, high operating costs, and increased government mandates and regulation, we all tend to worry about the futures of our current small businesses; and equally important, the ability and desire of people to take the risk, make the investment, and move forward to open a new retail shop or restaurant. It's not as easy as it once was, and it takes a special, hard working person today to seek to serve our consumers with so much personally at risk.

At the recent 101st Annual Meeting of the Retailers Association of Massachusetts, we held our 21st Awards of Excellence which spotlights the hidden jewels of our industry across the state. This year we recognized six small businesses from the retail and restaurant sector. Listening to the acceptance remarks of each of these remarkable industry leaders a common theme emerged—success was being measured not only by individual achievement but more importantly their ability to positively impact their community. From providing that first job opportunity and training the next generation of workers, to partnering with local merchants and farms to secure quality and healthy products, to establishing a neighborhood destination, the focus of these leaders on partnership and the common good will ensure that our Main Street remain viable for years to come.

Many of these 21st Century retail sector entrepreneurs took the step to start their small business after years of working and learning at a chain retailer or restaurant. Knowing that they had what it takes to serve the customer in unique and special ways, they took the risk to not only lead their own small companies, but also to lead in their communities to cooperatively seek more success for all of the local shops and restaurants.

There is a lesson here for our industry, for public policy and opinion leaders, and most importantly for consumers. Small main street businesses remain the face of local retailing, and all of us must commit to supporting them with promotion, reasonable laws and regulation, and most of all with our dollars.

Congratulations to the 2019 RAMAE winners! And thank you to all of our 4000 members for your continued investment and participation with your industry voice, the Retailers Association of Massachusetts. Best wishes for a happy, healthy and successful holiday season.

Jon Hurst

President



**Changes to Massachusetts Wage and Hour Law Effective January 1, 2020**

Legislation passed in spring of 2018 included a number of changes to the Massachusetts Wage and Hour Law which will become effective on January 1, 2020. The following table provides a summary of the key changes you should be aware of heading into the new year. **Members may also visit the RAM website to find our 2020 Retail Holiday Schedule which reflects these changes.**

Issue: Current Law	Effective January 1, 2020
<b>Minimum Wage:</b> Currently \$12.00 per hour	Increases to \$12.75 per hour
<p><b>Sunday/Holiday Premium Pay Requirement</b></p> <p>Sundays – 1.4 multiplier</p> <p>New Year’s Day, Columbus Day, Veteran’s Day- 1.5 multiplier</p> <p>Memorial Day, Independence Day, Labor Day- 1.4 multiplier</p>	<p>Sundays - 1.3 multiplier</p> <p>New Year’s Day, Columbus Day, Veteran’s Day- 1.5 multiplier (until further notice) *</p> <p>Memorial Day, Independence Day, Labor Day- 1.3 multiplier</p>
<p><b>Tipped Wage:</b> Currently \$4.35 per hour.</p> <p>Tipped employee’s hourly wage (\$4.35) plus average hourly tips received <b><i>for each shift worked</i></b> must add up to the minimum wage or employer is required to pay additional compensation to make up the difference.</p>	<p>Increases to \$4.95 per hour.</p> <p>Tipped employee’s hourly wage (\$4.95) plus average hourly tips received <b><i>for each shift worked</i></b> must add up to the minimum wage or employer is required to pay additional compensation to make up the difference.</p>

**\*For the holidays of New Year’s Day, Veteran’s Day and Columbus Day, the required premium pay will remain at time and a half (1.5) until further notice.** Due to a drafting error in the legislation, provisions necessary to phase out the Retail Premium Pay requirement for these holidays were inadvertently omitted from the final law. RAM continues to work with the Legislature to secure the necessary changes.

RAM strongly urges members to contact their payroll company to ensure compliance with the law.

RAM members with questions or concerns regarding these upcoming changes may contact the RAM office at 617-523-1900.

*Awarded to those businesses that*

*have it all and do it all....*



*[prettypoppystore.com](http://prettypoppystore.com)*



Left to Right: Jon Hurst, RAM, Karen Hayes, Pretty Poppy, Betsy Montgomery, Pretty Poppy and Dave Ratner, Dave's Soda & Pet City, RAM Board Member and RAMAE emcee.

