

Lariviere, Methuen Settle Sexual Harassment Case

METHUEN - On the eve of trial, former solicitor Maurice Lariviere and the city reached settlements with Fulya Metin Capanelli, a former City Hall legal secretary who sued for sexual harassment.

The trial was supposed to start this morning and was expected to feature a police surveillance videotape that showed Lariviere kissing and making sexual advances toward Capanelli, his then-legal secretary.

Instead, today, the settlements by Lariviere and the city will be presented to Judge Thomas Murtagh for approval in Lawrence Superior Court, said Anthony DiFruscia, Lariviere's defense attorney.

"At this time, all I can say is this has been resolved. This difficult matter for all parties is over. I am hoping everyone can get on with their lives," DiFruscia said yesterday.

DiFruscia would not comment on the terms of Lariviere's settlement. Capanelli's attorney, Marsha Kazarosian of Haverhill, last night confirmed the case "was resolved."

"But that's all I can say," she said.

Methuen Mayor William Manzi declined comment for this story.

The terms of both settlements could be revealed in court today. Methuen's payout to Capanelli also requires city council approval.

The trial was expected to last two weeks and feature an array of current and former city employees and police officers as witnesses.

The suit filed in 2007, by Capanelli and her husband, Anthony Capanelli, states city officials were negligent in dealing with her claims of sexual harassment against Lariviere in 2005. The Capanellis, who now live in Hauppauge, N.Y., sought unspecified damages and attorneys' fees.

"It is a classic sexual harassment case," Kazarosian said last week.

Lariviere resigned Feb. 16, 2005, after police confronted him with a surveillance tape showing him kissing and making sexual advances toward Capanelli. Police set up a secret camera in Lariviere's office after she complained to police.

Two officers were undercover in a men's bathroom and Solomon and Deputy Chief Joseph Alaimo were waiting in the mayor's office, as videotape rolled in the solicitor's

office. After catching Lariviere making several advances toward Capanelli, police stepped in.

Lariviere later filed suit in federal court, saying Solomon and Alaimo forced him to resign and attempted to get back his \$96,000-per-year job. In January 2008, a federal jury, which was shown the police surveillance tape, decided the officers did not coerce Lariviere.

Lariviere was previously defended by lawyer William DiAdamo. DiFruscia took over on the case on Aug. 18, 2011 and recently sought a trial delay so he could obtain necessary documents and evidence - including the police surveillance tape, according to court papers. Judge Robert Cornetta denied the trial delay on Wednesday.

DiFruscia also sought criminal records for both Anthony and Fulya Capanelli. When the sexual harassment allegedly occurred at City Hall, the couple was engaged and Anthony Capanelli was incarcerated in federal prison for conspiracy to commit armed robbery.

Fulya Capanelli was "sensitive to sexual harassment because she had been sexually abused as a child by a man who resembled Lariviere both in age and stature," according to her suit.

She claims she "continually rebuffed his unwanted sexual advances" while working at City Hall. The situation "created a hostile and untenable work environment" that damaged the woman both physically and mentally, her suit alleges.

Her last day of work at City Hall was Feb. 23, 2005 because she could not "emotionally deal with the stress she suffered," according to her suit.

Lariviere has said the relationship was consensual and said police threatened him with arrest if he did not sign a prepared resignation letter. During the federal trial, Lariviere testified that Solomon and Alaimo threatened to drag him out of City Hall in handcuffs if he did not resign on the spot. He claimed they were being pushed by then-Mayor Sharon Pollard to get him out of his job.

The Capanellis, Lariviere, current city solicitor Peter McQuillan, police Lt. Michael Wnek, former police Chief Bruce MacDougall and current Chief Joseph Solomon, City Clerk Christine Touma-Conway, and City Hall employees John Molori, Linda Gagnon, Connie Sousa and Kathleen Healey are all listed as potential witnesses in court papers.