

The Retail Review

THE OFFICIAL NEWSLETTER OF THE
RETAILERS ASSOCIATION OF MASSACHUSETTS



April - June
2025 Edition



FY26 State Budget Negotiations Head to Conference Committee

The MA House of Representatives and the MA Senate have now each advanced their own version of the FY26 state spending plan, endorsing competing proposals with a roughly \$61.4 billion price tag. A conference committee comprised of three members from each branch must now hash out the differences between the two bills and present a compromise budget to their respective branches for final adoption.

RAM applauded the House for their rejection of Governor Maura Healey's proposed slate of tax increases. Gov. Healey had sought to remove the **sales tax exemption on candy and confectionary products**, making them subject to the 6.25% sales tax. She had also proposed **taxing synthetic nicotine products at 210%** of the wholesale cost, and proposed a "pharmacy assessment," or a **\$2 per prescription tax** on all scripts filled in the state. The House rejected all of these tax increase provisions, which were then off the table for possible consideration in the Senate.

During budget debate in the House, legislators did add an amendment of interest to employers, proposing to create the **Secure Choice Retirement Savings Program**. The Secure Choice amendment mandates that employers with more than 25 employees, and who are not offering a retirement savings program, must

establish a payroll deposit savings program to be developed by the state. The program would be administered by the State Treasurer and is modeled on programs found in eight other states. The Senate did not include this provision in its budget bill so the fate of the matter now lies in the hands of the Conference Committee.

The budget proposed by Gov. Healey in January proposed to spend 7.4% more than the FY25 budget adopted last summer, while the House and Senate budgets would raise state spending by 6% over FY25. The state is anxiously following the ongoing budget and tax discussions in Washington, D.C., where decisions made there on federal funding to the states would have significant impacts on the state budget.

The same set of conferees working on the state budget have also been assigned to negotiate a final resolution on a \$1.3 billion supplemental budget that spends surplus surtax funds. The surtax, or "Millionaire's Tax" funds, come from the Fair Share Amendment adopted by the voters in 2022 which adds an additional 4% tax on income above about \$1 million annually. Surtax spending is limited to the areas of transportation and education.

The first day of Fiscal Year 2026 is July 1.

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The Retail Review

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Partnerships Within New England and Beyond: 2025 Berkshire County (MA) Organized Retail and Financial Crimes Workshop

by Adam Berg, Criminal Intelligence Research Specialist, NESPIN

The Berkshire County District Attorney's Office recently hosted the 2025 Berkshire County Organized Retail and Financial Crimes Workshop. Over two hundred people from both the criminal justice community and private sector represented their agencies and professional organization from the New England states, as well as New York, to combat organized retail and financial crimes within the region. The workshop began with Massachusetts specific case success, a discussion of state legislation, and ended with a national overview of these crime types and the legislation proposed at the national level to continue to keep up with modern day threats.

James Hall, Organized Retail Crime and Financial Fraud Specialist for Berkshire District Attorney's Office, kicked off the event by introducing the first speaker, Berkshire District Attorney Timothy Shugrue, who stands committed to protecting the businesses and financial institutions within the region. Massachusetts is subject to over one billion dollars in loss annually due to organized retail theft.

The New England State Police Information Network (NESPIN) staff provided a brief overview of tools and resources available to criminal justice partners to combat these threats through investigative support, partnerships, and information sharing.

Kelly Kemp, the Second Assistant for the Berkshire District Attorney's Office, presented how Western Massachusetts is prosecuting current organized retail and financial crimes.

Ryan, Kearney, General Counsel of the Retailers Association of Massachusetts, briefed two legislative proposals that are pending in Massachusetts that are designed to provide additional tools for combating ORC. The first proposal would criminalize and establish penalties for tampering with, stealing, or fraudulently altering gift cards. Identical versions of this proposal have been filed in the House (H.1611, An Act relative to Gift Card Fraud) and the Senate (S.1209, An Act relative to Gift Card Tampering). The second proposal (H.1906, An Act relative to felony threshold for multiple theft offenses) would allow the felony threshold found in the state's criminal statutes for theft to be met through the aggregation of multiple violations committed within a six month period by the same individual.

