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35th Annual Funds for Education Golf Tournament

**Wednesday, August 2
8 a.m. • Beaver Meadow
Golf Course, Concord
Team foursome \$600 /
Single player \$150**

Join us on the course for a day of networking, food, fun and contests to support the Business Grants for Teachers initiative and Capital Area Student Leadership (CASL) program. Golf tournament registration includes cart, breakfast, lunch, two drink tickets and several contests! Reserve your spot today, as this tournament sells out every year. You can register a foursome, or sign up individual players and we will place you on a great team.

Golf tournament supports local students

Early in the morning on Wednesday, August 2, golfers will line up in carts at Beaver Meadow Golf Course, waiting for the scramble start of the 35th

Annual Funds for Education Golf Tournament. Hosted by the Greater Concord Chamber of Commerce and presented by NBT Bank, N.A., this tournament draws professionals from across the Capital Region. Although players love the City of Concord's beautiful course, delicious food throughout the day, and exciting games and contests that make this tournament memorable, the real reason this event draws so many sponsors, players and volunteers is because of the cause that it supports. Each year, the Greater Concord Chamber of Commerce presents two programs that offer real-world experiences for local students; these initiatives are made possible by the Annual Funds for Education Golf Tournament.

The Chamber's Business Grants for Teachers initiative funds projects that give students workforce experience and opportunities to learn practical life skills. These programs are designed by local teachers who best know their students' interests and needs. The Chamber has awarded over \$165,000 to local teachers through this initiative. In 2022, these grants funded three unique projects: Karen McCormack, a teacher at Broken Ground School, created a STEAM-based Maker Station in the art room. This area encouraged students to explore engineering, science, technology, art, and math-related projects in a self-directed learning environment. Jessamyn Rockwell at Concord High School established a career development and opportunities board. This area features resume templates, scripts for contacting businesses to inquire about employment, job application tips and tricks, information on training opportunities and



college courses that can fit into a high school schedule, and a job board with local opportunities. Second Start's Transitional Employment and

Training (TET) Program received funds to continue efforts that connect at-risk students with paid employment opportunities that allow participants to explore different career paths, develop skills, and gain valuable workforce experience. "It's important to support our teachers to expand outside their normal teaching practices in the classroom," said Sean Skabo of Bangor Savings Bank. As Chair of the Chamber's Business and Education Committee, Skabo helps determine which grant applications will receive funding from the Chamber. This committee prioritizes applications that support practical skill-building and connect students to business leaders in the community, where they can learn about different industries and career opportunities. "Thanks to all the participants in the golf tournament that make this happen," said Skabo.

Capital Area Student Leadership (CASL) is another educational program offered by the Chamber. Generously underwritten by Northeast Delta Dental (*Continued on page 3*)



The Funds for Education Golf Tournament committee at the 2022 event



Carts line up for the scramble start of the Funds for Education Golf Tournament

Welcome new members

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Cohen Steel Supply, Inc.

Continued on page 3

Connect with your Chamber community

Scan the QR code to visit our events calendar.



Business After Hours at Granite Ledges

Tuesday, July 11 from 5:30-7 p.m.

151 Langley Parkway, Concord

\$7 members in advance / \$10 members at the door

Join the Greater Concord Chamber of Commerce and Granite Ledges of Concord for a lively networking event! See how this active senior living community focuses on socialization and promoting independence. Enjoy a drink at the bar, delicious hors d'oeuvres and meet fellow business leaders who are eager to introduce themselves to you and learn about your business. Learn more and register at my.concordnhchamber.com/event-calendar.



Delicious spread of appetizers at Granite Ledges of Concord 2019 Business After Hours event

Want to host a Business After Hours?

Do you love our monthly networking events? Now's your chance to invite our Chamber membership to visit your business location, meet your team, and learn about your unique services! There are still some available spots for both 2024 and 2025. Contact Gabe at (603) 224-2508 or membership@concordnhchamber.com to see if this opportunity is a good fit for you. Networking event hosts provide refreshments, contribute to marketing efforts, and enjoy outstanding exposure.

