'Without prejudice' or, the case of the missing heater

Regional solicitors are expected to handle legal matters but at Halton Region, they have to become private eyes too. Such was the case when Dennis Perlin was called upon to locate a

missing heater. Installed in the former Halton County garage on Main St. in Milton by Union Gas in 1971, the heater had become lost in the shuffle of owners.

When the gas company came looking for it, the region was unable to account for it.

Mr. Perlin was called out to solve the mystery. Starting at the beginning, Mr. Perlin outlined the story in his report to the regional public works committee Jan. 2.

"In January of 1946 the Corporation of the Town of Milton conveyed to the County of Halton lands on Main St. in the Town of Milton for the purposes of a county garage.' "As time went on," Mr.

Perlin said, "the lands were leased to Trafalgar Motors for use in connection with their automo-

bile business in Milton." "In 1971 at the request of the county, Union Gas Limited installed a rental conversion burner in the former county garage and rent was continuously paid on that burner until February of 1975.

> ional council approved a recommendation of the public works committee of the time that the county garage and yard facilities to be sold to the Town of Milton for the sum of \$60,000 and this sale and conveyance was

"In July of 1974 reg-

finalized on Mar. 4,

Mr. Perlin said he "redence respecting the transaction between the region and the town and the actual transaction was handled by the legal department of the region for both the region and the town and nowhere on the record was there any mention of the conver-

sion burner." "The Town of Milton took the property subject to the lease agreement with Trafalgar Motors."

ing and scrapped and re-He said, "Apparently, placed by another burthe conversion burner disconnected Mr. Perlin said, "This some point in 1975 and at

removal and replacethat time Union Gas ment was done by persimply 'froze' the outstanding amounts which Gas Limited so the perwould be picked up sons concerned were not some point in the future aware that the burner did when the conversion not belong to Trafalgar burner was either hooked up again or replaced by Motors but rather was a burner another burner."

belonging to Union Gas." "However, after the "Since the region did Town of Milton sold the not inform the Town of property to Trafalgar Milton that the burner Motors, the conversion was a rental unit, the burner was completely of Milton, Town removed from the build-

Trafalgar Motors and, thus, the town and Trafalgar Motors claim that they thought that the burner was a 'bought unit and thus was part of sold to the town and then

course, did not inform

Mr. Perlin said he received a letter from Union Gas February 1978 under the title of "Without prejudice".

sold by the town

Trafalgar Motors."

The letter informed him the burner was

compensation. Gas Limited

indicated that with interest they felt that the payout amount which the region should pay to Union Gas for the loss of their \$1,815.40 but that they would take off the 'interportion and simply charge the region the remainder-\$1,291.06.

Mr. Perlin said he enguired whether the town Trafalgar would pay the company's

"neither the town nor Trafalgar Motors ever paid any rental to Union Gas directly on the unit and that the burner when t was scrapped, was not scrapped by Union Gas

people themselves." He said, "The town has taken the position that it was not informed that the conversion burner was rental unit and that since it did not get charged for nor pay any rent that it could not know that the

burner was a rental unit

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and that therefore,

should not have to pay anything with respect to the outstanding claim of Union Gas."

"As there is no proof available that either the town or Trafalgar Motors were informed of the rental status of the conversion burner, then I believe that the region should take responsibility with respect to the unauthorized premature scrapping of the conversation burner," Mr. Perlin said.

The public works committee approved payment.

Champion

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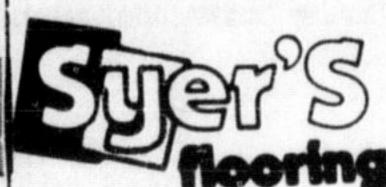
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