

**Lexington Oral History Projects, Inc.**

**MINUTES OF SELECTMEN'S MEETINGS**

*Excerpts From the Official Recorded Minutes on the Subject of Memorial Day Weekend, 1971 and the Vietnam Veterans Against the War*

**Special Selectmen's Meeting**

**May 27, 1971**

“A special meeting of the Board of Selectmen was held in the Bird Room, Cary Memorial building, on Thursday, May 27, 1971, at 7:30 p.m. Chairman Cataldo, Messrs. Kenney, Bailey and Busa, and Mrs. Riffin; Mr. O'Connell, Town Manager, and Mrs. McCurdy, Executive Clerk, were present.

The Chairman said that we have called this special meeting at the request of Mr. Kenney and Mrs. Riffin to discuss, once again, the request of the Vietnam Veterans Against the War.

Mr. Kenney: I am sure we have all heard the various citizens' reaction. Among other things, people approached me that we were wrong and I have given it considerable thought and on three points we are correct and move to reaffirm our vote of Monday evening specifically to deny to bivouac on the Green or Tower Park and deny special permission to conduct guerilla theatre in the center of Town.

Mr. Bailey seconded the motion.

Upon motion duly made and seconded, it was voted to reaffirm the vote taken at Monday evening's meeting.

Mr. Kenney: The other consideration which I was interested in having the Board discuss this evening was the question whether we should offer an alternative site for this bivouac and would initially point out we have no alternative site and that is the point. One other point, last Monday evening when the veteran came before us on guerilla theatre and we asked if he wanted an alternative site, he wanted the Center; we did offer, but he wanted the Center. I would present the question to the Board, should we offer an alternative site to bivouac? I am not exactly sure of an alternative site but I did ask the Town Manager to consider some and make some recommendations.

Mr. O'Connell: I have looked the Town over and we know virtually nothing yet about their camping requirements, about vehicles and overnight

## Lexington Oral History Projects, Inc.

encampment. With respect to suitable property: (1) Willards Woods area, it is adequately large and is not close to any houses and subject to minimum interference in the neighborhood and frequently used for camping. (2) Hennessey land, which is entirely open and of adequate size. (3) The Lincoln Street area is small but adequate; it has the advantage of being fenced and is near the center of Town, but it does have very expensive grass that is just beginning to take hold.

Mr. Kenney: Continuing the discussion, I would point out that Mr. Gross emphasized that he wished to conduct it lawfully and peacefully and he was willing to abide by our decision. Since then, there has been other information, some through the grapevine, that they intend to come anyway. I understand the Town Manager got a call that stated the Boston Globe received notification they were going to come to the Lexington Green on Saturday and it is not quite the same attitude. We originally thought that he would honor the decision of the Board and quite possibly they are aiming for confrontation. Again, I question whether we should offer them an alternate site which is more acceptable from a public safety viewpoint.

The Chairman: I got a call from the Globe as Mr. O'Connell did, and they gave the same story. The reporter asked if I had any comments and I said no, and also asked me if we were officially notified they would come to the Green what would our attitude be and I said no comment. With this knowledge, I called and talked to Mr. Cram of the Veterans and he said Mr. Gross was away for three days. I asked him if there was any truth to the call I had received from the Globe and he said there was not and he would call the Boston Globe and get it squared away. I said if this is the case, it would be most unfortunate, and he said this was not an official position of this organization. Incidentally, I called both yesterday and today for some sort of schedule and they couldn't give me one. I got a call from the Herald-Traveler asking the same questions and I told them the same thing. I got a call that I was being taken to court for violation of the first amendment and I said I didn't know about it. So, the point I am making is that everything we are sitting here listening to is by the grapevine and it has been working for a month and I think it is about time we faced up to the grapevine. It is now known this was being planned and not one had the courtesy to call this Board or this office; here we are, spending another night when they should have called a month ago. I include the clergy and members of Town Boards who knew and didn't call. I, for one, support the motion made and in no way will consider it any further.

Mr. Busa: I fully concur with what you have stated. It was brought to my attention that this was organized and food would be brought to 250-400

## **Lexington Oral History Projects, Inc.**

people. To consider any alternative, we have refused permission to the Boy Scouts to camp in Willards Woods and the magnitude of 300 or 400 people would create destruction. In the Lincoln Street recreation area and the Center playground, Lexington children play in these areas on Saturday and there are organized programs set up for them. I see no further discussion to offer them an alternative. We offered them an alternative on Monday to consider another location and they refused. To me, then, it would be blackmail to give them a camp. If they are going to have confrontation they may as well have it and get it over with. I would support the Chairman in his decision.