You're invited to join Chamber Connections

People want to do business with people they know. Join Chamber Connections, our BNI-style networking group to strengthen your connection to the Greater Concord community, grow your client base, and learn from other motivated professionals. The program offers a close-knit experience with peers that will hone your networking skills.

Chamber Connections is hosted twice a year; each Spring and Fall session meets bi-weekly for 12 sessions. The program includes two presentation opportunities for each individual participant, networking activities, and guest speakers from local organizations. Each non-compete group of participants is carefully selected to reflect a diverse range of industries. We'd love you to apply for our Fall 2023 and Spring 2024 programs! Reach out to Gabe at (603) 224-2508 or email membership@concordnhchamber.com to learn more.

Spring 2023 Guest Speakers: Alexandria Panagiotakos, CATCH Neighborhood Housing; Shannon Stephens, New Hampshire Motor Speedway; Kristen Welch, NAMI New Hampshire; Andrew Pinard, Hatbox Theatre; David Henderson, National Safety Council of Northern New England; Terri Tedeschi, Vocational Rehabilitation New Hampshire/Concord Region; Jayme Simões, Louis Karno & Company Communications, LLC; Salvatore Prizio, Capitol Center for the Arts; Kathy Taylor, NHTI-Concord's Community College; Josh Hardy, ConcordTV, Your Community Media Center; Matt Walsh, City of Concord; Jessica Martin, Intown Concord.



Members of the Spring 2023 Chamber Connections Class

Concord Young Professionals Network (CYPN)

Save the date for an event with CYPN on Wednesday, July 19 from 5:30-7 p.m. Details will be announced soon; visit our events calendar at my.concordnhchamber.com/event-calendar to learn more.

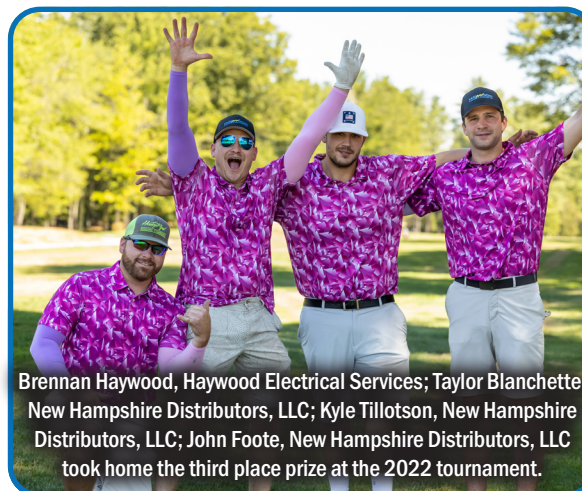


Golf tournament supports local students

(Continued from page 1) and supported by the golf tournament, CASL is a highly-immersive program for high school sophomores to meet local professionals and civic leaders, develop leadership skills, and travel outside of the classroom to explore key businesses and government buildings. “[CASL] brings together students from different schools and backgrounds to learn how to work together towards a positive future,” said 2023 CASL Chair Beth Mulleavey of Bangor Savings Bank. This unique leadership program has inspired over 760 graduates to investigate job opportunities and career paths with local industry leaders. When asked why students should participate in CASL, one 2023 graduate responded, “To be exposed to unique perspectives, learn about what leadership truly is, and immerse themselves in their community and learn about other people’s advice, experiences.” When asked what they learned in the 2023 program, one student wrote, “I learned that public speaking isn’t so scary, and I was able to use that skill in a conference this past week.” Another student replied, “I learned that Concord is full of passionate leaders who are dedicated to making the city of Concord the best it can be. This inspired me to try and make that kind of impact in my own community.”

Both CASL and Business Grants for Teachers would not be possible without eager golfers ready to tee off for a cause at the Chamber’s annual tournament. Players take their time enjoying the day on the course—stopping for snacks, drinks from New Hampshire Distributors, LLC, and hot dogs grilled by the Duprey Hospitality, LLC team. There are many complimentary contests along the course, including longest drive, straightest drive, a putting green contest, and several exciting Hole In One contests with high-value prizes. Teams can also participate in the Vegas Hole or Air Cannon contest for an additional donation, or contribute further with raffle tickets and a VIP Golfer Kit that includes extra opportunities to get ahead of the competition.