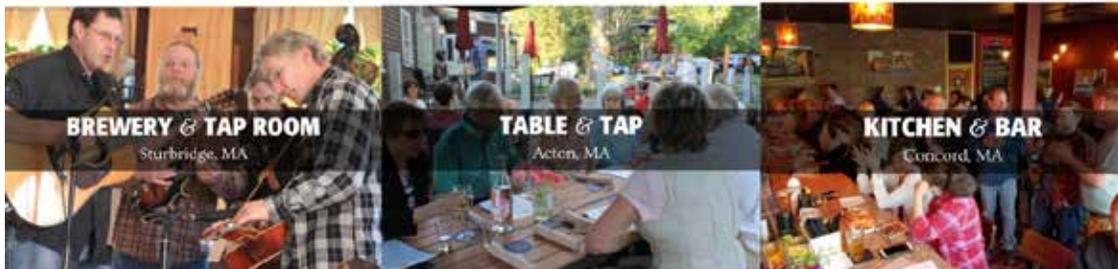
Whether you are 9 or 90 – Pretty Poppy is a women's jewelry and accessory store with something for everyone. You will find fashion forward apparel collections that are updated every few weeks. Their specialty is in-house monogramming, available on many of their items! The stores are a way to treat yourself, or a friend, to a beautiful item at incredible prices. Pretty Poppy has two Massachusetts locations, Market Square in Newburyport and Lynnfield Market Place.

*Awarded for continuously providing patrons with exceptional service, menu selection, and a pleasurable overall experience...*

# Restaurant of the year

**RAPSCALLION**

Acton, Sturbridge & Concord, MA



*drinkrapscallion.com*



Left to Right: Jon Hurst, RAM, Peter Daniel, RapsCALLION and Dave Ratner, Dave's Soda & Pet City, RAM Board Member and RAMAE emcee.

In 2013, brothers Peter and Cedric Daniel, bought their first brick and mortar business in Sturbridge to provide fans of their RapsCALLION Honey a unique and fun location to enjoy small batch beers by flight, pint or pitcher.

Their foray into the restaurant world began in 2015 when they opened RapsCALLION Table & Tap in Acton. Here artisanal comfort food meets craft beer. Plates are made to order in their scratch kitchen, featuring locally sourced ingredients, and pair the flavors of each season with RapsCALLION's own craft beers or select wines and cocktails. Diners can settle inside the historic farmhouse and enjoy a meal at the cozy bar, by one of the hearths, or al fresco on the patio.

In 2018, they opened RapsCALLION Kitchen & Bar in Concord to offer signature RapsCALLION artisanal comfort fare with an emphasis on seafood, pairing fresh seafood selections with their own Belgian beers, brewed exclusively for Kitchen & Bar.

They partner with local farms for their hops and the honey in their flagship beer. Similarly, at their restaurants they strive to serve the freshest food made with local ingredients. From fresh locally caught seafood to farm fresh produce, they take pride in supporting local farms and small purveyors and let the results speak for themselves.



*These businesses are fixtures in the communities....*

Klem's was founded in 1946 by John and Bernice Klem. It began in Hardwick Massachusetts as a tractor repair shop. In 1947 John Klem met Henry Ford and purchased a Ford Tractor dealership, moving to its current route 9 Spencer location. In 1979 the business passed down a generation to Mike Klem. He expanded the store to include Agway, and expanded again in 1989 to include a Greenhouse and Ace Hardware. Then in 1996 with the closure of The Fair department store, the business again expanded to include Housewares, Crafts, Educational Toys and Sporting Goods. In 2004, a 20,000 square foot expansion was completed. This latest expansion included updating the aquarium system, the air conditioning system for the entire building, and adding more space for merchandise and displays. In 2011, Mike Klem's daughter Jessica Bettencourt was appointed President of the business. The product mix covers everything from gourmet food to lawn mowers; with a Hallmark Gold Crown store inside. You could spend hours looking over the 100,000 items stocked. Klem's supports many community services programs and local non-profits; from bee keeping to food pantries to our local dog competition, Dockdogs, a family event with over 250 dogs competing. Klem's greets every customer with a smile, welcoming store managers and employees and a box of popcorn on your way out.



*[www.klemsonline.com](http://www.klemsonline.com)*



Left to Right: Jon Hurst, RAM, Jessica Bettencourt, Klem's, and Dave Rater, Dave's Soda & Pet City, RAM Board Member and RAMAE emcee.