Dave Johnston, National Retail Federation (NRF) Vice President for Asset Protection & Retail Operations, provided a national overview of federal legislation efforts. "NRF strongly supports the Combating Organized Retail Crime Act of 2025, which would establish a new Organized Retail and Supply Chain Crime Coordination Center. The Center would align efforts, expertise, and resources across local, state, federal and private sector partners, enabling better information-sharing and more coordinated investigations and prosecutions."

Ben Dugan, Executive Director, Central Investigations for CVS Health and President for The Coalition of Law Enforcement and Retail (CLEAR), provided a big picture threat assessment of the severity of organized retail crime groups. Examples in this threat assessment ranged from local smash and grab groups, which target high value items such as jewelry or clothing and cost between \$5,000 to \$100,000 per case, to national criminal organizations that control pricing and disrupt infrastructure. These groups are typically not violent and target over-the-counter medicine, razor blades, and health and beauty products. The case impact for these groups is between \$10 million to \$200 million per case. The annual CLEAR Conference can be a resource for agencies looking for more information on supply chain disruptions and will be held October 20-23, 2025, in Orlando, FL. <https://www.clearusa.org/>

The event concluded with **Mark Solomon, President of the International Association of Financial Crimes Investigators (IAFCI),** who addressed the challenges of financial institutions combatting modern day

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technology such as deep fake videos, and provided countermeasures to help detect the fraud. The 2025 IAFCI International Training Conference & Exhibitor Show can be a resource for agencies looking to keep pace with the modern-day threats pertaining to financial crimes. The conference will be held August 25-29, 2025, in Oklahoma City, OK. www.iafci.org.

The Berkshire County District Attorney's Office partnered with the New England State Police Information Network (NESPIN), the Middle Atlantic Great Lakes Organized Crime Law Enforcement Network (MAGLOCLEN), the New England Organized Retail Crime Alliance (NEORCA), the Coalition of Law Enforcement and Retail (CLEAR), and the International Association of Financial Crimes Investigators (IAFCI).

This event was also made possible by sponsorship from the Pittsfield Cooperative Bank, Guido's Fresh Marketplace, Samel's Deli and Catering, Ahold Delhaize (Stop and Shop/Hannaford's) and the Berkshire County Sheriffs' Charitable Foundation, Inc.



L-R: James Hall, Timothy Shugrue, Ryan Kearney, Ben Dugan



Berkshire County District Attorney Timothy Shugrue and Second Assistant District Attorney Kelly Kemp.

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Small businesses in Massachusetts are entering the danger zone

In a recent survey of 635 small businesses across the Commonwealth, businesses report they are struggling to make ends meet under a sea of rising costs.



Multiple studies have demonstrated the cost problem in Massachusetts.

H. Hopp-Bruce/Globe Staff

By Jon Hurst and Mark Melnik

Jon Hurst is president of the Retailers Association of Massachusetts. Mark Melnik is director of economic and public policy research at the UMass Donahue Institute.

Facing a mix of rising operational expenses and demographic factors, the small-business community in Massachusetts is at a critical inflection point. That is the stark takeaway from a recent survey of 635 small businesses across the Commonwealth, in which businesses report they are struggling to make ends meet under a sea of rising costs after the COVID-19 crisis. Now on top of the cost challenges small employers are already facing, the uncertainty of increased costs and product availability under tariffs make a difficult environment far worse.

Multiple studies have demonstrated the cost problem in Massachusetts. For consumer-serving small businesses such as stores and restaurants, the high cost of goods and services not only hurts sales but also increases the expenses involved in opening the doors, employing staff, and serving consumers. The result is that more and more small establishments are operating in the red.

But as the UMass Donahue Institute's Economic & Public Policy Research group recently found, the cost problem has gotten much more complicated for local businesses. In our study surveying members of the Retailers Association of Massachusetts and other small-business organizations, we found that most businesses in Massachusetts (71 percent) have seen sales increase or remain steady since the pandemic. However, 44 percent of businesses responded that their overall profitability has decreased over the same period. Operational costs have increased for 91 percent of respondents, with 76 percent confirming that their expenses are rising faster than sales.