The tournament culminates in a lively summer luncheon, with awards presented by DJ Nazy. The lunch is a great opportunity to network with fellow players and thank the generous sponsors that make the Chamber’s educational programming possible. This year’s major sponsors include NBT Bank, N.A.; Mason + Rich, Professional Association; Merrimack County Savings Bank; Servpro of Concord; The Rowley Agency, Inc.; Orr & Reno, PA; Ledyard National Bank; Unitil; Northeast Delta Dental; The H.L. Turner Group Inc.; CheckmateHCM; New Hampshire Distributors, LLC.; Duprey Hospitality, LLC; and Ridgelight Studio. To see a list of additional supporters and learn more about the Funds for Education Golf Tournament and the Chamber’s educational programming, visit my.concordnhchamber.com/event-calendar.



Brennan Haywood, Haywood Electrical Services; Taylor Blanchette, New Hampshire Distributors, LLC; Kyle Tillotson, New Hampshire Distributors, LLC; John Foote, New Hampshire Distributors, LLC took home the third place prize at the 2022 tournament.



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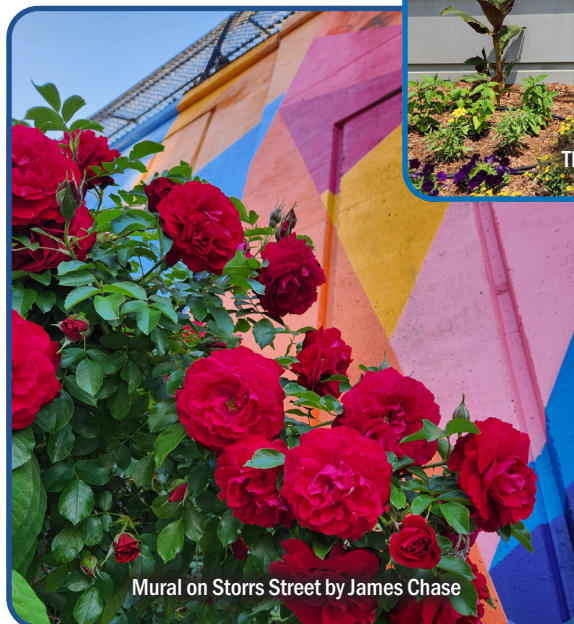
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The Margate Resort
The Mount Washington Cog Railway
The Red Blazer Restaurant
The Water Project
U.S. Small Business Administration
Virtual Learning Academy Charter School (VLACS)
Warren’s Office Supplies
Waters Funeral Home
Waterville Valley Resort/Conference Center
WIN Waste Innovations
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New sculptures in the City of Concord

The Chamber's Creative Concord committee is working to beautify our city and connect our community through the arts. We're continuing our annual partnership with the City of Concord to present an outdoor sculpture exhibit. Two new art pieces have been added to this exhibit, and some local favorites remain on display as well. All works in this show have been created by professional New England artists, and are designed to withstand all kinds of weather, making this arts initiative a year-round experience that is free for all to enjoy. Keep your eye out for a dazzling dragonfly sculpture on North Main Street by Joseph De Robertis, and a new sculpture titled "The Seventh Tree" by Bruce Hathaway, on display outside our Visitor Center at 49 South Main Street. Watch video interviews of the artists, view a Google Map with the sculpture locations and more at visitconcord-nh.com/art-on-main.



The Seventh Tree by Bruce Hathaway



Mural on Storrs Street by James Chase

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To create and promote inclusive environments for the queer, BIPOC, and underserved communities with a focus on utilizing art for personal and community growth.



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Explore our tourism blog visitconcord-nh.com

Read recent blog articles from two member companies — 603 Birch Realty and Beeline. And visit our accompanying social media pages to discover recommendations for local food, shopping, events and activities in the Capital Region. Contact Emily at emash@concordnhchamber.com to submit your own blog to this site.

Submit your events to our online community calendar

Did you know that you can submit events to our online calendar at no cost? This is a great way to spread the word about goings on in the community. Whether it's a fundraiser, professional event, or family-friendly activity, all are welcome to submit to the online calendar. Visit my.concordnhchamber.com/events to get started. You can either login using your member credentials, or use our generic non-member login info to enter the Info Hub and add an event. After submitting, wait a few business days for approval, and your event will appear online.

