

Orlando Mercado  
Complainant

:

: BEFORE THE SCHOOL

v.

:

ETHICS COMMISSION

OF NEW JERSEY

Keith Gibbons  
Respondent

:

SCHOOL ETHICS ACT

:

COMPLAINT FORM

I, Orlando Mercado, residing at [REDACTED] Aberdeen Lane, Blackwood, NJ 08012 (Complainant) file this written statement in accordance to N.J.S.A. 18A:12-21 et seq and provide the following response to Keith Gibbons' response and answers to my complaint filed, March 13, 2025.

I am not an Attorney nor have I sought legal counsel. I am an employee of the Gloucester Township Board of Education that has been the subject of the Respondent's criticism and insults and his attempts to diminish my reputation with current and future staff members of the Gloucester Township Board of Education, and undermine district operations in the furtherance of his own political ambitions.

1. In response to the allegation of a frivolous filing, I argue that the Complaint is not frivolous and has been presented in good faith with supporting documentation. I further assert that the Complaint is not frivolous, but rather a necessary measure to address the Respondent's conduct, which has the potential to undermine the integrity of my duties as Human Resources Supervisor, and of the Gloucester Township Board of Education. The filing was not made in bad faith or solely for the purpose of harassment, delay or malicious injury. I further argue that the Respondent has demonstrated a clear and repeated violation of the Gloucester Township Board of Education's own ethical guidelines and bylaws and that his Podcast and participation in Social Media Discussion Groups gives "reasonable people cause to believe the posted remarks and/or article links are related to his role" as a Board Member. I argue that the Respondent has either

intentionally or has callously disregarded his obligations not to mislead the public.

2. In response the Respondent's claims that the filing was filed due to Respondent's role in the successful defeat of a referendum of the Township's Sewer Utility is false. I have never publicly denounced the Respondent in any Township Meeting, Social Media posting or by any other means to the general public. The complaint was filed solely due to the Respondent's comments on my position in the School District. The complaint has nothing to do with any criticism made by the Respondent about me, in my role as Council President.

The Respondent is a self-described "Citizen Journalist". By its original definition a Journalist is someone who writes, collates, or organizes material for publication in a newspaper, magazine, or other news source; the term often refers to someone who has been specifically trained for the profession or who is hired by a news or media firm to do so. The Respondent, to the best of my knowledge has no formal training or education in the field of Journalism. Trained Journalists can understand the exactitude and ethics involved in reporting news. Due to the delicate nature of their profession, professional Journalists are usually subject to a set of rules and ethics imposed by their employers and/or the professional associations to which they belong. The Respondent is not employed by a professional media organization or accredited by a professional association.

In his role as a "Podcaster" the Respondent, an administrator of the Podcast and associated social media pages associated with Gloucester Township Observer, aka Restore Gloucester Township, maintains responsibility for the content of his pages. The Podcast and the associated media pages function in many capacities – Citizen Journalism, Campaign Website(s), and Advocacy issues. Upon receiving notice of an ethic complaint filed against the Respondent, the Respondent commenced his Podcast with a more robust disclaimer on his April 21<sup>st</sup> Podcast. (See Attachment 1). The disclaimer included the following – *"All content provided is for informational and entertainment purposes only and should not be construed as legal, political or professional advice. We strive to present accurate information, but we do not guarantee the completeness, reliability of any statements made. Listeners are encouraged to verify facts independently. Any allegations or criticism or based on publicly available information or personal opinion"*.

Mr. Gibbons' Citizen Journalist comments, political aspirations and affiliations, fundraising on his Podcast, and participation in Social Media Discussion Groups gives "reasonable people cause to believe the posted remarks and/or article links are related to his role" as a Board Member and routinely violates the School Ethics Act. **N.J.S.A. 18A:12-24.1(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.**

The day before the Respondent responded to this ethics complaint, May 19, 2025, a meme with my name and title, Human Resources Supervisor, was posted and the Respondent laughed at the meme, once again bringing up my role within the School District. (See Attachment 2) The Respondent and his Co-Podcaster were discussing the May 12<sup>th</sup> Council Meeting and, in their attempt, to be humorous posted my picture and title. (See Attachment 2) (May 19, 2025 GT Observer Podcast – 40:55 – 41:15 of the Podcast). Gloucester Township Public Schools has over 1,400 employees and I am the only employee Mr. Gibbons provides memes of and speaks of, on his Podcast, referencing my position. Mr. Gibbons' comment on his Podcast violated ethical guidelines for members of the Board of Education by publicly lampooning me.

