



Rensselaer County Legislature

Office of the Minority

September 19, 2007

Dear Editor

The tragic death of our colleague Ed Swartz has left a void as well as a vacancy in the Rensselaer County Legislature. It has shocked and saddened us all. Along with other legislators, I had the privilege of serving with Ed, as well as his father, before him.

The Rensselaer County Charter and the laws of the State of New York address how we must conduct ourselves when there is a death of a public official. These laws assure a fair and orderly transition of power and protect the public.

We, as public officials, take an oath to abide by the law and the Election Law is clear in this instance. Since Legislator Swartz died after the time when parties designate candidates by petition and before September 20th, an election to fill the vacancy must be held this November. As political parties have to file paperwork designating candidates by September 25th, there is a very short time period in which to accomplish candidate selections.

That's why I was confused by the recent comments of Legislative Chairman Neil Kelleher and Legislator Martin Reid. They would apparently defy the rule of law and claim entitlement to the seat. I regret that their remarks aren't based on law and appear to be more about maintaining the status quo and their veto-proof majority.

In accordance with Election Law, both the Democratic and Republican parties in the county are meeting to designate candidates who will run in the November 6th election. These candidates will then proceed with a shortened campaign under very difficult circumstances. They should not be made to feel guilty for their willingness to serve. Nor should either party be tarnished for following the law.

The District 4 legislative seat, formerly held by Legislator Swartz, doesn't belong to any particular party, but to the voters of District 4 -- Schodack, Sand Lake and Nassau. They deserve a choice when they go into the voting booth on November 6th and have the right to select the candidate they feel will best represent their interests in the County Legislature.

Sincerely,

Ginny O'Brien

Ginny O'Brien, Minority Leader
Rensselaer County Legislature