Business owners were asked to list the most negative impacts of running a business in Massachusetts. Five of the top six responses pertained

directly to cost, including constrained consumer spending with small businesses, the cost of electricity, interchange fees, payroll taxes, and health insurance premiums (the availability of labor was the other issue in the top six). Taken together, these findings show how cost-sensitive small-business owners are and how inflation and the rising expenses of business operations, particularly around health care and energy, are affecting small businesses around the state.

Another sign of volatility in the small-business community is the fact that 51 percent of respondents suggested they were very likely or somewhat likely to sell or close their businesses within the next five years. Many noted that they were nearing retirement age, while others reported high costs as a driving factor behind the possibility of selling or closing their businesses in the near future.

So, what to make of these findings, and what can be done about them? First, small-business owners appear sensitive and motivated by costs. This speaks some to the alignment between economic development policy and some to the more kitchen-table type concerns expressed by the small-business community. Case in point: Small-businesses owners did not perceive government as being on their side. Nearly three-quarters — 73 percent — of respondents reported that “government tends to do more to disadvantage small businesses than it does to help small businesses.”

To be sure, not all the challenges are affected by public policy. Many small businesses must deal with shifting consumer habits and sales due to mobile commerce purchases and remote work. That said, it is important for state leaders to recognize that for many small businesses, whose margins may already be thin, recent increases in operational costs have put them on an unsustainable path. As a generation of small-business owners reach retirement age, the next generation of entrepreneurs needs to be set up for success if we want a vibrant small-business community.

New policies need to recognize the challenges facing small businesses. These could include ways to help lower mandated operating and payroll expenses, including soaring utility rates and rising employment costs such as unemployment insurance and health insurance premiums. Reduced taxes on consumers would also put more money in their pockets to spend in the local economy.

The state should consider the unique challenges faced by small businesses. These are the businesses that add to the economic vibrancy and character of our local communities. Finding ways to better support these entrepreneurs will be an important part of the long-term economic future of the state. ■

I'm a small business owner. Here's why times are tough.

By Jessica Bettencourt, Hector Pina, Judy Herrell and Bill Round



H. Hopp-Bruce/Globe Staff

Tariffs, online competition, and a host of other challenges are making it harder and harder to stay afloat.

Broad tariffs will bring a supply-chain crisis

Jessica Bettencourt is president and CEO of Klem's in Spencer.

I am the third-generation owner of Klem's in Spencer. I have 68 employees and sell everything from hardware and outdoor power equipment to pet supplies, apparel, housewares, and gift items. These are challenging times. Massachusetts has some of the highest costs of living in the nation, which limits consumers' disposable income and therefore their purchases on Main Street. Small businesses also face operating cost challenges, including rapidly rising health insurance premiums, credit card fees, and utility bills.

Now we are facing our biggest challenge yet: blanket tariffs on China and potentially every other country. As a 76-year-old, locally owned family business, we have always looked first for US-made products. I would love to see my store filled with only local products, but realistically that is not possible. In some categories such as toys and Christmas trim, more than 80 percent of products are manufactured in China. Enormous amounts of fishing rods, small kitchen appliances, and other types of products are made in China or use components sourced from China. These include products we use every day.

Targeted tariffs are a powerful tool that can be used to increase domestic manufacturing and protect industries. But blanket tariffs on all categories just raise costs for the end consumer. I am getting daily notices of price increases, canceled items, and items that are no longer available in the United States.

Many vendors are waiting it out, but time is growing short. We are heading toward a supply-chain crisis. Entire categories may not be available, may be limited in selection, or will be incredibly expensive for both consumers and small businesses. Small US businesses that manufacture their items in China will close, and layoffs will occur. This year began with great plans to remodel areas of our store, update our website, and add new full-time staff. Those plans have been canceled, and now I have to consider what cuts may have to be made.