Visitor Center Art Gallery

In July, our art gallery at 49 South Main Street will display beautiful floral paintings by Marianne Stillwagon. This exhibit is inspired by the beautiful summer flowers of New England. Stillwagon's interpretation of our region's natural scenery is captured through contrasting delicate flowers and shadowy backgrounds. The dark background allows the eye to fully focus on the flowers themselves and how they seem to float across the canvas or bloom directly before your eyes. This exhibit is coordinating by New Hampshire Art Association. While visiting the gallery, you can also view works by New Hampshire Furniture Masters.



BUSINESS FOCUS: The Corporate Transparency Act

A BRIEF OVERVIEW OF ENTITY REPORTING REQUIREMENTS

By Alexandra, N. Brewer, Cleveland, Waters and Bass, P.A.

On January 1, 2022, Congress enacted the Corporate Transparency Act (“CTA”) as part of the National Defense Authorization Act. The CTA will require “reporting companies” to file a report with the Department of Treasury’s Financial Crimes Enforcement Network (FinCEN) containing identifying information about beneficial owners of entities that operate in the United States.

Background: Historically, the U.S. Government’s inability to mandate the collection of beneficial ownership information has created opportunities for criminals, terrorists, and other bad actors to remain anonymous while facilitating fraud, tax evasion, and other illicit activity. Recent geopolitical events have reinforced the threat that abuse of corporate entities presents to U.S. national security and international financial systems.

The CTA is a mechanism intended to impede the ability of individuals using legal entities to conceal proceeds from the aforementioned criminal acts, by identifying links between potential bad actors and opaque business entities. Congress believes the legislation is necessary to protect vital U.S. national security interests, better enable law enforcement efforts, and bring the U.S. into compliance with the U.S. framework to combat money laundering and terrorism.

Who must comply? Most corporations, LLCs, or entities created by filing with a Secretary of State are required to comply with the CTA. Any entity formed under the laws of a foreign country and registered to do business in any state is also subject to the reporting requirements. The CTA provides several exemptions from the reporting requirements. Most exemptions are for entities already subject to substantial federal or state regulation under which their beneficial ownership may already be known. For example, the CTA does not require certain financial institutions or issuers of securities in heavily regulated industries (i.e., banks, public accounting firms, etc.) or large

operating companies to report.

What information will entities have to provide? The CTA requires the reporting of beneficial owners and, for entities registered after January 1, 2024, each applicant. A “beneficial owner” is an individual who, directly or indirectly exercises substantial control over the entity, or owns or controls not less than 25% of the ownership interests. An “applicant” is the individual(s) who files an application to form a domestic entity or registers a foreign entity to do business. The regulations set forth a range of activities that constitute “substantial control,” including serving as a senior officer or having influence over important decisions.

Each beneficial owner or applicant must provide identifying information including their full name, date of birth, address, a unique identifying number (i.e., SSN), and an image of the document from which the unique identifying number was obtained. Collected information will be stored in a private database maintained by FinCEN, with access limited to federal agencies, state agencies with a court order, and financial institutions with the consent of the entity.

When must entities comply and what’s next? Reporting Companies formed before January 1, 2024, are required to register by January 1, 2025, and those formed after January 1, 2024, are required to register within 30 days of formation. Intentionally inaccurate reporting may result in monetary penalties of up to \$250,000 and imprisonment. However, where inaccuracies are due to reasonable cause or good faith mistake, the Secretary of the Treasury may waive the penalty.

FinCEN’s next steps are to engage in additional rulemaking and, no later than January 1, 2025, FinCEN will issue revisions to the Customer Due Diligence Rule to conform with CTA final rulemaking and provide for financial institutions’ access to reporting information.



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Alexandra N. Brewer is an associate at Cleveland, Waters and Bass, P.A. Alexandra advises clients on a variety of legal matters, including business law, real estate, and land use matters.

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BUSINESS FOCUS: The role of an outside investigator

By Kathleen Davidson, Pastori | Krans, PLLC

One of the smartest things a business can do when faced with an employee complaint is to conduct a prompt impartial investigation of the matter, often by hiring an outside employment lawyer, like myself, to serve as an investigator. An investigation lets a complaining employee feel heard and it shows all involved employees that the business takes the allegation seriously.