Mr. Bailey: My point of view is precisely the same as on Monday, to start off on the premise to forget the name of the group and consider it could be any other group making a request of Lexington; it could be the D.A.R., Sons of Italy, Masons, anybody who could have a message to impart. In my own mind, we have always offered people a platform for people to speak within the confines and we have no intention of denying them. When, however, it was suggested to use the Green as a hotel, all of a sudden the perspective changed. I think if somebody came and knocked at my door and presented the case, you are reasonable enough to listen to him but I don't think you are obligated to provide bed and board and carrying the responsibility.

The Chairman: I talked with Mr. Gross and he told me they were willing to accept the decision of the Board and I took him at his word. These calls are from the underground and the aggravation of citizens with our own Town and they are people without character, to have this organization, to push it to this extent. On the use of the ground, I don't think it is a sensible approach, with everybody screaming about the 1st amendment. Everybody has rights and there are rights on both sides. As I see it, these people who are screaming about constitutional rights, it is time they started supporting it and I think the people in this Town that are pushing it to this degree, whether this issue or the next, we are going to face up to it.

Mr. Kenney: Mr. Busa said that last Monday we offered an alternative, but we did not offer an alternative on bivouacking. Mr. Bailey wants to know if we are obligated. I don't think we are, but raise the question whether it is a reasonable course of action, of the possibility of confrontation and doing it under the guise that they had been offered no other place and being asked to push out of Town. Again, I don't think there is any great harm in an alternative.

The Chairman: You have to accept the fact if an alternative is offered

## Lexington Oral History Projects, Inc.

and accepted and they are granted an alternative site, the Town must be prepared to accept full responsibility and liability for what happens. We are certainly sure if they come into Town, we will have to accept the responsibility for it. If you want to expose the taxpayers to a tremendous cost beyond policing and protecting these people, we have the responsibility to the people of Lexington first. As far as I am concerned, we have extended ourselves. We said you can come in an orderly fashion and exercise the march. We would not extend more to you than anyone else. Although there are some veterans, we don't know who these people are and emphasize ourselves. On the position of making an area available to them, even if they were Girl scouts or Boy Scouts, they would be exposing the Town to liability.

Mrs. Riffin: We didn't hear about it until the item came on the agenda on Friday and we had very little time to deliberate as a Board, to explore it in one meeting. We all had a feeling afterwards and had many phone calls and I felt the need to think and reaffirm my position. I think if we can't comply, if we didn't pursue the possibility of an alternative and consider it as a Board and we said we would discuss this once again. For Lexington and the Citizens of the Town and the Commonwealth and the Nation, I wouldn't want to see a confrontation on the Battle Green. It would be my hope at this meeting we could come up with an alternative rather than have an open invitation for a confrontation on the Battle Green and find one place for one night, with the group marshalling and with sanitary facilities. Hopefully, we could resolve this, perhaps not to everybody's satisfaction.

The Chairman: There is no question we didn't have much time to consider this. This is part of the problem. There is no question people knew this, the churches and clergy knew; the clergy has put the Town in this position. Mr. Adams told me they had 80 lbs. of spaghetti and 40 qts. of sauce ready. I told him fine, split them up and put 30 of them here and so many there, and they are taken care of. Why should the Town have to do this. We have no reason not to let them express themselves but why should the Town be put in this position?

Mr. Bailey: I keep hearing it would be used as a confrontation and on Monday night we heard him say he was very anxious to have a peaceful demonstration, and the spokesman has been unavailable and this has all been heard via the grapevine. If they operate on the premise of no confrontation and if that is the case, there is no problem; if not, no matter what we do there is no way of avoiding difficulty.

Mr. Kenney: You are probably quite right.

Mr. Busa: If there is no further discussion, I move to adjourn the

## **Lexington Oral History Projects, Inc.**

meeting.

The Chairman: If there is no further discussion, does anyone wish to make a motion?

A motion was made by Mr. Kenney and seconded by Mrs. Riffin to offer the Vietnam Veterans Against the War an alternative site to be selected by the Town Manager and the Chief of Police from the three sites recommended by the Town Manager, with certain restrictions regarding policing and housekeeping.

Mr. Kenney and Mrs. Riffin voted in the affirmative.

Mr. Cataldo, Mr. Bailey and Mr. Busa voted in the negative. The vote being 3-2 against the motion, the motion did not carry.”