Unfortunately, Mr. Gibbons doesn't understand that his role as School Board Member. Ridiculing me, a school employee and making references to me as "creepy" in my role (referenced in the original complaint - Mr. Gibbons referred to me as "creepy" on his March 3, 2025 Podcast of the GT Observer – Video mark 1:25:16 – 1:26:08) and in my position as the Human Resources Supervisor, is not supportive of me and my duties. **N.J.S.A. 18A:12-24.1(i). I will support and protect school personnel in proper performance of their duties.**

3. In regard to the Respondent's denial claim that his mentioning of my contract during the podcast was not violative of the School Code of Ethics is incorrect. I am appointed on an annual basis upon the recommendation of the Superintendent of Schools. My appointment is contained in a "Book" that only Board of Education Members have access to. This is not made available to the general public. The "Book" identifies employees by their four-digit ID number, position and location. The "Book" does not distinguish if an employee is tenured or non-tenured. It is not common knowledge to the District employees and the general public whether an individual in the contracted employee "Book" is tenured or not. Mr. Gibbons' claim that this is public knowledge is disingenuous. Mr. Gibbons, as a School Board Member, should not be commenting on my contract,

as a school employee, in any forum.

Mr. Gibbons' comments from his May 20, 2024 Podcast that I was present at a School Board meeting, because my contract was up and I wanted to make sure that taxpayers continue to pay for my salary at the School District and that I stayed at the meeting because my life depended on it or my livelihood, was inexcusable, uncalled for and violative of the School Ethics Act. (referenced in the original complaint - May 20, 2024 Podcast of the GT Observer, at the Video mark 3:04 – 3:58).

Mr. Gibbons' comments on his Podcast violated ethical guidelines for members of the Board of Education. **N.J.S.A. 18A:12-24.1(g) requires a board member to hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools, and also to provide accurate information.**

It is fully understood by me that a Board Member does not give up his or her First Amendment rights while serving as a Board Member, however each Member must still comply with the provisions of the School Ethics Act. In this matter, while the Board Member claims to be writing, posting, podcasting and providing disclaimers of his views and opinions as a private citizen, his writing also references his status as a Board Member, therefore this Board Member is speaking as a private citizen, and his postings are violations of the Code of Ethics for School Board Members.

I hold an MBA, and I am a SHRM Certified Human Resources Professional and a respected member of the community that I work and reside in. I am the most scrutinized employed in School District, other than the Superintendent of Schools, and it is merely based upon my role as the President of Gloucester Township Council and a member of the Gloucester Township Democratic Party. My work performance is more than satisfactory and has led to my reappointment, each year, for the last 13 years. The only "No" votes or "Abstentions" I have received in my thirteen years of employment have derived from those that opposed my political position and views – Mr. Gibbons and his newest running mate for Township Council, Jennifer O' Donnell, current Board President, who was defeated by me in the 2015 General Election for Township Council. (See Attachment 3)

In closing, it is evident that Mr. Gibbons smearing and verbally attacking an employee, in a publicly accessible forum, his Podcast, website, and social media pages, diminishes the integrity of the Board. The aggressive and intense nature of the posts clearly have cast dispersions upon me in my role of Human Resources

Supervisor. He has 'poisoned' the well so to speak with current and future employees of the school district and the general public. These individuals have been misled into having a predisposed opinion of my role in the School District by a Board Member that posts not only on his pages, but on other social media pages that are sympathetic to him and his causes, as a Top Contributor (See Attachments 4, 5, 6 and 7), where he advocates for candidates, causes and his own self promotion as a Podcaster and an elected representative.

The Complainant argues that the School Ethics Act Complaint filed on March 13, 2025, is not frivolous and has been presented in good faith with supporting documentation.

Date: June 6, 2025

  
\_\_\_\_\_  
Signature of Complainant

# Attachments

Seven (7) Total

## Attachment 1

Posted on April 21, 2025 by Restore GT



The views and opinions expressed on this podcast are those of the hosts and guests and do not necessarily reflect the official policy or position of any government entity, township official, or organization. All content provided is for informational and entertainment purposes only and should not be construed as legal, political, or professional advice.

We strive to present accurate information, but we do not guarantee the completeness or reliability of any statements made. Listeners are encouraged to verify facts independently. Any allegations or criticisms are based on publicly available information or personal opinion.

April 14th Council Meeting Recap Pennco Tech donates \$20K to Jakes Playground. Ordinance O-25-11 Block Parties Ordinance O-25-12, 13, 14 New Parking restrictions, Stop signs and One Way Streets Consent Agenda Nash votes NO on new lighting that was never discussed prior to this meeting. The 2025





The image shows a YouTube video player interface. The video content features a man in a suit standing in front of a Holiday Inn sign, with the text "HUMAN RESOURCES SUPERVISOR" overlaid. To the left, there is a scene with people at a desk, and to the right, a person is sitting at a desk. The video player includes a progress bar at 40:59 / 1:21:48 and standard playback controls. Below the video, the title "Gloucester Township Observer Podcast - May 19th, 2025" is displayed, along with the channel name "Gloucester Township Observer" and a "Subscribe" button. Engagement metrics show 123 views and 2 days ago. Interaction options for likes, shares, and downloads are also visible.

GT Observer Podcast

Holiday Inn

HUMAN RESOURCES SUPERVISOR

40:59 / 1:21:48

Gloucester Township Observer Podcast - May 19th, 2025

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Keith Gibbons for GT Mayor



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Keith Gibbons for GT Mayor



May 28 · 🌐



Exciting news for Gloucester Township! 📣

This November, alongside the mayoral race, you'll have the chance to vote for three Township Council seats. I am thrilled to announce that one of those names will be: Jen O'Donnell!



