

June 10, 2026

Via Electronic Mail

The Hon. Nick Collins, Chair
Committee on State Administration
and Regulatory Oversight
State House, Room 511-A
Boston, MA 02133
Nick.Collins@masenate.gov

The Hon. Antonio F.D. Cabral, Chair
Committee on State Administration
and Regulatory Oversight
State House, Room 466
Boston, MA 02133
Antonio.Cabral@mahouse.gov

Re: House 5315, An Act Relative to the Veterans Memorial Rink Located in the City of Waltham

Dear Chair Collins and Chair Cabral:

As your committee considers House 5315, *An Act Relative to the Veterans Memorial Rink located in the city of Waltham*, I write to bring your attention to the concerns of the Office of the Inspector General (OIG) on the bill.

The Department of Conservation and Recreation (DCR) currently leases many of the Commonwealth's public ice-skating rinks. The lease terms require the operator to maintain and improve the facilities, while also prioritizing public access to rink time. The current leases are set to expire within the next few years.

In accordance with section 52 of Chapter 206 of the Acts of 2024 (Section 52), DCR is permitted to issue a request for proposals (RFP) to lease the state's ice-skating rinks. Section 52 requires a lessee to operate, manage, improve, repair and maintain the facilities. The lease agreement must also contemplate required capital improvements and performance specifications for the facility. The RFP prioritizes public access to the ice-skating rinks.

The city of Waltham currently leases and operates the Veterans Memorial Rink located in the city and is interested in renewing its long-term lease. When DCR issues the upcoming RFP, the city is concerned that they will be unable to compete with a private operator with the financial resources to outbid a public entity. Therefore, House 5315 directs DCR to offer Waltham the right-of-first refusal to enter into a lease agreement with DCR for the Veterans Memorial Rink. If Waltham is deemed eligible to enter into a lease agreement, the consideration would be nominal.

This exemption circumvents DCR's intent to competitively procure the lease terms. Moreover, the leases are not intended to bring significant profit to the lessee or to DCR, however the OIG cautions against awarding a lease for nominal consideration. In addition, Waltham's current lease terms direct the consideration to the state's General Fund. Any lease agreement under Section 52 directs the consideration into the state's Conservation Trust. Any lease funds should be placed into the Conservation Trust as will be done with other leases.

DCR is regularly underfunded and unable to properly maintain all the assets in its portfolio. As such, DCR often enters into long-term lease agreements to shift some of the obligations for the assets to a lessee. The OIG has raised concerns with DCR's ability to manage long-term leases, including in a recent [letter](#) regarding the Pope's Island Marina in New Bedford. Nevertheless, DCR must competitively procure an entity to operate and maintain these public assets.

Furthermore, Section 52 requires the OIG to review and approve DCR's RFP for the leases before it is issued. The OIG is positioned to offer guidance to DCR to ensure that the RFP process will be transparent and competitive. The OIG is also cognizant of the need to balance the public interest and financial benefits of a lease. The RFP and any subsequent lease agreement must protect the state's interest and capture the lessee's responsibilities over the entirety of the lease term.

In closing, if enacted House 5315 sets a precedent for other municipalities to file legislation to circumvent the competitive process for these leases. Similar assets managed by DCR should be treated similarly. Carving out exemptions to real property laws is not in the interest of the Commonwealth or its properties.

If you have any questions, please do not hesitate to contact me at 617-722-8806 or Jeffrey.S.Shapiro@mass.gov, or Joshua Giles, Director of Government Outreach and Public Policy, at 617-719-8225 or Joshua.Giles@mass.gov.

Thank you for your consideration.

Sincerely,



Jeffrey S. Shapiro, Esq., CIG
Inspector General

cc (by email):

The Hon. Thomas M. Stanley
The Hon. John J. Lawn, Jr.
Nicole LaChapelle, Commissioner, DCR
Joshua Giles, Director of Government Outreach and Public Policy, OIG
Nataliya Urciuoli, Senior Executive Assistant, OIG