

RESOLUTION NO. 2026-15

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
PLUMSTEAD TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA,
PROHIBITING THE EXECUTION OF NON-DISCLOSURE
AGREEMENTS IN TOWNSHIP BUSINESS**

WHEREAS, the Board of Supervisors of Plumstead Township is committed to transparency, accountability, and open communication with its residents; and

WHEREAS, recent events related to proposed data-center developments have raised significant public concern about the use of Non-Disclosure Agreements in municipal governance and their potential to limit public access to information, particularly in the land use context; and

WHEREAS, the Pennsylvania Right-to-Know Law, 65 P.S. § 67.101 et seq., establishes a presumption that public records are accessible to the public, and municipal agencies may not contractually restrict access to records that are otherwise subject to disclosure under state law; and

WHEREAS, the Board of Supervisors recognizes that non-disclosure agreements purporting to limit access to public records or restrict the speech of elected officials, Township staff, or consultants may conflict with statutory obligations under the Right-to-Know Law and raise constitutional concerns under the First Amendment; and

WHEREAS, the Board of Supervisors finds that entering into non-disclosure agreements in the course of municipal business undermines public trust, impedes informed civic participation, and creates confusion regarding the Township's legal obligations to disclose public information; and

WHEREAS, the Board of Supervisors wishes to formally establish a policy ensuring that Township officials, employees, and agents do not enter into non-disclosure agreements that restrict access to public records or limit the ability of elected officials to communicate with the public in the course of performing their duties.

NOW, THEREFORE, BE IT RESOLVED that the Plumstead Township Board of Supervisors hereby adopts the following policy:

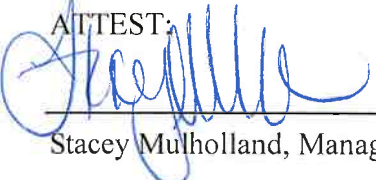
1. It is the policy of the Plumstead Township Board of Supervisors that it shall not enter into, sign, or voluntarily agree to be bound by any non-disclosure agreement that restricts access to public records, limits disclosure of information that would otherwise be available under the Pennsylvania Right-to-Know Law, or imposes speech restrictions on elected officials, Township employees, or Township consultants in the performance of their public duties.
2. No Township official, employee, or agent is authorized to agree to any confidentiality provision that conflicts with the Township's statutory obligations under the Right-to-Know

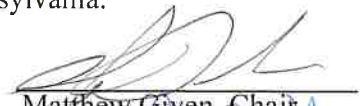
Law or infringes upon constitutional protections related to public speech and governmental transparency.

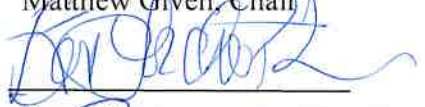
3. Any request by a private party, developer, vendor, or other entity for the Township to enter into a non-disclosure agreement shall be declined, and the Township shall instead rely on existing statutory protections for legitimately confidential information, including but not limited to exemptions under the Right-to-Know Law.
4. This policy shall be communicated to all Township departments, boards, commissions, and consultants, and shall apply to all negotiations, discussions, proposals, and transactions involving Township business.
5. Nothing contained herein shall abrogate any Township right or obligation related to records under the Criminal History Records Information Act nor the Right-to-Know Law. Further, this Resolution shall not extend to proceedings or filings made confidential by Order of any court of competent jurisdiction. Nothing contained herein is intended to waive or in any way abate the full extent of any lawful privilege.

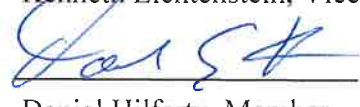
RESOLVED AND ADOPTED this 9 day of Sept., 2026, by the Board of Supervisors of Plumstead Township, Bucks County, Pennsylvania.

ATTEST:

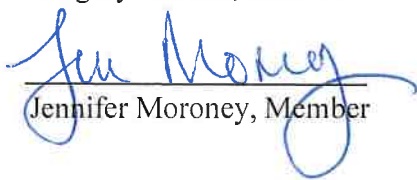

Stacey Mulholland, Manager


Matthew Given, Chair


Kenneth Lichtenstein, Vice Chair


Danial Hilferty, Member


Gregory Bankos, Member


Jennifer Moroney, Member