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RIVERDALE - Target's traffic light remains wide of mark

(by Leslie Scott - Staff Writer - November 12, 2008)

RIVERDALE - The blinking light at the Target shopping center off Route 23 will continue to blink—just blink—for some time, an apparent victim of the state's money troubles.

During the Nov. 3 Borough Council meeting, Borough Attorney Robert Oostdyk said due to the state's budget crunch, the NJ Department of Transportation (DOT) has placed Title 39 application approvals on a low priority list. Title 39 is a state law that allows municipalities to enforce traffic laws on private property, and the borough refuses to go beyond a blinking light without the state's approval of a fully-functioning the signal at Target.

"When we accepted the traffic light, (we agreed) that one of the conditions would be that they would have to have approval from the state of New Jersey under Title 39, that would give us the ability to enforce that traffic light," said Oostdyk.

Since the DOT is not working on Title 39 applications, Oostdyk said Target representatives asked if the borough could find another way to get the light activated.

Oostdyk said the borough engineer could submit a recommendation to the state to get the light turned on and the borough would also have to pass a resolution explaining there is an emergent need to do so.

"The concern I have is if we adopt a resolution now, that we think it is emergent that we get this light on, and six months from now we go to DOT and say we want the traffic light out, they are going to say, 'Six months ago you felt it was emergent to turn it on,'" said Oostdyk.

Councilwoman Elaine Wetzel said she would rather wait for the state to come out to look at the area.

"If it really isn't a safety issue, how do you then say it is an emergency?" Wetzel asked during the meeting.

Councilman Joe Falkoski said that in effect the light is working now.

"It's blinking red in one direction and yellow in the other," he observed.

Target representatives want this light turned on in order to complete all of the building requirements under this application.

"The traffic light is a requirement of the Planning Board's approval. It is a requirement of the DOT access permit and it's a requirement of Target's easements with the adjoining property owners. The Borough of Riverdale initially requested that light and Target spent a lot of money to build it," said Target attorney Kevin Coakley.

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