What will a skilled investigator do?

When I am hired, I first want to know what was alleged and how it was alleged. Next, I will review the relevant business policies and procedures at issue. I will also want to review the personnel files of both the complaining employee and the employee alleged to have committed a policy violation.

Then, I will identify what witnesses I should speak with and in what order. Once I have identified the witnesses and key documents, I begin interviews. I start every interview with the same disclaimers:

- Just because I am there does not mean that anyone did anything wrong. It means they have an employer that takes employee complaints seriously, and that my job is to figure out what, if anything, occurred.
- I tell the witness that they are free to take breaks whenever.

• I welcome them to contact me after the interview if they think of something else that they wish they had mentioned.

• I invite the witness to keep the specific questions that I ask them confidential, but I'm careful not to prohibit them from talking about the matter, as such an instruction could violate the National Labor Relations act.

• I inform witnesses that I will try to keep information as confidential as possible, but I cannot guarantee confidentiality since if they tell me something key to the matter, and they are the only witness with that piece of information, I may need to name them in my report. If however, five employees report the same things, my report can just state that "five employees told me" and I do not have to list who they are.

My goal at the end of the investigation is to be able to say, by a preponderance of the evidence (51%), whether it is more likely than not that a policy violation occurred or if it is more likely than not that it did not occur. My report will list the allegations, the employees interviewed, a general summary of the facts that I concluded and my overall conclusion.

Sometimes employers will also request that I provide recommendations on what I think should occur post-investigation, particularly if I found a policy was violated. A business should only welcome recommendations if they intend to follow through with them, otherwise, it can open them up to future liability if the same employee reoffends.

A prompt and thorough employment investigation is not just the morally right thing to do to protect your employees, it provides the employer a possible defense to future claims of similar conduct by the same employee. It's one thing for a business to say they didn't fire their employee because they did not believe the allegations against them. It's another thing for a business to be able to say that they did not fire an employee



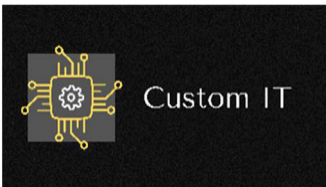
because they hired an impartial outside investigator who found that it was more likely than not that a policy was not violated and that discipline was therefore not warranted. Impartial outside investigations are wise investments for the savvy employer.

Kathleen Davidson is an employment lawyer at Pastori|Krans, PLLC. She conducts employment investigations and advises both businesses and individuals on employment law. She also practices family law and business litigation. She attended St. Anselm College and the University of Maine School of Law. Kathleen was the Manchester Bar Association President from May 2020 through May 2023 and is the past Chair of the Board of Amoskeag Health. She has been awarded Best Lawyers® since 2020 and Super Lawyers® since 2018. She also serves on the Committee for Cooperation with the Courts and is a member of the New Hampshire Association for Justice.

The attorneys at Pastori | Krans, PLLC are innovative problem solvers who approach each dispute from a common sense, results-oriented objective. The firm concentrates in the areas of employment law, family law, mediation, and civil litigation (including employment law, business disputes, and personal injury).

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BUSINESS FOCUS: Forum selection clauses

MORE THAN JUST A BOILERPLATE TERM

By Steven J. Dutton, McLane Middleton

Many businesses spend significant time and energy negotiating the substantive provisions of a contract. Fewer businesses put careful thought into the remaining terms of the contract, often viewing them as “boilerplate” and, in some instances, carrying over terms such as merger clauses, choice of law and severability from other contracts. Contract terms, however, should not be viewed as boilerplate, and many of these provisions have the potential for significant consequences, particularly if a dispute arises and litigation over the contract follows. A forum selection clause may be of particular importance in litigation and, in some cases, potentially outcome determinative.

