

## **VILLAGE OF NEW HAVEN**

### **MACOMB COUNTY, MICHIGAN**

#### **RESOLUTION NO. 2025-\_\_**

#### **A RESOLUTION DECLARING PRIORITY WASTE IN BREACH OF CONTRACT FOR FAILURE TO PROVIDE CONSISTENT AND RELIABLE WASTE HAULING SERVICES**

WHEREAS, the Village of New Haven ("Village") entered into a contractual agreement with Priority Waste, LLC ("Priority Waste") to provide residential waste hauling services, including trash, recycling, and yard waste collection, to all homes within the Village limits; and

WHEREAS, the contract with Priority Waste requires timely, complete, and professional collection services to ensure the health, safety, and general welfare of the residents of the Village; and

WHEREAS, Priority Waste has consistently failed to fulfill its contractual obligations by regularly missing scheduled pickups of one or more waste types, including entire sections of the Village going unserved, resulting in a growing number of resident complaints on a weekly basis; and

WHEREAS, these service failures have caused undue inconvenience, health concerns, and loss of confidence among residents in the Village's ability to ensure essential municipal services are maintained; and

WHEREAS, the Village has communicated these concerns to Priority Waste on multiple occasions and has provided ample opportunity to remedy these deficiencies, yet the pattern of inconsistent service continues without meaningful resolution or improvement; and

WHEREAS, the Village Council has determined that such repeated failures constitute a material breach of contract and a violation of the terms and conditions agreed upon by Priority Waste;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of New Haven, Michigan:

1. That Priority Waste is hereby declared in breach of its contractual obligations due to repeated and ongoing failures to provide reliable, timely, and complete waste hauling services to Village residents.

2. That the Village Council formally notifies Priority Waste of this breach and demands an immediate and permanent corrective action plan within fifteen (15) days of receipt of this resolution.

3. That failure by Priority Waste to adequately remedy these service issues to the satisfaction of the Village Council may result in the pursuit of all legal remedies available, including but not limited to, contract termination, enforcement of liquidated damages, and procurement of alternative waste hauling services.

4. That the Village Manager and/or Village Attorney are hereby authorized to take all necessary actions to enforce this resolution and protect the interests of the Village and its residents.

AYES:

NAYS:

ABSENT:

RESOLUTION DECLARED ADOPTED THIS \_\_ DAY OF \_\_\_\_, 2025.