## *Awarded for innovative community involvement.....*

Herrell's Ice Cream began in 1973 as Steve's Ice Cream in Somerville. Steve Herrell was responsible for revolutionizing the ice cream industry and pioneered the renaissance of the homemade, fresh, "gourmet" ice cream trade. Five years ago, Steve retired and passed the company to his business partner Judy Herrell. For almost four decades, Herrell's® has supported local and sustainable farming practices. Buying local to keep their local community vital. Herrell's has no food waste! All overstocks are sent to the local survival center or food bank, or used to feed local farm animals. Nothing is sent to the landfill. All ice cream is made right in the store so that customers have the freshest ice cream available.

In her decades working at Herrell's, Judy Herrell has made strong connections with local businesses and organizations which she utilizes to help her employees gain a footing in their desired professional careers. "I honestly understand that not everyone is going to stay in the ice cream business," she said. "I figure if I can get an employee for three years I am doing very well."

Judy has even found time to serve on a state Economic Development Planning Council which will write a report for the governor and the Statehouse on factors that are helping or hurting small and large businesses throughout the state. Transportation, state mandates, and housing are all key areas the group is investigating and the impacts they have on workers and business owners, she said. "I want to help our community as a whole," she said. "There are issues that everyone can agree on."

*herrells.com*



....unique product concept or idea



[www.melaniecasey.com](http://www.melaniecasey.com)



Left to Right: Jon Hurst, RAM, Melanie Casey, Melanie Casey and Dave Ratner, Dave's Soda & Pet City, RAM Board Member and RAMAE emcee.

“Melanie Casey’s company started from humble beginnings and grew into one of the most successful and creative jewelry businesses in our Commonwealth. She transformed her passion for handcrafted jewelry into a thriving business that personalizes their customers’ experiences into something that is truly unique. Our community is incredibly lucky to have talented people like Melanie and her team representing Andover. I am very proud of their accomplishments and glad to see that their hard work is being recognized across Massachusetts.”

—Representative Tram T. Nguyen, Esq.  
18th Essex District



*....that demonstrate outstanding achievement and creativity...*



Left to Right: Jon Hurst, RAM, Danielle Glantz, Pastaio Via Corta and Dave Ratner, Dave's Soda & Pet City, RAM Board Member and RAMAE emcee.



Left to Right: Danielle Glantz, Pastaio Via Corta and Dick Curran, Community Outreach Specialist for Senator Bruce Tarr's office,

Located literally on Main Street in Gloucester, Pastaio Via Corta represents the type of store that not only built our Main Streets in New England, but which will also keep our downtowns viable for future generations.

Danielle Glantz has a cooking history dating to her childhood in Western Massachusetts, learning from her mother and grandmothers. She had the dream early of having a business of her own from her first job at the age of 16 in a restaurant busing tables at night and working as a prep cook during the day.

Danielle started Pastaio Via Corta on Center Street in Gloucester three years ago, and more recently moving to a beautifully designed store, literally located on Main Street, filled with her own high-quality pasta, as well as other high quality and delicious Italian meats, specialty foods and wines.

Visually her store is a principle consumer draw to Main Street in Gloucester. One look through the front window and you know you will miss out on something special if you don't go in to see the delicious displays of freshly made pastas, and other hard to find, high quality products. Consumer friendly hours which includes evenings and Sundays help make not only Danielle's store an important consumer draw, but also makes all of the other Main Street and downtown stores and restaurants more of a coordinated community, and more collectively successful.

*[www.pastaioviacorta.com](http://www.pastaioviacorta.com)*



RAMAE guests were treated to "A Conversation on the State of Retail" with Christopher Baldwin, Chairman and CEO, BJ's Wholesale Club and Chairman, National Retail Federation Board (pictured on right) and Graham Luce, General Counsel and Senior Vice President, BJ's Wholesale Club (pictured on left).



### Thank you to our sponsors

Altria, Blue Cross Blue Shield Massachusetts, National Retail Federation, Association Members Insuranc, Cove Risk Service, ConnectPay, CVS Health, HUB, Atlas Financial, Retailers Processing Network, and Wegmans Food Markets

### Chris Parker Joins RAM as Membership Development Manager

Chris joined RAM in October of 2019 as Membership Development Manager. Chris oversees the development of new and existing members, while providing additional service offerings to the Association's members. He will be an advocate and ambassador for our Main Street businesses in the Commonwealth.