A forum selection clause is a provision in an agreement that controls where a lawsuit is brought in the event there is a dispute between the parties to the contract. The chosen forum can be a specific country, state, or even a particular court. A forum selection clause can be mandatory or permissive. A mandatory forum selection clause expressly requires suit be filed in a designated forum. A permissive clause permits jurisdiction in a particular forum, but does not prohibit litigation elsewhere. An example of a mandatory forum selection clause is as follows:

“Any and all disputes arising from this agreement shall be decided solely and exclusively by state or federal courts located in New York City, New York.”

Courts across the country, including in New Hampshire, generally enforce mandatory forum selection clauses, except under limited circumstances. In fact, New Hampshire, by statute (RSA 508-A, the Uniform Model Choice of Forum Act), has sanctioned the enforcement of forum selection clauses. Under RSA 508-A:3, “[i]f the parties have agreed in writing that an action on a controversy shall be brought only

in another state, and it is brought in a court of this state, the court will dismiss or stay the action, as appropriate,” unless certain enumerated exceptions apply. The purpose of RSA 508-A:3 is to enforce forum selection clauses that are bargained for by contracting parties, provided that such clauses confer exclusive jurisdiction. That is, to be enforceable, a mandatory forum selection clause must identify and make exclusive whatever jurisdiction is selected to resolve disputes.

Businesses that do business outside their own backyards frequently rely on carefully drafted forum selection clauses to limit their risk. A well drafted forum selection clause can reduce litigation expenses by allowing businesses to litigate cases in convenient forums with preferred counsel. It may also avoid the threat of hostile foreign laws, judges, or juries. A poorly drafted forum selection clause can result in additional costs litigating a dispute over the enforceability of such a provision, or, worse, being forced to defend a lawsuit in another state or country.

Because forum selection clauses are ancillary to the substance of the parties’ agreement, many businesses overlook these provisions when negotiating contracts. A forum selection clause, however, can have a substantial impact on a party’s ability to either bring or defend against litigation arising out of the contract, even potentially forcing a business to litigate in faraway forums, inconvenient to potential company witnesses and where a business may not have a relationship with counsel. Consequently, parties should ensure that forum selection clauses in the contracts they negotiate actually identify forums that are relevant and convenient to the parties’ dealings, and appropriate for the resolution of potential disputes. Similarly, the existence and enforceability of a forum selection clause in an agreement should



Steven J. Dutton

be carefully considered by parties when determining whether to commence legal action out of a contract dispute. Careful attention to and drafting of these clauses can eliminate uncertainty about the location of future litigation.

Steve is a director in the Litigation Department and a member of the firm's Business Litigation and Bankruptcy, Restructuring and Creditor's Rights Practice Groups. Steve concentrates his practice on all forms of business disputes, including contract claims, real estate issues, commercial evictions, tax matters, and creditor/debtor matters.

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Meeting Calendar

July

Business After Hours

Jul 11 (Tue) 5:30 pm
Granite Ledges of Concord

Executive Committee

Jul 19 (Wed) 8 am Zoom

Concord Young Professionals Network (CYPN) Networking

Jul 19 (Wed) 5:30 p.m.
TBD

CYPN Steering Committee

Jul 26 (Wed) 9 am

August

Funds for Education Golf Tournament

Aug 2 (Wed) 8 am
Beaver Meadow Golf Course

Business After Hours

Aug 8 (Tue) 5:30 pm
North Branch Construction

Executive Committee

Aug 9 (Wed) 8 am Zoom

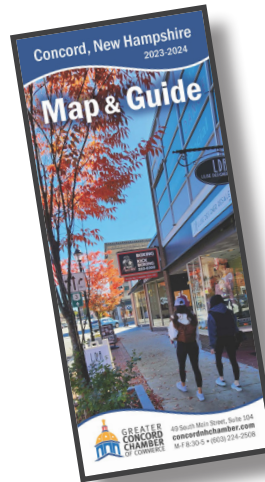
Concord Young Professionals Network (CYPN) Networking

Aug 16 (Wed) 5:30 p.m.
TBD

CYPN Steering Committee

Aug 23 (Wed) 9 am

Scan the QR code to register for events.



Map & Guide

Our new Map & Guide publication is printed! Stop by our Visitor Center at 49 South Main Street, Concord to pick up a copy. The fold-out map features the City of Concord, with a special close-up map of the downtown area. View the map online at concordnhchamber.com/map-and-guide.

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