Blanket tariffs are bad for small businesses and consumers, and it is vital for our economy for the president to reach deals very soon. ■

Restaurants face unique pressures

Hector Piña is owner of Merengue and Vejigantes restaurants in Boston.

The economic situation for many small businesses in the Commonwealth is unstable at best. However, in my industry, the restaurant industry, the pressures are magnified by our extremely tight margins. We are at a critical point, not only in Boston but statewide and across the nation. Political instability, economic uncertainty, and inflation are creating the perfect storm for restaurants. Every day, more restaurants are closing their doors. I fear that the industry may be on the verge of collapse.

I got my start in the restaurant business in 1994. I've worked every job there is in a restaurant, and even now, as an owner, I wear many hats. The changes I've seen are dramatic. The crossroads, I believe, came with the pandemic. We never returned to the way things were before, and now nothing seems certain. The Latino community in particular — my customers, my employees, my community — is in panic mode. It is no longer frequenting local restaurants, and many businesses are losing both customers and employees.

In my own business, sales since COVID hit are down 35 percent, while the cost of everything has doubled. It's a constant struggle to secure the necessary supplies at the best prices. I am in regular contact with other restaurateurs in the area, and everyone is feeling the strain. Now, to make matters worse, tariffs on Mexican produce and other products are driving up prices to the point where a restaurant meal may soon be out of reach for many families.

While politicians and media outlets claim things will get better, I don't share their optimism. I see a different reality — one that is bleak. My hope is to survive and keep serving our customers, whom we appreciate greatly. And perhaps most importantly, to keep our employees, who are like family to us, employed. ■

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I'm a small business owner. Here's why times are tough.

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This ice cream maker's expenses are no treat

Judy Herrell is president of Herrell's Ice Cream.

As a small-business owner in Western Massachusetts, I am deeply concerned with the current retail marketplace. My company, Herrell's Ice Cream, with locations in Northampton and Amherst, primarily manufactures products like ice cream and hot fudge sauces. Not core products in your everyday diet, but fun foods to treat yourself or splurge on when you have some extra pocket money.

Today, the prices of the ingredients we need to manufacture our products are climbing at an alarming rate. The cost of dairy, chocolate, cocoa, vanilla, flavorings, fruits, juices, candies, non-dairy products, and more all skyrocketed during the pandemic. Now costs are climbing even higher. This is in addition to increases in rent, energy, payroll, and unemployment insurance taxes — thanks to added COVID-19 recovery assessments placed on all employers. Making ends meet has become extremely difficult for many businesses, including mine.

On top of that, local cities and towns lack understanding about what businesses need to stay afloat and to keep their customers coming back. For example, in Northampton, parking on the street is planned to be reduced by about 50 percent because of added bike paths, even though every survey shows that parking on Main Street is the most important thing to shoppers. Walking from a parking garage is not desirable to some customers. They want to park near their destination. Because of these plans, many businesses will fail.

Businesses' struggles will continue until inflation can be reduced and business costs can be distributed more evenly. Until then, the public policy response should not be to simply burden small-business owners with additional costs and fees. ■

Hard truths for one hardware store

Bill Round is a former co-owner of Round's Hardware in Stoneham.

After 65 years of operation, my family's hardware store on Main Street in Stoneham shut down in March. Round's Hardware is liquidated, and the building is sold. My brother and I have retired.

Once we listed our building for sale, many customers asked who would be taking over our business. Traditionally, an established business would be sold to another store owner — in our case, an owner of another hardware store — or to an employee, or a family member. A money-making business with proven performance should have been valuable.

No one came forward with an offer. The business was not seen as profitable enough to justify the effort needed to continue operation. High operating costs and constant regulatory challenges were factors, but some of our challenges are not often recognized.

First, our market had changed. Stoneham was once a blue-collar town where home buyers invested lots of "sweat equity" updating aging homes. Tradespeople applied their skills in their own home repairs. Today's home buyers might pay \$750,000 or more in our market. Often professionally employed, these dual-income couples often have little experience in basic home repair.

Secondly, our biggest competition was no longer big box stores. It was the internet. Thousands of online options are instantly accessible on any cellphone or laptop. Delivery to a customer's front door is often timed in hours. Convenience is king.