Chris has worked for 15 years in the digital marketing industry; namely involved with strategic planning, creation and launching successful campaigns for small to medium sized businesses, as well as Fortune 500 corporations. He has been a leader and pioneer for client retention, campaign management and President Club Member for several leading Ad Agencies throughout the country. Chris is also highly involved with Non-Profits that specifically work with Youth Sports. As the current President for the Amesbury Jets Youth Football and Cheer, he brings a unique and great understanding of creating long standing relationships.

Chris lives in Amesbury, MA with his children. He's highly involved with community leaders, schools and the families in town. He's consistently advocating and looking for creative ideas to ensure a stronger community focus within Amesbury.

### REMINDER: Paid Family and Medical Leave Contributions Due January 31, 2020

RAM members are reminded that initial contributions for the newly established MA Paid Family and Medical Leave program are due on January 31st. Collected contributions for the first quarter of the program are to be submitted through the Department of Revenue's MassTaxConnect portal. Businesses will report contributions in Box 14 (Other) for Form W-2 and Box 16 (State tax withheld) for Form 1099-MISC. The contribution line for both items should read MAPFML.

Members are urged to visit the Department of Revenue's PFML information page for ongoing updates and guidance materials. This includes a MassTaxConnect screenshot with further clarification on where to insert information on the W-2 and 1099-MISC, video tutorials on registering and reporting, and an extensive list of FAQs which are updated as information becomes available. <https://www.mass.gov/info-details/paid-family-and-medical-leave-exemption-requests-registration-contributions-and> ■

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\* For 2020 Calendar year

For Details, Get Connected With  
**Matt Venuto**

(781) 941-6107

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**ConnectPayUSA.com**

## Welcome 44 New Members

A & J King Bakery Salem	Liberty Lobster Company New Bedford
A and A Automotive and Towing Middleboro	Lilly's P's Cambridge
Acadia Seafood & Bar Taunton	Live Creative Cuisine Pembroke
Ayelada Corporation Pittsfield	Lou's Custom Exhaust North Reading
B.J.'s Auto Repair, Inc. Norwell	Mill 77 Trading Company Newburyport
Battle Grounds Coffee Company Haverhill	Nahant Fish & Lobster LLC Nahant
Boston Public Market Association Boston	New Boston Bakery Fall River
Cafe Soleil Wareham	Oak & Iron Brewing Company, Inc. Andover
Carey Auto, Inc. Plympton	Pizza Shoppe East Longmeadow
Central House, Inc. Westborough	Raffael's at South Shore Country Club Hingham
Coop Rotisserie Amesbury	Sarris Auto Services, Inc. Watertown
Crossroads Pub Braintree	Sea Salt Marblehead
Dublin Rose Seekonk	Setting the Space Plymouth
Dunkin Donuts Framingham	Sierra's Brick Oven Pizza & Pub Franklin
Dunkin Donuts Middleton	Square Cafe Hingham
Durocher Florist West Springfield	Stop N Save Fall River
Express Mart Orleans	Sunrise Mini Mart Worcester
Fuel 53 Coffee Shop Hanover	Taplin Yard, Pump and Power Equipment Agawam
Grande Mexico Haverhill	True North Ale Brewery Ipswich
Horse Thieves Tavern Dedham	Ueno Sushi Boston
Kenmore, The Boston	Untold Brewing LLC Scituate
LaVoile Boston	Weinbergs Bakery Hull



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**RAM cooperative to start offering 3% premium discount on eligible health benefit plans starting January 1.**

**Our Carriers**

RAM members have access to health benefit plans offered by our carrier partners Blue Cross Blue Shield of MA and Fallon Health. Depending on your plan design, if you are currently enrolled in a small group offering by either of these carriers you may be leaving money on the table by not renewing through the cooperative in 2020.

**How to Get Started**

To learn more about plans eligible for the discount and to request a rate quote, members may contact their existing broker or our carriers directly and ask about your RAMHIC options.

For more information regarding these offerings as well as additional ancillary benefits of joining the cooperative please visit our webpage at [www.retailersma.org/RAMHIC](http://www.retailersma.org/RAMHIC).

Members may also contact RAM General Counsel, Ryan Kearney, at 617-523-1900 or via email at [rkearney@retailersma.org](mailto:rkearney@retailersma.org).