[gibbonsformayor.com](http://gibbonsformayor.com)

Jen O'Donnell for Gloucester Township Council



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Keith Gibbons for GT Mayor



May 26 · 🌐



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Keith Gibbons



Jan 10, 2023 · 🌐

Last night I was sworn in as a board member after winning an election with a total of 5,974 votes to what Wikipedia says is the largest elementary school district in the State of NJ. I look forward to the learning process and the challenges ahead. Thank you to all who voted for me and helped me along the way. 🙏



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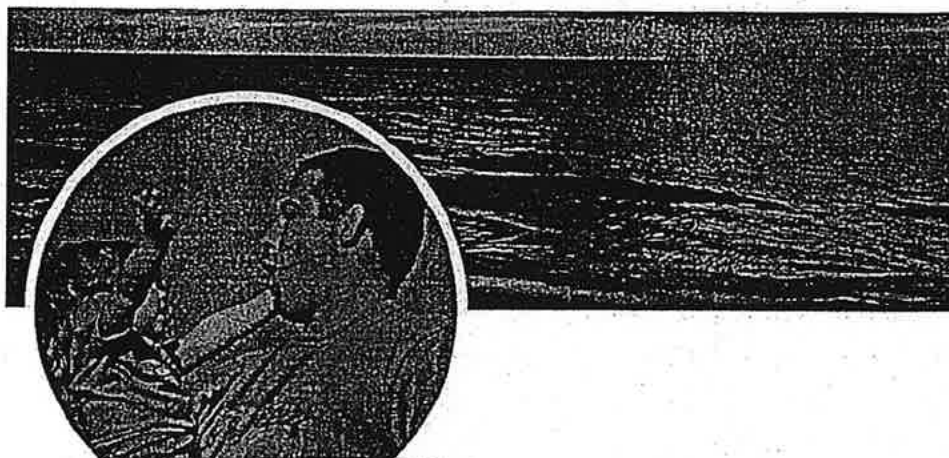


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## Keith Gibbons

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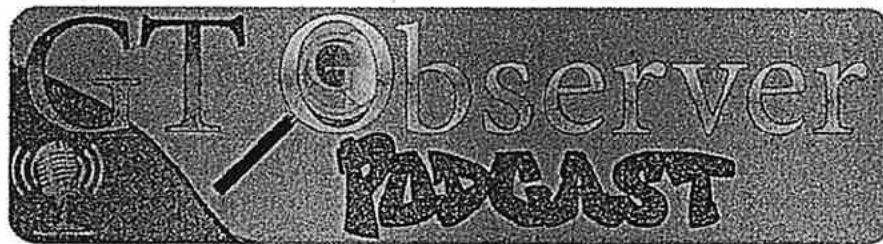


Keith Gibbons · Sep 9, 2024 ·

We are 2 subscribers away from 400. If you are not already, can you please subscribe and share the link with your friends? Turn your notifications on for updates.

We really try our best to keep everyone updated on what's going on in Gloucester Township.

<https://youtube.com/@restoreglotpw>



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Keith and Joe keep you to date on the latest happenings in Gloucester Township, NJ. The GT...



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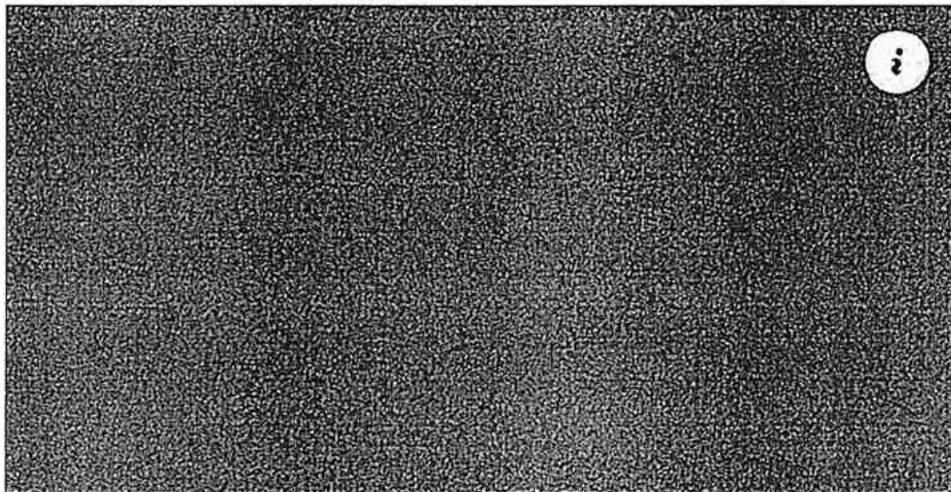
Keith Gibbons · Dec 15, 2024 · 

About to record the next episode of the #1 Podcast in GT

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