Meanwhile overhead expenses, regulatory compliance, mandated benefits and wages, workers' compensation, unemployment insurance taxes, and local, state, and federal taxes press profit margins to unattractive levels. The long hours needed to ensure any chance of success make it easy to conclude that there are easier ways to make a living.

Until small businesses become less exhausting and more profitable to run, condo conversions will be the likely end for many local small businesses. ■



Visit RAM's website to read the full report of the UMass Donahue Institute's survey.

{ retailersma.org }



Health Insurance Offerings

The RAM Health Insurance Cooperative is the Association's health insurance solution for our small business members (under 50 FTE). The Cooperative provides access to the entire portfolio of high quality, small group health insurance plans offered by Blue Cross Blue Shield of MA (BCBSMA), as well as a comprehensive package of free ancillary benefits typically offered by larger businesses. Not only does this add value, but also allows members to compete for, and retain, employees in today's tight labor market.

The list of ancillary employee benefits provided by RAM free of charge, include:

- **A 1% year end employer wellness reward**, administered by RAM and paid directly to employer.
- **Life Insurance** (\$10,000 per subscriber), **Hospital Benefits** (\$750 1st night, \$150 each night thereafter up to 10 days total) and **Accident Coverage** (off the job) for accident, hospital, follow up, surgery and wellness, all provided by USABLE Life
- **Employee Assistance Program** provided by Lucet for mental health and substance abuse counseling for subscribers and their dependents.
- **Blue 20/20 Vision Benefit** (\$130 12/12/24 Frequency) available to subscribers and their dependents.
- **Waived Fees for Health Care Spending Accounts** through Health Equity (available at renewal). *

Don't miss out on your opportunity to participate and save. No change of coverage, no change of broker. It's a simple, cost effective, comprehensive health solution for our small business retail members and more importantly their employees. Plan participation and benefits will remain the same for 2025.

*Eligibility rules adopted by vendor prohibit participation by cannabis retailers

Creating Brighter Retirement Outcomes

RAM invites you to explore the benefits of the Alliance of State Retail Associations (ASRA) Multiple Employer 401k (MEP) program. Helping your employees enjoy a financially secure retirement is our ultimate goal.

To that end, we are now partnering with Transamerica Retirement Services. Transamerica is an industry leader in retirement plan marketplace and an expert in Multiple Employer 401k Retirement Plans. Their dedicated New England based executive team will be an integral part of our program offering so you have the best, most comprehensive industry expertise available to you as you consider this valuable RAM member benefit. They will provide tools, resources, and professional support designed to create brighter retirement outcomes.

In addition to Transamerica, you also have professional fiduciary investment management provided by Atlas Fiduciary Services, Inc., and outsourced fiduciary plan administration through Atlas Pension Administrators Inc. All of this and you can work with an advisor of your choice.

Adopting members will experience:

- Fewer plan administration duties
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- Streamlined costs.
- Flexible plan design
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Now has never been a better time to set up a new 401k plan for your business! The federal government has tremendous tax credits for newly established plan, virtually making the prospects of offering a plan free.

If you already have a plan, a quick evaluation can help determine what your saving might be under our MEP 401k plan with our complementary benchmark analysis.

Scan



for more information.



Or contact Joe Barnes, RAM Business Development Director,
at jbarnes@retailersma.org or 978.478.7430

RAM Urges Legislature to Clarify Law on Credit Card Surcharging

In testimony submitted earlier this month to the Joint Committee on Consumer Protection & Professional Licensure, RAM urged the Committee to take favorable action on H.447, An Act regarding credit card surcharging, which would repeal the current law banning merchants from imposing a surcharge on sales transactions paid by credit card. Massachusetts is now one of only two states in the country to specifically prohibit credit card surcharging by merchants, after recent court decisions and state legislative actions across the country have removed the legal barriers to the practice elsewhere.

