

Orlando Mercado	:	
	:	BEFORE THE SCHOOL
v.	:	ETHICS COMMISSION
	:	OF NEW JERSEY
Keith Gibbons	:	SCHOOL ETHICS ACT
_____	:	COMPLAINT FORM

I, Orlando Mercado, residing at [REDACTED] Lane, Blackwood, NJ 08012, [REDACTED], omercado@verizon.net, request the School Ethics Commission to consider a complaint against the above-named Respondent whose home address is [REDACTED] Glendora, NJ 08029, whose phone number is [REDACTED], and whose email address is keithgibbons21@gmail.com, in accordance with the authority of the School Ethics Commission to entertain such complaints under *N.J.S.A. 18A:12-21 et seq.*

The facts upon which this complaint is based are as follows:

RELEVANT BACKGROUND INFORMATION

Mr. Keith Gibbons was elected in November 2022 to a position on the Gloucester Township Board of Education. Mr. Gibbons has also served as member of the Gloucester Township Republican County Committee, and recently announced his candidacy for Mayor of Gloucester Township in the 2025 election.

Prior to his election as a Board member and presently, Mr. Gibbons has a podcast and website that provides observation on Gloucester Township Council meetings, The GT Observer, aka Restore Gloucester Township. (www.gtobserver.com)

Orlando Mercado serves as the Human Resources Supervisor of the Gloucester Township Public School District. Mr. Mercado has been an employee of the school district since January 2013. He holds an MBA and is SHRM certified as an HR professional. He also serves as the President of Gloucester Township Council. He has been a council member since 2004 and is a member of the Democratic Party.

During his podcast, Mr. Gibbons has described Mr. Mercado as a tyrant and narcissist on many occasions in his role as Council President. Mr. Mercado is aware that as a public official he is

open to criticism. However, over the last three years Mr. Gibbons has made references, under the First Amendment, to Mr. Mercado's position in the School District. Out of 1400 employees of the school district, Mr. Mercado has been the only employee Mr. Gibbons has spoken about on his podcast.

Mr. Mercado brought this to the attention of the District's legal counsel, Alicia D'Anella, formerly of the law firm, Parker McCay, and the Superintendent of Schools, John Bilodeau, in August 2023. Shortly thereafter Mr. Gibbons commenced putting disclaimers on his podcast that the opinions expressed on his podcast were solely his and did not represent those of any Board he may serve on.

Nevertheless, Mr. Gibbons continues to discuss Mr. Mercado and his position within the school district. This has caused irreparable harm to Mr. Mercado's reputation. Mr. Gibbons remarks have led to undermining, opposing, compromising and harming Mr. Mercado position within the school district and in the proper performance of his duties.

Mr. Gibbons on his podcasts relies on rumors and innuendos culled from social media outlets, unsubstantiated antidotes and similar unreliable, politically motivated sources to disparage Mr. Mercado. Gossip not refuted becomes a fact.

Mr. Gibbons has compromised the Board's integrity and accountability through his actions acting out of personal animosity, as well as political ambition, towards Mr. Mercado.

1. Statement of specific facts in support of the allegation:

While providing commentary on a recent Gloucester Township Council meeting, Mr. Gibbons referred to Mr. Mercado as "creepy". He stated, "I wish I could say more... I can't even tell you how many people have told me about his creepiness. He feigned restraint and then continued to state to his cohost, "think about the position he holds in town, not just Council. His cohost then continued to inform viewers that Mr. Mercado is the Human Resources Supervisor for the school district.

Date of occurrence: March 3, 2025 - Podcast of the GT Observer, at the Video mark 1:25:16 – 1:26:08

I assert this to be a violation of 18A:12-24.1 Code of Ethics for School Board Members F. G. and I (cited below), for the following reasons:

- **F.** I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
- **G.** I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. In all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its school.

- **I.** I will support and protect school personnel in proper performance of their duties.
1. Mr. Gibbons is a known political critic of Mr. Mercado. His views on Mr. Mercado on his website and podcast are widely known.
 2. Mr. Gibbons' comment that many people (inferring school employees) have approached him regarding Mr. Mercado's alleged "creepiness".
 3. Mr. Gibbons' inflammatory comments about Mr. Mercado are not supportive and protective of Mr. Mercado's proper performance of his duties.

2. Statement of specific facts in support of the allegation:

While providing commentary on the May 13, 2024 Gloucester Township Council meeting, Mr. Gibbons' cohost stated that Mr. Mercado was not at the Council meeting that evening. Mr. Gibbons responded "I can tell you where he was at. He was across town at the School Board meeting. His contract was up and he wanted to make sure that the taxpayers continue to pay his salary at the school district and that's why he did not leave". When Mr. Gibbons' cohost asked why Mr. Mercado say for the school board meeting, Mr. Gibbons replied, "well if your life depended on it or your livelihood"

Date of occurrence: May 20, 2024 Podcast of the GT Observer, at the Video mark 3:04

– 3:58

I assert this to be a violation of 18A:12-24.1 Code of Ethics for School Board Members F.G. and I (cited below), for the following reasons:

- **F.** I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
 - **G.** I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. In all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its school.
 - **I.** I will support and protect school personnel in proper performance of their duties.
1. Mr. Mercado is contracted employee in the school district. Mr. Mercado's position is not a tenured position. Mr. Mercado is not covered by any bargaining unit. His reappointment is recommended by the Superintendent of Schools and subject to Board approval on an annual basis. The mentioning of Mr. Mercado's contract during his podcast was inappropriate and violated the Code of Ethics for School Board Members.
 2. Mr. Gibbons is a known political critic of Mr. Mercado. His views on Mr. Mercado on his website and podcast are widely known.

3. Mr. Gibbons inflammatory comments about Mr. Mercado are not supportive and protective of Mr. Mercado's proper performance of his duties.

WHEREFORE, I, as Complainant, request that the School Ethics Commission find and determine that the above-named Respondent(s) has violated the School Ethics Act and that Respondent(s) be subject to such penalty as provided by the Act.

Date: March 12, 2025

A handwritten signature in blue ink, consisting of stylized, overlapping loops and strokes, positioned above a horizontal line.

Signature of the Complainant
or the Complainant's Attorney

CERTIFICATION

(Name of Complainant), of full age, hereby certifies that the following statements are true:

1. I am the complainant in this matter.
2. I have read the complaint and aver that the facts contained therein are true to the best of my knowledge and belief and I am aware that the statute that created the School Ethics Commission authorizes the School Ethics Commission to impose penalties for filing a frivolous complaint. *N.J.S.A. 18A:12-29(e)*. I am aware that if the respondent replies to the complaint with an allegation that the complaint is frivolous, I shall have 20 days from receipt of the written statement to only respond to the allegation that the complaint is frivolous.
3. The subject matter of this complaint is not pending in any court of law or administrative agency of this State. I will advise the School Ethics Commission if I subsequently become aware that it is pending elsewhere.

Date: March 12, 2025



Signature of the Complainant

Attachments

1. www.gtobserver.com - (Mr. Gibbons' website and podcasts can be found here)
2. Podcast Clip – KG1
3. Podcast Clip – KG 2
4. Tyrant Screenshot of Mr. Mercado, from the GT Observer page