Every time a credit card is swiped, there are processing fees, also known as interchange or swipe fees, that are charged to the merchant to complete the transaction, typically 2-4%. Swipe fees for credit cards and debit cards combined totaled \$187.2 billion in 2024, up from \$172 billion in 2023, according to the Nilson Report trade publication. That was up 70% since the pandemic. Monthly credit card fees are now most merchants' highest operating cost after labor.

A "surcharge" is the act of passing that added fee on credit card transactions on to the customer, to cover some, or all of the payment processing fee. The surcharge must be disclosed to the customer prior to purchase, and consumer notification would be required. In 48 states, surcharging is now allowed, as MA and CT are the two states left that prevent merchants from asking consumers to share in the cost of covering credit card fees.

Current MA law does allow for a seller to offer a discount to incent the use of cash, frequently seen at gas stations, but strictly prohibits surcharging. The issue that makes cash discounting difficult in a retail or restaurant setting is disclosure. MA laws require disclosure of both prices, cash and credit, which would be nearly impossible with our item and unit pricing laws.

The most notable example of surcharging as the norm now is the state itself – the Commonwealth of Massachusetts, which regularly surcharges residents that pay for services online, adding a service or processing fee. Clearly the Commonwealth recognizes that there is a cost to processing payments, and the Commonwealth takes full advantage of the ability to pass that cost onto it's "customers." Allowance of surcharging is the norm nationwide, giving small businesses the ability to pass along some of their processing costs to customers who choose to pay by credit. Repealing its prohibition would be a valuable tool to help our struggling small retailers and restaurants. ■

Governor Healey is cutting red tape and updating 25% of business regulations to save time, lower costs, and support growth.



Jon B. Hurst, President & CEO of RAM applauds the effort: "For once, it's not just talk—this administration is delivering real reforms small businesses have needed for decades."

Read the full press release: <https://www.mass.gov/news/governor-healey-cuts-state-regulations-to-save-businesses-time-and-money>



Maintain Access to Your Membership Benefits

2025 RAM dues invoices were emailed again in the beginning of June. The message came from ram@memberclicks-mail.net. Members who want to pay by credit card will be able to pay that invoice directly through our secure payment portal by clicking the link at the bottom of that email, "[Click here to view this invoice.](#)" A copy of your invoice was also be attached to that email if you prefer to mail a check to our Boston office. Hard copies were mailed in May to those who have not provided us an email address.

If you have any questions about your RAM membership or did not receive these emails, please contact RAM's Vice President, Membership Andi Shea, at ashea@retailersma.org.

Welcome 68 New Members

ACC Apothecary Newton	Cool Air Company, Inc. Tewksbury	Main Street Wine Imports Everett	Safehands Distribution NE Indian Orchard
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Atlantic Sea Grill Acton	Gennaro's Cutlet Counter Salem	Miller's Tavern Methuen	Smyth Cannabis Co. Framingham
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of Massachusetts**



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MARK YOUR CALENDAR

Wednesday, November 19

Annual Meeting

8:30 am - 11:30 am

RAMAE Luncheon

12:00 pm - 2:00 pm

Bentley University, Waltham

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Take advantage of your RAM benefits. Contact Membership Services at info@retailersma.org or **617-523-1900** or Joe Barnes, Director of Business Development at jbarnes@retailersma.org. No minimum group size. No employer contribution required.

* See Altus Dental Benefit Summary for full details. Monthly premium rates in effect through 8/31/25



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Submit your Nominations Today!

The Retailers Association of Massachusetts Awards of Excellence (RAMAes) honor small and large retailers, rookies and veterans, identifying hidden gems from all corners of the Commonwealth.

You could be one of this year's recipients. Submit a nomination for your business. Tell us what makes your business unique. Do you have an amazing team that should be recognized? Maybe your business has been a part of your community for generations.

As an expert, **you can also help us identify additional businesses** who deserve to be recognized for their resilience, innovation, customer service or going above and beyond to make the retail and dining experience memorable.

There is no limit to the number of businesses you can nominate. So nominate your business and all those you love as well. There are so many incredible retail stores and restaurants in MA who could be deserving of this recognition. Help us find our 2025 winners.



Visit the RAM website at retailersma.org/RAMAES to submit your nominations.

